CITY OF FULLERTON PARKS AND RECREATION COMMISSION AGENDA

Maple Community Center Monday, October 7, 2013 5:00 p.m.

Public comment will be allowed on items on this Agenda at the time each item is considered.

Persons addressing the Commission shall be limited to three minutes, unless an extension of time is granted by the Chairman, subject to approval of the Commission. When any group of persons wishes to address the Commission, it shall be proper for the Chairman to request that a spokesman be chosen to represent the group.

Public comments will also be allowed on items **NOT** on the agenda, but within the subject matter jurisdiction of the Commission, prior to approval of the Minutes, and will be limited to a total of thirty minutes and not to exceed **five** minutes per person. No one will be heard twice. Any public comments not received at the beginning of the session may be heard at the end of the session. **NO** action may be taken on off-agenda items, except as provided by law.

CALL TO ORDER

FLAG SALUTE

ROLL CALL

PUBLIC COMMENT

CONSENT ITEM (Items 1 and 2) – All matters listed under Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items prior to the time of voting on the motion unless members of the Commission, staff or public request specific items be discussed and/or removed from the Consent Calendar for separate action.

*1. MINUTES OF THE PARKS AND RECREATION SEPTEMBER 9, 2013 COMMISSION MEETING

Recommendation to approve the Minutes of the Parks and Recreation from the SEPTEMBER 9, 2013 Commission Meeting.

*2. MAINTENANCE SERVICES MONTHLY REPORTS FOR SEPTEMBER, 2013
Recommendation to receive and file the Maintenance Services September, 2013
Monthly Report.

REGULAR BUSINESS (Items 3 – 8)

- 3. NOVEMBER MEETING MOVE TO 11/12
- *4. ADOPTION OF AN ORDINANCE GOVERNING DOG PARK(S) IN FULLERTON
- 6. REPORT ON CITY COUNCIL AGENDA ITEMS
- 7. DIRECTOR'S UPDATE
- 8. COMMISSIONER COMMENTS

ADJOURNMENT

*Written Material Attached

Any writings or documents provided to a majority of the Parks and Recreation Commission regarding any item on this agenda will be made available for public inspection at the Parks and Recreation Department front counter at City Hall located at 303 W. Commonwealth Avenue, Fullerton, California during normal business hours. In addition, such writings and documents will be posted on the City's website at www.ci.fullerton.ca.us.

CITY OF FULLERTON PARKS AND RECREATION COMMISSION DRAFT MINUTES

Fullerton Community Center 340 W. Commonwealth Avenue Monday, September 9, 2013 6:30 p.m.

CALL TO ORDER

Meeting was called to order by Chair Van Gorden at 6:30 p.m.

ROLL CALL

Present: Wayne Carvalho, Jesus Silva, Scott Stanford, Carl Van Gorden, Erin

Haselton, Karen Lang-McNabb, Barry Levinson

Absent: None

Staff: Director Hugo Curiel, Administrative Manager Alice Loya, Recreation

Supervisor Aaron Orozco, Recreation Supervisor John Clements, Parks Project Specialist Doug Pickard, Deputy Director of Maintenance Services Dennis Quinlivan, and Buildings and Facilities Superintendent Bob St. Paul.

PUBLIC COMMENT

There were no comments made on any off-agenda items.

1.&2. MINUTES OF THE PARKS AND RECREATION JUNE 10, 2013 COMMISSION MEETING AND MONTHLY MAINTENANCE SERVICES REPORT.

Recommendation to approve the Minutes from the JUNE 10, 2013 Parks and Recreation Commission Meeting and approve the Maintenance Services Monthly Reports for JULY AND AUGUST, 2013.

Commissioner STANFORD MADE A MOTION to approved the JUNE 10, 2013 Commission Meeting minutes as submitted and approve the Maintenance Services Monthly Reports for JULY AND AUGUST, 2013, SECONDED by Commissioner SILVA.

AYES: Carvalho, Silva, Van Gorden, Stanford, Haselton, Lang-McNabb, Levinson

NOES: None

ABSTAIN: Stanford

ABSENT: None

REGULAR BUSINESS (Items 3 – 6)

UNION PACIFIC PARK

Director Curiel introduced the project, gave a history of the site and explained the site plan. An additional \$50,000 has been allocated for project coordination, public meetings and public outreach mailings to local residents.

Director Curiel explained that the Fullerton Rangers showed an interest in the site and described Futsal, their proposed indoor soccer use, and that Fullerton Rangers is proposing a joint-use venture.

