CITY OF BEVERLY HILLS
STAFF REPORT

Meeting Date: July 8, 2008

To: Honorable Mayor & City Council

From: Ken Pfalzgraf-Parks and Urban Forest Manager

Subject: North Carson Road Oleander Street Tree Master Plan

Attachments:
1. April 22, 2008 staff report to Recreation and Parks Commission

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INTRODUCTION

At present, the street tree theme on North Carson Road consists of alternating Oleander hardwood trees and Mexican Fan Palms. Due to a combination of age, insect vectored disease and environmental conditions, loss and decline has been experienced in approximately 80% of the Oleander trees. In addition, the height of the Mexican Fan Palms on the street is expected to reach a height that maintaining them safely will become problematic in approximately 20 years.

In recognizing a need to restore beauty and function to the street tree plantings on North Carson Road, staff formulated several solution models to address these issues. These models were presented to property owners on North Carson Road through a community outreach process that included a meeting with property owners on the street and a balloting of affected property owners that was intended to select a replacement tree theme and tree type for the declining Oleanders by majority vote.

The staff recommendation is based on input from a majority of affected property owners and addresses both immediate problems with the Oleander trees and maintenance challenges with the Mexican Fan Palms in the future.

DISCUSSION

The April 22, 2008 comprehensive staff report to the Recreation and Parks Commission on this subject is attached. To summarize this report:

- Property owners on North Carson Road were advised, by mail, that a presentation regarding the decline of Oleander trees on their street, along with several preliminary solution models, would be presented to the Recreation and Parks Commission on October 23, 2007. Property owners were encouraged to

attend this presentation. At the conclusion of the presentation, the Commission suggested that staff begin the community outreach process to replace the declining Oleanders and that the process might best begin with an "on the street" meeting where property owners could see decline conditions firsthand and have questions about preliminary solution models answered at the site.

- The "on the street" meeting was held on December 7, 2007 and was attended by approximately 17% of affected property owners. Attendees understood and supported the need to remove Oleander trees and not replace them in kind. When shown several solution models and replacement tree types, attendees provided input on their preferences. Based on this input, staff formulated a ballot that was presented to the Recreation and Parks Commission at the December 11, 2007 meeting of the Commission. The Commission recommended that staff should conduct the balloting and base a final replacement tree theme and tree type recommendation on a response rate of 50% or more.

- A ballot asking property owners to choose between a palm model (Mexican Fan Palm) and a hardwood tree model (with 2 replacement tree options) was mailed to all property owners on North Carson Road during January 2008. The ballot package consisted of a cover letter that outlined the technical aspects of problems with the Oleander trees, a ballot and information sheets on the characteristics of the potential replacement trees. At the close of balloting on March 1, 2008 only 43% of the addresses on the street had responded, which was less than the 50% response rate mandated by the Recreation and Parks Commission. Therefore, staff reballoted addresses that did not respond to the initial balloting. The second effort improved the overall response rate to 59%, which exceeded the minimum response rate criteria set by the Recreation and Parks Commission for staff to base a final replacement tree recommendation upon.

- The final ballot results showed that approximately 67% of those that responded preferred that the Oleander trees be replaced with 12 foot tall Mexican Fan Palms with the remaining 33% of the respondents preferring that the Oleander trees be replaced with a hardwood canopy tree (with votes split evenly between Crape Myrtle and Podocarpus Fern Pine).

In an April 8, 2007 mailing, all affected properties were notified that, based on the results of the balloting, staff intended to recommend to the Recreation and Parks Commission that all Oleander trees on North Carson Road be removed and that all vacant sites be planted with 12 foot tall Mexican Fan Palms. This mailing invited property owners to attend the April 22, 2008 meeting of the Commission if they wished to hear the recommendation report presentation or address the Commission on the topic. No property owners from North Carson Road attended the April 22, 2008 meeting of the Recreation and Parks Commission. Furthermore, no negative comments regarding the final replacement tree recommendation were received by staff prior to, or after, that meeting.

The Recreation and Parks Commission moved 5-0 to support a staff recommendation to remove all Oleander street trees from North Carson Road and replace them with 12 foot tall Mexican Fan Palms. All 36 remaining Oleander trees would be removed and replaced. The 4 sites that are vacant at this time would be planted with 12 foot tall Mexican Fan Palms as well.

