

**CITY OF FULLERTON
PARKS AND RECREATION COMMISSION
AGENDA
Fullerton Museum Center Auditorium
301 N. Pomona Avenue
Monday, November 12, 2013
5:30 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 OCTOBER 7, 2013
COMMISSION MEETING**

Recommendation to approve the Minutes of the Parks and Recreation from the October 7, 2013 Commission Meeting.

***2. MAINTENANCE SERVICES MONTHLY REPORTS FOR OCTOBER, 2013**

Recommendation to receive and file the Maintenance Services October, 2013 Monthly Report.

REGULAR BUSINESS (Items 3 – 8)

- *3. ADOPTION OF AN ORDINANCE GOVERNING DOG PARK(S) IN FULLERTON
- *4. WESTERN YOUTH SERVICES - FAMILY RESOURCE CENTER AGREEMENT
- 5. FIRST NIGHT PRESENTATION
- 6. DISCUSS CANCELLING DECEMBER MEETING
- 7. REPORT ON CITY COUNCIL AGENDA ITEMS
- 8. DIRECTOR'S UPDATE
- 9. COMMISSIONER COMMENTS
- 10. 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 Meeting Minutes
Regular Meeting
Maple Community Center
Monday, October 7, 2013
5:00 p.m.**

CALL TO ORDER

Chair Van Gorden called the meeting to order at 5:00 p.m.

FLAG SALUTE

ROLL CALL

Present: Carvalho, Silva, Van Gorden, Lang McNabb, Levinson, Stanford

Absent: Haselton

Staff: Director Hugo Curiel, Cultural Arts and Family Services Manager Dannielle Mauk, Administrative Manager Alice Loya, 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 public comments.

CONSENT ITEMS (Items 1 & 2)

1. MINUTES OF THE PARKS AND RECREATION COMMISSION MEETING

Recommendation to approve the Minutes of the Parks and Recreation September 9, 2013 Commission Meeting and approve the Maintenance Services Monthly reports for September, 2013.

Commissioner Stanford **MADE A MOTION** and Commissioner Lang-McNabb **SECONDED** the motion to approve the Minutes of the Parks and Recreation Commission Meeting and approve the Maintenance Services Monthly Reports for September, 2013.

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

NOES: None

ABSTAIN: None

ABSENT: Haselton

The MOTION PASSED

REGULAR BUSINESS (Items 3 – 7)

3. NOVEMBER MEETING – MOVE TO 11/12

After discussion that the regularly-scheduled meeting falls on Veterans' Day, Commissioner Stanford MADE A MOTION to change the November meeting date to the 12th, Vice Chair Levinson SECONDED the motion.

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

NOES: None

ABSTAIN: None

ABSENT: Haselton

The MOTION PASSED

4. APPROVAL FOR THE ESTABLISHMENT OF A FULLERTON DOG PARK CITY ORDINANCE

Director Curiel explained that after five years of operation the Dog Park Foundation has determined that an ordinance would serve the park better than the current rules and regulations. He also stated that Dog Park Foundation members monitor the three areas of the park. Park Project Specialist Pickard explained that those members have identification and can address problems at the park.

After much discussion by the commission on this subject, clarification on the following items was requested in the proposed ordinance:

1. Definitions needed of "small" and "large" dog
2. Posted signs must be enforced i.e. children under 10 are not allowed (per Risk Management)
3. Age limit changed from 18 to 16 years of age

Paul Edwards, Dog Park Foundation member spoke to the commission.

Commissioner Stanford MADE A MOTION to remand the item to the Parks and Recreation department for review and clarification of items previously noted and bring the item back to commission in November, SECONDED by Commissioner Levinson.

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

NOES: None

ABSTAIN: None

ABSENT: Haselton

The MOTION PASSED

5. DIRECTOR'S UPDATE

Director Curiel gave the commission an update on Hillcrest Park. He also informed them of a recent power outage at the Fullerton Community Center during the setup of a high school dance. He explained how the production company provided generators and the event was a success.

6. COMMISSIONER COMMENTS

Commissioner Lang-McNabb asked about the yellow tape on play equipment at Hillcrest Park. Commissioner Carvalho asked for an update of the problem at Mountain View Park. Deputy Director of Maintenance Services Quinlivan responded that staff will remove the damaged play equipment and the water leak is still unresolved at Mountain View Park.