Samples of various non-profit lease partnerships were explained by Manager Loya, giving the commission ideas of various partnerships.

Commissioner Silva MADE A MOTION to direct staff to move forward with the planning and design process of Union Pacific Park reconstruction, SECONDED BY Commissioner Lang-McNabb. Motion passed by a unanimous vote.

Raul Valdivia, President of Fullerton Rangers, John Seminara, past president for Fullerton Rangers, and Francisco Terres, a parent and coach for Fullerton Rangers, addressed the commissioners.

4. NAMING AND DONOR RECOGNITION PROGRAMS FOR PARKS FACILITIES

At the request of the commission, Manager Loya reported on various donation programs allowed by the City and their parameters. She reviewed the park naming policy, memorial trees, kiosks, and bench donations. She spoke of the Boys & Girls Club ability to fund raise for naming rights of rooms at the Fullerton Community Center. The Fullerton Public Library also has the authority to fund raise.

The commission discussed donor pavers and possible costs between \$100 - \$250, depending on the size. They also discussed possibly using donor bricks along seat walls.

Commissioner Stanford MADE A MOTION to authorize the Parks and Recreation Department to research different donor options for Parks and Recreation Commission to review in possibly sending to City Council for approval, SECONDED by Vice Chair Levinson. The motion passed with a unanimous vote.

5. COMMITTEE APPOINTMENTS

Chair Van Gorden appointed Commissioner Stanford to the Muckenthaler Master Plan Committee and Commissioner Silva to the Union Pacific Park Reconstruction Committee.

6. & 7.REPORT ON CITY COUNCIL AGENDA ITEMS/DIRECTOR'S UPDATE

Director Curiel reviewed the following: Hillcrest Park Master Plan Committee, Summer Youth Programs, Concerts in the Park, Spay and Neuter Event, Annual 5K Run, Fullerton Community Center, and Museum Open Mic Night.

The commissioners discussed the decrease in funds for SeniorServ, the new floor being installed in one of the Fullerton Community Center classrooms, the recent leak getting resolved at Mountain View Park parking lot, and some Parks and Recreation staff returning to the basement in two weeks.

7. COMMISSIONER COMMENTS

Commissioner Stanford asked for an update on the Fullerton Community Center. Manager Loya said that there will be a presentation prepared for January.

Manager Loya reminded the commissioners of the new website domains: Fullerton Event Center.com, Fullerton Event Center.net, Fullerton Event Center.org, and explained that the Fullerton Event Center was a separate website, but they are linked together to the Fullerton Community Center website.

Chair Van Gorden commented on the recent Tribune newspaper article on trails.

Commissioner Haselton MADE A MOTION to change the Parks and Recreation Commission meeting from October 14th to October 7th at Maple Community Center, SECONDED by Vice Chair Levinson. Motion passed with a unanimous vote.

8. ADJOURNMENT

The commission adjourned at 8:15 p.m.

Respectfully submitted,

Huge Curiel, Secretary

HC/db



PARKS AND RECREATION COMMISSION AGENDA

MEETING DATE:

October 7, 2013

TO:

PARKS AND RECREATION COMMISSION

FROM:

DENNIS QUINLIVAN, DEPUTY DIRECTOR OF PUBLIC WORKS

SUBJECT:

SEPTEMBER 2013 PUBLIC WORKS STAFF REPORT

PURPOSE

The purpose of this agenda item is to report to the Commission on the status of the Public Works Department monthly activities.

SUMMARY

- 1. Tree Division Update- West Coast Arborists Inc. (WCA) is providing contract tree services to the City for the fiscal year 12/13. As of July 1, 2013;
- 3,352 trees have been pruned
- 128 total trees removed
- 8 trees planted
- **Production crews** continued pruning in **Zone 1** (Euclid to Harbor, Commonwealth to the 91 Freeway).
- A vehicle collided with, and uprooted (4) American Sweet Gum trees on the 400 block of West Valencia. The trees will be replaced this fall.
- Tree Inspector Clifford Jennings responded to 128 tree related service requests in the months of September.
- 2. Red Imported Fire Ant activity was reported at Richman Park Sports Field in September. It remains very important to report any visible signs (mounds or swarming) to the city and do not attempt to spray mounds with traditional ant and roach spray. These topical applications only cause the queen to abandon the colony and start a new one. OCVC began treatment again on October 1, 2004. The City does not treat RIFA on private property. Citizens can call the OCVC at (714) 971-2421.
- 3. The Landscape Division received and responded to 8 reports of **bee** activity in September. The City **does not** eradicate hives on private property, as this is the responsibility of the property owner.