The solution chosen by the majority of property owners that responded to the balloting has two significant benefits:

1. The declining and unsightly Oleander trees are being replaced with a tree that does not have poisonous parts like the Oleander.
2. The Mexican Fan Palms that are installed as replacement trees will be approaching 35 feet tall when the time comes that the existing Mexican Fan Palms on the street reach the height where they cannot be safely maintained and must be removed. By considering what impact the loss of the tall palms would have on the identity and ambiance of the street in the future and deciding to support the installation of an understory of palms now, property owners on North Carson Road have taken a big step in preserving and sustaining the historic identity of their street.

FISCAL IMPACT

The cost to remove the remaining 36 Oleander trees on North Carson Road is approximately $6,000.00. The total project cost would be $79,800.00.

The project will be prioritized within, and funded though, the existing CIP allotment for removal and replacement of trees through the Street Tree Master Plan program.

RECOMMENDATION

Staff recommends, and the Recreation and Parks Commission endorses, removal of declining Oleander trees on North Carson Road and replacing them with 12 foot tall Mexican Fan Palms.

CITY OF BEVERLY HILLS

COMMUNITY SERVICES DEPARTMENT- RECREATION AND PARKS

MEMORANDUM

TO: Recreation and Parks Commission

FROM: Ken Pfalzgraf-Parks and Urban Forest Manager

DATE: April 22, 2008

SUBJECT: North Carson Road Oleander Street Tree Master Plan-Replacement Tree Recommendation

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INTRODUCTION

To address widespread decline in the Oleander street tree plantings that alternate with Mexican Fan Palms on North Carson Road, staff engaged affected property owners in a community outreach process to select a replacement tree theme and tree type. The process included an "on the street" meeting with property owners during December 2007. At this meeting, property owners were asked to give input to two replacement tree theme models and several replacement tree themes that where appropriate to the respective models. Based on input from property owners that attended the December 2007 "on the street" meeting, staff formulated a ballot that was mailed to all affected address on North Carson Road and Clifton Way to give property owners the ability to choose a replacement tree theme and tree type by majority vote.

With response rates to the initial balloting being less than the 50% mandated by the Commission to formulate a final replacement tree recommendation, staff re-balloted addresses that did not respond to the initial balloting. The second balloting effort improved the response rate to 59%.

Based on the results of the balloting, staff recommends that the declining Oleander trees on North Carson Road be removed and replaced with 12 foot tall Mexican Fan Palms.

BACKGROUND

At present, North Carson Road is lined with alternating Mexican Fan Palms (*Washingtonia robusta*) and Oleanders (*Nerium oleander*) maintained as in a standard tree form. There are no references to tree type changes on North Carson Road in City street tree plan documents dating to 1944, making the age of the trees on the street at least 63 years old. It is widely held that the North Carson Road palm plantings were made in preparation for the 1932 Olympic Summer games, making them at least 75 years old.

The parkway width on the street is 78 inches (6.5 feet). The distance between the Mexican Fan Palms and the Oleanders averages 27 feet.

The Mexican Fan Palms on North Carson Road are healthy at this time and are approaching 80 feet in height. It has been determined though a recent Street Tree Master Plan effort that, once Mexican Fan Palms exceed 110 feet in height, they become impossible to maintain using standardized boom equipment and that sending climbers out of the safety of their boom bucket poses a significant safety risk to the climber. We can expect the Mexican Fan Palms on North Carson Road to reach this critical height in approximately 25 years, at which time we could expect that they would be removed and replaced.

In the case of the Oleander trees, approximately 12 percent of the original plantings have been lost. Of the remaining 36 trees, approximately 66 percent are in a state of decline, ranging from moderate in 16 of the trees (see figure 1) to severe in the other 11 (see figure 2). Only 9 trees are in good condition at this time (see figure 3).

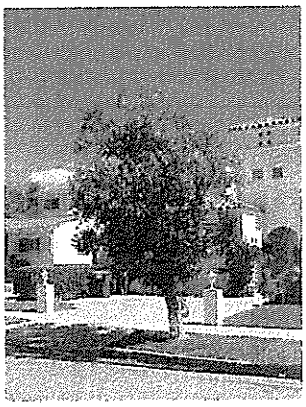


Figure 1-Dieback of limbs at periphery of canopy

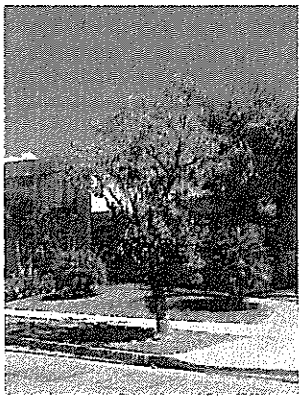


Figure 2-Dieback of main scaffold limbs to trunk

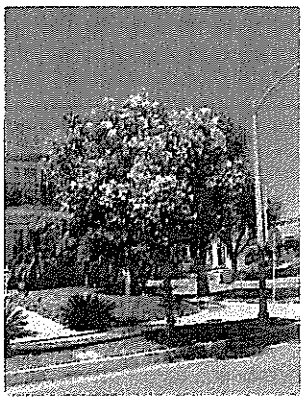


Figure 3-No dieback, healthy tree

The condition frequency distribution for the Oleander trees on North Carson Road, as rated by staff on 4 September 2007, is seen at chart 1.

