

AGENDA

PARKS AND RECREATION COMMISSION of the CITY OF HANFORD

**COUNCIL CHAMBERS
400 N. Douty St.
5:30 PM, Monday, February 13, 2017**

CALL TO ORDER

ROLL CALL

FLAG SALUTE

PUBLIC COMMENT

*This is the time for citizens to comment on subject matters not on the agenda and that are within the jurisdiction of the Commission. This is also the public's opportunity to request an item from the Consent Calendar be pulled for discussion purposes or to comment on any item on the agenda. A maximum of **five minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

INTRODUCTION OF NEWLY APPOINTED COMMISSIONERS AND COUNCIL REPRESENTATIVE

ELECTION OF 2017 CHAIRPERSON AND VICE-CHAIRPERSON

RECOGNITION OF LEAH FORTE

CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

A. Parks Division Staff Report

B. Sports, Longfield Center, Aquatics/Skate Park, Facilities, Community Promo/Events

C. Hanford Youth Services and Senior/Adult and Special Needs Departments report attached

GENERAL BUSINESS

A. Valley Oak Removal Request 1000 W Audubon RD

B. Arbor Day Celebration 2017

STAFF COMMUNICATION

COMMISSIONERS ITEMS OF INTEREST

ADJOURNMENT

Materials related to an item on this Agenda submitted to the Parks & Recreation Commission after distribution of the agenda packet are available to public inspection in the Parks & Recreation Office located at 321 N. Douty Street, Hanford, California 93230, during normal business hours. Such documents are also available at the city's website, www.cityofhanfordca.com subject to staff's ability to post documents before the meeting.

If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the Parks & Recreation office, 559-585-2525, 321 N. Douty Street, Hanford, California 93230, at least 2 days prior to the meeting {28 CFR 35.102.35.104 ADA Title II}



**AGENDA
STAFF REPORT**

MEETING DATE: 2/13/2017

AGENDA SECTION: A

SUBJECT:

Parks Division Staff Report

RECOMMENDATION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

Park Division Staff Report November, December and January

Park Division Staff Report November, December '16 and January '17

- ✓ Mow Civic / Courthouse Parks and Sports Fields bi-weekly
- ✓ Median Island Herbicide Application, litter clean up and irrigation repair
- ✓ Perform weekly inspections of the Landscape Assessment District Landscapes
- ✓ 10th Ave – remove dead sycamores and replace with new scarlet oak trees
- ✓ Corporation Yard – installed new low volume irrigation system and new drought tolerant plant material
- ✓ Corporation Yard – pruned all the olive trees around perimeter fence line
- ✓ Street Medians – removed dead shrubs and replaced with new callistemon “little John” shrubs
- ✓ Street Medians – installed recycled wood grindings from park pruned trees
- ✓ Civic Park – Planted a 36” box Mondale Pine tree as the annual Christmas Tree and decorated for the season
- ✓ YAC – Bored holes in storm drain system to increase capacity and eliminate flooding at the county government center
- ✓ YAC – pruned large trees in the parking lot
- ✓ Longfield Center – repaired handball court chain link fence due to vandalism
- ✓ Hanford BMX Track – removed dead trees, shrubs, volunteer palm trees and replaced with new Scarlet Oak Trees

- ✓ Lacey Park – removed spring rockers from tot playground due to ongoing vandalism
- ✓ Lacey Park – installed new park bench with students from Hanford West High School
- ✓ Airport Park – repaired picnic tables with new wood and returned them to the park
- ✓ Encore Park – poured new ADA accessible concrete pads for the park bench and picnic table
- ✓ Downtown District – removed dead trees at various locations and replaced with new and correct trees for the locations
- ✓ Downtown District – removed curb, gutter, sidewalk on Phillips St and 7th ST, replaced with new concrete, installed new irrigation, new tree grates and new trees
- ✓ Downtown District – removed dead tree, damaged concrete and replaced it with new concrete sidewalk, tree grate and tree
- ✓ LAD Districts – re-landscaped Poppy Hills District with new trees, shrubs, bark and low volume sprinkler nozzles
- ✓ LAD Districts – pruned trees at various districts
- ✓ LAD Districts – installed new irrigation controller cards at various districts to increase inspection efficiency
- ✓ Parks Staff – attended traffic control and flaggers training
- ✓ Parks Staff – attended state mandated pesticide handlers training at the County Ag Commissioners Office



**AGENDA
STAFF REPORT**

MEETING DATE: 2/13/2017	AGENDA SECTION: B
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SUBJECT:

Sports, Longfield Center, Aquatics/Skate Park, Facilities, Community Promo/Events

FISCAL IMPACT:

ATTACHMENTS:

February 2017 Commission Report
2nd Annual Youth Cele at Longfield
Spring Kids Fest 2017

CITY of HANFORD**Hanford Park & Recreation Department****Commission Report / Monday, February 13, 2017****Sports**

Spring COED & MEN's Adult Softball League & Spring Church Adult Softball League

- Deadline for Roster/Registration: Monday, March 6th.
- League play begins: Week of March 13th. Monday – Thursday League
- \$420 per team with 10 game season

Aquatics & Skate Park

We're hiring for the new 2017 season.

- Lifeguards & Swim Instructors
- Interviews will take place in March.

Longfield Community Center & Community Garden

2nd Annual Youth Celebration, Honoring Black History Month

- Saturday, February 18th at 1:00 p.m. – 3:00 p.m. Free-of-Charge
- Pizza meal and old school games; double-dutch, pickup sticks, hopscotch, 3 point shootout contest and so much more! Please see attached flyer

J.F.K. Junior High School Community Leadership Community Garden Project

- Tuesday, March 2nd, April 6th, May 18th at 2:00 p.m. – 4:00 p.m.
- 2 Plots with a variety of vegetables.
- Community Garden clean up.

Facilities Management

The Hanford Civic Auditorium reservations continue to grow as we are booked every weekend in 2017 and are taking reservations for 2018 and filling up quick.

