

**CITY OF FULLERTON
PARKS AND RECREATION COMMISSION
AGENDA**

Regular Meeting
City Council Chamber
Monday, June 8, 2009
6:30 p.m.

CALL TO ORDER

Acting Chair Stanford called the meeting to order at 6:35 p.m.

FLAG SALUTE

Commissioner Adam led the flag salute.

ROLL CALL

Present: Shawna Adam, Scott Hayes, Wes Morgan, Kathleen Shanfield (7:13 pm),
Scott Stanford

Absent: Sueling Chen, Kathleen Dasney

Staff: Parks and Recreation Director Joe Felz; Parks and Recreation Managers
Grace Carroll Lowe, Hugo Curiel, Alice Loya, Dannielle Mauk, and Judy
Peterson; Community Center Supervisor Eloisa Espinoza; Recreation
Supervisors John Clements and Aaron Orozco; Events Specialist Ashley
Glass; Landscape Superintendent Dennis Quinlivan; Building and Facilities
Superintendent Lyman Otley; Assistant Engineer Allison Tran

Guests: Ivy Tsai, City Attorney's Office; Executive Director Lori Pack and Manager of
Administration Christine Kiehl, Child Guidance Center; Executive Director
Sally Newton, Fullerton Community Nursery School; Kaye Thomas and Mona
Amoon, Fullerton Certified Farmers Market; Bob Borthwick, Borthwick, Guy,
Bettenhausen, Inc.

PUBLIC COMMENT

None.

CONSENT ITEMS (Items 1 - 3)

Commissioner Morgan MADE A MOTION and Commissioner Adam SECONDED the
motion to approve the consent items.

AYES: Adam, Hayes, Morgan, Stanford

NOES: None

ABSENT: Chen, Dasney, Shanfield

The MOTION PASSED unanimously.

1. MINUTES OF THE MAY 11, 2009 COMMISSION MEETING

Recommendation to approve the Minutes of the May 11, 2009 Commission Meeting, substituting Commissioner Spencer's votes with Commissioner Hayes' votes.

2. LANDSCAPE DIVISION MONTHLY REPORT FOR MAY 2009

Recommendation to receive and file the Landscape Division May 2009 Monthly Report.

3. BUILDING AND FACILITIES DIVISION MONTHLY REPORT FOR MAY 2009

Recommendation to receive and file the Building and Facilities Division May 2009 Monthly Report.

REGULAR BUSINESS (Items 4 – 14)

4. PREVIEW OF 20th ANNUAL FOURTH OF JULY COMMUNITY FIREWORKS SHOW AND FESTIVAL

Events Specialist Ashley Glass presented an overview of the Annual 4th of July Fireworks Show and Festival, at Fullerton High School. She listed the 18 non-profit vendors, entertainment and activities, noting that the activities would have a nominal cost of \$2 - \$5. Free picnic games with prizes run by Parks and Recreation staff, roving entertainment and a concluding 20-minute fireworks show would also be on the program. Invitations and parking passes would be sent to commissioners. Specialist Glass verified for Commissioner Morgan that the fireworks show was free.

5. OVERVIEW OF SUMMER PROGRAM EVENTS AND ACTIVITIES

Director Felz began the overview of summer programs and activities through a Power Point presentation, and asked Recreation Manager Judy Peterson to describe the Family and Senior Services Division summer activities. She did so by facility:

- Independence Park has the aquatics program through Fullerton Aquatics Sports Team, a gymnasium with a free drop-in program for youth under 18, fee-based indoor racquetball courts, Tiny Tots day care and a free skate park.
- The Chapman and Orangethorpe Recreation Centers host the free Summer Playgrounds Program as well as a volunteer program for teens called PLAY where they learn leadership skills and volunteer at Parks and Recreation facilities, with many later being promoted to Parks and Recreation staff. Commissioner Morgan asked about the excursions, and Manager Peterson said the low-cost Friday excursions include trips to the beach and rollerskating, and when asked, said the team sports were usually pick-up games at the park.
- At Hillcrest Park, Camp Hillcrest is the fee-based day camp which has both a regular day (10 a.m. – 4 p.m.) and extended day (7:30 a.m. – 6 p.m.) program, with

swimming, and two excursions weekly. Staff is anticipating more children since the Fullerton School District will not be holding summer school.

- Maple Community Center at Lemon Park, besides being a site for the Summer Playgrounds and PLAY program, also has a very popular spray pool which is free.
- The Richman Community Center will also host the Summer Playgrounds and PLAY as well as Teen Scene. The new Don Castro Center at Richman Park will host all the teen programs, previously at Independence Park, which will also include excursions.
- The new Gilbert Community Center, open now Monday through Friday noon to 4:00, will provide similar programs to the other community centers, with large numbers expected.
- Garnet Center, whose youth mostly attend year-round, hosts the GEMS Summer Program as well as a Teen Center in a converted garage. The teens there also get together with Richman and Gilbert teens.