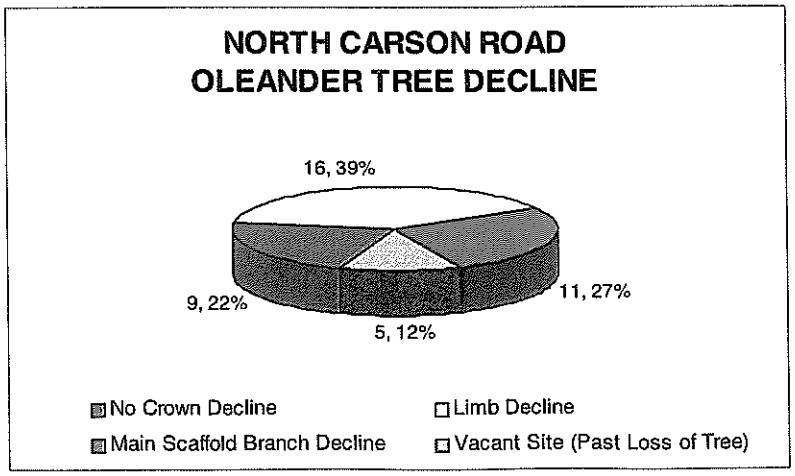


Chart 1

There are several factors at play in the decline the Oleanders are experiencing at this time. First is their age. 60 plus years is an admirable lifespan for a plant that is commonly used as a

large landscape shrub. Secondly, the Oleanders suffer from a bacterial infection termed Oleander Decline (*Xylella fastidiosa*). This bacterium, spread by a leafhopper insect, affects the water transport system of affected plants, causing them to wilt. It has become a widespread problem with Oleanders in the southwestern United States. There is no known cure for this bacterium. Finally, Oleanders are susceptible to frost damage. Our freezing temperatures of the winter of 2006/2007 were not kind to the already weakened Oleanders of North Carson Road. In summary, nearly 80 percent of the Oleander trees that alternate with Mexican Fan Palms on North Carson Road have been lost or are currently in a state of decline.

Property owners on North Carson Road, along with several affected property owners on Clifton Way, were invited to hear a staff presentation regarding the widespread decline of Oleander trees on North Carson Road during the October 23, 2007 meeting of the Recreation and Parks Commission. The staff report outlined the history of parkway trees on the street, the technical aspects of problems facing trees on the street and some preliminary solution models that address these problems. The fiscal impact for each of the proposed solution models was included in the report. Two property owners that were not able to attend the meeting submitted comments by email prior to the meeting, both supporting the need to remove and replace the declining Oleander trees. One property owner from North Carson Road attended this meeting and submitted written replacement tree suggestions to staff.

After hearing the staff report, the Commission recommended that staff proceed with the public outreach process for the North Carson Road Street Tree Master Plan by inviting affected property owners to an "on the street" meeting during December 2007. The goal of this meeting was to educate property owners regarding problems facing trees on their street and to establish preliminary property owner preferences regarding replacement tree themes and tree types. These preferences would be used as a basis in formulating a ballot that would be used to choose a replacement tree for declining Oleander trees by majority vote of affected property owners.

Property owners representing 7 of the 41 (approximately 17 percent) affected North Carson Road and Clifton Way addresses attended the December 2, 2007 "on the street" meeting with the Commission Street Tree Master Plan liaison and staff.

The meeting began with a discussion of reasons why approximately 80 percent of the remaining Oleander trees on North Carson Road are declining. Attendees were advised that the City intends to cease to use the Oleander as a street tree, since it is a poisonous plant and that the most recent plantings have performed poorly due to problems with an insect vectored disease. All attendees agreed that the Oleanders are in poor condition and should be removed and that Oleander should not be used as a replacement tree in the future.

