

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

City Council Chamber
Monday, February 13, 2006
6:30 p.m.

CALL TO ORDER

Chair Swanson called the meeting to order at 6:31 p.m.

FLAG SALUTE

Commissioner Dasney led the flag salute.

ROLL CALL

Present: Kathleen Baier-Dalton, Kathleen Dasney, Pamela Keller, Craig Russell, Nancy Spencer, Neil Swanson

Absent: George Miller

Staff: Ron Molendyk, Parks and Recreation Director; Parks and Recreation Managers Dave Alkema, Grace Carroll-Miranda, Alice Loya, Dannielle Mauk, and Judy Peterson; Landscape Superintendent Dennis Quinlivan, Police Captain Geoff Spalding

PUBLIC COMMENTS

Jose Dominguez, 414 S. Richman Avenue - (Translated by Joey McKeller of Orange County Congregation Community Organization (OCCCO)) – A member of the Valencia Task Force, he wanted to make the point that he lives by Richman Park, and the Task Force is working to get lights at the fields. He said having fields with lights at night will help prevent kids from getting into gangs and drugs. Director Molendyk noted that he had informed Mr. McKeller that he would be bringing this item up during the Director's Report. Mr. McKeller said Director Molendyk was probably referring to the e-mail he (Mr. McKeller) had sent, that he had also been in touch with Commissioner Keller, but hoped to meet with the rest of the commissioners and asked for a meeting to discuss obtaining lights at the park.

Chair Swanson thanked the speakers and asked for further public comment. There was none.

1. MINUTES OF THE JANUARY 9, 2006 REGULAR MEETING

Commissioner Spencer MADE A MOTION to approve the Minutes of the January 9, 2006 Commission Minutes, and Commissioner Keller SECONDED THE MOTION. Chair Swanson called for the vote.

AYES: Dalton, Dasney, Keller, Russell, Spencer, Swanson
NOES: None
ABSENT: Miller

The MOTION CARRIED unanimously.

2. LANDSCAPE DIVISION MONTHLY REPORT FOR JANUARY 2006

The Landscape Division Monthly Report for January 2006 was received and filed. Director Molendyk asked if there were any questions for Landscape Superintendent Dennis Quinlivan; there were none, but he asked Superintendent Quinlivan to provide information on Arbor Day. Superintendent Quinlivan said it would be at Emery Park on Saturday, March 11th, and that they will be planting about 25 trees with the intent to re-establish the Sally Pekarek Trail. He also suggested bringing shovels, shoes, and gloves, and that Maintenance would supply water and instructions on planting.

REGULAR BUSINESS (Items 3 - 9)

3. ELECTION OF OFFICERS

Chair Swanson announced the election of new Parks and Recreation Commission officers. Commissioner Dalton MADE A MOTION to nominate Commissioner Craig Russell to serve as Chair for 2006. Chair Swanson asked for a SECOND; there was none, and he closed the nominations. Chair Swanson called for the vote.

AYES: Dalton, Dasney, Keller, Russell, Spencer, Swanson
NOES: None
ABSENT: Miller

The MOTION CARRIED unanimously, and Chair Swanson handed the gavel over to new Chair Russell.

Chair Russell asked for nominations for Commission Vice-Chair. Commissioner Swanson MADE A MOTION to nominate Commissioner Kathleen Dalton. Commissioner Keller SECONDED THE MOTION. There were no other nominations. Chair Russell called for the vote.

AYES: Dalton, Dasney, Keller, Russell, Spencer, Swanson
NOES: None
ABSENT: Miller

The MOTION CARRIED unanimously.

4. FULLERTON GOLF COURSE RATE CHANGES

Director Molendyk noted that Fullerton Municipal Golf Course is managed under contract by American Golf, and introduced American Golf General and Regional Manager, Brian Bode and Parks and Recreation Administrative Manager Alice Loya. Mr. Bode provided a Power Point presentation of the severe storm flooding and damage the golf course sustained a year ago, and the subsequent repairs, new fencing, bridges and improvements. He also provided a chart which showed increases in all revenue categories from 2004 to 2005. Mr. Bode then showed current and proposed pricing, noting that while most prices are increasing, there were some decreases during some hours to encourage play at those times. He then opened up the meeting for questions.

Commissioner Spencer noted that some municipal golf courses were not in the comparison chart, and Mr. Bode responded that American Golf used courses that were closer to the local market. She also questioned the Birch Hills comparison, saying her grandson said it was an "executive course" which Mr. Bode acknowledged, but said that the comparison went in American Golf's favor, which Commissioner Spencer agreed could be true.

Chair Russell asked if any of the other municipal courses compared were American Golf courses, and Mr. Bode said La Mirada was. Chair Russell noted that the comparison of revenues wasn't in the Commission agenda packet, and asked if the 2005 comparisons were fair since the end of 2004 was very wet. Mr. Bode said they looked at 2003, too, and revenues were better than 2004; however, they also didn't compare January 2005 when it was extremely wet.

Chair Russell also asked if American Golf advertised for junior golf because he didn't see any mention of it. Mr. Bode said they advertise and that junior play costs \$8 Monday through Friday, walking only, which wouldn't change.

Chair Russell asked for public comment; there was none. He brought the item back for Commission discussion.