7. ADJOURNMENT

Adjourned at 6:01 p.m.



Hugo Curiel, Secretary

HC/db



PARKS AND RECREATION COMMISSION AGENDA

MEETING DATE: NOVEMBER 12, 2013
TO: PARKS AND RECREATION COMMISSION
FROM: DENNIS QUINLIVAN, DEPUTY DIRECTOR OF PUBLIC WORKS
SUBJECT: OCTOBER 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;
 - 5,444 trees have been pruned
 - 161 total trees removed
 - 57 trees planted
 - **Production crews** completed pruning in **Zone 1** and have moved to **Zone 2** (Commonwealth to 91 Frwy, Brookhurst to Euclid)
 - **Downtown trimming** continued.
 - **Tree Inspector Clifford Jennings** responded to **129** tree related service requests in the months of October.
- 2. Red Imported Fire Ant** activity was reported at **3** locations in October. 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 **5** reports of **bee** activity in October. 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 October:

- Moved bleachers to Fire Department for Open House
- Lemon Park reseeding
- Tree stabilization and reconditioning at Community Center due to wind storms
- New plants installed at Euclid @ 91, Orangethorpe, Nutwood /Placentia, Lemon / 91 median islands.
- Recreational Riders area cleared of weeds and tree canopies lifted
- Harbor slope planting
- Laguna Lake turf area reseed by bathroom
- Replaced trash can along Nora Kuttner Trail
- Removed all shrubs at Chapman and 57 for replant
- Repaired chain link fence at Gilman Park

The Landscape Division responded to **40** service requests during the month of October.


Dennis Quinlivan, Deputy Director of Public Works



PARKS AND RECREATION COMMISSION AGENDA

MEETING DATE: November 12, 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 October 2013.

SUMMARY

Building and Facility Division, including Electrical, Service Requests for the Month of October 2013.

Building and Facility Division, including Electrical, received 423 citywide service requests for the month of October 2013.

Building and Facility Division, including Electrical, received and responded to 96 service requests for Parks and Recreation parks and facilities for the month of *October 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.

A handwritten signature in black ink, appearing to read "BSP", is written over a horizontal line.

Bob St. Paul, Facility Superintendent



PARKS AND RECREATION COMMISSION AGENDA

MEETING DATE: NOVEMBER 12, 2013

TO: PARKS AND RECREATION COMMISSION

FROM: HUGO CUIREL, DIRECTOR OF PARKS AND RECREATION

SUBJECT: APPROVAL FOR THE ESTABLISHMENT OF A FULLERTON
DOG PARK CITY ORDINANCE

SUMMARY

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

RECOMMENDATION

That the Parks and Recreation Commission approve and recommend to City Council the adoption of a Fullerton Dog Park City Ordinance.

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 Sebourm directed the Parks & Recreation Department and the City Attorney's office to create and establish 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.

The Ordinance was brought to the Commission in September for approval and recommendation. Upon review and discussion, the Commission directed staff to make several minor revisions and clarifications. Per the Commissions comments, the following changes and clarifications to the ordinance were made and/or addressed:

9.16.020 Definitions

OLD

A - "Aggression" or "aggressive behavior" shall include, but is not limited to, the following behaviors: snarling, growling and biting.

NEW

A - "Aggression" or "aggressive behavior" shall include, but is not limited to, the following behaviors: ***snapping***, snarling, ***lunging***, ***ferocious*** growling ***and/or barking*** and biting.

The definition was expanded to better clarify 'aggressive' behaviors.

OLD

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.

NEW

C - "Dog park" or "***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.

Added "park" to definition to avoid any confusion over usage in the ordinance.

OLD

H - "Potentially dangerous dog" shall have the same meaning as Section 31602 of the Food & Agriculture Code.

NEW

H - "Potentially dangerous dog" shall have the same meaning as Section 31602 of the Food & Agriculture Code.

OLD

J - "Vicious dog" shall have the same meaning as Section 31603 of the Food & Agriculture Code.

NEW

K - "Vicious dog" shall have the same meaning as Section 31603 of the Food & Agriculture Code.

