

**CITY OF FULLERTON
PARKS AND RECREATION COMMISSION
SPECIAL WORKSHOP
MEETING MINUTES**

Fullerton Museum Center
301 N. Pomona Avenue, Fullerton
Monday, April 17, 2006
5:30 p.m.

CALL TO ORDER

Chair Russell called the meeting to order at 5:35 p.m.

ROLL CALL

Present: Kathleen Dasney, Pamela Keller, George Miller, Craig Russell, Nancy Spencer, Neil Swanson

Absent: Kathleen Baier-Dalton

Staff: Ron Molendyk, Parks and Recreation Director; Parks and Recreation Managers Dave Alkema, Grace Carroll-Miranda, Alice Loya, Dannielle Mauk, and Judy Peterson; Recreation Supervisor John Clements; Family and Senior Services Supervisor Eloisa Espinosa; Administrative Intern Chris Gerry; City Attorney Dick Jones

PUBLIC COMMENTS

There were no public comments.

I. WELCOME

Director Molendyk introduced staff and thanked City Attorney Dick Jones for attending tonight's meeting.

II. DEPARTMENT ACCOMPLISHMENTS

Director Molendyk noted the two memorandums attached to the agenda packets regarding the Parks and Recreation Department's 2004-2005 Progress on Goals and the 2005-2006 Goals for the Executive Director. Referring to the Department Organization Chart also in the agenda packets, he highlighted some of the changes made in the last year and plans for the next few years.

III. COMMISSION PROCEDURAL RULES AND RESPONSIBILITIES

Director Molendyk referred to Chapter 2.13 of the Fullerton Municipal Code and Council Resolution 9493 pertaining to the roles and responsibilities of the Parks and Recreation

Commission (included in the agenda packet), saying that he wanted to open up the lines of communication between the Commission and Council, so that the Commission could better understand what items come to the Commission and what items go to Council. He said Chair Russell and he are working on an outline of a written policy on the Commission role, which Chair Russell will share with the other commissioners when completed, and which will then be forwarded to the City Manager and the Mayor for confirmation.

Director Molendyk introduced City Attorney Dick Jones, saying that he would assist in clarifying Commission roles and responsibilities, and also discuss the City's liability on the tot lot at the Fullerton Sports Complex.

City Attorney Jones said it was not uncommon that the City Attorney is asked to clarify Commission roles and responsibilities, and acknowledged the Commission's concerns that they were not properly consulted on the tot lot at the Fullerton Sports Complex. He said the City recognizes the importance of the Commission and its need to give direction to Council, but also noted the need for the City to act in a timely manner on issues, especially those involving liability.

City Attorney Jones said individual commissioners and council members do not have authority until three or more act as a body. He also differentiated between personal opinion and the authority of the body. Except for Planning Commission, Attorney Jones said that all City commissions are advisory. He said it was more practical for the commissioners to recognize this fact and work with it.

There was further discussion on the history of the tot lot, assumption of risk, liability including that of the landscape architect or perhaps even staff or Commission, the need for the City to respond when a potential liability is pointed out to them, and the Commission's role. Chair Russell also noted that every league and team has liability insurance which should cover some of the risk. He also asked about the skate park which City Attorney Jones said was covered by a state law that provided an umbrella protection against liability.

When asked what the Commission's authority was, City Attorney Jones said the Commission can only advise, but it has the right if it wants to, to return an item to Council; however, he suggested they not do so if the Council doesn't want to hear the item again.

Chair Russell asked for a defined protocol to determine what items go to Commission first, and what would go directly to Council, asking if Commission could make a recommendation on this. The City Attorney said Commission could try, but it wouldn't work because the Council acts based on political, financial and other considerations. However, he noted that the Council would turn more often to a commission it respects.

Commissioner Miller asked who decides the Commission agenda, and City Attorney Jones said both Commission and staff do this. Commissioner Miller then asked if the Commission could decide what's on the agenda, and Attorney Jones said there's nothing specifically written in the law; however, he would recommend working with the staff. Chair Russell asked if the procedure could be codified, and Attorney Jones said they could do so, but he would recommend against doing this as the Council could take action against the Commission.

IV. CULTURAL AND EVENT PROGRAMS

Cultural and Events Manager Dannielle Mauk presented information on her division's programs, upcoming exhibits and events. She also provided information on the Museum Foundation Board which supports the Museum through fundraising and volunteers, and she explained the relationship between the Museum Board and the Parks and Recreation Department and Commission. Director Molendyk spoke about the Department's philosophy of all divisions and entities within the Department working together, even though the Foundation Board reports directly to City Council. He noted that being non-profit, the Foundation can also raise certain funds that the Commission and Council can't, and that it raised \$75,000 for the Fender exhibit and was responsible for the "first class" printed materials.

