

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

City Council Chamber
Monday, January 9, 2006
6:30 p.m.

CALL TO ORDER

Chair Swanson called the meeting to order at 6:30 p.m.

FLAG SALUTE

Commissioner Dalton led the flag salute.

ROLL CALL

Present: Kathleen Baier-Dalton, Virginia Han, Pamela Keller, George Miller, Craig Russell, Nancy Spencer, Neil Swanson

Absent: None

Staff: Ron Molendyk, Parks and Recreation Director; Parks and Recreation Managers Dave Alkema, Grace Carroll-Miranda, Alice Loya, Dannielle Mauk, and Judy Peterson; Aimee Aul, Museum Educator; Richard Smith, Museum/Exhibit Specialist; Landscape Superintendent Dennis Quinlivan; Landscape Supervisor Phil Kisor

PUBLIC COMMENTS

There were no public comments.

Commissioner Miller MADE A MOTION to approve the Consent Calendar and Commissioner Keller SECONDED THE MOTION.

AYES: Dalton, Han, Keller, Miller, Spencer, Swanson

NOES: None

ABSENT: Russell

The MOTION CARRIED unanimously.

***1. MINUTES OF THE DECEMBER 12, 2005 REGULAR MEETING**

Recommendation to approve the Minutes of the December 12, 2005 regular meeting.

***2. LANDSCAPE DIVISION MONTHLY REPORT FOR DECEMBER 2005**

Staff recommendation to receive and file the Landscape Division December 2005 Monthly Report.

***3. MEMORIAL TREE DONATION**

Staff recommendation to approve and accept a memorial tree donation from resident Dennis Chant for Hillcrest Park.

REGULAR BUSINESS (Items 4 - 9)

4. FOX THEATRE RENOVATIONS

Parks and Recreation Director Molendyk introduced Cultural and Events Manager Dannielle Mauk who, in turn, introduced Todd Huffman, Fullerton Historic Theatre Foundation President. Mr. Huffman then introduced Jon Wagner, Executive Director, outlining his extensive experience in theatre development and fundraising.

Mr. Huffman provided an update on the Fox Theatre Renovations through a Power Point presentation which included the project goals of preserving and restoring the unique theatre and structures, building a quality performing arts center that will have independent films, live music and events, and an educational component, all in a "business-minded way" that will pay for itself. He added that the Fox project also wanted to contribute to Fullerton's reputation as a leading cultural city in Orange County.

Mr. Huffman then provided a description of the theatre's two courtyards and three buildings: the 908 seat theatre itself, the Tea Room and the Firestone Building, the latter being the retail part of the facility. He also provided a history of the theatre beginning with the groundbreaking in 1924, noting that the Fox was built by Meyer and Holler who built Graumann's Theatre and the Egyptian, as well as the Warner, Charlie Chaplin and Sony Pictures studios. He said Firestone Corner was built by Morgan, Walls and Clements which also built the El Capitan Theatre and what is now known as the Citadel off the 5 Freeway.

A rendering of the final project, in six phases, was shown. Mr. Huffman said Phase One, stabilization of the theatre and the Tea Room, was completed ahead of schedule. The project is currently in Phase Two, planning and pre-development. Phase Three is rehabilitation of the Firestone Corner, then the Tea Room, and then seismic, engineering and mechanical work. Phase Six will be the completion of the theatre itself. The project should take 60 months with an estimated budget of under \$13 million, of which \$5.3 million would be in in-kind services. He said the rest of the funds would come from grants and cash donations, noting the City's \$1.65 million challenge grant as well as substantial lease income from the Tea Room and Firestone Corner.

Mr. Huffman said he disagreed with the naysayers who said the Fox couldn't pay for itself, pointing out the diverse revenue streams of lease income, ticket sales, corporate donations, and non-profit funding opportunities, plus a location in a "hip" intersection and downtown area, which could be a draw for an entire region with 68,000 vehicles going through the intersection daily. He also noted there were no other film theaters in downtown Fullerton, no other independent theaters within 25 miles, plus there were two colleges and a high school nearby which would attract a prime demographic. Starbucks, Bank of America, McDonald's, Spring Field Banquet Center, Kinko's, and Wahoo's are all on the same corner.

Mr. Huffman then provided a fundraising timeline which showed that in January 2004, the Fox Theatre Foundation started with less than \$10,000 in bank, but ended with over one million dollars raised besides the City's \$1.65 challenge grant. He also noted the \$700,000 anonymous donation made "at the 25th hour" with a promise for \$300,000 more.