Commissioner Stanford asked about the attendance figures for the programs, and was told that there are over 300 youth in the Summer Playgrounds programs and about 40 to 50 per week in the Hillcrest Day Camp. He also asked about summer staffing and was told that the new staff were interviewed and hired last month. As for high school youth volunteering, Manager Peterson said the Department has an extensive internship program through Cal State Fullerton and doesn't generally take high school volunteers in summer; however, high schoolers could volunteer during the school year.

Commissioner Adam asked which park programs are free, and Manager Peterson said that, aside from the Hillcrest Day Camp, they are mostly free although there is an annual \$20 registration fee for the teen program, but youth in need can apply for a Secret Pal scholarship. The youth also pay for some of the excursions. When asked, she also provided the hours of the Hillcrest Day Camp.

Manager Peterson also answered Commissioner Adam's questions regarding the difference between the Hillcrest and Summer Playgrounds programs, noting that Hillcrest's was more structured with higher-end activities including excursions to more expensive places. Commissioner Morgan asked if the program at Orangethorpe was "drop-in" and was told it was, but the youth needed to sign in and out. Manager Peterson confirmed with Commissioner Adam that any child in Fullerton would be eligible to go to any of the park programs; however, s/he would have to pre-register. Commissioner Adam asked about the geographic locations of the camp, saying that apartments in the Hermosa/North Hills area near Imperial Highway was far from any of the free programs; she suggested that another free summer camp site could be opened near there.

Commissioner Hayes asked if there could be expansions at Hillcrest Day Camp since there was no summer school this year. Manager Peterson said that since it was fee based, it could accommodate more students if needed.

Director Felz said the Fullerton School District's summer school cancellation almost immediately impacted the Department's summer programs, and that Manager Peterson was working with school district staff, with the expectation of full enrollment. Commissioner Stanford confirmed with Director Felz that, other than at Hillcrest, the other programs can't expand further because of a fixed budget. He asked if the School District could help support Parks and Recreation programs, but Director Felz said with its reduced budget, it can't help pay, noting that the high schools don't seem as impacted. When asked, Manager Peterson said Hillcrest Day Camp was not full, but that as staff was expecting the Summer Playgrounds to be full, they divided the eight-week program into two four-week sessions and have allowed students to only sign up for one session, with a space on the waiting list should the second session not be full. Staff was also referring applicants to full program sites to other sites that were not full.

Recreation Manager Grace Carroll Lowe spoke about her division, saying the Department newsletter, *Fullerton Connect*, went out to 55,000 residents, and that staff was already seeing a spike in registrations, which didn't usually happen until mid-June. She also mentioned the e-mail "blasts" provided by Great Big News to encourage the 6,000 e-mail recipients in the Department's database to sign up Parks and Recreation classes. She said the industry standard for e-mail blasts was a 15% open rate, but Parks and Recreation's was 30%.

Manager Carroll Lowe predicted that the Get Outdoors Program would prove popular this summer. She said staff is hoping to get another camp fire pit open at Laguna Lake, and that the hiking programs were popular and utilized by a few commissioners. Other classes highlighted included a class in soap sculpting, a fishing camp, and a kids' fishing club.

The Tennis Center experienced a 20% increase, with 60,000 duplicated attendees using 11 lighted courts this year, Manager Carroll Lowe said, adding that the Junior Programs were also doing "very, very well," and noting the pricing for the courts which varied according to the time of day. Commissioner Stanford asked if the Sunny Hills Racquet Club created the increase and Manager Carroll Lowe said the increase was in addition to the Sunny Hills closure because the nation as a whole had experienced an increased interest in tennis.

Regarding youth leagues, Manager Carroll Lowe said field use was slowing down as they would be closed for renovation in July and August. However, several tournaments were taking place including District 56 Little League and the Soccer Summer Classic. Major League pitcher Paul Abbott will be holding a summer clinic at a City park, and Pop Warner and Soccer will start their practices in late summer. Manager Carroll Lowe also noted that there are 5,000 youth using 134 City fields through the sports leagues of baseball, softball, soccer, football, and rugby. Commissioner Morgan asked where Pop Warner would be playing while Lions Field was under construction, and Manager Carroll Lowe said they would use Troy High School for games. Recreation Supervisor John Clements said Pop Warner would use Valencia, Pacific Drive, Adlena, Woodcrest and the Fullerton Sports Complex for practices.

Cultural Arts and Events Manager Dannielle Mauk said their season kicks off with the Market in April. She said there are 10 – 15 produce vendors, 13 food vendors, 25 craft/business vendors, kids' activities, bi-weekly arts table, the beer and wine garden sponsored by the Fullerton Museum Center Association (FMCA), and live entertainment from 6:30 – 8:30 p.m. She highlighted two events including the Dog Days of Summer, and a new activity: The Orange County Flyers at the Market will provide free ballgame tickets and have the team mascot present.