Chair Russell said he had no problem with the changes and was surprised American Golf didn't charge more, and that the course looked great. Vice-Chair Dalton agreed, saying the course never looked better, thought the increases were fair, and that she was pleasantly surprised to see no dissension between user groups and the golf course. Mr. Bode agreed and also acknowledged the American Golf superintendent at the course who was responsible for the maintenance of the greens.

Chair Russell called for the vote. Commissioner Swanson MADE A MOTION to accept the American Golf fees as proposed. Commissioner Keller SECONDED THE MOTION.

AYES: Dalton, Dasney, Keller, Russell, Spencer, Swanson
NOES: None
ABSENT: Miller

The MOTION CARRIED unanimously.

5. MOUNTAIN VIEW PARK GATE

Director Molendyk provided a background on the gate at Mountain View Park, saying this issue began at a Council meeting in 2004 when City staff was asked to review the cooperative maintenance between the (Presidential Collection of Homes) Home Owners Association associated with Mountain View Park and the City, and to set hours at the park. When he came on board in September 2004, Director Molendyk said it was one of the first issues he had to deal with and was asked by the City Council via the City Manager's Office to address the complaints regarding the problems at Mountain View Park. With the assistance of the police and Captain Geoff Spalding, who was at tonight's meeting, Director Molendyk said he was available to answer any questions. Director Molendyk said Captain Spalding went on ride-along's and provided the staff report that reveals the number of calls from the Presidential Collection prior to the gate installation and now.

Director Molendyk noted they met with the president of the Presidential Collection HOA who was there tonight, as well as another homeowner. He said Parks and Recreation also spoke with Maintenance and the Police Department about what was the best way to control access into the parking lot, mostly after hours when Mountain View Park was supposed to be closed. They were asked to find a solution for late night activities including sexual activity, drinking and loud noises which affected the quality of life for the nearby residents. A gate seemed to be the appropriate solution, Director Molendyk said, adding that the City has other parks which are gated. He then asked Parks Manager Dave Alkema to provide a Power Point presentation to familiarize everyone with the area.

Manager Alkema greeted Chair Russell and the Commission, showing them an aerial view of the Mountain View Park location and its relationship to the Presidential Collection of Homes and nearby Vista Park, pointing out a small pull-out area to the north on Bastanchury. He noted that the development of Mountain View Park by the builders of the Presidential Collection of Homes was a requirement of the development agreement.

Due to the beautiful vista at the park, the park became a "hangout" for young people and began experiencing problems, Manager Alkema said. He noted that the HOA had notified the Planning Department of the situation in 2004, and the Police were brought in to assist. Shortly after Manager Alkema came to the City, he and Director Molendyk met with HOA President Hal McNaughton, Captain Spalding and one of the residents.

Rather than having a police officer camped out at the park every night, Parks and Recreation and Maintenance staff determined that a gate would help prevent some of those activities which included noise, throwing objects at the homes downhill, drinking, trash, drug and alcohol use, etc., Manager Alkema explained. He showed a slide of park hours as being open at dawn and closed at 10 p.m., saying it has been clearly posted for quite some time. He said Captain Spalding went on a ride-along 11:00 p.m. on a weekend night, and the park was full, so everyone was made to leave, but an hour later, the park was half full again. Thus, rather than using scant police resources, he said, the gate was purchased and installed in September of 2005.

Shortly after the gate was installed, Manager Alkema said the Department received a call from Ms. Chris Heusser who objected to the gate being installed. Director Molendyk and he met with her at Mountain View Park to explain why the gate had been installed. Manager Alkema said there was obviously a serious problem at the park, with Maintenance informing Parks and Recreation of the large amount of trash left in the evening including beer bottles and used condoms. He said it was clear, with the problems experienced by the homeowners and the maintenance issues, that access to the park and parking lot needed to be controlled, and the gate seemed to be a reasonable solution. Fairly soon after the gate was installed, there was a significant decrease in problems and police activity, and staff has not received any complaints from the Presidential Collection homeowners. Manager Alkema pointed out the letters from residents in the staff report that indicate homeowner satisfaction with the gate.

Manager Alkema said he understood why people wanted to access the park and the view, hence the gates are opened from dawn to 10 p.m. He also noted that he was able to park legally across the street and walk two minutes to the park, adding that the Vista Park parking lot was also available. He noted that Mountain View Park can still be used, but the intent was to lessen the amount of illegal activity in the parking lot. He reiterated that the gate was the key to the reduction in police calls, complaints from the public, vandalism and trash.

Manager Alkema requested that the Commission vote to support staff's recommendation to maintain the gate and the nearby residents' requests to maintain the gate.

Director Molendyk said Chris Heusser, the resident who supported removal of the gate, couldn't attend the meeting, but asked that he emphasize that she doesn't object to the hours posted; rather she objected to the gate, and hoped that there would be a discussion on other alternatives to the gate. He noted that Ms. Heusser was the only resident complaining about the gate; Manager Alkema corrected him and said another letter supporting gate removal was received today. When asked, Captain Spalding said he would be available for questions.

Commissioner Keller asked if the "hours posted" sign was large and well-lit enough to be visible at night. Superintendent Dennis Quinlivan said he hadn't been there at night, and Captain Spalding said the sign was somewhat small and difficult to read at night and could be made larger. Chair Russell asked if the size of the sign would have an effect on the types of people who use the park at night. Captain Spalding said he could speculate that this probably wouldn't have an affect, but he didn't know for sure.