Community Events/Promotions

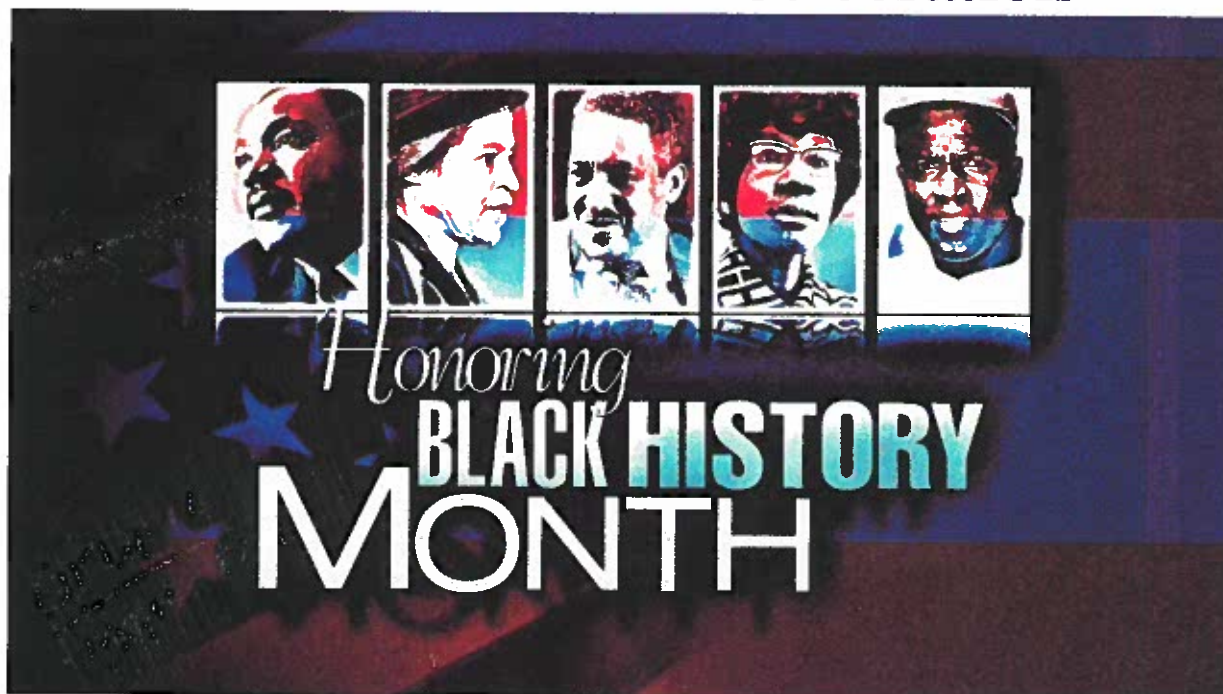
March 18th – **Spring Kids Fest** / 12:00 p.m. – 3:30 p.m. / Hidden Valley Park / please see attached flyer

California Parks & Recreation Society, District 7 Awards and Installation Banquet

- Friday, February 24th / Hanford Civic Auditorium / 6pm – 9pm / \$30 per person / **deadline to RSVP 2/14/17**

Respectfully Submitted by Armando M. da Silva, Recreation Supervisor

2nd Annual Youth Celebration



EMBRACING THE PAST BUILDING THE FUTURE

FREE ADMISSION

Free Pizza and Old School Games

Double Dutch~ 3 Point Shoot Contest~ Hula Hoop Contest~ Pickup Sticks

Gift Card Prizes!!!



Where: Longfield Center "The Hall"

560 S. Douty Street Hanford, CA 93230

When: Saturday, February 18, 2017

1:00-3:00PM

For more information call:

Hanford Parks & Recreation (559) 585-2525

www.cityofhanfordca.com



3rd Annual
Spring

THE SENTINEL

KIDS FEST

MARCH 18
12:00PM - 3:30PM

**HIDDEN
VALLEY PARK**

the most wonderful time of the year

GAMES! RIDES!
SPECIAL
PERFORMANCES!

ADMISSION
WRISTBANDS
\$4 PRESALE
\$5 DAY OF



Attractions are geared towards ages 2 - 12.

TONS OF FUN!

- Bounce Houses
- Pony Rides
- Trackless Train Rides
- Rock Wall
- Reptile Show
- Food & Info Booths
- Local Performances
- Photo w/ Characters



Chamber of Commerce

Manuel F. DeSantos, DDS



Purchase at the Park & Recreation Office / 321 N. Douty Street / More info: 559-585-2525 / www.cityofhanford.org

Packet Pg. 9



**AGENDA
STAFF REPORT**

MEETING DATE: 2/13/2017	AGENDA SECTION: C
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SUBJECT:

Hanford Youth Services and Senior/Adult and Special Needs Departments report attached

FISCAL IMPACT:

ATTACHMENTS:

Monthly Parks and Rec report for February 2017 updated

Monthly Parks and Recreation Report
Susie Chavez, Supervisor
Divisions -1719-Youth Services-
1720-Adult & Special Populations
February 7, 2017



Teen Center/Youth Activities (Division 1719)

1. The new year finds us prepping for Spring and Summer activities. Beginning March 1, 2017 our spring Cheer Class will begin using the upstairs hall at the Senior/Veterans Building. A new Marshall Arts class taught by Corey Boren will begin Monday, March 6 at 5:00 p.m. and will be held in the downstairs meeting room of the Senior/Veteran's building. The girls Princess Tea Party, Spring Camp, the Easter-eggstravaganza, Mother/Son and Daddy/Daughter Date Nights are a few of the programs slated for the next few months.
2. A new round of elementary school Teen Center field trips are set to begin on Monday, March 6 with the Kings River Hardwick elementary school. As of now, there are three schools Frontier, Lincoln and KRH with a total of 13 dates booked for March. Approximately 1,850 students visited the Teen Center during November and December 2016.
3. We are now partnered with the Hanford Chamber of Commerce. We were asked by them to be one of their down town field trip destinations. To date we have 150 out of town 3rd grade students scheduled for April 26th from 11:00 a.m. to 2:00 p.m.
4. Registration is now being take for our Spring Toddler T-ball (which begins on Saturday, March 25) The spring season usually garners around 80 players.
5. Tickets will go on sale next week for our annual Zumbathon fundraiser. Each year we host a Zumbathon fitness night and sell tickets for \$10 per person. The money raised goes towards our scholarship fund for youth activities such as summer camp, swim lessons etc.