No changes were made other than reference letter. Per the City Attorney, it is not City policy to incorporate the language of other Codes and Ordinances within the body of an ordinance. This is because, if the referenced and incorporated Code or Ordinance changes in any way, the Fullerton Ordinance would have to be revised and approved again by Council. It also keeps this Ordinance in conformity to the format and standard of the City's other ordinances. Finally, this policy also keeps ordinances from becoming very large, complicated and possibly confusing documents as a result of the additional material.

NEW – ADDED

J - "Spiked collars" shall refer to dog collars that have spikes or spike-like protrusions attached to the collar and that would be capable of injuring dogs or humans

Definition added as "spiked" collars are referenced in the ordinance.

9.16.030 Dog Park Regulations

OLD

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.

NEW

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. ***Large breed puppies up to 25 pounds shall be allowed in the small dog area.***

The regulation was expanded to better clarify where large breed puppies are allowed.

OLD

H - Puppies under four (4) months old are not permitted inside the park.

NEW

H - Puppies under ***six (6)*** months old are not permitted inside the park. ***This is for the health and safety of the puppy.***

The regulation rose the minimum puppy age to 6 months and regulation was expanded with an explanation

OLD

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.

NEW

P - Handlers must be at least ***16*** years of age. Visitors under ***16*** are not permitted in the park without a supervising adult, and must stay within arm's reach of their supervising adult.

Lowered handlers' age to 16.

NEW – ADDED

Q - Children under 10 years of age are not permitted in the off-leash areas. This is for the child's safety.

Definition added as this regulation was omitted from initial draft ordinance

OLD

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.

NEW

T - Handlers must keep close visual ~~and physical~~ contact with their dogs **and be aware of their actions** at all times. Dog handlers must remain **in a "hands free" condition** and capable at all times to use both hands to control their dog.

Regulation was reworded to better communicate the intent of the regulation

Z - Any additional site specific posted rules/regulations must be adhered to.

AA - Any additional site specific posted rules/regulations must be adhered to.

No changes were made other than reference letter. Per the City Attorney, the City's existing 'No Smoking' Ordinance is a city-wide ordinance and is not just specific to the Pooch Park, and as such is covered by this regulation and does not need its own line in this ordinance

9.16.040 Penalty for Violation

OLD

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.

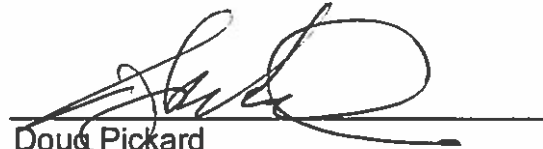
NEW

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.

No changes were made. Per the City Attorney, it is not City policy to attempt to define or list the specific penalties and/or punishments attached to a stated crime classification within an ordinance. This is because, if the penalties and/or punishments of the stated crime classification changes in any way, the Fullerton Ordinance would have to be revised and approved again by Council. It also keeps this Ordinance in conformity to the format and standard of the city's other ordinances. It also keeps the ordinances from becoming very large, complicated and possibly confusing document as a result of the additional material.



Hugo Curiel
Director of Parks and Recreation



Doug Pickard
Park Project Specialist

Attachment: 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:

Section 1. Chapter 9.16 (Dog Parks) of Title 9 (Parks) is hereby added as follows:

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: snapping, snarling, lunging, ferocious growling and/or barking 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" or "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, as designated by the Director of Parks & Recreation.
- 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. "Spiked collars" shall refer to dog collars that have spikes or spike-like protrusions attached to the collar and that would be capable of injuring dogs or humans
- K. "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/or 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. Large breed puppies up to 25 pounds shall be allowed in the small dog area.
- 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 six (6) months old are not permitted inside the park. This is for the health and safety of the puppy.
- I. 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 16 years of age. Visitors under 16 are not permitted in the park without a supervising adult, and must stay within arm's reach of their supervising adult.