Commissioner Dasney said, rather than discussing whether people would obey the sign or not, there should have been a discussion on alternatives for the sign such as a larger or lit sign or a sign with a threat of citation or towing, saying that was why the sign was relevant. Commissioner Keller asked when the crews came by to open up the park, adding that it probably wasn't at dawn, and Superintendent Quinlivan said staff came by around 7 a.m. Commissioner Keller said she has received calls from residents saying the park wasn't open at 7:30 a.m. He said he could make arrangements for additional staff to come closer to 6 a.m.; however, it wouldn't likely be dawn.

Commissioner Spencer asked what other parks have signs only; Parks Manager Dave Alkema said they haven't done an inventory of signs although they did a survey of parks with gates which they provided to Ms. Heusser. He agreed with Commissioner Spencer that there weren't that many parks with gates, saying he understood the philosophy of not installing gates unless absolutely necessary. Director Molendyk pointed out that anyone can go to the park at dawn; however, the gates for parking might not be open until later so that one might have to park across the street.

Commissioner Spencer asked if there were other parks with similar problems which have parking with only signs, and not a gate. Director Molendyk said Gilman Park has a similar problem with resident complaints which Commission had dealt with previously, so the parking area was closed off. Commissioner Spencer agreed but added that Gilman Park was wooded unlike Mountain View Park which has clear visibility. She also wondered if it was the gate that had an effect or if it was the number of patrol checks, noting that only zero to two patrol checks were logged from January through July of 2005, but there were 16 in September. Captain Spalding said a patrol check doesn't always get registered in the log if there was no one to chase away. He said mostly likely, the patrol checks noted were in response to a citizen complaint the officers were following up on when a call-in was required. Commissioner Spencer asked when the gate was installed, and said staff met with residents in September, and the gate was installed in October.

Chair Russell asked which parks have parking lots with gates, noting that the majority of parks don't have parking lots because they are "neighborhood parks" with parking on the street. Staff and Superintendent Quinlivan said only a few parks have gates, including the Sports Complex, Bastanchury, Laguna Lake, Independence, Hillcrest, Gilman, and Panorama Park. Chair Russell asked what parking lots do not have gates, and was told Grissom, parts of Hillcrest, and Gilbert parks.

Commissioner Keller asked which calls resulted in finding illegal activities. Captain Spalding said not all calls resulted in finding illegal activities or even persons; saying that 24 of 58 calls were due to a citizen complaint. He clarified with Vice-Chair Dalton that officers will patrol the park but are not required to call in on the radio and log it unless a citizen calls.

Commissioner Swanson asked if people left the park when they were asked to and Superintendent Quinlivan said "yes," that the "340" staff was a "pretty big guy," and has never had problems. Commissioner Swanson said the activities were greatly reduced after October 2005, but pointed out that the weather would be a lot colder then, too. He also asked about 2006, and Captain Spalding replied that the statistics after December 15th were not available when he tried to obtain them earlier today. Commissioner Swanson asked about a "suspicious occupied vehicle" noted on the report and Captain Spalding said it was mostly likely someone in the parking lot at Mountain View.

Chair Russell asked if there were other options besides the gate; Manager Alkema said when they considered options, they decided, based on experience, that a gate was the best option because it didn't take up police time, was effective, and still allowed the public to use the park. He noted that it was only after-hours parking they were trying to prevent to reduce vandalism, trash and complaints, and that the gate had "done the

job.” Vice-Chair Dalton asked if he was talking about vandalism to the residents’ homes, and Manager Alkema and Director Molendyk said there was vandalism to the park as well, giving examples of broken sprinklers, shrubbery, trash and graffiti. Manager Alkema said residents said people were throwing things at their houses at night such as beer cans and bottles.

Chair Russell said the monument sign was all scratched up and probably couldn’t be repaired. Vice-Chair Dalton asked if it was an after-hours crew that came and closed up the gate, and Superintendent Quinlivan said she was correct. Commissioner Spencer asked what other cities were doing regarding similar problems at their parks, and Manager Alkema provided examples from his 26 years’ experience as a parks manager and superintendent at Costa Mesa, saying gates were the solution because there weren’t enough police to effectively police 50 parks. Director Molendyk noted that the three local regional parks are also gated at night.

Commissioner Spencer said Mountain View Park was small and the parking lot was in an open area, and that she regretted that some activities, like astronomy for an eclipse, couldn’t occur due to restrictions. Director Molendyk noted that the park hours had been set for quite some time, but that one could get permits for special activities. He added that if they had to do it again, they might have planned the parking further down Bastanchury, away from the homes. However, staff was speaking specifically about the nuisance related to the parking lot, was looking at alternatives due to the request by Ms. Heusser, and that unless the police could guarantee 100% that they would respond to calls, it would be hit or miss, and the residents would not be happy. He suggested that a park ranger program might be helpful at some of the larger parks. Commissioner Spencer said that might be a good idea.

Commissioner Keller asked if people could see into the homes from the parking lot, and was told the roofs and probably the second story windows would be visible from the parking lot, and from the bluff, one could see into the homes. Director Molendyk said there were certain activities occurring in the cars, but residents were also complaining about people with six packs going to the edge of the bluff where they could see inside the homes from there. Commissioner Dasney asked if it was made very clear to residents purchasing homes that there would be a public park, and Manager Alkema said he had only been with the City a short while, but would assume so since the park was part of the development. Commissioner Dasney said she would assume this also, and just wanted to make this part of the record.

