



Agenda Item

City Council

Item #: 9.3.

5/13/2025

File #: 25-0245

TO: Honorable Mayor and Members of the City Council

THRU: Tom Kisela, City Manager

FROM: Christopher Cash, Public Works Director

1. SUBJECT

Memorandum of Agreement between the City of Orange and the Mabury Ranch Homeowner's Association for tree maintenance. (Continued from April 8, 2025)

2. SUMMARY

This item is continued from the April 8, 2025, City Council meeting. The City of Orange and the Mabury Ranch Homeowner's Association recognize the importance of maintaining trees within the Mabury Ranch community public right of way for the safety, aesthetic, and environmental benefits it provides. Staff is recommending the approval of a memorandum of agreement with MRHOA for tree maintenance at an initial cost of \$99,000, and an ongoing tree maintenance cost of \$5,000 annually.

3. RECOMMENDED ACTION

Approve the Memorandum of Agreement with Mabury Ranch Homeowner's Association for tree maintenance at an initial cost of \$99,000, and an ongoing tree maintenance cost of \$5,000 annually.

4. FISCAL IMPACT

Upon approval of the appropriation, the initial expense for this Memorandum of Agreement for \$99,000 will utilize one-time salary savings, with an additional ongoing annual cost of \$5,000 to be funded through General Fund.

5. STRATEGIC PLAN GOALS

Goal 5: Improve Infrastructure, Mobility, and Technology

Objective 5.9: Identify costs and funding associated with maintaining new amenities

6. DISCUSSION AND BACKGROUND

This item is continued from the April 8, 2025, meeting. This agreement has been approved by the Mabury Ranch Homeowner's Association (MRHOA) on March 25, 2025. Under the agreement, the City would assume maintenance responsibilities for the trees within the public right-of-way and liability after an initial two-year indemnification period provided by MRHOA. As a follow-up requested by the City Council, a detailed City arborist report for all Canary Island Pine trees along Serrano Ave. and Cannon Ave. was prepared.

In summary, 52 Pine trees out of 61 Pine trees on Serrano Ave. are planted within a 4 feet wide planter without adequate soil volume and are planted too close to private walls. These trees are recommended for removal. Five trees have defects relating to inadequate spacing and/or they are

damaging adjacent infrastructure. These trees are also recommended for removal. Finally, 4 of the 61 Pine trees could be retained, however, it would require the removal of up to 3 Crape Myrtle trees that are adjacent and conflicting with the growth of the Pine trees.

The 22 pine trees along Cannon Avenue have no substantial defects. They have comparatively far more soil volume and are further away from private walls and trees.

In conclusion, staff is recommending all 61 Canary Island Pine trees along Serrano to be removed as part of this agreement. The 22 pine trees along Cannon will be retained with an initial prune.

Below is the summary of all 226 trees as part of this agreement:

Location	Canary Island Pines	Eucalyptus	Elms	Crape Myrtle	Liquid Amber	Braford Pears	Total Rem		Total Initial
Cannon St.	22	6							28
Serrano Ave.	61	10		13			72		13
Mt. Mckindley Blvd.		22	5				22		5
Yellowstone Blvd.		21	21		2		21		23
Orange Park Blvd.		5			22	9	5		31
Taft Extension		7					7		
						Total	126	100	

The removal cost is estimated at \$80,000 for 126 trees, including Canary Island Pines and Eucalyptus trees. The remaining 100 trees will require a special trim per the City Arborist's direction for an estimated cost of \$19,000. Due to the existing landscape and surrounding infrastructure, replanting options are limited, however, staff will endeavor to replace trees where suitable within our existing tree planning program.

By approving this agreement, MRHOA agrees to indemnify the City from all liability arising out of and associated with those trees that used to be maintained by MRHOA as identified in the agreement for a period of two years. In addition, MRHOA will reimburse the City an amount not to exceed \$16,000 or the cost of the initial pruning of the 100 trees.

MRHOA has an interest in the replanting of trees in and adjacent to the Mabury Ranch community. MRHOA will reimburse the City up to \$5,000 in 2025 and another additional \$5,000 in 2026 for replanting. Any trees planted will remain the maintenance obligation of the City.

7. ATTACHMENTS

- Memorandum of Agreement
- City Arborist Report

- Serrano and Cannon Inspection Note