Photos of the bi-weekly work parties with 3,000 volunteer hours were shown which would allow the project to submit a funding application with in-kind volunteer hours, plus the Phase One in-kind donations of labor and materials – included roofing, electrical, testing, and materials, had an estimated value of \$250,000.

Mr. Huffman said the project has already begun collecting almost \$9,000 per month in lease fees on Firestone Corner, has established a Subcommittee for volunteer involvement, and received the additional \$300,000 from the anonymous donor. With the assistance of the City, current and past board members, and local design professionals, the Fox project selected architectural firm Westlake, Reed, Leskosky of Ohio which has designed over 75 historic theatres and received 60 design awards.

Mr. Huffman also described the feasibility study completed in July 2005 which the Foundation commissioned to ensure the viability of the project. The study found that with the lease income, the Fox would be profitable operating only 190 days per year. He added that they have also hired a professional fundraising company, Gary Phillips and Associates, with expertise in performing arts non-profits. He said the project finished Phase One ahead of schedule and under budget.

Mr. Huffman then described the project's current twelve-month phase, Phase Two, in which the architects and engineers put the project on paper, with concrete ideas expected in Spring 2006. He reiterated the State CCHE/Prop 40 Grant Application due Jan. 31st, saying they are requesting \$3 million which will need \$3 million in matching funds.

Ensuring that the Fox is accessible to the community by working with community groups, e.g., All the Arts for All the Kids and Fullerton College, was also important, said Mr. Huffman. In addition, they would be developing a Fox real estate marketing program and continue to solicit more donations.

Mr. Huffman said he believed the Fox was the most important historical preservation project in Orange County, and again acknowledged the City's support, saying that the Fox has over \$3.7 million in assets plus over \$300,000 in cash and accounts receivable.

He then showed a short video of the Fox Theatre which showed its history, current conditions and plans for restoration.

Commissioner Han asked if there would be additional parking. Director Molendyk said property was purchased through the Master Plan at Pomona and Chapman, so parking should not be a problem. Mr. Huffman added that the Miller's Automotive property behind the Spring Field Banquet Center would also become parking. Commissioner Han then asked about the income from the Tea Room, and if it would be open to the public. Mr. Huffman said the downstairs Tea Room would probably be a restaurant, and discussed options for the upstairs area. Commissioner Han thanked him. Director Molendyk also thanked Mr. Huffman for his presentation, offering Parks and Recreation assistance through cultural arts programming for the community. Mr. Huffman expressed his appreciation for the City's and community's support which prevented the Fox from being demolished, saying there was no turning back.

Commissioner Keller encouraged everyone to attend a showing of the original *King Kong* which will be shown behind the Fox Theatre on February 16th.

5. UPDATE ON GOLFER'S PARADISE

Director Molendyk introduced the update on Golfer's Paradise, noting its location on Harbor in the Brea Dam area. He said the City's agreement with the previous owners allowed them to sign over the lease to the new owner. Administrative Manager Alice Loya said the owners of Golfers' Paradise announced they were selling their business to a private Fullerton resident, John Mok. He and his staff were invited to present their plans for Golfer's Paradise. She noted that he had two other businesses, a waste management and a roofing supply company.

Mr. Mok thanked the commissioners and Manager Loya for allowing him to make a presentation on Golfers Paradise. He provided his background, saying he has his Ph.D. in physical education, with a background in management, and has lived in Fullerton for 16 years. He introduced two of his staff, saying they are working to achieve the American dream.

Since taking over, however, Mr. Mok found the need to upgrade the business, saying he had been a customer for four years but felt the golf facility didn't treat its customers properly. Since buying the business, Mr. Mok said they are promoting the business to the public, increasing the size of the golf ball bucket, and improving the lighting, and are already getting positive feedback on the improvements. He said he also hoped to set up a coffee shop upstairs and a pro shop downstairs. He also wants to make a bridge to connect the two tee boxes with the pro shop, and will have a total of 58 tee boxes. He said that Golfers Paradise is a nice location but it needs a lot of improvement, cleaning and repairing of the driving range. He said his budget is \$500,000 for improvements with financing from his own pocket, friends and the bank, saying he wants to complete the first phase which is the bridge from the tee boxes. The second phase will be the pro shop. He thanked the Commission and audience for allowing him to introduce himself and his staff, saying he hoped to submit the conceptual plan in the next couple of weeks.