Vice-Chair Dalton asked for clarification on the call log codes used by the police. Captain Spalding provided the information, noting that due to the new computer-aided dispatch system, some information wasn’t on the report, e.g. type of disturbance; however, they could get the information if requested through a hand search.

Chair Russell then asked for public comment and Director Molendyk reminded everyone to complete a speaker form.

Mr. Hice Stiles, 2559 Nixon Way - Presidential Collection homeowner, said he lived right below the bluff which was like a canyon. He said he could hear every word someone speaks while on the bluff, which he doesn’t mind. He knew the park would be there;

however, he thought the park would be closed at night, and that while he doesn't mind people having parties, a party every night was another thing. The signs weren't posted at first, but when they were, the problem didn't improve, and he believed the signs were legible. He said he's never complained although he's been disturbed for the past three years because he wasn't a complainer. Although there aren't any major disturbances, he said, the noise carries so loudly, his family has to shut its windows.

Mr. Stiles said Mountain View Park was probably one of the most beautiful parks in Orange County and believed everyone should have access at reasonable times, but that the residents were disturbed most nights during the year. He also noted, for the benefit of the lady who wanted to watch the sunrise, that there was pull-out parking on Bastanchury on the same side of the street, just west of the park. He noted paint balls hitting his house, and frequent beer bottles and rock clods. Mr. Stiles said since the gate was installed, the problems, while not completely eliminated, have been reduced considerably. He expressed appreciation for being allowed to speak. Vice-Chair Dalton asked Mr. Stiles if he was aware, when he bought his house, that the park was there. He said, as he'd mentioned earlier, that he knew of the park but assumed that the park would be closed at night. She asked if he'd taken into consideration that living next to a park could be a nuisance, and he answered that no, he didn't think it would be a problem, and that it was a nice area. He added that it wasn't a problem except late at night, and that if the commissioners lived there, they would agree with him.

Ginger Britt, 2838 Birch Place – Expressed appreciation for being allowed to speak, has lived in the area for 45 years. Said she'd never been before the City until now, counting on the Commission, Council and others to protect the green space, and that they'd done a wonderful job, the park included. She said she was sympathetic to the homeowners; however, she was objecting to the gate being so ugly, institutional and not proportional to the park. She thought there could be an alternative solution to that gate, and gave the example of Craig Park that has nice gate that is proportional and blends in. She suggested a gate that rolls into shrubbery during the day and doesn't dominate the park, adding that the easiest solution is often not the best.

Ms. Britt said she agreed with the suggestion of putting a fine amount on the sign, and said enforcement was important. She reiterated the need to find an alternative to the yellow gate that would meet the aesthetic standards of the park but also protect the homeowners below.

Hal McNaughton, 1669 Tyler Drive – President of Presidential Collection of Homes Homeowners Association, said he and Board Member Marva Johnson have been disturbed by the noise at 3 a.m., saying that they knew they would be living near a park, but they didn't expect to be disturbed at 3 a.m. He said they went to City Council about the late night disturbances, so signs were installed, but they didn't work. However, the gates worked.

Mr. McNaughton said he wouldn't mind if people just stayed in their cars at night, adding that he thought it was nice when people enjoyed the park during the day. At night, he said, mostly young people were sitting on benches in groups, often drinking. He said it wasn't just one or two cars, but rather every space was taken with double-parking at midnight and 1:00 a.m. He said there was a clear and positive change in the noise and

visitors after the gate was installed. Regarding vandalism, he said the HOA pays for the upkeep, so they know about the problems, and that his landscaper had constantly complained about sprinkler heads being broken off at night, but that had changed since the gate was put up.

Chair Russell asked for further public comment, and as there was none, he brought the issue back to the Commission. Commissioner Swanson said blending of the gate color was a good idea, asking if the gate was painted yellow for safety. Commissioner Spencer said it was "really ugly." Director Molendyk and Landscape Superintendent Dennis Quinlivan agreed it was a safety issue. Chair Russell asked if it could be painted another color; Superintendent Quinlivan said it was possible, perhaps reflective colors or white, and said he would have to check with Risk Management.

Director Molendyk asked if Superintendent Quinlivan could speak to the standards of the gate, and why the gate was a particular height. Superintendent Quinlivan said he used standards used at other parks.

There was Commission and staff discussion of using shrubbery, reflective paints, or setting the gate further into the park. Parks Manager Dave Alkema said they could definitely look into moving the gate or changing the paint color, but they would have to check with Risk Management. Vice-Chair Dalton asked if a chain gate could be used; Parks Manager Dave said they considered it as a temporary alternative, but the current gate was a standard at other parks that was successful. Vice-Chair Dalton said Mountain View Park was a passive, contemplative type of park, but the gate was "gaudy" and detracted from the park's aesthetics. Parks Manager Alkema reiterated that the City used that particular gate because it was a standard that worked well in other parks. Director Molendyk said this and other alternatives could be discussed with the City traffic engineer.

Commissioner Dasney asked Landscape Superintendent Quinlivan if different sizes or types of gates were available through their supplier. He responded that there is a different size on one of his trails which was custom-made to minimize the gate. Commissioner Dasney said the Mountain View gate was probably more prominent than the one at the trail, so perhaps they should also consider minimizing the look of the gate. She suggested the commissioners look at catalogs. Parks Manager Alkema noted that having double gates rather than a single long gate was important so it would not swing into the street. Commissioner Spencer said the biggest problem was the color; and landscaping behind would help it blend in. Manager Alkema said they could discuss this with the Engineer and return to Commission with viable alternatives.