After the 4th of July, Manager Mauk said the six-series Summer Concerts start Wednesday, July 15 from 6:30 to 8:00 p.m. at the Fullerton Sports Complex. The FMCA leads a free family arts and crafts booth there that is so popular it runs out of supplies each week. A new addition is that the Downtown restaurants want to get involved with food sample sales. She then listed the bands that would be playing.

Manager Mauk described the Museum education programs which were conducted by Museum Educator Aimee Aul. She said staff is trying to focus more on music, given the Fender Gallery. She noted the two year-old Guitar Gateways program which provides a semester of guitar classes with guitars during the school year. During the summer, the music and guitar theme continues with Summer Art & Music Intensive for Grades 5 – 9 will be available as will art and theatre programs, and Pre-Band Jam for Grades 3 - 5 including some art projects. A new activity is Idea Place for teens which will involve a flat fee and open studio with help from the education staff, Summer Art camp; Saturdays with Shakespeare, in collaboration with Hunger Artists Theatre including a performance at program's end.

Commissioner Adam asked about flat fee art program and what the maximum participation. Manager Mauk said they can come on a daily basis, which will help them stay off the streets, with a class limit of 20 – 25 kids.

6. COMMISSION REPRESENTATIVE FOR LAGUNA LAKE COMMITTEE

Director Felz said this item was a fairly routine matter, confirming that Commissioner Shanfield was currently the only commissioner on the Ad Hoc Laguna Lake Committee, and that the new representative selected tonight would be taking the place of Commissioner Spencer, whose term had ended. He said there were no active meetings scheduled although there was a small project funded by a County grant, and staff was waiting for additional funding from the State, so there could be meetings upcoming.

Commissioner Morgan said he felt he should take the Laguna Lake Committee position, as he had no committee appointments through the Commission. However, he noted that he was on the Hillcrest Park Master Plan Committee, and didn't want to take the position if another commissioner was interested. No one else expressed interest and Director Felz said Chair Dasney, who was not present at tonight's meeting, did not express interest in this committee when he talked with her. Hence, Commissioner Morgan agreed to take the position.

7. AD HOC COMMUNITY CENTER PLANNING COMMITTEE APPOINTMENTS

Director Felz said that the Ad Hoc Community Center Planning Committee appointments were somewhat unusual, noting that the Community Center Committee process has been ongoing for more than a year with representatives from Parks and Recreation and Engineering, the Senior Center, and Boys and Girls Club. He said staff is recommending adding two additional community members as the Committee arrives at the last intensive months of the process. Rather than using a public application process, he said staff identified two suggested community members, Lynn Rogers, of Fullerton Aquatics Swim Team, and Deanna Hurley, a teacher with the City for 10 years, both of whom live in Fullerton and could add some specific expertise. With the new Center having a swimming pool and extensive evening classes, Director Felz said Mr. Rogers and Ms. Hurley could provide important perspectives, and this type of selection would save several weeks in the planning process. However, he said if the Commission could choose an alternative selection process if they weren't comfortable with the staff recommendation.

Director Felz confirmed for Commissioner Stanford had Ms. Hurley does fee-based instruction for Fullerton as well as other cities. Commissioner Adam asked if, in order to ensure the process was clean, positions were usually advertised to the public. Director Felz said that was generally true, but this selection method was justified because it was for specific expertise for a specific committee already advanced in its planning; however, the commission could choose a different process which the two proposed appointees understood. Commissioner Adam asked if the appointments would need Council approval but Director Felz said no, and that the Council had asked the Commissioners to be represented on the committee as well as assist in the committee selection. Commissioner Adam said she felt uncomfortable with this process because it wasn't public, and that some might suggest there was hand-picking although she had no qualms about the two individuals' qualifications. Director Felz expressed understanding for Commissioner Adam's concerns, but said there was no question that the Department's recruitment of many types of committee members were done with fair and accurate representation. He said he was comfortable with the staff recommendation, and that this type of selection was probably a one-time action; however, he also understood Commissioner Adam's stance on the issue.

Commissioner Morgan confirmed with Director Felz that Ms. Hurley was paid with fees through City classes, and also that Mr. Rogers' selection was proposed due to his aquatics experience which was currently missing on the committee, while Ms. Hurley's selection was due to her fee-based teaching experience, also missing on the Committee. Director Felz said as FAST was expected to help operate the pool, it would be useful to have someone who understood FAST. Commissioner Stanford said he was on the Ad Hoc Community Center Committee, and that he was comfortable with the selections due to the point at where they were in the process, and appreciate the staff recommendation. Commissioner Hayes agreed.