Senior Center, Adult & Special Populations (Division 1720):

1. We are currently taking registration for our special needs Challenger Basketball program that begins on Tuesday, February 21, 2017. On Friday, January 20, 2017 we hosted a family night at the Teen Center for the families and players who have participated or were interested in participating in the 2017 Challenger Basketball program. This gave everyone (coaches, players & family) an opportunity to familiarize themselves with each other before the season begins.
2. Our Free Food Bank held at the Longfield Center is doing very well. During the January event the weather was wet and rainy. There were still 300 people in attendance. The February event had around 400 people come in for bags of food. They are of all ages and are very thankful for the food. The food is free and no proof of wages are required to participate.



AGENDA STAFF REPORT

MEETING DATE: 2/13/2017	AGENDA SECTION: A
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SUBJECT:

Valley Oak Removal Request 1000 W Audubon RD

RECOMMENDATION:

That Commission, review the removal request and give staff a recommendation of approval or disapproval on the removal request submitted.

BACKGROUND:

Street Tree Permit 28/16 was submitted for 1000 W Audubon RD, by the property owner requesting the removal of the Valley Oak tree in the residences backyard. Ordinance 12.12 Street Trees and Shrubs, subsection 12.12.310 requires the preservation of Heritage Trees. A copy of the ordinance is attached for commissions review.

FISCAL IMPACT:

There would be fiscal impact to the city budget.

ATTACHMENTS:

Street Tree Permit
Street Tree Ordinance



CITY OF HANFORD

Hanford Parks & Recreation Department

321 North Douty Street, Suite B, Hanford, CA 93230 Office: 559.585.2525 Fax: 582-1152

STREET TREE PERMIT

Application is hereby made under provisions of the City of Hanford Ordinance
Chapter 2, Section 7-2.05 for permission to:

- [] Plant street trees in public right of way
 [X] Prune street trees in public right of way
 [X] Remove street trees in public right of way

No. of street trees 1

Brad Smith
 Name of Applicant

(559) 730-8189 12/12/16
 Telephone Date

1000 W Audubon Rd
 Street Address

Are you the owner of the property
 where the tree is located? Yes

Location of trees if different than above

[Signature]
 Signature of property owner

1000 W Audubon Rd
 Mailing Address

Details of request: This Oak Tree is leaning very bad towards my home over the top of my master bedroom. If it falls it will crush my home, and it looks like it can fall at anytime. My wife also runs an in-home Daycare at our house as well, so the liability is very high. I would like to remove this tree, or at the very least have it trimmed way back. First option would be to remove it, second option would be to trim it. Thank you for your consideration.

FOR OFFICIAL USE ONLY

TREE PRUNING

- [X] Pruning at OWNER'S expense
 [] Pruning at CITY'S expense

TREE PLANTING

Commission review necessary [] Yes [] No

TREE SELECTION

[] Commission [] Superintendent [] Owner

FOR OFFICIAL USE ONLY

TREE REMOVAL

Commission review necessary [] Yes [] No

[] APPROVE [] DISAPPROVE [] NO ACTION

COMMISSION VOTE: Y : N : A = T

- [] Removal and replacement at OWNER'S expense
 [] Removal at OWNER'S expense
 [] Replacement at OWNER'S expense
 [] Removal and replacement at CITY'S expense
 [] Removal at CITY'S expense
 [] Replacement at CITY'S expense
 [] No replacement permitted at this location

[Signature]
 Parks Superintendent

Permit No. 28/16 Date 12/13/16

PERMIT VALID FOR SIXTY (60) DAYS FROM DATE ABOVE

Permit has been extended for another 60 day period from 1/2/17 [Signature]

Hanford Municipal Code

[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No Frames](#)[Title 12 STREETS, SIDEWALKS AND PUBLIC PLACES](#)**Chapter 12.12 STREET TREES AND SHRUBS****Note**

- * Prior history: Prior code §§ 7-2.01—7-2.13 and Ord. 96-18.

12.12.020 Definitions.

“Authorized street tree list” means that list identifying the types of trees which may be planted in park strips.

“City arborist” means an arborist who is a member of the International Society of Arborists (or equivalent organization) designated by the parks and recreation department director.

“Critical root zone” or “CRZ” means a defined circular area around a tree with a radius measured to the nearest foot of the tree’s longest drip line radius plus one foot as illustrated below.

“Damaged” means the removal of bark greater than three (3) inches across, the breaking or splitting of the main trunk, or the dislocation of the main trunk or any act compromising its health or structural integrity according to accepted industry standards or to cause damage that is severely detrimental to its overall aesthetics.

“Dead” means a tree, shrub, hedge, or other plant that is no longer alive, has been damaged beyond repair, or is in an advanced state of decline (where an insufficient amount of live tissue, green leaves, limbs, or branches exist to sustain life) and has been determined to be in such state by the director.

“Development project” means any exterior construction work associated with or requiring a building permit for any building addition, building demolition, site grading, excavation or site paving.

“Director” means the parks and recreation department director of the city of Hanford or designee.

“Hazard” or “hazardous condition” means any tree, shrub, hedge, or plant that is or appears to be: (1) dead; (2) likely to fall; (3) seriously diseased; (4) an obstruction or potential obstruction to pedestrian or vehicular traffic; (5) an obstruction or potential obstruction of any traffic signs, traffic control devices, streetlights, regulatory signs, or similar types of equipment or signs; or (6) in a condition that is detrimental to the public health, safety, or general welfare.

“Hedge” means any group of shrubs planted in line or in groups so that the branches of any one plant are intermingled or contact the branches of any other plant in the line or group.

“Heritage tree” means any of the following: (1) any Oak Tree native to Central California, Valley Oak Tree (*Quercus lobata*), with a diameter greater than ten (10) inches; or (2) any tree or a group of trees specifically designated by the city council for protection because of its historical significance, special character or community benefit.