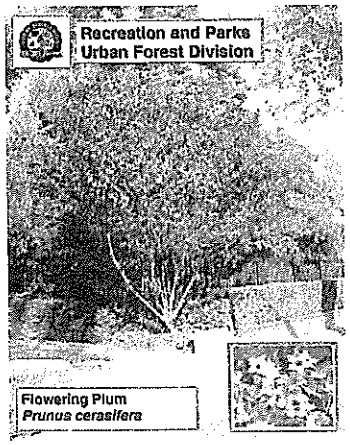
Staff then advised attendees that the Mexican Fan Palms that alternate with the Oleanders on the street will be exceeding the safe maintenance height of 110 foot height identified in the Canary Island Date Palm Street Tree Master Plan of 2007 in approximately 20 years. Using visual aids, staff discussed the specific dangers involved in maintaining trees of this height. Staff advised attendees that one of the solution model themes took this future problem into consideration in a way that would limit the dramatic impact that would occur when these tall palms needed to be removed.

Using large posters depicting the graphic representations seen below, staff presented 3 solution models for consideration by the attendees:

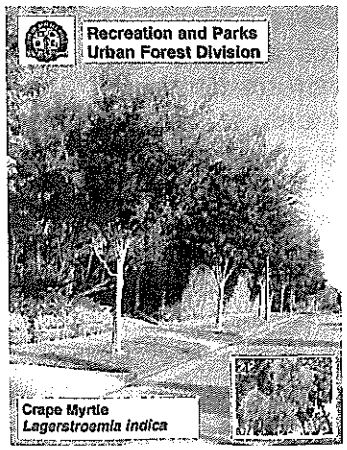
Model 1: Oleander trees are removed; sites are left vacant. <u>This model was not accepted by the attendees.</u>

Model 2: Oleander trees are removed; sites are filled with hardwood tree appropriate to parkway width. In discussing the logistics of implementing this model, attendees were reminded that North Carson Road has been void of tree root related sidewalk, curb and drive apron damage due to a combination of the appropriate scale of the Oleander trees to the width of the parkway and to the non-intrusive nature of the root system of the Mexican Fan Palms. Staff reminded the group that sewer lines from the homes on North Carson Road exit to the street and that the selection of a replacement tree should not include tree types known to have aggressive root systems. Attendees were given several examples of streets in the City where front-exiting sewer lines and scale inappropriate City trees have been in conflict.

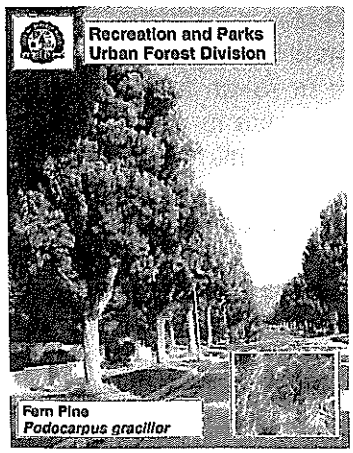
Using visual aids, staff presented 3 tree types that would be parkway width and scale appropriate to the implementation of Model 2. In addition to discussing the attributes of each of the tree types, staff referenced locations in the City where attendees could see examples of the trees.



Flowering Plum
spring flowering/deciduous



Crape Myrtle
summer flowering/deciduous



Fern Pine or Podocarpus
non-flowering/evergreen

The group expressed interest in both the Crape Myrtle and Fern Pine (Podocarpus) <u>but not the Flowering Plum.</u>

Model 3: Oleander trees are removed; sites are filled with 12 foot tall Mexican Fan Palms. Staff reminded attendees that the existing Mexican Fan Palms will reach a height where safely maintaining them will become an issue in approximately 20 years. The clear cutting of palms at that time would have a dramatic impact on the ambiance and identity of the neighborhood. The group was advised that the goal of Model 3 is to minimize that dramatic impact of the loss of the tall palms in the future by replacing the Oleander trees with an understory of Mexican Fan Palms now. When the time comes to remove the older palms, the younger palms would be approximately 35 feet tall, thus reducing the dramatic impact to the street. When the tall palms are removed, they would be replaced with an appropriate hardwood tree type.

In discussing the appropriateness of this model, several members of the group expressed the opinion that, in addition to being an historic identity element for the street, palms fit the changing architectural theme of the neighborhood. The majority of the group agreed that implementing this model would indeed soften the effects of the loss of the tall palms in the future.

At the conclusion of the "on the street" meeting, attendees suggested that staff ballot affected addresses with the palm and alternating hardwood canopy tree models, with Crape Myrtle and Podocarpus to be offered as choices for the later model. Based on this input, staff mailed a ballot (attached) to affected addresses on North Carson Road and Clifton Way offering the following choices:

Model 1: Oleander trees are replaced with 12 foot tall Mexican Fan Palms.