Commissioner Adam said she was comfortable with the proposed appointees, but not with the proposed process, believed it should go through the public process, and thus, would vote "no." Commissioner Shanfield said she read the information, but was not uncomfortable with the two choices and process because they were similar to other subcommittees and coming on almost as consultants with a specialty; she then asked if

the two candidates could be identified as consultants instead of committee members. Director Felz agreed with Commissioner Shanfield, saying that was a fair characterization and that they would be coming in on the tail end of the process about specific design issues; however, he said they would be considered committee members. Commissioner Shanfield said she had no problems. Commissioner Morgan said he also saw this as technical support to a project and would agree with the proposed process, particularly in the case of Lynn Rogers and FAST as he (Commission Morgan) was working with Parks and Recreation during the time Independence Park was built and, thus, understood how important it was to understand the pool programming needs prior to developing working drawings. However, he said he also understood the need for transparency.

Commissioner Morgan MADE A MOTION to accept the staff recommendation to appoint Lynn Rogers and Deanna Hurley to the Ad Hoc Community Center Committee, and Commissioner Hayes SECONDED the motion. Acting Chair Stanford called for the vote.

AYES: Hayes, Morgan, Shanfield, Stanford

NOES: Adam

ABSENT: Dasney, Chen

The MOTION PASSED on a 4-1 vote.

8. WEDNESDAY CERTIFIED FARMERS MARKET CONTRACT

Cultural Events Manager Dannielle Mauk made the presentation on the proposed renewal of the Farmers Market Memorandum of Understanding covering the Wednesday Farmers Market at Independence Park. She noted it had moved there in February 2007 from Woodcrest Park. She said that staff is recommending that the Commission review and recommend approval of the new MOU to the City Council. She provided a Power Point overview of the major changes and additions to the MOU:

- The weekly fee charged will be increased from \$20 to \$48 because of the need to have staff open and close up a building, the restrooms and storage at Independence Park.
- The City staff contact will change from the Director of Parks and Recreation to a supervisor, currently Events Specialist Ashley Glass, who oversees the Thursday Market as well.
- The Farmers Market will adhere to a strict traffic plan which is already in effect to prevent accidents such as the one in Santa Monica several years ago.
- A financial statement and list of the Board members will be submitted yearly, as is the case with most agreements.
- Staff will set up and tear down the booths.

- Signage will be coordinated at Independence Park and any permanent signage would need to be approved by the Parks and Recreation Director.
- 100% of revenues after operating costs will be donated. The Farmers Market already has current groups to which they donate, but the Farmers Market would also donate to the City's Secret Pals scholarships also.

Manager Mauk opened the meeting to questions, noting that two representatives, Kaye Thomas and Mona Amoon from the Farmers Market were also present to answer questions. She confirmed for Commissioner Morgan that the Market Board had approved the contract, and that the term would be for two years, aligned with the July 1 budget.

Commissioner Shanfield asked how the three charities, Fullerton Interfaith Emergency Services (FIES), First Presbyterian, and local schools were chosen to receive donations. Farmers Market Representative Kaye Thomas said the groups have been getting their donations for the last 27 of the Market's 29 years of existence, describing the involvement of the students who would visit the Market and learn about nutrition when the schools were located closer to the market, donations to FIES for a local housing project, oranges for weekend lunches for the homeless at First Presbyterian Church, and food coupons for families in need at FIES.

Commissioner Shanfield asked if the Market paid the City in cash, and Manager Mauk said they pay \$20 weekly which will increase to \$48, but that currently, the Market does not donate the remainder of their profits to the City. However, this was. Ms. Thomas also pointed out that all the donations she had mentioned went to Fullerton residents, i.e. to the City. Manager Mauk also noted that the donations evolved over time based on nutritional programs and needs, and that the City did not want to discontinue those partnerships. Commissioner Shanfield remarked that it was nice to learn the Farmers Market made those donations. Ms. Thomas said serving the children was important to the Market and they were glad they could do so.

Commissioner Shanfield MADE A MOTION to allow the Fullerton Certified Farmers Market to continue its operations and to include the fee increases from \$20 to \$48, and Commissioner Hayes SECONDED the motion. Acting Chair Stanford called for the vote.

AYES: Adam, Hayes, Morgan, Shanfield, Stanford

NOES: None

ABSENT: Dasney, Chen

The MOTION PASSED unanimously.

9. CHILD GUIDANCE CENTER AND FULLERTON COMMUNITY NURSERY SCHOOL AGREEMENTS

Director Felz introduced Administrative Manager Alice Loya, saying she would provide an overview of the proposed agreements with the Child Guidance Center and Fullerton Community Nursery School at the Brea Dam. Manager Loya, using a Power Point

presentation, began with a history of the related facilities, noting that the two organizations were already on the property but had had a sublease through the Children's League, with a 48-year lease signed in 1962 to construct a children's center at Brea Dam, located near the Tennis Center and YMCA. A "typical lease," the lease was for \$1 per year, with the tenants providing any improvements and maintenance, and the City administering the lease. Manager Loya said construction was completed in 1963, and Fullerton Community Nursery School was one of the first tenants to move in. The Child Guidance Center began its tenancy in 1972. She provided an aerial of the buildings and showed where the programs were located, and said the surrounding parking lots were part of the property.

