



**MINUTES OF THE MEETING OF THE GENERAL PLAN ADVISORY COMMITTEE**

**FULLERTON PUBLIC LIBRARY**

**MONDAY**

**MARCH 26, 2007**

**6:00 P.M.**

- CALL TO ORDER:** The meeting was called to order by at 6:25 p.m.
- PRESENT:** GPAC Members Batinich, Bennett, Bushala, Durette, Fitzgerald, Haley, Harrell, Heusser, Jaramillo, Lambros, Richmond, and Stopper
- ABSENT:** GPAC Members Buck, Dudley, and Griffin
- STAFF PRESENT:** Acting Director of Community Development Rosen, Acting Chief Planner Eastman, Senior Planner St. Paul, Assistant City Attorney Barlow, Redevelopment Director Zur Schmiede, Redevelopment Manager Ferrier, Parks & Rec Administrative Manager Loya, Senior Civil Engineer Voronel, Police Department Senior Administrative Analyst Wren, Director of Human Resources Beatty, Library Director Gebelein, and Clerical Assistant Radding.
- CONSULTANTS PRESENT:** RBF Principal Al Zelinka, RBF Principal Community Planner David Barquist, and RBF Community Planner Suzanne Rynne
- FLAG SALUTE:** Senior Planner St. Paul
- MINUTES:** None

**WELCOME AND INTRODUCTIONS**

Acting Director Rosen welcomed everyone and gave a brief explanation of the General Plan process.

Senior Planner St. Paul introduced himself and the staff in attendance, and the General Plan Advisory Committee (GPAC) members introduced themselves.

**PURPOSE & RESPONSIBILITIES**

Senior Planner St. Paul explained the Form 700 that had been provided by the City Clerk, and needed to be completed and returned. He continued by explaining to the public that there was a sign up sheet available where they could sign up to be notified of future General Plan meetings, and he asked the committee members to sign a list with their address, phone number, and email address. There were also public comment cards available for those people that wished to speak during the public comment period.

Senior Planner St. Paul explained the purpose of the GPAC was to review the General Plan with the goal of providing the City decision makers with policy recommendations that support the City's vision for the future. He explained that there would be intensive community involvement in the process, and the committee members would need to be familiar with all the community input throughout the process. Staff would conduct six community meetings to discuss the issues that surround Fullerton and what the community sees for the future of Fullerton. At the conclusion of the meetings, a vision report would be prepared, and the committee members would need to carefully review the report. There would also be meetings regarding land use alternatives which would require feedback from the committee members. A report would be developed from the information collected, which would include the recommended goals and objectives.

## **BROWN ACT**

Senior Planner St. Paul stated that all meetings held as part of the General Plan Update process would need to be conducted in accordance with the Brown Act. Assistant City Attorney Barlow supplied the Committee Members with a copy of the Brown Act and gave a presentation on the Brown Act. She explained that the Brown Act was about open meetings, open government, and the opportunity for the public to fully participate in the decision making of government and to know what was going on. The Brown Act restricted the ability for committee members to communicate about the tasks that would be assigned to the committee, to open and public communications, in order to provide the public an opportunity to provide their input to the committee at a public meeting. It also required that the committee's discussions and deliberations on the subject matter of the committee were taken in public. The committee members were allowed to talk about the issues with members of the community, and the public had the right to speak to the members.

Assistant City Attorney Barlow continued by explaining that as required by the Brown Act, there would be an opportunity for public comment at each meeting. There would also be an opportunity for public comment on the committee's recommendations. There was a potential for criminal liability if the requirements of the Brown Act were not adhered to. The purpose of the Brown Act was to prevent committee members from making up their mind in some other forum or conversation, rather than with the committee in public. The Brown Act made it a violation of law for the committee members to communicate on the matters within the subject matter of the committee (the General Plan Update) with more than a majority of the body. There were no rules established at this point to determine what a quorum would be, and she strongly urged that no greater number than the established quorum should be communicating with each other. Social events did not count provided specific topics or positions on an issue were not discussed, nor did attending conferences related to the subject matter or attendance at Council meetings. The committee members could communicate with other members on other matters not related to the subject matter.

Assistant City Attorney Barlow also explained that if members received email communication from the City, such as an agenda, it was not recommended that they hit "reply all" and say anything other than maybe "sorry I won't be there". Any other communication regarding the subject matter could be considered a violation of the Brown Act. She recommended using email as a communication tool for individuals only, not groups.

## **COMMITTEE HANDBOOK**

Suzanne Rynne, RBF Consulting, explained the General Plan Advisory Committee handbook that had been provided to the committee members.

Al Zelinka, RBF Consulting, stated that all of the PowerPoint presentations used during the update process would be posted on the City's website.