Model 2: Oleander trees are replaced with a hardwood tree, with tree type choices being:

- Crape Myrtle (*Lagerstroemia indica*)
- Fern Pine (*Podocarpus gracilior*)

Property owners were asked to select one model and were instructed to select from one of the two replacement tree types if they selected Model 2. Property owners were asked to return their ballot to the Recreation and Parks Department on, or before, March 1, 2008.

At the close of balloting on March 1, 2008, 43% of the property owners had responded. With this rate being less than the 50% response rate mandated by the Recreation and Parks Commission as acceptable for staff to move forward with a final recommendation, property owners that did not respond to the initial balloting were re-balloted. As a result of the second balloting, the overall response rate improved to 59%.

DISCUSSION

Staff formulated a ballot for affected property owners to select a replacement tree theme and tree type to replace declining Oleander trees on North Carson Road. The choices provided to property owners on this ballot were based on input given to staff by affected property owners that attended an "on the street" meeting on December 2, 2007.

Of the 59% of property owners that responded to the balloting: 67% voted to replace the declining Oleanders with 12 foot tall Mexican Fan Palms (Model 1), with the remaining 33% opted for the hardwood replacement tree option (Model 2), with votes split evenly between the Podocarpus and Crape Myrtle tree types (see Chart 2).

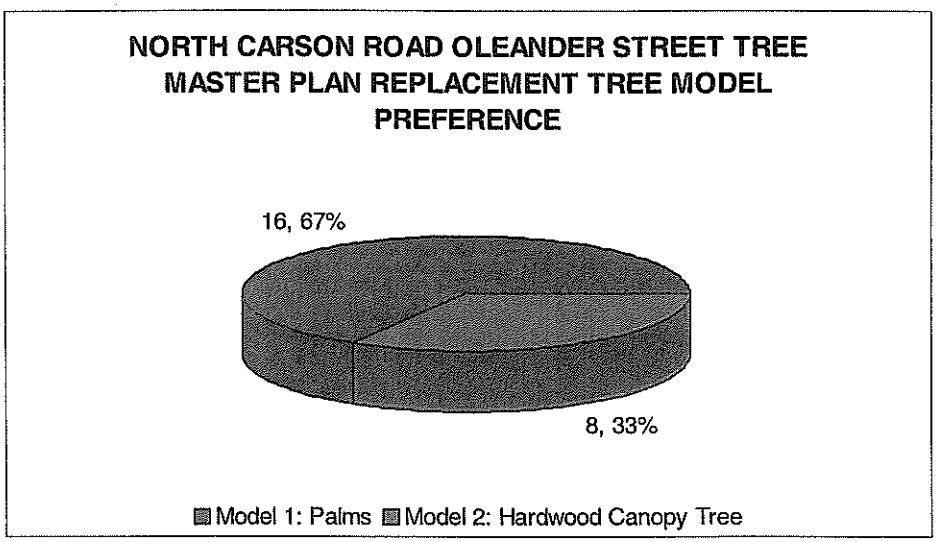


Chart 2

Based on the results of the balloting, responding property owners preferred the palm replacement model over the hardwood canopy tree model by a ratio of 2:1.

FISCAL CONSIDERATIONS

The cost to remove the remaining 36 Oleander trees on North Carson Road is approximately $6,000.00. Considering that approximately 80% of the Oleanders on the street have either been lost or are in a state of decline, and that the Oleander is poisonous, all of the Oleanders on North Carson Road should be removed at the same time.

The cost to plant 41 12 foot tall Mexican Fan Palms would be $73,800.00. The total project cost, including the removal of the remaining Oleanders, would be $79,800.00.

SUMMARY

Property owners on North Carson Road, along with several affected property owners on Clifton Way, were invited to hear a staff presentation regarding the widespread decline of Oleander trees on North Carson Road during the October 23, 2007 meeting of the Recreation and Parks Commission.

An "on the street" meeting with affected residents was held on December 2, 2007. This meeting was attended by approximately 17% of affected property owners. In addition to supporting the need to remove and replace declining Oleander trees, attendees gave input on several replacement tree several solution models. This input was used to formulate a ballot for circulation to all affected property owners so that a replacement tree theme and tree type could be selected by majority vote.

Two balloting efforts were required to meet the 50% minimum response rate mandated by the Recreation and Parks Commission as adequate to base a final staff recommendation upon.

To date, 59% of affected property owners have responded to the ballot. Respondents voted to replace the oleanders with 12 foot tall Mexican Fan palms in lieu of replacing the Oleanders with a hardwood canopy tree type by a 2:1 ratio (67% to 33%).

RECOMMENDATION

Based on the results of the balloting of affected property owners, staff recommends that the Oleander street trees on North Carson Road be removed and that vacancies be filled with 12 foot tall Mexican Fan Palms.