Manager Loya said that all the tenants were non-profit agencies serving Fullerton youth, and the rent they paid went towards maintenance and improvement of the buildings. In the late 90's, as with many other service organizations, membership in the Children's League dwindled. Due to problems the Children's League had in maintaining the building and the lease, in 2006, the City took over the facility and terminated its lease. The City now owns the facility. Since then, the City has partnered with both existing tenants, the Child Guidance Center and Fullerton Community Nursery School, to improve the facility with a new roof, painting of the exterior, ADA and safety improvements, and signage. The Nursery School updated its kitchen and made other ADA and interior improvements. Currently, the City is working on storm drain improvements to prevent flooding, with landscaping and parking lot resurfacing planned.

Manager Loya said new leases, directly with the Child Guidance Center and Fullerton Community Nursery School, are proposed for one five-year term with two five-year options to extend. The leases would be for the buildings only, and not the parking lots, due to parking problems with St. Jude, the medical building, the Tennis Center, the YMCA and the two tenants. Instead, she said the City hoped to provide shared parking and a new parking plan.

The rent will be charged differently with the new leases. Where before the tenants were charged \$1 per year and expected to pay for maintenance and improvements, the City will charge a monthly rent equal to what it would cost for maintenance and improvements. In addition, the buildings will be under the City's building maintenance plan and the City's facility capital repair program. Hence, money would be collected monthly which would go into the capital account, and after a certain number of years, e.g., life of the carpeting or life of the roof, those items would be replaced. Based on those estimates, the proposed costs will be \$5,570 for Child Guidance Center and \$1,618 for Nursery School to help offset maintenance costs. Rent will increase by 3% each year with a 5% administrative fee. Every five years, maintenance costs will be reviewed and rental costs adjusted accordingly. Manager Loya said Executive Director Sally Newton of the Nursery School and Executive Director Lori Pack and Manager of Administration Christine Kiehl from the Child Guidance Center were here and supported the agreement. She said this agenda item was expected to go to City Council in July.

Commissioner Hayes asked for clarification on the parking issue and the phases of construction. Manager Loya said the first phase would be to slurry seal the parking lot at the Nursery School in the next couple of months, and after that, staff would work with

Traffic Engineering to come up with a plan to re-do the parking lot, to ensure that the traffic flows smoothly through it, that the parking is shared, and to reduce the impact of St. Jude parking.

Commissioner Shanfield asked if the two tenants had paid only \$1 per year, but Manager Loya clarified that while the original lessee, Children's League, had only paid \$1, the tenants, Child Guidance Center and the Fullerton Community Nursery School, had been paying monthly rent to the Children's League, but that the rent hadn't increased in many years so it didn't meet current maintenance costs. However, those funds were put in an escrow account and that was the money used to make the recent improvements. She said the City has made other improvements that would be paid through rent collection.

Commissioner Shanfield asked about any further anticipated improvements in the next five years, and Manager Loya said improvements were expected, which was why the City was collecting rent to put in its capital account. Director Felz said there was an assessment by the Building Department after the improvements were made that they provided an additional 20 years to the life span of these facilities, which seemed to be "a good investment. He noted that the landscaping and circulation still needed to be completed.

Commissioner Shanfield asked if rents were increased for the two tenants, and Manager Loya said yes, because the previous rents were not sufficient to keep the building maintained; however, she said those costs were in line with what it cost for building maintenance. Commissioner Shanfield asked if the increase in rents meant an increase in client fees, and Director Newton said the Nursery School did have to increase its tuition since the monthly rent was increased from \$800 to \$1681. However, she said the increase was manageable if the economy didn't impact school registrations too much.

Director Pack of Child Guidance Center said they used to pay \$1861 monthly, and now would pay \$5570, so it was a big increase. She noted that her clients do not pay for services; rather the Center is under contract from the Healthcare Agency. Hence, she said they would be looking at other means of paying for the increase in rent. Manager Loya noted that before, the tenants were paying for their own maintenance, so there would be savings in that area for the tenants. Director Felz clarified further that the rent collected would only be used for maintenance and capital improvements, and would not be revenue-producing like the Summit House rents. Commissioner Shanfield asked what would happen if the tenants couldn't pay their rent, and Director Felz said the City would probably recruit for other non-profit or perhaps private groups to operate there. However, as it was Army Corps property, the City would have to ensure any lessees were eligible per Army Corps requirements.