Vice-Chair Dalton clarified with Manager Alkema that the gates swung outwards, who further explained that nearby light standards and a gas main did not allow for a gate that swung inwards. Vice-Chair Dalton acknowledged resident Ginger Britt's comments, saying she should apply to be a commissioner, and that she thought along the same lines of proposing and "putting teeth into" fines for those breaking the law. Captain Spalding said the information presented doesn't describe whether or not fines or arrests were made; but the police can issue warnings or citations or make arrests. However, if it's an average citizen just enjoying the view, the police would just ask the person to

leave, saying a citation in that case wouldn't be appropriate. They would cite someone who is breaking the law.

Commissioner Russell suggested there was a consensus that a gate was necessary, but just a question as to what type of gate was appropriate. However, Commissioner Keller said she would like to discuss whether or not a gate was needed. Commissioner Dasney said she personally didn't believe the gate was necessary since people can still enter the park without using the parking lot; however, she was willing to find a compromise on the gate because she believed there would be sufficient votes on the Commission to keep the gate. Commissioner Keller said she had empathy for loud noises at night, having moved into a development with noises from busy streets and the Golden Hill Little League field. However, she said she had confidence the police could enforce the law.

Commissioner Russell said he strongly liked the gate, and thought that if there were baseball players at 3 a.m. at Golden Hill Little League, he would expect the police to do something to prevent that. If the enforcement isn't working, then the solution would be the gate, but that he was willing to consider changing the color or style of the gate. However, he pointed out that the park is supposed to be closed after 10 p.m. and people shouldn't be there. He said if there are problems with staff opening the gate on time, the Department needs to know about it, but taking the gate down isn't the solution since the gate works.

Commissioner Spencer said she sympathizes with the homeowners, since she lives in an area near a bridle trail where people act up sometimes. However, she felt that the gate was very intrusive on the park view. She said a more attractive gate or landscaping could be developed if nothing else would work. She also believed in a lighted sign, fines or towing vehicles. If there is no option besides a gate, the gate should be changed, painted, or better landscaped.

Commissioner Swanson said when he visited the park, he didn't notice the gate; however, he MADE A MOTION to allow for the gate, but to make some changes to its color to maintain the beauty of the park and to allow for a compromise. There was no second. The discussion continued.

Vice-Chair Dalton said she would prefer not to have a gate but understood homeowner concerns. She said it was too bad a few people did inappropriate things at inappropriate times, ruining it for everyone else. However, if the parking lot needed to be gated, she also believed the gate was too obtrusive, agreeing with Commissioner Spencer that Mountain View Park was developed as a view park.

Vice-Chair Dalton suggested painting the gate or an alternative gate system, and didn't want to use cost as an excuse not to correct the problem. She said she wished there was public dialogue prior to the gate being installed and that perhaps a better solution could have been arrived at. She said she wouldn't support a motion tonight to keep the gate unless very specific conditions were put on improving the aesthetics and ensuring its effectiveness. She also thought that Chair Russell and Commissioner Swanson not objecting to the yellow gate might be a "guy thing."

Chair Russell responded to Vice-Chair Dalton's comments saying that from reading his agenda packet and the newspaper, there was only one homeowner who objected; but then he also acknowledged Ginger Britt wanting the gate out because it was too big. He commended staff for putting up the gate, that he really didn't notice the gate when he's driven by it, and thought all the parks should have gates to discourage late night users. Chair Russell also pointed out other parking spaces available if the gates weren't open on time. He said he wouldn't mind some changes to the gate, but wouldn't want to spend a whole lot of taxpayer money, especially since they've already spent money putting in the gate.

Commissioner Dasney said that going to the expense of putting the gate in was precisely the problem, and that she had heard from three people who also didn't like the fact that no input was sought prior to the gate being installed. Chair Russell noted that those people weren't here tonight, saying that there were e-mails and letters from homeowners with only one in opposition. He said that the original complainant wasn't here, and other people spoken of weren't there either. He said only a couple of people objected to the gate.

Commissioners Keller and Spencer said they both received two calls from residents opposing the gate. Commissioner Dalton asked Director Molendyk if the issue could be tabled so that staff could find alternatives to the current gate that would make it less obtrusive and more inviting. Director Molendyk said "yes," that they could either table the issue or bring it back. However, he said that even when the current gate was installed, cost was a factor, but it was a "proven" gate.

He also noted that wrought iron was being used in main thoroughfares and that Commission could make standards for the type of materials used, depending on where the gate or fencing was located, e.g., residences or main thoroughfares. He added that he didn't mean to be negative when saying it would probably cost more for a different type of gate, and that the extra cost would be okay if the City was willing and able to fund it. He said the Chair and he would be responsible for following up on this issue, noting that the issue originally came through Council who directed staff to resolve the issue.

Commissioner Spencer said Mountain View Park was probably the only view park Fullerton had, which made the difference. Director Molendyk suggested that the Commission is assuring the residents that there will be a gate, and that they could invite the residents back to decide what kind of gate would be there. He said if Commission wanted to table the item, they could bring it back. Commissioner Dalton asked if all alternatives could be explored including a chain gate, landscaping, and narrowing the gate opening. Director Molendyk agreed.