## **GROUND RULES**

Mr. Zelinka worked with the committee to determine the ground rules of the committee. A discussion was held regarding the time and day of the week for the meetings, and it was decided that the meetings would begin at 6:00 p.m., with a goal of finishing by 8:00 p.m., and the day of the week would be determined at a later time and emailed to the members.

Mr. Zelinka continued with a discussion on the voting procedure, simple majority versus other quorums. Assistant City Attorney Barlow explained the difference between simple majority or majority of a quorum. Simple majority makes a quorum as a rule, which meant you could get together and do business, and the normal rule is that the vote is a majority of quorum, which meant the quorum would be eight and the majority would be five. Mr. Zelinka stated that this topic could be discussed in further detail at the next meeting.

Mr. Zelinka held a discussion on attendance requirements. A question was asked regarding what constituted an excused absence. Mr. Zelinka responded that generally it was when you had informed the staff or chairman ahead of time. The committee can determine the standard expected. A question was asked regarding a committee member's ability to contribute ideas and opinions if they would be unable to attend a particular meeting. Assistant City Attorney Barlow responded that it could be provided, but needed to be sent to staff who would then distribute the information at the meeting.

A question was asked regarding the number of meetings, and Mr. Zelinka responded that it would be roughly seven to nine meetings over the next one to two years.

Mr. Zelinka also suggested that committee members keep their cell phones on vibrate during the meeting.

## **INTRODUCTION TO THE FULLERTON GENERAL PLAN UPDATE**

Mr. Zelinka explained that the State of California required each city and county to adopt a General Plan, to identify the community's priorities and vision for the future, for a twenty year time period. The current General Plan was adopted in 1996, and generally every ten years cities go through an update process to reflect current community values, interests, trends, economic conditions, and other changes that had occurred over the past decade.

David Barquist, RBF, was introduced as the project consultant. He gave a brief overview of the General Plan. The General Plan was the policy document used by the City Council and other decision makers within the City.

Mr. Barquist explained that there were seven elements required by state law, some optional elements, and some regional mandates. Fullerton's General Plan contained the following

elements; Introduction (Scope and Authority), Vision (overall goals), Land Use (types, standards for development intensity/density), Circulation (transportation systems – all types), Resource Management (protection of natural resources), Health and Safety (protect the community), Community Services (future need for services in the community), Regional Coordination (coordinate efforts with county, local, and other required bodies), Implementation of Public Participation (how the General Plan is implemented post adoption of the General Plan amendments), Housing (assess housing needs – required State review).

Mr. Zelinka explained that the General Plan Update process would take between eighteen and twenty four months to complete, and completion was expected in summer 2008. A time line illustrating the anticipated schedule was explained. There would be two educational meetings in April, along with the initial community workshop and reception.

### **“HOMEWORK”**

Senior Planner St. Paul asked the committee members to review the copy of the General Plan that had been provided to them. He also asked the members to think about their schedules over the next two years. He stated there would be a GPAC meeting on April 23, 2007, from 6:00 p.m. to 7:00 p.m. to select a Chair and Vice-Chair.

### **CHAIR AND VICE-CHAIR WILL BE ELECTED ON APRIL 23, 2007**

Senior Planner St. Paul explained the responsibilities of the Chairman and Vice-Chairman. The committee would be run similar to the City Council and Planning Commission. The Chair or Vice-Chair would run the meetings, maintain control of the meetings, ensure the rules of the Brown Act are followed, and encourage participation from the public in attendance.

### **PUBLIC COMMENTS**

Harold Flenker, 301 N. Ford, wanted the committee to address the noise in the downtown area after 11:00 p.m., especially on weekends.

Bruce Hostetter, 205 N. Cornell Avenue, was concerned with sustainability, and wanted to ensure that future generations had the same opportunity as the present generation to the resources needed to plan, build, develop, and prosper. He added that every element of the General Plan addressed sustainability.

Jane Rands, 747 Barris Drive, would like the GPAC to consider using a consensus process with a fall back voting threshold of 80% or two-thirds majority. She believed it would increase democracy or discussion and more people go away happy.

Denny Bean, 1529 Yermo Place, wanted to see open space maintained. He felt that traffic, waste, and other issues would be impacted favorably if open space was maintained.

Clara Farris, 540 Jacaranda, was concerned with the downtown area, and would like to see an area that was appropriate for all ages and more family oriented. She was interested in progress, but wanted less focus on the entertainment of the “young urban professionals”.

## **AGENDA FORECAST**

The next regularly scheduled GPAC meeting would be April 23, 2007 from 6:00 p.m. to 7:00 p.m. in the City Council Chambers.

## **ADJOURNMENT**

There being no further business the meeting was adjourned at 7:40 p.m.

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Janelle Pasillas  
Secretary