Commissioner Shanfield MADE A MOTION to recommend approval of the agreements between the City and Child Guidance Center and Fullerton Community Nursery School. Commissioner Adam SECONDED the motion. Acting Chair Stanford called for the vote.

AYES: Adam, Hayes, Morgan, Shanfield, Stanford

NOES: None

ABSENT: Dasney, Chen,

The MOTION PASSED unanimously.

10. HILTSCHER TRAIL CONCEPT PLAN

Director Felz introduced the Hiltscher Trail Concept Plan, saying that the project was at the end of the conceptual planning process and was similar to other capital projects in that it had included several neighborhood meetings as well as review by the Ad Hoc Trail Advisory Committee. He said the preliminary concept plan was now coming before the Commission, and that the Commission's comments would be included for potential approval as it moved forward into the next stages with construction documents. He said the project would eventually go to City Council for its final approval.

Director Felz then provided a Power Point overview of Hiltscher Trail at the intersection of Euclid Avenue and Fern Drive where the improvements were proposed. He said this area was already approved by Council for a traffic signal and crossing to improve safety at Euclid for \$65,000, and is already moving forward. He estimated the construction on this portion of the trail improvements would begin in about 60 days.

He then showed Power Point photos, including the west entrance at Valley View and Fern drives heading east, the location of adjoining properties and the trail heading east, trail conditions and unclassified fill due to dumping. He said the City tried unsuccessfully to do some property swaps to relieve a narrow section, but a utility pole would be relocated. He also noted the unsafe conditions of the Euclid crossing and horse crossing signal, adding that staff will be speaking with the Muckenthaler family, who owns adjacent property, to try to extend the landing area there after the signal is installed.

Using the concept plan from consultants Borthwick, Guy, Bettenhausen, Inc. (BGB), Director Felz described the proposed improvements, including widening the trail, a split trail for bikes and horses and other users, and a bridge to cross the creek bed, which would capitalize on the rustic feel. He said there would be a significant grading element in an area where the illegal dumping would be addressed, and the trail would be repositioned to the center of the property. Some picnic benches and a drinking fountain were also potentially proposed, but Director Felz emphasized that this area would not be considered a park. Due to the current traffic safety issues at Euclid, he said the trail was more popular with cyclists than equestrians. He also noted that the City is trying to make improvements in small areas to help connect the trails safely, and that Hiltscher Trail would lead to a street trail at Valley View, which would go towards Bastanchury, and reconnect with the existing trail system.

Additional slides of the proposed improvements were shown including sectional views and the re-grading areas. Director Felz said the existing storm drain channel would remain, and he also showed pictures of the potential trail width and some elevation changes as requested by the cyclists from the Trail Advisory Committee.

Director Felz explained that if the concept plan is approved, the next steps are to develop construction documents and meet again with the neighbors. Staff would then need to get

bids for construction, which would then need approval by Council. He also noted objections to the proposed project by two residents: The Shins, who are proceeding with legal action, and the Beales. He said the Department heard earlier today from Dr. Beale who had written a letter to Commission dated June 8th (and provided for the Commission this evening) and sent to Council as well; she asked to go on the record as objecting to the project on several points.

He said tonight's meeting wasn't a formal public hearing but would be open for public comment, and that staff would be happy to answer any questions. Acting Chair Stanford invited the public to speak, noting the five-minute limit. Director Felz introduced Bob Borthwick of BGB, the landscape architect for the plan, to assist in answering any questions.

Jeffrey Beale, son of owner of 928 W. Fern Drive, Fullerton - Said his mother, Dr. Ray Beale, owned the property adjacent to Hiltcher Trail. He said they have had access to their property through the trail since before 1917, but the new plan would negate their "access rights." He stated there was photo documentation from 1920 of the access at the Fullerton Public Library prior to the access being given to City, which he termed "prescriptive rights." He said the proposed plan would negate their access to their property as well as their ability to maintain it, adding that they have used a tractor to maintain the area because the City hadn't. He also asked if the trail could be located more in the center with a 12' foot-wide trail as opposed to an 8' and 4' trail. He said he liked the re-grading which would improve water runoff conditions. He said the park benches and picnic area were nice but should be moved to another area.

He said his family had hired legal counsel and consulted several attorneys who have said they do have property rights. He asked the Commission not to vote on the issue at this time, but to continue it to allow time for further consideration and to allow his family to work with an attorney. He said he liked that the City was doing something, but was concerned about the trees which the City only comes out to trim once every 10 years. He said that he was watering and cutting them back himself, asked that any improvements be maintained, and also asked who would pay for the cost of the maintenance.