- 4. Landscape Division Crews completed the following projects in September
- Cleanup of homeless debris conducted on Magnolia, Bastanchury, Basque Yard, Hunts Library, Commonwealth, Artesia
- Valencia Park chain link repair
- Castlewood Trail grading
- DG path installed between xylosma hedge at Independence Park
- Wood chips transported and installed on Valencia median and tree wells
- Fertilized FSC #3
- Repaired picnic benches at Brea Dam
- Conservation Corps completed Bastanchury at 57 cleanup, Lucy Vanderhoof Trail
- Mainline repair and paver re-installation on Amerige Avenue just east Harbor Blvd.
- Back filling completed at Richman, Chapman, Valencia Parks
- New sod installation at Lemon Park adjacent to spray pool
- New sod and plant material installed at the north side of Independence pool deck.
- Replanted entrance planters at Valencia Park
- Replanted East & South planters at Olive Park
- Replanted pots at Community Center
- Pot removal at Hillcrest Terrace
- Tot lots topped off with wood chips at all parks (safety surface)

The Landscape Division responded to 48 service requests during the month of September.

Dennis Quinlivan, Deputy Director of Public Works



PARKS AND RECREATION COMMISSION AGENDA

MEETING DATE:

October 7, 2013

TO:

PARKS AND RECREATION COMMISSION

FROM:

BOB ST.PAUL, FACILITY SUPERINTENDENT

SUBJECT:

MONTHLY MAINTENANCE SERVICES REPORT

PURPOSE

The purpose of this agenda item is to report to the Commission on the status of the Building and Facilities Division of the Maintenance Services Department monthly activities for the month of September 2013.

SUMMARY

Building and Facility Division, including Electrical, Service Requests for the Month of September.

Building and Facility Division, including Electrical, received 416 <u>citywide</u> service requests for the month of September 2013.

Building and Facility Division, including Electrical, received and responded to 72 service requests for Parks and Recreation parks and facilities for the month of *September 2013*.

Service request calls include general repair or replacement of:

- Plumbing
- Electrical
- Pools, Independence and Community Center
- Playground Equipment
- General maintenance including:
 - Clogged or broken sinks and toilets, broken windows, doors and locks, light bulbs, plumbing fixtures and accessories, etc.

Bob St. Paul, Facility Superintendent



PARKS AND RECREATION COMMISSION **AGENDA**

MEETING DATE: October 7, 2013

TO:

PARKS AND RECREATION COMMISSION

FROM:

HUGO CURIEL, DIRECTOR OF PARKS AND RECREATION

SUBJECT:

ADOPTION OF AN ORDINANCE GOVERNING DOG PARK(S)

IN FULLERTON

SUMMARY

The Parks and Recreation Department is seeking approval and a recommendation to City Council for the adoption of a Fullerton Dog Park City Ordinance.

RECOMMENDATION

It is recommended that the Parks and Recreation Commission approve and recommend to City Council the adoption of an ordinance governing dog park(s) in Fullerton.

FISCAL IMPACTS

None.

DISCUSSION

In January 2007, the Parks and Recreation Commission approved the creation of an off-leash dog park on a trial basis. In June of 2007, the Fullerton Pooch Park opened to the public.

During the almost two years of its 'trial period', the Pooch Park consistently showed itself to be a popular, growing and well run park. In February 2009, the Parks and Recreation Commission unanimously approved the establishment of the Pooch Park as a permanent park facility.

While the Parks & Recreation department oversees the Fullerton Pooch Park; the day to day operation of the dog park is currently staffed and run by volunteers who are organized and managed by the Fullerton Dog Park Foundation. The Fullerton Dog Park Foundation is a fully approved 501(c)3 California non-profit and entered into an Operations Agreement with the City of Fullerton to operate the Fullerton dog park(s) in 2011.

An integral part of the day to day operation of the Fullerton Pooch Park, are the established Pooch Park Rules & Regulations. These rules and regulations facilitate the enjoyment, safety, and organization of the Fullerton Pooch Park for all community members and should be followed by all those who use the park. These rules and regulations have been in place since the park opened and it has been challenging at times to compel the public's compliance to these rules & regulations. As there is currently no 'force of law' behind the rules and regulations, the public often disregards and ignores them, putting themselves, others and their dogs at risk of harm, as well as putting them in direct conflict with the volunteer staff trying to enforce them.