“Imminent hazard” or “imminently hazardous condition” means a hazardous condition that presents an immediate threat to the health, safety, or general welfare of the public which requires immediate action to prevent injury to the public or property.

“Park strip” means that portion of the public street right-of-way between the curb or curb line and the adjacent sidewalk or property line, as applicable, used for or which may be used for the purpose of planting

and maintaining street trees, shrubs, hedges, or other plants. In some areas within the city, park strips may extend into a private property's yard beyond the sidewalk. Park strips may be located on private property or may abut private property.

"Prune" or "trim" means to remove any segment of the above- or below-ground woody tissue of a tree, shrub, hedge, or other plant. If pruning is done in nonconformance with said conditions of permit or without a permit, it shall be deemed a "removal."

"Remove" or "removal" means cutting to the ground, complete extraction, or killing by spraying, girdling, or any other means of a tree.

"Replacement" for the purposes of this chapter shall be determined by utilizing a certified tree and landscape appraiser or the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers.

"Shrub" means a bush or plant (excluding weeds) more than twelve (12) inches tall but not more than six (6) feet tall.

"Street" means a public right-of-way owned by or under the control of the city whose primary function is to carry vehicular traffic and shall also include sidewalks and park strips.

"Topping" means the removal of branches from mature trees leaving stubs and large wounds on such trees.

"Tree" shall mean any perennial, woody plant species or cultivar that reaches a height exceeding six (6) feet at maturity, whether planted singly or as a hedge, or having secondary branches supported on a main stem or stems. The term "tree" includes street trees and heritage trees.

"Tree protection plan" means a plan in compliance with Section 12.12.310, Protection and preservation of heritage trees. (Ord. 15-12 § 1, 2015)

12.12.110 Authority to direct work on trees, shrubs, hedges, and other plants.

The planting of trees in park strips of less than five (5) feet in width shall be permitted only if the trees planted are selected from the authorized tree list for such area. If the park strip is five (5) feet or more in width, trees may be planted which are allowed in the authorized tree list for such area. (Ord. 15-12 § 1, 2015)

12.12.130 Prohibition of violation of chapter.

It is unlawful for any person to plant, remove, prune, or maintain any trees, shrubs, hedges, or other plants or cause the same to be done in violation of this chapter. (Ord. 15-12 § 1, 2015)

12.12.210 Pruning or removal of heritage or street tree—Permit required.

A. Except as provided in this section, it is unlawful for any person to prune or remove any heritage tree or remove a street tree, or do any construction work or activity that may affect the critical root zone of a heritage or street tree, without a permit issued by the director.

B. Each permit to prune or remove a heritage or street tree shall contain the following information:

1. Name of permit applicant;
2. Time period in which to complete the action specified or required in the permit;
3. Reason for pruning or removal;

4. If a tree will be removed, the type and species of the replacement tree to be purchased and planted by the permittee at the permittee's sole cost and expense;

5. Description of the pruning, if applicable; and

6. Location of the tree to be pruned or removed (address of property where tree is located and the specific location of the tree on the applicant's property).

C. The director shall, subject to the consultation requirements set forth below, issue a permit to prune or remove a street tree or prune a heritage tree only if at least one of the following criteria is met:

1. The tree creates a hazardous condition or imminently hazardous condition;

2. The type, species, or location of the tree is in conflict with the policy or plans of the city;

3. The tree interferes with electrical lines and the interference cannot be corrected by pruning the tree;

4. The tree has caused concrete or asphalt damage that results or could result in a hazardous condition or imminently hazardous condition and which cannot be resolved by other reasonable means;

5. The tree has or may cause damage to utilities, including without limitation water, sewer, communication lines or power lines, that results or could result in a hazardous condition or imminently hazardous condition and which cannot be resolved by other reasonable means;

6. The tree is in conflict with an approved development permit for an adjacent property or right-of-way;

7. Removal is required for thinning to allow proper spacing; or

8. Removal would allow a more desirable planting in conformance with the approved tree list.

D. The director shall, subject to the consultation requirements set forth below, issue a permit to remove a heritage tree only if the tree creates a hazardous condition or imminently hazardous condition.

E. Except as otherwise provided in this chapter, the director will consult with the commission on applications to remove street trees and applications to prune or remove heritage trees. The commission shall make recommendations to the director concerning heritage or street tree removal and heritage tree pruning after an inspection by a subcommittee of the commission and after deliberation by the commission. Requests for such inspections shall be made by the director at commission meetings. The director need not consult with the commission on heritage or street tree removal or heritage tree pruning if, in the director's reasonable judgment, a heritage or street tree poses an imminently hazardous condition. In such instance, the director may approve a permit without consulting the commission; provided however, the director will inform the commission of the issuance of such permit at the commission's meeting that immediately follows the permit's issuance. The director need not consult with the commission regarding applications to prune street trees.

F. If the city grants a permit for the removal of a heritage or street tree, the person or entity removing the tree must remove the tree's trunk to a minimum depth of two (2) feet below the adjacent ground level. (Ord. 15-12 § 1, 2015)

12.12.220 Permit application.

A. Applications for permits required under this chapter shall be submitted to the director, along with an application fee. Application fees shall be set by resolution of the city council. The director shall review each permit application that the city accepts for filing. As part of the review of each application, the director may request additional information from the applicant or conduct any investigation the director believes is necessary to complete the review. After the completion of the review of the permit application and advisory input by the commission, if required, the director shall provide written notice to the applicant of the decision to issue (as requested or modified) or deny the permit.

B. The notice shall be in a form prescribed by the director. The notice shall provide the opportunity for the applicant to appeal the director's decision.

C. An applicant wishing to appeal the director's decision shall submit a written request for an appeal hearing to the director within seven (7) calendar days of the property owner's receipt of the director's notice. The city council will serve as the hearing body for appeals. A hearing shall be set for a date that is not less than fifteen (15) days and not more than sixty (60) days from the date that the request for hearing is filed in accordance with the provisions of this section. The city council will give the applicant an opportunity to be heard and will thereafter render a written decision regarding the director's decision on the permit application.