V. COST ANALYSIS AND DEPARTMENT REVENUES

Director Molendyk referred to the handouts related to cost analysis and department revenues, saying the Department was trying to run itself more like a business and recover its costs although exceptions had to be made such as with the Summer Playgrounds program and the use of the City's athletic fields. He suggested that fees could be discussed through a Commission sub-committee, and that Commission needed to make a policy regarding fees for field use that was fair and consistent. Chair Russell and commissioners Swanson and Keller agreed to join the sub-committee.

VI. DEPARTMENT FOCUS FOR DELIVERY OF SERVICES AND PROGRAMS

Recreation Manager Judy Peterson spoke on the change from no-pay to low-pay at the Summer Playgrounds program last summer which resulted in low-income families unable to utilize the service, so that this year, the program, which will be at five sites including a new site at Richman Park, will be free again. Manager Peterson said the funding would come through the recent HUD grant.

Manager Peterson and Director Molendyk said they would also pursue funding through the Fullerton School District's 21st Century grants more aggressively because the Parks and Recreation programs, when rated, are either tied for #1 or #2 every year. When asked, Manager Peterson said that, except for Lemon Park's afterschool program which charges \$10 per week per child and the Hillcrest Summer Day Camp, all the funding for the afterschool and summer programs is from non-City grants. Commissioner Keller said a knowledgeable source she knew had also highly rated the Department's afterschool programs.

Manager Peterson then described the changes at the Maple and Senior centers, saying the move to the Senior Center has been a success. She also noted some of the upcoming changes such as removing the shuffle board courts and improving the front and entrance of the Senior Center as well as some interior work. Manager Peterson said the Department was also asked to look into contracting out some of the services it provides, so staff met with the Senior Club who is considering this. Director Molendyk said Costa Mesa contracts out its services but it's more expensive, and he and the commissioners

also described some of the difficulties in trying to make changes in keeping with changes in the aging population.

Commissioner Spencer asked about the planned remodel of the Senior Center, and Director Molendyk said the plans are still there but the funding isn't.

Manager Peterson talked about the community demand for more recreational programs, saying that due to the Valencia Task Force's request for more youth programs, there is now an after school program at Richman Park which has 40-50 children attending daily, and plans for a new summer program there, too, as well as a new after school program at Garnet Center.

Chair Russell said he had two questions which didn't have to be answered immediately: Why was the City involved in after school and summer programs instead of the schools, and why the grant money from HUD earmarked for the Valencia Community Center expansion could be used for a summer program. Manager Peterson said the expansion has been delayed and HUD wanted Dr. Castro and Cal State Fullerton to start using the grant money sooner; thus, Cal State Fullerton was authorized for a one-time use of the funds for the summer program. Chair Russell said staff could send him a memo regarding his question on why the City was involved in after school and summer programs. Director Molendyk said staff would provide a memo but explained that the school districts had traditionally allowed cities to use their facilities free of charge; however, Proposition 13 has forced schools to charge for use now.

Director Molendyk spoke about the need for a Recreation Coordinator to protect the parks and educate the public, and the need for more security lighting. However, when asked, he cautioned that while they are moving in the direction of a park ranger program, they don't have the funding for such a program.

VII. LEASES AND PARTNERSHIPS

Administrative Manager Alice Loya referred to the list of City leases, highlighting some of the many contracts the Department maintains and the partnerships it has with private entities which result in revenue for the Department and City. Chair Russell asked if the Department could lease the Sports Facility to Little League for \$1 per year and have Little League take the liability, too. Manager Loya said Manager Carroll Lowe would have to review the issue first as she was in charge of the fields.

Director Molendyk discussed major partnerships with American Golf, Meridian Club and Summit House, noting that the Department was dedicated to supporting their contractors which would result in greater success for both parties. Manager Loya also described the Department's negotiations with phone companies for cell towers on City property.

Chair Russell asked for clarification on the Commission's role in leases. He was told that while all new or renewing leases have to go to Council, the Mayor might make a decision whether a lease would need to go to the Commission, but usually Commission would review those leases requiring community input. Other leases would be considered administrative and would not need to go to Commission. Regarding Chair Russell's

question on the Boys and Girls Club lease which would be coming up soon, Director Molendyk said the Department has sent a letter but has not received a response.

Director Molendyk noted the next Commission workshop on Monday, May 1 at 5:30 p.m. at the Museum, saying they will cover capital improvement projects. He also reminded the commissioners of the May 8 regular meeting and went over the tentative agenda.

Commissioner Dasney asked about the status of the Department's capital improvement projects and was told by Manager Alkema that that would be covered in the May 1 Commission workshop.

The meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Ron Molendyk, Secretary

RM:pf