Chair Russell asked if a motion could be made to assure homeowners that some type of a gate would be retained to prevent after hours use, and that when they meet again, the gate would not be removed. He then suggested a second motion to table the issue so that a second meeting would define what type of modification could be made but that alternative improvements to the gate would definitely be made.

Commissioner Swanson then MADE A MOTION to retain an aesthetically appealing gate structure to prevent access after 10:00 p.m. with the amendment that alternatives would be explored and brought back to Commission. There was no second.

Chair Russell invited the other commissioners to make a motion. Vice-Chair Dalton MADE A MOTION to table the issue for further study in order to explore other alternatives to blocking the park driveway. Commissioner Spencer SECONDED THE MOTION.

Chair Russell asked for further discussion. Commissioner Keller asked for clarification on the motion, and Vice-Chair Dalton said the gist of what she was saying is that she wants to reserve the right to not have a gate if the solution arrived at meets the needs of those who want a gate but isn't aesthetically pleasing. If Commission can't come up with an aesthetically pleasing gate, Vice-Chair Dalton felt there were other ways to keep people out. She reiterated her motion to table the issue for another meeting, but said Commission wouldn't drag its feet because she wants to resolve the issue as soon as possible.

Chair Russell said he couldn't support tabling the issue because the homeowners needed to be assured there would be a barrier, and he envisioned the next meeting having 91 homeowners coming to support the gate. Commissioner Dasney called for the vote; however, Chair Russell said there was still ongoing discussion. He said he didn't have a problem having a requirement that the barrier be one that all could agree upon, however, it was important to assure homeowners there would some kind of barrier so they wouldn't have to "come out and fight for this again." Hearing no other comments, Chair Russell called for the vote.

AYES: Dasney, Keller, Dalton, Spencer
NOES: Russell, Swanson
ABSENT: Miller

The MOTION CARRIED.

Vice-Chair Dalton asked about trash issues, and Landscape Superintendent Quinlivan said he understood trash collection happened on Monday mornings, and that he went by today and there was no trash. She suggested mitigating all the problems at Mountain View at one time, and Director Molendyk agreed, asking if there were other issues besides trash that could be brought to another commission meeting.

Vice-Chair Dalton said she found it hard to believe that the City couldn't anticipate there would be problems at Mountain View and that it couldn't be regularly patrolled since it was a main street, saying she wants to find out how much of a burden it would be for the police to patrol the area once an hour between 10 p.m. and 3 a.m. to check for inappropriate use. Even if the parking lot was gated, she said there might still be after-hours users. Director Molendyk suggested it might be a good idea for the Commission to determine what an appropriate fine might be; Vice-Chair Dalton agreed, saying that posting fines on the sign would be an important deterrent.

6. LAGUNA LAKE CONCEPT PLAN

Director Molendyk introduced the Laguna Lake Concept Plan agenda item saying that after Parks Manager Dave Alkema's overview, staff would be asking for the Parks and Recreation Commission's approval of the concept plan based on a master plan already approved by Commission with input from the community. He said they would like to get authorization from Council to move ahead and get working drawings to get the improvements completed.

Manager Alkema provided an overview, saying that RJM Design was hired to provide a master plan concept plan for the Bud Turner part of the trail which would include installing a stabilized decomposed granite trail system, re-landscaping the area near the lake, and looking at the possibility of installing a new restroom, noting the current restroom is in very poor condition and requires handicapped-accessible port-a-potties. The Department also wants to provide parking lot improvements including handicapped-accessible parking and access.

Manager Alkema noted that the concept plan was brought to Commission as an informational item in September 2005, and that staff is now asking Commission to approve the concept plan so that it can be brought to Council for final approval. He said the project is being funded in part by the Rivers and Mountains Conservancy in the amount of \$500,000, and he has a recreational trails grant submitted for \$400,000 in improvements. The grant administrator was very enthusiastic about the project and thought it was one of the best projects seen because of the multiple users able to enjoy the park.

Manager Alkema added that the construction drawings will be mostly for the trail system and re-landscaping along the trail because the total cost for realizing the whole concept plan would be about \$2.5 million which the Department doesn't have. However, he said they need to improve the trail system and use the grant monies so they don't lose them. Although RJM was in the process of making the plans when he first arrived at the City, Manager Alkema said, in talking with Laguna Lake Park users, it was clear that they wanted an area to walk or jog around the lake which wasn't addressed in the plan. Thus, they are looking into this possibility, also.

He added that parents keep asking why there is no play equipment (the old equipment had to be taken out), and that soon people will be asking why there is no handicapped parking. As a temporary measure, the Department will be trying to repave and stripe the old parking lot for handicapped parking until they have made more permanent plans. Manager Alkema also noted the fencing is very dilapidated. He asked that the Commission approve the plan and recommend to City Council approval of the plan so that the Department could move forward with the plans for drawings on the south side of the lake.

Director Molendyk acknowledged the audience members who wanted to speak, but also noted that there were important deadlines that needed to be met to keep the funding. Manager Alkema added that the Rivers and Mountains Conservancy granted an extension of one year, but that the project would have to be completed by January 2007.

Commissioner Spencer asked for clarification on the landscaping on Lakeview Drive, and was told that the landscaping was not going across Clarion, but rather just showed where the trail system would be. However, he agreed that the trails in the concept plans should not cross streets, especially if they are for handicapped use. He suggested handicapped parking should be closer to the park itself, and assured the commissioners they would be working out such details as they went along; however, the important issue was to approve the concept plan for the trail system and landscaping along the trail so that no grant money would be lost.