D. Permits issued for work occurring under Section 12.12.210 shall, except as otherwise provided herein, be valid for sixty (60) days, except permits issued to public utilities, which may be for a period of one year. The director may extend the effective period of a permit if the director finds good cause exists in a particular case. (Ord. 15-12 § 1, 2015)

12.12.230 Development permit combined.

The request for a heritage or street tree planting, pruning, or removal permit may be included as part of an application for a development permit. Where the request for planting, pruning, or removal permit is included as part of the development permit application, the development permit may serve as the planting, pruning, or removal permit and be processed under the application, noticing, hearing, and appeal provisions applicable to the development permit application, and no separate planting, pruning, or removal permit application and planting, pruning, or removal permit is required, so long as all of the substantive provisions and permit processing requirements of this chapter are satisfied as part of the processing of the development application. (Ord. 15-12 § 1, 2015)

12.12.240 No permit required.

A. Notwithstanding any provision of this chapter, no permit shall be required for pruning or removing a heritage or street tree if any of the following criteria are met prior to any work being performed:

1. An imminent hazard exists where the immediate pruning is necessary to protect the public health, safety, or welfare. The property owner who causes emergency work to be done must ensure that the heritage or street tree is not pruned more than is reasonably required to eliminate the imminent hazard; such party must obtain a permit for any non-emergency pruning of the same tree. The property owner causing the emergency pruning or removal must provide, within two (2) business days of the completion of the emergency work, written notice to the director that includes a full description of the work completed, the exact location where the work was performed, the bases for the emergency work, and photographs clearly showing the condition creating the imminently hazardous condition;

2. An imminently hazardous condition exists and the director provides written notice to the responsible property owner to take corrective action, and the owner complies strictly with such notice;

3. Removal of the tree is in connection with a city-approved public works project; or

4. A development permit, or amendment thereto, which allows the removal of a tree, has been issued by the city and accepted by the permit applicant pursuant to the provisions of this code pertaining to development permits.

B. In case of emergency, when a tree is hazardous or dangerous to life or property, it may be pruned or removed by order of the city's public works, parks and recreation, police, or fire departments, provided further, that any franchise public utility or representative of the city may remove or prune trees which interferes with the safe and efficient operation of the public service for which they are responsible, but only to

the extent made necessary by such interference, with the permission of the director and/or the city arborist. (Ord. 15-12 § 1, 2015)

12.12.260 Presentation of permit on request.

A. It is unlawful for any person to prune or remove or cause the same to be done to a heritage or street tree unless the permit or a copy of the permit allowing for this activity is maintained on the site where the tree to be pruned or removed is located.

B. It is unlawful for any person to prune or remove or cause the same to be done to a heritage or street tree unless the permit or a copy of the permit can immediately be presented upon request by an official or representative of the city.

C. It is unlawful for any person to engage in any work on or allow any work on a heritage or street tree that is subject to a permit to occur unless and until: (1) the permit or a copy of the permit is located on the site where the subject tree is located; and (2) the permit or a copy of the permit is readily available for presentation upon request as described in this section. (Ord. 15-12 § 1, 2015)

12.12.270 Revocation of permit.

A. The director may revoke a permit issued pursuant to this part if the director determines any of the following:

1. The permit was obtained or extended by false, misleading, or incomplete information;
2. One or more conditions set forth in the permit have been violated; or
3. One or more provisions of this chapter have been violated.

B. The director shall give written notice of the revocation of the permit to the applicant. The applicant may appeal the director's decision in accordance with the provisions of Section [12.12.220](#). (Ord. 15-12 § 1, 2015)

12.12.280 Reforestation.

Permits for heritage or street tree removal, removals without permits and acts causing damage to heritage or street trees shall require replanting in accordance with the following guidelines:

A. Trees removed under jurisdiction of a planning approval pursuant to this chapter shall conform to conditions specified in the planning approval.

B. Trees removed with a valid tree removal permit shall be replaced in accordance with this chapter and instructions identified by the director. Replacement instructions shall include direction on the location and species of the replacement tree. Tree replacement shall be one to four twenty-four (24) inch box size tree(s) determined by the director, for each tree removed.

C. Trees removed without a valid tree removal permit shall be replaced by one to four forty-eight (48) inch box size tree(s) for each tree removed at the discretion by the director if the value of the removed tree(s) was significantly greater than that of a forty-eight (48) inch box tree. In such cases of non-permitted removal, the determination of the level of replacement shall be within the discretion of the director, but will not exceed the actual tree loss as determined by the replacement value. In addition to the requirements of this subsection, penalties under Section [12.12.530](#) or other sanctions allowed by law may be imposed for removal of heritage or street trees without a permit.

D. Where the director determines that replanting is not feasible and/or appropriate, e.g., sufficient trees exist on site, the director may: (1) require that a payment of equal value to the cost of the purchase and installation of the replacement tree(s) be made to the city tree planting fund; or (2) place other conditions on the permit which are of equal value to the cost of the purchase and installation of the replacement tree(s).

E. Any person causing damage to a heritage or street tree shall be required to take such steps as may be required by the director to assure the future vitality of the tree(s), including costs of treatment and/or construction of protection barriers, or if the director determines that the damage is so great that the tree is no longer reasonably sustainable, replacement of the damaged tree per subsection C. (Ord. 15-12 § 1, 2015)

12.12.300 Property owner maintenance—Responsibility and duty to public.

A. Subject to the provisions of Section 12.12.110, each owner of property that is located in the city shall maintain and replace, when necessary, any street trees, shrubs, hedges, or other plants within a park strip located on or which abuts an owner's property in such condition so as to comply with this chapter. Each property owner shall plant and replace any removed or otherwise missing street trees in accordance with the requirements of Section 12.12.210.

B. A property owner required by this section to plant, maintain, and replace, when necessary, street trees, shrubs, hedges, and other plants shall owe a duty to the public using streets and/or sidewalks to maintain such street trees, shrubs, hedges, and other plants in a safe and non-hazardous condition. For purposes of this section, maintenance of street trees, shrubs, hedges, and other plants includes, without limitation: watering, pruning, fertilizing, pest control, spraying, removal of branches, leaves and other debris, weed abatement, and protection of the critical root zone. Watering shall occur in a manner consistent with the city's rules on water use identified in this code.