- Q. Children under 10 years of age are not permitted in the off-leash areas. This is for the child's safety.
- R. Handlers may not bring more than three (3) dogs at any one time to the dog park.
- S. 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.
- T. Handlers must keep close visual contact with their dogs and be aware of their actions at all times. Dog handlers must remain in a "hands free" condition and capable at all times to use both hands to control their dog.
- U. 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.
- V. Handlers must remove and properly dispose of all dog waste in the provided receptacles.
- W. The off-leash dog areas are for dogs, their handlers, and those accompanying them. No other use is permitted.
- X. The following items are prohibited in the off-leash areas:
 - 1. Strollers.
 - 2. Laptops.
 - 3. Scooters.
 - 4. Bicycles.
 - 5. 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).
- Y. Climbing on trees, fences and benches is prohibited.
- Z. 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.

AA. 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.

Section 2. Inconsistencies. 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.

ADOPTED BY THE FULLERTON CITY COUNCIL ON _____, 2013.

Bruce Whitaker, Mayor

ATTEST:

Lucinda Williams, City Clerk



PARKS AND RECREATION COMMISSION AGENDA

MEETING DATE: NOVEMBER 12, 2013

TO: PARKS AND RECREATION COMMISSION

FROM: HUGO CUIEL, DIRECTOR OF PARKS AND RECREATION

SUBJECT: WESTERN YOUTH SERVICES – FAMILY RESOURCE CENTER
AGREEMENT

SUMMARY

This agreement will provide City of Fullerton residents long-term access to comprehensive prevention and treatment services to families at the Richman Community Center. Western Youth Services is funded through FaCT OC to provide social, educational, health, and supportive services for families.

RECOMMENDATION

That the Parks and Recreation Commission recommend to City Council approval of the operations agreement with Western Youth Services in a form approved by the City Attorney.

FISCAL IMPACT

The City will receive \$220,000 in services from Western Youth Services.

DISCUSSION

Western Youth Services would like to partner with the City to provide comprehensive prevention and treatment services to families based out of the Richman Community Center. The purpose of this agreement is to bring a valuable resource to our City that will meet the needs of the surrounding community. Western Youth Services assumes all programming and staffing costs.

WYS will offer the following programs at the Richman Community Center:

- Adoptive Family Support Services
- Application Assistance (Medi-Cal, Healthy Families & CalWORKS)
- Case Management / Family Advocacy
- Counseling (Individual, Family & Group)
- Community Resource Services & Referrals
- Domestic Violence Services (Legal Assistance & Personal Empowerment Program - PEP)
- Parenting Education
- Multidisciplinary Wrap-Around Services
- School Readiness Program

A Family Resource Center (FRC) is a family friendly community based collaborative with the capacity to provide on-site access to comprehensive prevention and treatment services. Each FRC is unique to its community. Services are culturally sensitive and offered by staff in the language reflecting the families and communities they serve. The Family Resource Center was previously located at Manzanita Park in Anaheim. Western Youth Services (WYS) approached us after the building burned down last year. The Parks and Recreation Department has worked closely with WYS and is very pleased with the quality of programs they have provided to the community.

The terms of the agreement are:

- The term of the MOU shall commence on the effective date as approved by the City Council and remain in effect for two (2) years, unless terminated sooner per the MOU.
- The term of the MOU may be extended, with mutual agreement between the City and WYS for four (4) additional one (1) year terms at the conclusion of the initial term.
- WYS's hours of operation shall be limited to Richman Community Center hours of operations: Monday – Friday 8am to 6pm, closed Saturday and Sunday.
- When the community rooms are not in use by WYS or City, WYS acknowledges that the community rooms may be scheduled for private events by the general public from the City through the Fullerton Parks and Recreation Department.
- WYS shall provide all phone services and computer service at their sole cost.
- The City will continue to provide building maintenance, facility capital repair and custodial services.

Western Youth Services is funded by Families and Communities Together (FaCT). This is a partnership between the County of Orange Social Services Agency and Orangewood Children's foundation. Since 1994, FaCT has provided support and services to children and families through community-based collaborative operating family resource centers. FaCT supports these community-based centers by providing program development and administration, funding, and training. FaCT receives federal, state, and county funds including Promoting Safe and Stable Families, Office of Child Abuse Prevention, California Emergency Management Agency, and the Children and Families Commission of Orange County as well as private donations.



Hugo Curiel
Director of Parks and Recreation



Dannielle Mauk
Division Manager