Thomas R. Mueller, tenant of 928-A W. Fern Drive, behind the front Beale house – Said he was an attorney living in Fullerton since 1990, said he hadn't received any notifications even though he had provided staff with his business card at the last meeting. He said he had been notified through the landlord of the previous neighborhood meeting, and only learned of tonight's meeting today, and expressed concern that the City wasn't taking neighborhood input seriously. He said he would have difficulty getting to his property if access was denied, and that some of the changes already made have made it more difficult to get to his home.

Mr. Mueller asked about the opportunity for public comment on all of the agenda items, and asked why this hadn't been done. Acting Chair Stanford said Mr. Mueller had a point, that he would be happy to receive comment on any agenda items, and would start the clock over for those items. Mr. Mueller said that wasn't necessary, but said "the City and homeowners need to establish what their relative rights are before sending this off to City Council."

Ron Nagele, 1011 La Mesa – Said he was a nearby resident and liked the plan. However, he was concerned about parking already being limited and how the proposed picnic areas would impact the parking. Director Felz said, based on neighborhood meetings, there was no desire to create more parking, but to rely on current on-street parking, and that the tables would be more for short stops by bicyclists or trail users and not a picnic area. There would be an improvement in parking, but no new parking. Mr. Nagele agreed with the no-parking, but was concerned about emergency access in the area and how the City would keep people from picnicking and parking. Director Felz said Traffic Engineering would assess the situation, but said there would be no attractions to encourage picnickers. Mr. Nagele asked, when the parking plans for the area come back to staff, if the neighbors could review and address this issue, and Director Felz agreed.

Kathy Grey, 937 N. Valley View Place, last house on Valley View Place – Said she had a question but was very happy with the planned improvements as it was very dangerous to walk with all the bikes. She asked if the wide part of the path was for cyclists, but Parks Project Manager Hugo Curiel said “no,” that that would be for pedestrians and equestrians. Ms. Grey said the storm drain area, which was part of the proposed trail, would not be accessible during rains, and Manager Curiel agreed, and said walkers would use the other higher section of the trail. He said the plan is only conceptual, and the architect had already made some changes to alleviate the situation, and that further options could be explored. Ms. Grey said that was fine, but just wanted to ensure others knew that that portion of the trail would be unusable during rains. She liked that the cyclists would be farther away from her house. Director Felz noted that the trails, when first established by the Recreational Riders 50+ years ago, weren’t designed for current uses; thus, there was a need for compromise and joint uses with all the trail users.

Libby Hadley, 1113 W. Valley View Drive, Past President of Recreational Riders – Said trail use and inclement weather at Hiltcher Trail would not be any different from other trails such as Nora Kuttner or steeper trails, so it shouldn’t be an issue. She said she had stopped cyclists today for their feedback, and they said they were very appreciative of the Euclid signal which, as a former equestrian, she also really appreciated. She also believed the picnic benches were far enough from the street so casual users wouldn’t use them, only hikers. Ms. Hadley noted that her property would be the most impacted by the parking, but that she strongly supported the plan as did the cyclists, and that it would “be a great opportunity for everyone.”

Acting Chair Stanford asked for Commissioner comment. Commissioner Hayes asked about a structure on the concept plan that appeared to be bisected by the property line for the trail, and Director Felz said that some satellite images were somewhat outdated, and that that encroachment condition had already been changed and the building realigned. Commissioner Hayes asked when the improvement project was brought to the public’s attention. Director Felz said it had been on the books at least two years, in the planning process about a year, the vehicular access issue addressed to the City Council on a number of occasions for nearly five years, and trail access approved two years ago. He agreed with Commissioner Hayes that this was not a new issue. Acting Chair Stanford added that the proposed plan was part of a consistent City plan to improve the trails throughout the City, e.g., the Nora Kuttner Trail was recently renovated to better

accommodate the trail users. He said the intent was to make the trails more user friendly, noting that many cyclists come from all over to use the trail.

Commissioner Shanfield asked about the planned picnic tables, noting that the only trail she could think of with picnic tables was at Laguna Lake, and also asked if the tables were planned due to community input. Director Felz said those weren't intended for picnicking, and were just a convenient place to stop while getting a drink of water, but the Commission could ask for its removal. Commissioner Shanfield thought eliminating them would reduce costs, making the trail more consistent with other trails, and eliminate kids hanging out. Acting Chair Stanford said he had the same concerns, and that perhaps kids, shielded from the street, might find the tables an attractive nuisance.

Commissioner Shanfield also asked about the obligation of the Commission due to an active lawsuit, and if Commission, thus, needed to wait before voting on the project. Director Felz said the short answer was "no" and asked Deputy City Attorney Ivy Tsai to comment. Deputy City Attorney Tsai said there was one lawsuit from the Shins but it wouldn't impact the Commission's vote as there was no request for injunctive relief nor a court-ordered stay of the trail development. Hence, the Commission could proceed with its vote tonight.