At the request of the Fullerton Dog Park Foundation, Councilman Greg Sebourn directed the Parks & Recreation Department and the City's Attorney's office to create and adopt a City Ordinance to make the public aware of the rules and regulations governing the Fullerton Pooch Park, or any other dog parks within the City of Fullerton. This ordinance will inform the public of the permitted and prohibited conduct at the park and will establish consequences for non-compliance for the rules & regulations.

Director of Parks and Recreation

Doug Pickard
Parks Project Specialist

Attachment:

Attachment 1 - Proposed City Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA ADDING CHAPTER 9.16 (DOG PARKS) OF TITLE 9 (PARKS) RELATING TO RULES AND REGULATIONS GOVERNING CONDUCT WITHIN DOG PARKS

THE CITY COUNCIL OF THE CITY OF FULLERTON MAKES THE FOLLOWING FINDINGS WITH RESPECT TO THE ADOPTION OF THE FOLLOWING ORDINANCE:

WHEREAS, the City of Fullerton established the Fullerton Pooch Park to provide the community with a public place to recreate with their dogs; and

WHEREAS, the City Council of the City of Fullerton finds that to facilitate the enjoyment, safety, and organization of the Fullerton Pooch Park for all community members, certain rules and regulations should be followed by all those who use the park; and

WHEREAS, the City Council finds that the community needs to be aware of the rules and regulations governing the Fullerton Pooch Park, or any other dog parks within the City of Fullerton, in order to comply with them; and

WHEREAS, the City Council finds that amending the City's municipal code to include the rules and regulations governing conduct at the Fullerton Pooch Park provides the community with adequate notice of prohibited and permitted conduct at the park; and

WHEREAS, all legal prerequisites prior to the adoption of this ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON DOES ORDAIN AS FOLLOWS:

<u>Section 1</u>. Chapter 9.16 (Dog Parks) of Title 9 (Parks) is hereby added to contain the following:

9.16.010 Purpose and intent.

The City Council of the City of Fullerton finds and declares that the purpose of this Chapter is to promote the public peace, morals, health, safety and general welfare of persons and property in the City by regulating the activity of those bringing dogs to City dog parks.

9.16.020 Definitions.

Unless it is apparent from the context that another meaning is intended, the following words when used herein shall have the meaning ascribed to them by this section:

- A. "Aggression" or "aggressive behavior" shall include, but is not limited to, the following behaviors: snarling, growling and biting.
- B. "Certified service dog" shall refer to a dog that has received specialized training to provide its owner with assistive services.
- C. "Dog park" shall refer to any city property that has been designated by the City or by the Fullerton Parks & Recreation Department as an area where the public can recreate with their dogs, off leash, and within an enclosed space.
- D. "Handler" shall mean the person who brought the dog to the park, and may include the dog's owner.
- E. "Owner" shall mean the person or persons listed as such on the dog's license or license application.
- F. "Park staff" shall mean any City peace officer, park ranger or employee of the Parks & Recreation Department, or any City employee authorized to enforce the provisions of this Chapter. For the purposes of this Chapter, park staff shall include dog park volunteers.
- G. "Pinch collars" shall refer to dog collars that contain prongs designed to pinch the dog when an attached leash is pulled.
- H. "Potentially dangerous dog" shall have the same meaning as Section 31602 of the Food & Agriculture Code.
- I. "Shock collars" shall refer to dog collars that are capable of delivering an electrical shock to the dog.
- J. "Vicious dog" shall have the same meaning as Section 31603 of the Food & Agriculture Code.

9.16.030 Dog Park Regulations.

The following regulations shall apply for all dog parks:

- A. Owners and handlers are legally responsible for their dogs and any injuries and/or damage caused by them.
- B. Dogs with spiked, pinch, and/or shock collars shall not enter the park.