C. A property owner required by this section to maintain any street trees, shrubs, hedges, or plants shall comply with the following:

1. Provide the necessary maintenance so that street trees, shrubs, hedges, and plants do not become a hazard;
2. Provide a minimum of eight (8) foot vertical pedestrian clearance from the top of the sidewalk and a minimum fourteen (14) foot vertical vehicular clearance from the top of pavement, to any part of a street tree; provided however, each street tree shall be trimmed so that the vertical clearance around the entire tree is uniform and consistent;
3. Provide adequate clearance for unobstructed pedestrian and vehicular view of all traffic signals, street lights, regulatory signs, street name signs, and other similar types of equipment and signs;
4. All maintenance shall be completed in accordance with the guidelines of the American National Standard Institute (ANSI);
5. Obtain a permit as required in Section 12.12.210; and
6. Obtain an encroachment permit from the city's public works department for any work that the property owner or his or her contractor will perform within a public right-of-way or if any vehicle or equipment will operate or be parked in any public right-of-way as a result of any work pertaining to a tree, shrub, hedge, or other plant for which the property owner is responsible.

D. If any property owner fails to maintain any street trees, shrubs, hedges or other plants for which the owner is responsible in a non-hazardous condition as required by this section, and any person or entity suffers damage or injury to person or property, the property owner shall be liable for all damages and/or injuries caused by his or her failure to maintain the street trees, shrubs, hedges, or other plants.

E. If, in the opinion of the director, a tree, shrub, hedge, or other plant located on private property located outside of a park strip constitutes a nuisance or hazard, the process, procedures, and remedies described in this chapter with respect to street trees, shrubs, hedges, and other plants located in park strips, will be available to the city.

F. Any and all damage caused by a tree, shrub, hedge, or plant to any person or property or to any utility, street, sidewalk or other improvement shall be the responsibility of: (1) the owner of the property on which such tree, shrub, hedge, or plant is located; or (2) if the offending street tree, shrub, hedge, or plant is located within a park strip that abuts private property, the owner of the private property that abuts such park strip. (Ord. 15-12 § 1, 2015)

12.12.310 Protection and preservation of heritage trees.

A. Any person who owns, controls, has custody or possession of any real property within the city shall use reasonable efforts to maintain and preserve all heritage trees located thereon in a state of good health, pursuant to the provisions of these regulations.

B. Any application for discretionary development approval of real property or any other development project shall be accompanied by a signed statement by the property owner or authorized agent which discloses whether any heritage trees exist on property and described on the plans associated with the application the location of each such tree, its species, trunk size and drip line area. In addition, the location of any tree within thirty (30) feet of the area proposed for construction that is within the public right-of-way shall be shown on the plans identified by species.

C. In regard to any heritage tree designated by the city council for protection (hereinafter “protected tree”), any exterior construction work associated with any development project performed within a radius measured from the trunk center equal to ten (10) times the diameter of the trunk measured at four (4) feet above grade shall require the preparation and submittal of a tree protection plan for review and approval by the director and/or the city arborist prior to the issuance of any permit for a development project. The tree protection plan shall be prepared by a certified arborist.

D. A tree protection plan shall at minimum include the following requirements:

1. Prior to the commencement of any development project, fencing shall be installed at the drip line of any protected tree which will be affected by the construction and shall prohibit the storage of any construction materials, equipment or other materials inside the fence. The drip line shall not be altered in any way so as to increase the encroachment of the construction.

2. Prohibit extraction, soil deposit, drainage and leveling within the drip line unless approved by the director and the city arborist.

3. Prohibit disposal or depositing of oil, gasoline, chemicals, paints, solvents or other materials within the drip line or in drainage channels, swales or areas that may lead to the drip line.

4. Prohibit the attachment of wires, signs, ropes, or any foreign objects to any protected tree.

5. Utility service and irrigation lines shall be located outside of the drip line when feasible.

6. Include provision for the retention of the services of a certified arborist for periodic monitoring of the project site for the health of protected trees. An arborist or the director or designee must be present whenever activities occur which will pose a potential threat to the health of the protected trees or whenever any work needs to be done within the drip line of such tree.

7. Include other provisions as deemed necessary by the director and/or the city arborist to preserve the protected tree and insure compliance with those provisions.

8. Require that the parks and recreation department be notified whenever any damage or injury occurs to a protected tree during construction so that proper treatment may be administered.
9. Contain the signature of the property owner and building permit applicant. (Ord. 15-12 § 1, 2015)

12.12.320 Interfering with maintenance work or injuring street trees prohibited.

A. No person shall in any way interfere with the city or its employees or contractors engaged in the planting, mulching, pruning, spraying, treating, or removal of any street tree, or in the removal of stone, cement, or other substance around the trunk of any street tree.

B. No person shall, except with written permission of the director: (1) damage, cut, carve, girdle, or injure the bark of any street tree; (2) attach or keep attached, or cause the same, any sign, wire, device, or injurious material to any such tree or the guard or stake intended for the protection of such street tree; (3) allow any gaseous, liquid or solid substance, pesticide, herbicide, or similar chemical agent harmful to a street tree to come into contact with the roots, leaves, bark or any part of any street tree; (4) construct concrete, asphalt or brick paving or otherwise fill the ground area within four (4) feet of any street tree that may shut out/off air, light, or water to the street tree or its roots; (5) pile building material or other material around any street tree in any manner that will in any way injure the street tree; or (6) construct any raised planter around a street tree's trunk.

C. As part of any construction work or activity of a building or structure, the owner or responsible party thereof shall place such guards around all nearby street trees that are required in the opinion of the director to effectively prevent injury to such trees.

D. Tree stakes or guards may be placed around street trees by the city, the city's contractors, or by the owner of the property on which the street tree is located or which is located in a park strip abutting the owner's property as long as such stakes and guards are merely placed near street trees for the purpose of protecting and/or training such trees.