Commissioner Adam noted the letter from Dr. Beale, and said, after listening to her son, she wanted to know more about the encroachment on the property and their access to the rear property. Director Felz said the Commission was being asked to review and vote on approval of the concept plan and that the Planning Commission and Council would make the decisions on the easement issue. However, he said there was no encroachment of the property although there were vehicular access issues. Deputy City Attorney Tsai said her office had not received any communications from the Beale's attorney, but that they would welcome that and would review it.

Acting Chair Stanford re-confirmed with Director Felz that the Commission did not have a responsibility regarding any possible legal action, but only a responsibility to consider for approval a trail improvement that would benefit and beautify the area, and hook up with the Hiltcher Trail on the other side of Euclid. Director Felz said over the year-long planning process with community input, the Shin's had unsuccessfully requested an easement through Planning and Council and, thus, elected to pursue legal action. Hence, it was only the proposed trail improvements that were coming before Commission for its vote.

Commissioner Morgan said, as a regular walker, he thought the concept plan was a very good one, but the picnic benches could be taken off as those weren't necessary. He said he would support this plan, given that staff had brought this forward in good faith, the City Attorney's Office had reviewed it, and the City was acting within its legal rights.

Commissioner Morgan MADE A MOTION to proceed with construction drawings on the Hiltcher Trail concept plan to be forwarded to Council, as recommended by staff, and Commissioner Hayes SECONDED the motion. Acting Chair Stanford called for the vote.

AYES: Adam, Hayes, Morgan, Shanfield, Stanford

NOES: None

ABSENT: Dasney, Chen,

The MOTION PASSED unanimously.

11. REPORT ON CITY COUNCIL AGENDA ITEMS

Director Felz noted the following Parks and Recreation items that were reviewed by Council and were listed on the Commission meeting agenda:

- Recognition of Senior Center Volunteer Instructors
- Acceptance of Donation of Five Computers from Congress Member Loretta Sanchez
- Acceptance of Donations for the Truslow Park Renovation Project
- Approval of Children's Hospital of Orange County Breathmobile Agreement
- Approval of Parks and Recreation 09-10/10-11 Department Budget

Director Felz said both the Department and Capital Improvement Program budgets recommended for approval by the Commission were approved unanimously by Council on June 1 and 2, and staff will be implementing the budget. Staff will bring back the list of capital projects with priorities for Commission review in September or October, with consideration given to how they relate to the General Plan. Director Felz said that this method of categorizing projects per the General Plan elements would probably not be used in the future because it was cumbersome and didn't reflect project timelines.

- Approval of Parks and Recreation Policy Statement and Fee Schedule

12. DIRECTOR'S UPDATE

Director Felz provided information on the following capital programs:

Lions Field – Now under construction, with significant public notification provided to over 700 neighbors.

Maple Center/Lemon Park – Design work was being completed and this item would return to Commission for its approval. When Acting Chair Stanford asked, staff confirmed that there would be another community meeting prior to returning to Commission.

Tri-City Park Master Plan – After receiving approval from the TCP Authority tomorrow morning, contracts would be signed so master planning efforts could begin.

Hillcrest Master Plan – A big step was taken as a "request for proposal" had been issued for a consultant for the master plan.

Community Center Meeting - A strategy meeting was held last week and the analysis of space use was being completed by Bob Hall of Griffin Structures. City staff also met with Bob Coffee, project architect, and his team to begin incorporating the space use analysis into the architectural plan. When Acting Chair Stanford asked about any preliminary recommendations, Director Felz said a presentation regarding user group input would be completed in a few months, so the concept plan would be "several months down the road."

13. COMMISSIONER COMMENTS

Commissioner Adam asked about the park logos mentioned in the last City Council meeting. Director Felz said the City was working on a City identity package or City branding, e.g., "The Education Community" with entry signs. Director Felz said that while an individual department might have its own logo and branding, the City's branding and imagery would be overlaid on all departments. He said the Parks and Recreation Department freshened up its logo a year ago, but other departments were waiting until the City branding process was completed before undertaking any department efforts.

Commissioner Shanfield said the Pooch Park 2nd Anniversary event last Saturday was a success, and that the newly re-opened dog park "looked great." Commissioner Morgan said he was there with his daughter, and that President Bill Stefanski gave him a tour. He agreed it was very busy with a lot of dogs, and that the park looked great.

Commissioner Hayes said he went by newly-renovated Truslow Park and was very amazed at how full the park was, with people barbecuing and enjoying the park. He commented, "What a turnaround, what an incredible sight."

Acting Chair Stanford asked about other opportunities to work with playground renovators KaBOOM!, and Manager Loya said KaBOOM! was currently focusing on Buena Park and the City of Orange.

14. ADJOURNMENT

Acting Chair Stanford thanked everyone for attending and adjourned the meeting at 8:31 p.m.

Respectfully submitted,

Joe Felz, Secretary

JF/pf