- C. All dogs must have current licenses and required vaccinations, and be wearing a flat collar with a visible County of Orange registration dog tag.
- D. Dogs must be taken off-leash upon entering the enclosed area.
- E. Designated areas for small and large dogs: Dogs weighing less than 25 pounds shall only be in the area designated for small dogs, and dogs weighing 25 pounds or more shall only be in the area designated for large dogs.
- F. The "wood chip" area is open to all dogs.
- G. Certified service dogs of any size are exempt from dog size restrictions and are allowed in any part of the park.
- H. Puppies under four (4) months old are not permitted inside the park.
- 1. Dogs in heat, pregnant or lactating are not permitted inside the park.
- J. Dogs showing aggression toward people or other animals shall be immediately removed from the park by the owner or handler. Dogs known to park staff to exhibit aggressive behavior are not permitted within the park.
- K. Dogs that have been declared potentially dangerous or vicious by any jurisdiction are not permitted inside the park.
- L. Dogs must be on a leash when entering and exiting the park, including within the parking lot. Leashes must be removed once the dog is in the off-leash areas.
- M. Digging is not permitted anywhere in the park. Owners or handlers are responsible to fill any holes dug by their dog.
- N. Dogs must not be left in a vehicle without their owner or handler at any time.
- O. Abandonment of dogs is prohibited.
- P. Handlers must be at least 18 years of age. Visitors under 18 are not permitted in the park without a supervising adult, and must stay within arm's reach of their supervising adult.
- Q. Handlers may not bring more than three (3) dogs at any one time to the dog park.
- R. Handlers must stay within the park and supervise their dogs at all times and may not leave their dogs in the park unattended at any time.
- S. Handlers must keep close visual and physical contact with their dogs at all times. Dog handlers must remain "hands free" and capable at all times to use both hands to control their dog.

- T. Handlers must have one leash in their possession for every dog they bring to the park. Retractable leashes and leashes longer than six (6) feet are not permitted.
- U. Handlers must remove and properly dispose of all dog waste in the provided receptacles.
- V. The off-leash dog areas are for dogs, their handlers, and those accompanying them. No other use is permitted.
- W. The following items are prohibited in the off-leash areas:
 - 1. Strollers.
 - 2. Laptops.
 - 3. Scooters.
 - 4. Bicycles.
 - Roller-skates.
 - 6. Skateboards.
 - 7. Children's toys, including but not limited to, water squirting toys.
 - 8. All food and drink, except bottled water and water for the dogs.
 - 9. Any items that distract handlers from supervising their dog(s).
- X. Climbing on trees, fences and benches is prohibited.
- Y. Any handler who violates the provisions of this Chapter, or who permits any dog to be in violation of the provisions of this Chapter, may be ordered by park staff to remove the dog from the park. Any handler who fails to immediately remove a dog following an order to do so shall be subject to the provisions of Section 9.16.040.
- Z. Any additional site specific posted rules/regulations must be adhered to.

9.16.040 Penalty for Violation

A. Any violation of this Chapter shall be deemed to be an infraction, and punishable as such; however, at the discretion of the City or District Attorney, the violation of any section of this Chapter may be filed as a misdemeanor. The complaint charging such violation shall specify whether the violation is a misdemeanor or an infraction. Each day that a violation of any provision of this Chapter continues shall be considered a new and separate violation. A violation of any of the

provisions of this Chapter shall constitute a nuisance and may be abated by the City through civil process by means of restraining order, preliminary or permanent injunction, or in any other manner provided by law for the abatement of such nuisances.

- B. Notwithstanding the above, if an owner or handler brings a dog to the park that the owner or handler knows or should reasonably have known has been declared potentially dangerous or vicious in any jurisdiction, and that dog, due to its aggressive behavior, causes an injury to, or death of, another dog or a person, the owner or handler of the dog shall be guilty of a misdemeanor. Nothing in this subsection shall be construed to mean that such an owner or handler shall not be liable pursuant to state law.
- C. Any handler or owner who repeatedly violates the provisions of this Chapter may be prohibited from bringing any dog to the dog park for a period of up to 12 months from the date of the most recent violation.

<u>Section 2</u>. <u>Inconsistencies</u>. Any provision of the Fullerton Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

Section 3. Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional. No portion of this Ordinance shall supersede any local, State, or Federal law, regulation, or codes dealing with life safety factors.

Section 4. This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof. This Ordinance shall be posted at the following city of Fullerton locations within fifteen (15) days after adoption: City Hall Public Notice Display Case, 303 W. Commonwealth; Maintenance Services, 1580 W. Commonwealth; Museum Plaza, 301 N. Pomona; and Main Library, 353 W. Commonwealth.

Ordinance No. XXXX Page 6 of 6

ADOPTED BY THE FULLERTON CIT	Y COUNCIL ON, 2013.
ATTEST:	Bruce Whitaker, Mayor
Lucinda Williams, City Clerk	