E. Each property owner shall ensure that electrical lines and wires providing electricity to his or her property are secured so they do not come into contact with any street tree, and no person shall, without the written authorization of the director, attach to a street tree any electric wire or line, insulator, or device for the holding or securing of any electric wire or line, or electrical or utility poles.

F. No person shall move any building or other object along any street in such manner as to injure any street tree. Whenever the director determines or reasonably believes that any street tree may be injured, the director may require the person moving the building or other object along a street in the city to furnish a bond in an amount sufficient to cover the damage or destruction of street trees. (Ord. 15-12 § 1, 2015)

12.12.330 Park strip inspection.

The director may inspect or cause to be inspected all street trees, shrubs, hedges, and other plants located within park strips. Upon discovering that any street tree, shrubs, hedges, or other plants within a park strip are dead, infected or infested with plant, animal, insect, or other condition detrimental to the growth, health, or life of any such street tree, the director may utilize the provisions of and pursue the remedies outlined in Sections 12.12.400 through 12.12.530. (Ord. 15-12 § 1, 2015)

12.12.340 Hazardous conditions—Sight obstructions on private property.

A. No owner or person in possession or control of any property shall maintain any tree, shrub, hedge or other plant located on his or her property, or located in a park strip abutting the owner's property, in a manner that causes or may cause a hazardous condition or imminently hazardous condition on a street.

B. No owner of property shall permit the existence of any tree, shrub, hedge, plant, mound of earth, boulders, or any other object located on his or her property or within a park strip abutting his or her property that obscures and/or impairs the view of passing motorists or pedestrians or which impairs the view of any street sign, traffic sign, or any other control device or sign placed upon the streets for the safety and convenience of the public. (Ord. 15-12 § 1, 2015)

12.12.400 Notice of violation.

If the director determines that a violation of this chapter has occurred or that the condition of any tree, shrub, hedge, or plant constitutes a violation of any provisions of this chapter, the director may, by written notice, notify the owner of the property in violation to take corrective action. A notice of violation may be provided in the form of an administrative citation or other form of writing that the director deems appropriate. (Ord. 15-12 § 1, 2015)

12.12.410 Notice of violation—Delivery.

The notice of violation specified in Section 12.12.400 may be given by delivering a written notice personally to the property owner, or by mailing the notice, certified with return receipt requested, to the property owner at his or her last known address as the same appears on the last equalized assessment rolls of the county. (Ord. 15-12 § 1, 2015)

12.12.420 Notice of violation—Contents.

Any notice of violation issued by the director pursuant to Section 12.12.400 shall contain the following information:

- A. The date of inspection;
- B. The address or a description of the property upon which such tree, shrub, hedge, or plant is located, or the address of the property which abuts the park strip in which such tree, shrub, hedge, or plant is located;
- C. A description of the violation;
- D. A description of the corrective action required to address the violation; and
- E. A definitive time period or deadline to complete the corrective action. (Ord. 15-12 § 1, 2015)

12.12.430 Notice of violation—Right to appeal.

A. The notice of violation will specify that the property owner may file with the director a written request for an appeal hearing. Such written request must be received by the director within fifteen (15) calendar days of the date of the notice of violation. The written request for hearing must clearly outline the reasons and bases for the property owner's objection to the notice of violation.

B. The director shall consider each written request for appeal. If the director does not alter his or her decision on an issue as a result of the written request for appeal hearing, the director shall set the matter for a hearing before the city council. The city council will serve as the hearing body for appeals involving notices of violation. A hearing shall be set for a date that is not less than fifteen (15) days and not more than sixty (60) days from the date that the request for hearing is filed in accordance with the provisions of this section. The

city council will give the property owner an opportunity to be heard and will thereafter render a written decision regarding the notice of violation. (Ord. 15-12 § 1, 2015)

12.12.440 Work performed by city.

A. If the corrective action required by a notice of violation is not completed within the time specified in the notice, the city may, but shall not be required to, perform the required work or cause the work to be performed.

B. In cases of imminently hazardous conditions, the director shall have the authority to perform or cause to be performed corrective work necessary to abate the imminent hazard without first issuing a notice of violation to the property owner. (Ord. 15-12 § 1, 2015)

12.12.450 City invoice for work performed.

A. The property owner shall be responsible for all costs associated with any corrective action taken by the city, including, without limitation, costs of planting, removal, or pruning and the city's administration time and expenses associated therewith. After completion of the work by the city pursuant to Section 12.12.440, the city shall mail an invoice to the property owner. The property owner shall, except as otherwise provided in this section, remit full payment to the city within thirty (30) calendar days of the date of the city's invoice.

B. Any invoice not fully paid within the thirty (30) day calendar period referenced in the immediately preceding subsection shall be deemed delinquent and shall accrue interest at the rate of ten percent (10%) per year or the maximum interest rate allowed by law, whichever is less.

C. The costs payable to the city pursuant to this section may, at the director's discretion, be made in installments of no less than fifteen dollars (\$15.00) per month, which shall be included as a charge on the utility bills or property tax bills for the property at which the city provided services. A property owner wishing to pay the amount owed in installments pursuant to this subsection must submit a written request to the director within fifteen (15) calendar days of the date of the invoice issued by the city pursuant to this section; if a property owner fails to submit such a request within the fifteen (15) calendar-day period, the payment terms identified in subsection B shall apply. Each owner of real property who is allowed to make installment payments pursuant to this subsection shall execute a promissory note and/or other documents approved by the city to reflect: (1) the payment obligation; (2) interest at a rate equal to the local agency investment fund (LAIF) interest rate in effect on the date of execution of the promissory note and/or other documents; and (3) the city's cost to prepare and record the documents evidencing the debt owed to the city and to process such installment payments.

1. If the director determines that installment payments shall be added to a property's utility bills, the property owner shall also execute a lien or deed of trust, in a form approved by the city, that will be recorded against the real property at which the city provided services. In determining whether the amount owed to the city will be paid through installments added to a property's utility bills, the director may require satisfactory proof that the real property will sufficiently secure payment of the amount owed to the city.