Director Molendyk asked Mr. Mok to share his conceptual plan drawings for the golf training center with the commissioners, which he did. He also mentioned that he reduced the costs of the putting range from \$7 to \$5 for seniors and children, which they really liked, and they are now seeing a lot more seniors. Chair Swanson asked if the driving range would be two stories, and Mr. Mok said one side would be one story, but the other would have an upper and lower deck. Commissioner Keller asked if Mr. Mok would tear down the existing building, but he said no, they could bypass the area and would only have to reinforce and add to it. The commissioners and Director Molendyk thanked Mr. Mok for his presentation.

6. UPDATE ON THE LEO FENDER EXHIBIT

Director Molendyk noted that the Leo Fender exhibit is scheduled to open April 22, 2006, and introduced Manager Dannielle Mauk. Manager Mauk acknowledged two staff, Aimee Aul, Museum Educator, and Richard Smith, Museum/Exhibit Specialist, who have been working on the project. She then introduced Ed Malkowitz, Vice President of the Fullerton Museum Center Board Association. Mr. Malkowitz said he was in charge of the Museum Board's finances, saying it costs about \$500,000 to operate the Museum Center, with about 75 or 80% coming from the City which pays for staff salaries, insurance, utilities, etc.

Mr. Malkowitz said the Board raises money for the exhibits through, for example, the beer garden at the Wednesday markets, which generates a lot of income, as well as admissions. He said the Board generally raises about \$100,000, but this year it will raise nearly \$150,000 due to the Fender Exhibit and a couple of other major or "blockbuster" programs which are costly. He said there would be two prongs to the fundraising: seeking major contributions from businesses and individuals (\$5,000 - \$10,000 with a plaque at the exhibit), and memberships.

He noted that besides the Fender exhibit in March, the Board is sponsoring the major Nudie Exhibit of rhinestone cowboy-type costumes and other items in February. Director Molendyk acknowledged and thanked Mr. Malkowitz for his volunteer contribution of time and expertise.

Manager Mauk then introduced Museum/Exhibit Specialist Richard Smith, who brought a Fender Stratocaster guitar, saying that Leo Fender invented the Fender guitar in Fullerton. He said that the Fender Gallery would be a permanent space in the museum that would feature stories about Leo Fender's life in Fullerton and the electric guitar in entertainment and as a manufactured item in Fullerton. He said there would be another space for changing exhibits every two years. He said the first part of the exhibit, "You Won't Part with Yours Either," would showcase how the Fender became an American icon. He then played a little guitar to the amusement of the audience. Manager Mauk thanked Richard for his good work on the Fender as well as other exhibits.

Manager Mauk then introduced Eric Gaard and Phyllis A. Renwick, Exhibition Designers hired by the Museum Board. She said they would be responsible for the design of the gallery space, noting that they have worked on the Nixon Library, Gene Autry Museum and at Cal State Fullerton.

Mr. Gaard introduced Ms. Renwick and then provided a Power Point presentation on the two sections of the Fender Gallery, a permanent one with the history of the Fender Guitar Company and Leo and his wife, and the second larger space which would provide changing exhibits related to the Fender Company. He showed how the Leo Fender Biography Gallery would include a timeline, live action film on flat screen, guitars, amps, large-scale photography and graphics.

He said the larger gallery would change every two years while the first exhibit would be about Robert Perrine, the Fender's avant garde designer and photographer, who was also responsible for the famous Fender logo. He said the exhibit would display Perrine's ad campaigns with graphics, large photos, another audio visual screen, and Fender catalogs. He added that Perrine's documentary photos of guitar production would also be displayed. The public will be allowed to play a Fender guitar with amplifier. Manager Mauk thanked Mr. Gaard and Ms. Renwick for their time and presentation, and asked if there were any questions. Director Molendyk asked if staff would like to describe the special custom guitars to be made at the Museum. Museum/Exhibit Specialist Richard Smith said Fender guitars haven't been made in Fullerton since 1984 when the factory was closed down, but they are planning to have guitars custom-assembled at and sold through the Museum gift shop.

Director Molendyk said besides providing an update on the Fender exhibit, he wanted Commission to better understand the work and professional effort that goes into the museum exhibits. Chair Swanson thanked the Museum division and designers for their presentation, and said it sounded like a very exciting project.

7. DIRECTOR'S UPDATE

Director Molendyk noted the Laguna Lake dedication slated for Saturday, February 25th at 10 a.m., and that he and Manager Alkema were out at the lake today to find a site for the dedication plaque. He said the fish are in the lake, the fences are down, and they are planning on having a fishing clinic for the children during the dedication.

Director Molendyk also reported that First Night was a success, even with the earlier heavy rains. He estimated about 14,000 attended the event, and the Department received a lot of compliments on the music. He thanked the staff for their hard work, including Police and Maintenance, and especially Manager Mauk and Events Coordinator Stacy Michalak.

He also noted that the next Haunted Tour is Friday, January 13th.

8. REPORT ON CITY COUNCIL AGENDA ITEMS

Director Molendyk said the City Council officially accepted a donation of \$1,050 for the Fullerton Tennis Center from the North Orange County Tennis Club which Recreation Manager Grace Miranda said were for benches for the courts.

He also noted that the Council authorized him to apply for Per Capita Grant Funds from the 2002 Resources Bond Act which, if awarded, would allow the Department to further improve Laguna Lake. He said City staff is also working on the Fox Theatre grant, and

also acknowledged past Cultural and Events Division Manager Joe Felz' assistance with the Fender Gallery.

9. COMMISSIONER COMMENTS

Commissioner Dalton asked about the annual Commission reorganization which normally happens in February, and was told that the commission candidates were interviewed last Thursday, and that selection would be made at the January 17th Council meeting. Thus, the elections would probably occur at the February Commission meeting.

Commissioner Russell noted his question at the previous Commission meeting regarding the Richman Park name change, saying he wrote a letter to the director, then copied the other commissioners, and was then warned by Director Molendyk about violating the Brown Act. He asked if the City Attorney could respond, since he felt that just copying the commissioners regarding a letter directed to Director Molendyk or asking if an item could go on the agenda wasn't a violation of the Brown Act. He said he didn't believe it was a violation of the Brown Act because he wasn't communicating directly with the other commissioners, but just letting them know he is asking the director a question, and letting the other commissioners know the response. He said he felt it was just common courtesy to let the others know he was requesting information. He added that he didn't respond again because he was warned about the Brown Act; instead, he was responding this evening since they were in an open meeting, and requesting that the findings be e-mailed to all the commissioners. Director Molendyk agreed he would do so.

Commissioner Russell also said he didn't like the director's response to his query regarding Valencia/Richman Park's unexpected name change, which seemed to be that since Commissioner Russell complained, staff wouldn't change the name nor discuss a name change. He said that just because he didn't agree with the process or the name change, it didn't mean that it shouldn't come to Commission as an agenda item because there could be five or six commissioners who disagreed with him. He said, as noted in his e-mail, he didn't have a problem with changing the name from Valencia to Richman; rather, he was concerned about the change from "Community" to "Neighborhood" Center. He suggested the name change be placed on the agenda, and that he did want to know how such changes were made without Commission review. He also wondered if it was normal procedure for staff to change names without taking it to Commission. He said he would like a workshop to clarify what items should or should not come to Commission for review and approval, and that a change in procedures might be needed.

Director Molendyk said they received Commissioner Russell's e-mail just prior to the holidays, and that they tried to respond as soon as possible rather than waiting for the City Attorney's opinion before responding. He also noted that one of the other commissioners also sent an e-mail expressing concern about a violation of the Brown Act, thus, it wasn't just staff who was concerned.

Director Molendyk said if Commission wants a report for the name change, his response would be to keep the name as is because the name wasn't that important to him. If it was important to Commission to write a report, he would write a report; however, he felt there were other more important projects and grant deadlines to deal with. He said he would leave it up to the Commission; however, he wasn't recommending any changes.

Commissioner Russell said that at the last meeting, they were told the name had been changed, which concerned him. Director Molendyk said he decided against the name change because, without the courtesy of a phone call, staff was being put on the spot at a public forum, and that, professionally, he wasn't used to that. He said he didn't have the right answer last time, but that he had the right answer now, which was that he wasn't changing the name.

Commissioner Russell said that was fine, however, his problem still was that the name had been changed, and that changing names was a significant change. He said he wasn't asking for a report, but that his concern was that prior to anyone thinking of changing a name, the issue should come to Commission. Director Molendyk agreed that that was Commissioner Russell's thought, but that his thought was that he wasn't changing any names so he didn't feel there was need for discussion.

Director Molendyk added that it seemed there was some confusion on the commissioners' role, and that he had already suggested to Chair Swanson that they have a workshop with the Council on this; however, he said he didn't have answers to questions he'd never been asked in his career. He further added that he would prefer the issue not initially be brought up in a public forum; Commissioner Russell replied that the first time commissioners were aware of the name change was during last month's Commission meeting. Director Molendyk asked for the Commission's direction on this issue. Commissioner Russell said he wanted to have the workshop.

Commissioner Keller said she was the commissioner who e-mailed back, saying she was responding only to Director Molendyk and Commissioner Russell because of the Brown Act. She said she didn't believe Commissioner Russell's e-mail was inappropriate, although she didn't know for sure and would like the City Attorney's opinion. Rather, she was concerned that her responding to everyone would be inappropriate, which was why she only responded to Director Molendyk and Commissioner Russell.

Commissioner Keller agreed with Commissioner Russell that name changes should not be decided by staff, and said they would all like to know what the process is for changing names, adding that naming places was very important. She noted other name change issues at Union Pacific Park as well as the Senior Center, saying there should be a process where the community and usually the Commission and Council are involved. She agreed that Director Molendyk had been discussing a workshop with Council for some time, and that now seemed to be the time to have one.

Commissioner Dalton said Director Molendyk might be taking some things personally, but that he shouldn't have, acknowledging that Commissioner Russell, whom she's known for a long time, can be "incendiary." She added that Director Molendyk's concerns about attacks on staff were not intended to be so; however, she said she had the same concern as Commissioner Russell because she had never known the City to make changes in names to significant buildings without some kind of public forum. She said she and Commissioner Russell weren't trying to make a value judgment as to whether the name change was good or bad; rather they were asking how the process happened, noting that there were two name changes in a relatively short period of time that took the commissioners by surprise, and on which they felt they would have liked some input.

Commissioner Spencer said the commissioners should understand that staff may be overburdened with their work and deadlines and are sometimes caught in the middle. She agreed a workshop might be useful in helping commissioners learn what could help staff and what staff could do to help Commissioners understand issues better and how much staff work is involved, especially with reduced staffing. Director Molendyk said staff doesn't mind answering questions; it was just the way the questions seemed to come up sometimes to which he was reacting. He said the Department has promised a workshop to discuss capital projects as well as staff and Commission responsibilities. He apologized, saying staff is sometimes caught in the middle, providing an example of a report coming up that will go to Council first before going to Commission because of the way the agreement is written. Director Molendyk said staff hoped to send out a memo with dates on workshops in the next couple of weeks.

Commissioner Dalton said that since Director Molendyk has been here, she personally felt that there's been much better communication between staff and her, and she really appreciated it. However, this was why she was so surprised those two name changes happened without their knowledge.

Director Molendyk said he appreciated Commissioner Dalton's comments, saying staff obviously didn't vocalize it enough, but that there were references to name changes during the budget workshop, and giving the example of changing the Fullerton Senior Center's name to Fullerton Community Center to make it easier to market the Center for weddings. However, he said they could discuss this further in the workshop and that he would get more clarification on the Brown Act. Commissioner Spencer said she didn't believe changing the Senior Center's name was just a Department decision, and Director Molendyk agreed, saying besides the budget process, the City Manager was also involved with the name change which was considered for marketing reasons. He added that the Senior Center's name was not changed after all because of protests from the senior group.

Commissioner Dalton said a possible name change for the Senior Center should be discussed, but in a public dialogue where one might get support for one's point of view. However, she said if an issue doesn't have public input, there is a loss of credibility. Director Molendyk said there were discussion and articles shared at budget time about the new seniors who don't want to be known as seniors, but the Fullerton seniors didn't want the Center's name changed.

Director Molendyk said staff will bring up the Valencia Park name change at the next workshop, and that he wouldn't take anything personal, but would appreciate a call first so he could be better prepared. Commissioner Keller said, in defense of Commissioner Russell, that an unknown issue may come up that begs a question immediately, and that sometimes one doesn't know if it's a big issue or not.

Commissioner Miller said enough had been said, and MADE A MOTION to adjourn the meeting.

Commissioner Dalton acknowledged staff's hard work, said they've been nothing but helpful for the last ten years, and asked that if anyone thought she wasn't totally supportive, they should communicate with her.

Chair Swanson agreed more dialogue was needed on commissioner roles, that the personal element had to be taken out of the discussion, and that a workshop should help clarify some of these issues.

Commissioner Keller **SECONDED THE MOTION** to adjourn.

The meeting adjourned at 8:22 p.m.

Respectfully submitted,

Ron Molendyk, Secretary

RM:pf