Vice-Chair Dalton asked about the walking trail, and Manager Alkema said the public has already defined the walking areas on the north side of the lake, and agreed that it was logical and that the area should be leveled out to make walking easier. Commissioner Spencer asked about grading the west side, and Manager Alkema said it was an issue, and that a survey of the area was done. He said he hoped to have a temporary handicapped-accessible walkway put in as soon as possible; however there would be bicyclists, equestrians and runners crossing there and could create conflicts and accidents between the users.

Vice-Chair Dalton confirmed with Manager Alkema that those problematic issues could be resolved and realigned as the design goes forward.

Chair Russell asked for public comment.

Judy Guariente, 3101 Lakeview Drive – Said she was part of the original lake planning committee, has lived across from the lake for 28 years, and was concerned about the parking lot. She said there is an area that's now fenced off and used by children which she heard might be used for handicapped parking. While not opposed to separate handicapped parking, she was against regular parking, saying it would be a hazard to children playing there. She acknowledged the "changing of the guard" with staff leaving, saying she appreciated the City staff and the commissioners who have met with her. Ms. Guariente said she was initially promised that a curb system would be installed around the lake; however, that hasn't happened. She said there's a risk of pollution going into the lake, regardless of the cost to protect the investment already made. She said people are still feeding the ducks, and that the lake is stocked, but there are people taking 18 fish out of the lake instead of the two fish limit, and that there needs to be enforcement.

Director Molendyk agreed with the need for a curb or perhaps a trench near the lake, and noted staff is getting a lot of compliments on the appearance of Laguna Lake. He said the Department would need to return to Commission to talk about lake staffing, the need to educate the public, and lake management issues, noting an upcoming workshop with the Commission on capital projects. Ms. Guariente said there was a break in the pipe that caused the lake to become dirty, saying curbing would have alleviated the problem.

Although the lake was mostly successful, she said there needed to be access to the lake from the horse trail, and that there was a lot of noise. She added that there are drugs and the night activity on Clarion with cars flashing lights and running the stop sign. Ms. Guariente said the fencing looked prison-like, thought wrought iron would be nice, black might be a good color that blends in better than green. Commissioner Spencer said the

fencing has been hit by cars many times and even witnessed this recently. Ms. Guariente thanked the commissioners, and said Laguna Lake looked much better. Director Molendyk reminded everyone that there would be three phases to the plan.

Patricia Boyle, 501 Lakeside Drive – Said she lives on the other side of the lake near Hermosa and Lakeside. She said she's been there for many years, seen many changes and has called the police for a variety of reasons over the years. She said she likes the plan but also hoped to have a trail for horses and another for walkers. She also thought the parking is a big problem on Lakeside, now that everyone knows about Laguna Lake. Noise is a problem, but that doesn't bother her; rather it's the cars driving quickly with cars parked in both directions on the narrow street as well as the danger to children.

Ms. Boyle said the gates aren't closed when stated and asked if the park couldn't be closed sooner than 10 p.m. Landscape Superintendent Dennis Quinlivan said they may be considering the bicyclists on the trails after dark. Ms. Boyle asked if they could have lighting around the lake to discourage people from hiding and partying at the lake. She asked about fishing licenses, saying that the fines would bring money into the City. Manager Alkema said there is one game warden giving out citations for \$600 and he (Manager Alkema) warns them, too. Vice-Chair Dalton asked if there was signage and was told "yes" although the dollar amount of the fine wasn't posted because it changes. Manager Alkema noted that part of the plan would include both regulatory and interpretive signage. Ms. Boyle asked for more police patrols at the lake and having the fishing controlled, and thanked the City for its help.

Chair Russell asked about the trail hours and was told by Superintendent Quinlivan that it was dawn to dusk. Chair Russell confirmed with the superintendent that a park open until 10 p.m. was the exception, and that, otherwise, the hours would be dawn to dusk. He also confirmed that while the gate was closed at 10 p.m., the park hours were dawn to dusk. Ms. Guariente said it didn't matter what the hours posted were, the partiers would climb over.

Dave Woods, 136 N. Berkeley Avenue – Said he is a daily user of the park, fishes with a license, has used the park since he was five, and also mountain bikes. He said he noticed a few things at the park recently. He said he misses the lily pads, objects to the aeration because they had to be taken out and the bubbles look weird, and believes the aeration could be on timers at night. A lot of people use the park, and dogs being walked aren't picked up after, he said, and suggested a dispenser for doggie bags as cost-effective way to keep the park clean. Manager Alkema said all of Costa Mesa parks had them. Mr. Woods noted that there are two colleges with active horticulture programs, and wondered why the City doesn't involve the students from water quality to planning.

Marguerite Barclay, 2971 Juanita Place – Said she's lived above the park for 34 years. She agreed with the Mountain View Park speaker about voices being very clearly heard. She also agreed she doesn't like the aeration; she wanted the lilies back, asked if those were coming back, and also asked about the brown reeds floating in the lake. She said the bathrooms were atrocious and had no doors. Regarding the fence, she said posts were needed because the fences were always getting hit. Ms. Barclay said the ducks are being fed and that fines were needed to prevent this, and added that there was reckless driving on Clarion including cars trying and succeeding in getting airborne.

Chair Russell asked about the aeration, and Manager Alkema said it does look like a Jacuzzi, and that it does look “bizarre”, saying staff will work with the lake engineer to refine the aeration. Chair Russell asked if someone is turning the filters on and off; Manager Alkema said the lake engineers take care of that so he doesn’t know the timing, but could check into this, and also expressed concern for the pumps creating too much noise. Director Molendyk said staff will look into who and which department will be managing the lake and that the project needs to be refined; otherwise the lake could get clogged up again.

Vice-Chair Dalton asked whether there would be any street or curb and gutter improvements to reduce the runoff into the lake. Manager Alkema said the lake engineer said it was too expensive to build a curb; he also recently discovered a storm drain goes right into the lake. Lake engineers assured him that the aeration, filtration, ozone, and oxygenation system could handle all these challenges. He noted what Ms. Guarinete had said about the broken pipe with all the sediment going into the lake, saying this could happen again. He said it would be a real challenge to manage the lake but at least there hasn’t been much rain to create runoff. Director Molendyk said they’ve had preliminary meetings with the Director of Maintenance to address these issues.

Bill Barclay, 2971 Juanita Place - Said the fencing looked really bad and asked what the City’s vision was for it. Director Molendyk said how the fencing is handled depends on where it’s located. They are looking at black chain fence at \$86,000 which may be shared with the neighbors or perhaps some fencing would not need to be replaced. However, he said they are just getting into the aesthetics; the City was initially working on cleaning and filtration of the lake. Mr. Barkley said the fencing near Lakeview was the greatest deterrent to aesthetics. Director Molendyk said they are just beginning to review this issue but could consider wrought iron in the main areas with chain link in other areas. Mr. Barclay asked for a timeline, and Director Molendyk said they are looking into grants so it was difficult to say when this would be addressed, and that they were currently concentrating on a plan to maintain the quality of the water to protect their \$2 to \$3 million investment. Mr. Barclay said a couple rangers writing \$600 tickets could provide a lot of fencing in a short period of time.

Jim Irvine, 501 W. Las Palmas – Said his questions were answered, that he walked around the lake daily, that it was “absolutely gorgeous” and that staff “was doing a fabulous job,” which he expected they would keep up. He thanked them for their work.

Chair Russell asked if there was further discussion.

Vice-Chair Dalton said some problems have been identified that won’t go away, and that since it was a phased project, they would factor the drainage and curbing issues into the costs of the other phases.

Vice-Chair Dalton MADE A MOTION to approve the Laguna Lake Concept Plan and direct City Council to prepare the construction drawings. Commissioner Spencer SECONDED THE MOTION. There was no further discussion. Chair Russell called for the vote.

AYES: Dalton, Dasney, Keller, Russell, Spencer, Swanson
NOES: None
ABSENT: Miller

The MOTION CARRIED unanimously.

7. DIRECTOR'S UPDATE

Director Molendyk noted the schedule provided for Opening Day ceremonies for the various youth leagues, and encouraged the commissioners to participate, saying they could contact Recreation Manager Grace Miranda.

Director Molendyk reminded the commissioners that Laguna Lake would be rededicated on Saturday, February 25, 2006 at 10:00 a.m., that City VIP's as well as Senator Ackerman would be attending, and that there would be a fishing clinic and a stocked lake.

Regarding the tot lot at the Sports Complex, Director Molendyk said staff and Commission had looked at a variety of options, and since they didn't get a specific recommendation from the City Attorney, the Department will probably keep the tot lot fenced but open it at certain times. Manager Miranda said the tot lot is currently locked and are determining what time to keep it open till and whether to lock it entirely during baseball season.

Chair Russell asked if this would come back to Commission; Director Molendyk said they needed to hear from the City Attorney who seemed to feel comfortable as long as the City was doing something about the tot lot. However, Director Molendyk said they would return to Commission before making any permanent solutions.

Chair Russell said some commissioners feel strongly about keeping the tot lot open, and asked what would happen if the Commission disagreed with the City Attorney's recommendation. Director Molendyk said staff would bring it back to the Commission. Chair Russell then asked whether Commission could discuss this in an open meeting or if they would have to discuss this in a closed meeting. Director Molendyk said staff would have to get advice from the City Attorney who would most likely decide if any issues discussed could make the City liable; if this was so, the Commission could be briefed in Closed Session. Chair Russell asked if the Commission could overrule the City Attorney; Director Molendyk said staff would have to research the question and get back to the Chair.

Director Molendyk said the Valencia Task Force is requesting a meeting regarding the issue of lighting, noted the public comments from Community Organizer Joey McKellar at the beginning of the meeting, and said Chair Russell suggested a subcommittee of Chair Russell and commissioners Swanson and Keller. Chair Russell asked if there were any objections, and all agreed it was a good idea.

8. REPORT ON CITY COUNCIL AGENDA ITEMS

Director Molendyk noted a correction on tonight's agenda, saying that while there was no action taken on the City Council agenda item regarding City membership in the Fullerton Collaborative, the item was "continued" so it could come back for further discussion.

9. COMMISSIONER COMMENTS

Commissioner Keller said her children shouldn't be told about the people catching 20 fish because they went fishing three times last weekend and didn't catch anything. Regarding the Sports Complex, she said it would be an issue because she doesn't like the fence, although it was open and there were a lot of people there. She said she would like to expedite the decision.

The meeting adjourned 9:20 p.m.

Respectfully submitted,

Ron Molendyk, Secretary

RM:pf

*Written Material Attached