2. If the director determines that installment payments shall be paid through an owner's property tax bills, the city will notify the Kings County tax collector of the amounts to be added to the tax roll. The amount added to each tax bill shall be the equivalent of the monthly installment rate approved by the director plus any administrative fees charged by Kings County to collect and process the payments. (Ord. 15-12 § 1, 2015)

12.12.460 Collection of city's costs.

A. To cause the payment of a delinquent amount, the director may pursue any remedy available to the city to enforce this code.

B. The city may add to the owner's unpaid balance any costs incurred by the city to collect a delinquent amount. (Ord. 15-12 § 1, 2015)

12.12.470 Collection of corrective action costs—Special assessment.

A. To cause the payment of a delinquent amount, the director may pursue any remedy available to the city to enforce this code.

B. The city may add to the owner's unpaid balance any costs incurred by the city to collect a delinquent amount.

C. If a property owner fails to pay a city invoice in a timely manner, the city may, but shall not be required to, declare the delinquent amount a special assessment against the owner's property.

D. If the city elects to declare a special assessment in accordance with subsection A, the director will cause a notice of a public hearing before the city council to be provided to the property owner in the manner specified in Section 12.12.430. The notice will specify the day, hour, and place where the city council will hear and pass upon a report of the director (the contents of which are described below), together with written objections, if any, which may be raised by the property owner.

E. Prior to such hearing, the director shall prepare and file with the city council a report specifying the work performed by the city, the cost thereof, a description of the real property upon which the offending tree, shrub, hedge, or plant was located or a description of the real property abutting the park strip in which the offending street tree, shrub, hedge, or plant was located, and the assessment proposed to be levied against the property to pay the costs incurred by the city.

F. On the day and hour fixed for the hearing, the city council will hear and pass upon the report of the director, together with any written or oral objections which may be raised by any property owner liable for the cost of the city's corrective work. The city council may make such modifications in the report as it may deem just, after which, the report, as submitted or as modified, will be confirmed and provided to the property owner. The decision of the city council on all objections shall be final and conclusive.

G. The hearing will serve to provide full opportunity to the person subject to the city's invoice to be heard and object. The failure of any person to appear at the hearing shall constitute a failure to exhaust administrative remedies.

H. The city council, after confirmation of a special assessment amount, may:

1. Order a notice of lien to be delivered to the county for recording against the owner's property; or
2. Order the assessment amount to be submitted to the county tax assessor, who shall enter the amount thereof in the county's assessment records opposite the description of the particular property, and the amount shall be collected together with taxes assessed against the property. Thereafter, the city's assessment shall be collected at the same time and in the same manner as taxes against the property are collected and shall be subject to the same penalties and interest, and to the same foreclosure and sales rights and procedures in the event the owner fails to pay the assessment in a timely manner. (Ord. 15-12 § 1, 2015)

12.12.480 Private arrangements for tree trimming or removal.

The director may, if he or she deems it to be in the public's interest, cause street trees to be pruned or removed through a private arrangement between the city and the owner of the property on which such trees are located or the owner of the property that abuts the park strip in which the trees are located. The

arrangement will include terms under which the city will be reimbursed for initially paying the costs of such work on the owner's behalf. (Ord. 15-12 § 1, 2015)

12.12.500 No interference with enforcement of this chapter.

No person shall interfere with or delay an authorized representative or contractor of the city from executing and enforcing this chapter. (Ord. 15-12 § 1, 2015)

12.12.510 Failure to give or receive notice.

The failure to post, mail, or deliver by personal service any notice required under this chapter or the failure of any person to receive such notice shall not affect the validity of any proceedings or actions taken by the city or its officers, officials, employees, contractors, or volunteers under this chapter. (Ord. 15-12 § 1, 2015)

12.12.520 Additional penalties.

A. In addition to the reforestation requirements, described in Section [12.12.280](#), if the director finds that any person has violated this chapter by participating in any act constituting a violation under this chapter, the director may, through the issuance of administrative citations, impose a penalty of up to one thousand dollars (\$1,000.00) per participant per tree for such illegal act. A schedule of penalty amounts will be established by resolution of the city council.

B. Any person or entity violating the provisions of this chapter may be directed by the city to stop work and to prepare a mitigation plan to correct the violation and mitigate the damage inflicted. Once the violation is corrected and mitigation implemented, the city shall allow construction to resume. The mitigation plan shall be filed and approved by the city arborist, agreed to in writing by the property owner(s) and either implemented or guaranteed by the posting of adequate bond or other security. The mitigation plan shall include measures for protection of any remaining trees on the property and shall provide for replacement of each tree removed or damaged on the property or at locations approved by the director. The replacement ratio shall be determined by the director according to the provisions of this chapter. (Ord. 15-12 § 1, 2015)

12.12.530 Remedies.

The provisions of this chapter are non-exclusive and supplement any existing rights and remedies available to the city. The provisions of this chapter may be enforced by any remedies provided for in this municipal code or otherwise available in law or equity. Violations of this chapter may be prosecuted criminally, civilly, or administratively, either undertaken separately or in conjunction with other remedies, at the sole discretion of the city. Nothing in this chapter shall be deemed to prevent the city from commencing any administrative, legal, equitable, or criminal proceeding to enforce this chapter, the city's municipal code, or any law. (Ord. 15-12 § 1, 2015)

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AGENDA STAFF REPORT

MEETING DATE: 2/13/2017	AGENDA SECTION: B
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SUBJECT:

Arbor Day Celebration 2017

RECOMMENDATION:

That the Commission, by motion, recommend Encore Park for the site of the 2017 Arbor Day celebration.

BACKGROUND:

The Parks Division has held an Arbor Day Celebration for the past twenty one (21) years, as part of the Tree City USA certification. This Arbor Day will be the City of Hanford's 22nd celebration. With the Tree City USA designation, the city is eligible for various Cal Fire Grants and is nationally recognized.

Parks staff tries to find areas in need of tree reforestation for the Arbor Day Celebration; areas that have had trees removed for various reasons, such as disease, drought and improvement projects. Staff identified Encore Park as the park in most need of reforestation and would benefit most with Arbor Day.

FISCAL IMPACT:

The fiscal impact, would be to the Parks Division's 7600 account (special departmental expenses) for the cost of trees.

ATTACHMENTS: