



SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19) **AND ATTENDANCE AT PUBLIC MEETINGS**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 addressing the conduct of public meetings and superseding the Brown Act-related provisions of Executive Order N-25-20.

PUBLIC PARTICIPATION: The City Council Chamber will have limited seating available on a first-come, first-served basis for members of the public to attend the meeting in person. All persons visiting City facilities shall wear face masks and observe social distancing protocols.

In lieu of attendance at the meeting, the public can submit public comments electronically for Parks and Recreation Commission consideration by clicking on the **eComment** link accompanying the agenda posted online at <https://fullerton.legistar.com> **until the close of the public comment period for the item.** Staff will read or summarize public comments during the meeting.

Alternatively, the public can send correspondence to Parks and Recreation Department regarding agenda items by emailing parks@cityoffullerton.com with the subject line PARKS AND RECREATION MEETING CORRESPONDENCE - ITEM #" (insert the item number relevant to your comment) or "PARKS AND RECREATION NON-AGENDA ITEM". Staff will forward correspondence received to Parks and Recreation Commission. All correspondence received becomes part of the official record of the meeting and posted online with the supplemental materials for that meeting. Contact the Parks and Recreation Department at parks@cityoffullerton.com or (714) 738-6582 with any questions.

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid or service by contacting the Parks and Recreation Department at [parks@cityoffullerton.com or by telephone at (714) 738-6582 no later than 48 hours before the meeting.

**CITY OF FULLERTON
PARKS AND RECREATION COMMISSION
MEETING AGENDA
City Council Chamber
303 W. Commonwealth Avenue
Monday, July 13, 2020
6:30 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.

CALL TO ORDER

FLAG SALUTE

ROLL CALL

PUBLIC COMMENT

Public comments will also be allowed on items NOT on the agenda, but within the subject matter under 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 after the regular item has been presented. NO action may be taken on off-agenda items, except as provided by law.

ADA requirements: The City has equipment and services available to assist disabled persons with communications at the public meeting, in compliance with the requirements of Title II of the Americans with Disabilities Act (ADA). Should you require special accommodations to participate in a meeting, please email parks@cityoffullerton.com or call (714) 738-6582 at least 48 hours prior to the meeting to make arrangements.

CONSENT ITEMS (Items 1 & 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 JUNE 2020 MEETING.

*2. PUBLIC WORKS MONTHLY REPORTS FOR JUNE 2020.

REGULAR BUSINESS

- *3. KOREAN WAR MEMORIAL AT HILLCREST PARK

DIRECTOR'S UPDATE

STAFF COMMUNICATION/COMMISSIONER COMMENTS

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 in the basement of City Hall located at 303 W. Commonwealth Avenue, Fullerton, California during normal business hours.

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

**City Council Chamber
303 W Commonwealth Avenue**

Tuesday, June 23, 2020

6:30 p.m.

CALL TO ORDER

Chair Wehn called the meeting to order at 6:30 PM.

FLAG SALUTE

Vice Chair Macias led the flag salute.

ROLL CALL

Present: Chair Erik Wehn, Vice Chair Enrique Macias, Commissioner Gretchen Cox, Commissioner Ayesha Hussaini

Absent: Commissioner Savage

Staff: Director Hugo Curiel, Parks Project Specialist Douglas Pickard, Manager Amanda Arbiso, Manager Alice Loya, Supervisor John Clements, Supervisor John Powers, Supervisor Ricardo Veloz, Supervisor Cori Lantz, Director of Administrative Services Ellis Chang

PUBLIC COMMENT

No public comment.

PUBLIC COMMENT CLOSED

CONSENT ITEMS (Items 1 and 2)

1. MINUTES OF THE PARKS AND RECREATION COMMISSION MEETING
FEBRUARY 2020
2. PUBLIC WORKS MONTHLY REPORTS FOR FEBRUARY, MARCH, APRIL,
MAY 2020

Commissioner Cox MADE A MOTION to approve the consent items, SECONDED by Vice Chair Macias.

VOTE:

AYES: Chair Wehn, Vice Chair Macias, Commissioner Cox, Commissioner Hussaini

NOES:

ABSTAIN:

ABSENT: Commissioner Savage

The MOTION PASSED 4-0

REGULAR BUSINESS (Item 3)

3. OPERATING AND CIP BUDGET

Director of Administrative Services Ellis Chang gave a PowerPoint presentation and presented the budget that had been passed by City Council on June 2, 2020. She explained expenditures, revenue, deficits and cost reduction measures taking place in the new fiscal year.

Manager Loya also gave a presentation on the Department's budget but mentioned it will have to be updated as the year goes to accommodate changes taking place.

DISCUSSION:

Vice Chair Macias: Is the Department looking for grants?

Manager Loya: Yes, we are always actively looking for grants.

Commissioner Cox MADE A MOTION to receive and file the Operating and CIP Budget, SECONDED by Vice Chair Macias.

AYES: Chair Wehn, Vice Chair Macias, Commissioner Cox, Commissioner Hussaini

NOES:

ABSTAIN:

ABSENT: Commissioner Savage

The MOTION PASSED 4-0

PUBLIC COMMENT

No public comment.

PUBLIC COMMENT CLOSED.

4. DEPARTMENT UPDATE

Parks Project Specialist Pickard gave a PowerPoint presentation regarding the Department's response to COVID and current status of Department. He discussed the closures of facilities and parks, youth programs, loss of staff, and programs that are currently open.

The Museum and youth division have been offering craft bags for kids and parents to pick up. The Museum is also offering virtual tours of the gallery. The Fullerton Community Center has partnered with Meals on Wheels to deliver meals to homebound seniors as well as offering weekly grocery pickups from the Center.

The Department is looking to kick-off Summer Camps in the next weeks while practicing social distancing and limiting the number of participants allowed.

A new program, Feed Fullerton, has been created to assist families in need allowing them to obtain restaurant meals through a voucher program. This will bring business to local restaurants as well as help the community.

DISCUSSION:

Commissioner Cox: What is the normal amount of kids enrolled in summer camps?

Manager Arbiso: There would usually be more than 100 kids enrolled but will be lowered to 40 this summer.

Commissioner Hussaini: Is there a plan to sanitize playgrounds?

Director Curiel: The Department has been working with Public Works and have posted signage letting the public know to use the amenities at their own risk.

Chair Wehn: Is it feasible to set up handwashing stations?

Parks Project Specialist Pickard: It would be too difficult to keep them supplied and maintained.

Chair Wehn: Formally thanked staff for their good work and for keeping things open and closed when needed.

Commissioner Cox MADE A MOTION to receive and file the Department Update,
SECONDED by Commissioner Hussaini

AYES: Chair Wehn, Vice Chair Macias, Commissioner Cox, Commissioner Hussaini

NOES:

ABSTAIN:

ABSENT: Commissioner Savage

The MOTION PASSED 4-0

PUBLIC COMMENT

No public comment.

PUBLIC COMMENT CLOSED.

COMMISSION/STAFF COMMUNICATIONS

ADJOURNMENT

Chair Wehn MADE A MOTION to adjourn the meeting at 7:34 pm.

Respectfully submitted,

A handwritten signature in blue ink, consisting of a stylized 'C' followed by a series of loops and a long horizontal stroke.

Director Curiel, Secretary



Agenda Report

Parks and Recreation Commission

MEETING DATE: JULY 13, 2020

TO: PARKS AND RECREATION COMMISSION

FROM: DAN DIAZ, STREETS AND LANDSCAPE SUPERINTENDENT

SUBJECT: JUNE PUBLIC WORKS/ LANDSCAPE STAFF REPORT

SUMMARY

The purpose of this agenda item is to report the status of the Public Works Department/ Landscape Division's monthly activities in June to the Commission.

RECOMMENDATION

Receive and file.

1. Tree Division Update - West Coast Arborists Inc. (WCA) is currently providing contract tree services to the City of Fullerton.
 - 1, 483 trees pruned within four zones and currently working in zone #2
 - 54 trees removed citywide
 - Responded to 9 tree related emergencies
 - City was awarded Tree Grant from Cal Fire
2. Honey Bees - The Department received 2 bee calls.
3. Landscape Division completed the following projects:
 - Orange County Conservation Corps continued weed abatement on medians, trails, and parks.
 - Repaired backflow at Grissom Park
 - 8 mainline irrigation leaks at various parks, schools, and medians.
 - Citywide contract weed abatement project completed July 1st
 - Homeless Task Crew performed homeless cleaning Citywide
 - Trim bushes at Laguna Lake along Lakeview Drive



Agenda Report

Parks and Recreation Commission

MEETING DATE: JULY 13, 2020

TO: PARKS AND RECREATION COMMISSION

FROM: BILL ROSEBERRY, ACTING BUILDING AND FACILITIES SUPT

SUBJECT: JUNE 2020 PUBLIC WORKS/ FACILITIES STAFF REPORT

PURPOSE

The purpose of this agenda item is to report to the Commission on the status of the Public Works Department / Building and Facilities Division monthly activities for the month of June 2020.

SUMMARY

Building and Facilities, including Electrical, received and responded to 40 service requests for the month of June 2020. Also included are the summary reports for each building attached showing details of the problems encountered. In addition to the service we perform our daily and weekly work orders.

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, painting, alarms, HVAC, etc.

Bill Roseberry, acting Building and Facilities Superintendent

Request List Report

7/9/2020

9:09 AM

Request #	Category	Address	Status
Created	Problem	Cross Street	
Comments for Work Order			
06-01-2020-000001	Buildings		WO Completed
6/1/2020	Lighting - Non St. Lt.		
We need assistance with airport tower beacon light. Light is not staying lite even after new bulb installed. We need repaired ASAP. Thank you			
06-01-2020-000013	Recreational Areas		WO Cancelled
6/1/2020	Park Equip - Non Tot Lot Repair		
APP ORDER 33108 (See picture - no other information provided) Text Note: Set Location 1200 N Harbor Blvd,Fullerton			
06-01-2020-000017	Recreational Areas		WO Cancelled
6/1/2020	Door Issue		
APP ORDER 33125 See picture Text Note: Middle door opens but outer doors are stuck			
06-01-2020-000032	Buildings		WO Completed
6/1/2020	Lighting - Non St. Lt.		
Lights out by Bill's office and near Nadia's old office			
06-01-2020-000033	Buildings		WO Cancelled
6/1/2020	Ceiling Tile		
Ceiling tiles missing by Nadia/Karen's old offices			
06-01-2020-000034	Buildings		WO Completed
6/1/2020	Lighting - Non St. Lt.		
Light out in the hallway outside of the smaller men's restroom, near the entrance to the Supt. offices			
06-01-2020-000035	Buildings		WO Completed
6/1/2020	Lighting - Non St. Lt.		
Light out in the Men's locker room			
06-01-2020-000054	Recreational Areas		WO Completed
6/1/2020	Urinals		
The urinal in the men's restroom at Lemon Park is clogged. And the toilet in the women's restroom is clogged.			
If we can please have assistance, thank you,			
06-02-2020-000088	Buildings		WO Completed
6/2/2020	Sinks/Faucets		
Women's Restroom by Pool/Gym • The two sinks located to the far left are not shooting water properly.			
06-02-2020-000089	Buildings		WO Completed
6/2/2020	Urinals		
Men's Bathroom Located next to Classroom 1 & 2 • Both Urinals are not working.			
06-02-2020-000090	Buildings		WO Completed
6/2/2020	Urinals		
Men Bathroom Located by Grand Hall • (Men's Restroom)The middle urinal is not releasing a lot of water when flushed.			
06-02-2020-000091	Buildings		WO Completed
6/2/2020	Sinks/Faucets		
Women's Bathroom Located by Grand Hall • (Women's Restroom) The sink located to the far left does not spray water.			
06-02-2020-000093	Buildings		WO Completed
6/2/2020	Sinks/Faucets		
Sink in the small women's restroom sprays outward when turned on.			

Request List Report

7/9/2020

9:09 AM

Request #	Category	Address	Status
Created	Problem	Cross Street	
Comments for Work Order			
06-03-2020-000106	Recreational Areas		WO Completed
6/3/2020	Guard Rail/Fence Damage		
APP ORDER 33155			
Text Note: service request for facilities orange fencing at Woodcrest Park is ripped off the playground and the workout equipment			
06-03-2020-000113	Buildings		WO Completed
6/3/2020	Guard Rail/Fence Damage		
FYI - On my way in today I noticed a brick had fallen off the wall. The location is outside the glass emergency exit door near the children's nursery area.			
See photos attached.			
We may bring the brick inside to avoid a vandalism temptation. If we do, it will be on the counter in the Children's Workroom.			
06-04-2020-000134	Recreational Areas		WO Completed
6/4/2020	Toilet Clog/Leak		
App-Order 33183			
Restroom at Laguna Lake Park- toilet was backed up.			
06-05-2020-000150	Buildings		WO Completed
6/5/2020	Misc Office		
The lip of a step inside Air Traffic Control Tower is falling apart and is a hazard for tripping. Contact Airport for more info.			
Airport Operations – (714) 240-2759			
Airport Lead Worker – (714) 240-0777			
Airport Office – (714) 738-6323			
06-05-2020-000162	Recreational Areas		WO Completed
6/5/2020	Urinals		
The urinal in the men's restroom at Lemon Park is clogged. If we could please have someone come take a look at it. We would greatly appreciate it!			
06-08-2020-000174	Buildings		WO Completed
6/8/2020	Toilet Clog/Leak		
Clogged toilet			
06-08-2020-000183	Recreational Areas		WO Completed
6/8/2020	Signs		
App-Order 33218- Hillcrest Sign completely down.			
See attached photo.			
06-08-2020-000224	Buildings		WO Completed
6/8/2020	Hvac - Problems		
The air conditioning isn't working in the offices/lobby area of the Maple Center. The AC kicks on, but it isn't cooling - the temperature stays the same. If we can please have someone repair it as soon as possible.			
06-11-2020-000298	Buildings		WO Completed
6/11/2020	Door Issue		
App-Order 33276			
Door stopper is broken on women's restroom			
06-11-2020-000303	Buildings		WO Completed
6/11/2020	Urinals		
Urinals clogged at Hillcrest Park			
06-11-2020-000317	Buildings		WO Completed
6/11/2020	Door Issue		
Issue reported with Lion's field park restroom door			
06-16-2020-000394	Recreational Areas	801 W Valencia Dr	WO Completed
6/16/2020	Park Equip - Non Tot Lot Repair		
Someone took down the orange fencing around the outside handball courts and moved the connected chain link panels that were used to close off the courts. If staff needs help let me know and I can help them secure the panels.			
06-16-2020-000401	Buildings		WO Completed
6/16/2020	Urinals		
Fullerton sports complex - Urinal and metal fixtures leaking water (see pictures)			

Request List Report

7/9/2020

9:09 AM

Request #	Category	Address	Status
Created	Problem	Cross Street	
Comments for Work Order			
06-17-2020-000425	Recreational Areas		WO Cancelled
6/17/2020	Lighting - Non St. Lt.		
Can the timer on the overhead lights at JESC please be adjusted? They are turning on around 3:00 PM. Thank you!			
06-17-2020-000440	Buildings		WO Completed
6/17/2020	Drains/Gutters		
Small WRR- drain overflows and leaks water every time the toilet is flushed			
06-18-2020-000458	Buildings		WO Completed
6/18/2020	Door Issue		
The door hinge from the boys and girls club has detached, see attached photo.			
06-18-2020-000463	Recreational Areas		WO Completed
6/18/2020	Door Issue		
Pacific Drive Park women's restroom door is pulled out where you can't lock it to the frame. See attached photo.			
06-19-2020-000487	Buildings		WO Completed
6/19/2020	Urinals		
Clogged urinal Lions Field Men's RRS			
06-22-2020-000520	Buildings		WO Completed
6/22/2020	Toilet Clog/Leak		
The toilet in the MRR is clogged.			
06-22-2020-000530	Buildings		WO Completed
6/22/2020	Hvac - Problems		
Tower air conditioner keeps freezing			
06-24-2020-000588	Recreational Areas		WO Completed
6/24/2020	Park Equip - Non Tot Lot Repair		
Please pick up the cones/fencing that is strewn about			
06-29-2020-000661	Recreational Areas		WO Completed
6/29/2020	Sinks/Faucets		
The faucet in one of the restrooms keeps running water and it's hard to stop it.			
06-29-2020-000675	Buildings		Assigned to WO
6/29/2020	Paint		
Hope all is well. We would like to request for our Trellis at the Fullerton Community Center to be stained. Thank you for your help, please let me know if you have any questions.			
06-29-2020-000705	Recreational Areas		WO Completed
6/29/2020	Flags		
The United States and California flags at Indy Park are tearing at the ends.			
06-29-2020-000706	Recreational Areas		WO Completed
6/29/2020	Park Equip - Non Tot Lot Repair		
Lions Field - Inside the softball storage room right next door to the snack bar room the water heater inside is leaking. A softball league member reported it and says the line above the water heat looks corroded.			
06-30-2020-000715	Buildings		Assigned to WO
6/30/2020	Hvac - Problems		
It was reported by the Fullerton Hills Softball President that the A/C in the snack bar is not working.			
06-30-2020-000717	Recreational Areas		WO Completed
6/30/2020	Guard Rail/Fence Damage		
Just received another call that the playground fencing is down at Adlena Park and children have been utilizing the equipment for the past 2 weeks. Please let me know if you have any questions.			



Agenda Report

Parks and Recreation Commission

MEETING DATE: JULY 13, 2020

TO: PARKS AND RECREATION COMMISSION

SUBMITTED BY: HUGO CURIEL, DIRECTOR OF PARKS AND RECREATION

SUBJECT: KOREAN WAR MEMORIAL AT HILLCREST PARK

SUMMARY

The Orange County Korean War Memorial Committee (OCKWMC) is funding the construction of a Korean War Memorial at Hillcrest Park adjacent to the Duck Pond (near Brea Blvd. and Harbor Blvd.) The memorial would be the first Korean War Memorial in the United States to commemorate all 34,027 United States Service members that died during the war. Of these losses, 2,611 were from California.

RECOMMENDATION

Receive and File.

FISCAL IMPACT

Costs associated with the proposed war memorial will be covered by the OCKWMC.

DISCUSSION

In March of 2014, the OCKWMC entered into a Memorandum of Understanding (MOU) with the City to "facilitate mutually beneficial efforts to promote a historic remembrance for those who sacrificed their lives for the United States during the Korean War". The MOU's term ended in March, 2016. During this time, several locations throughout the City were considered for the memorial; however, OCKWMC's efforts tapered off and were ultimately postponed.

In 2019 OCKWMC met with the Mayor to express interest in continuing with their prior efforts and to discuss the possibility of moving forward with the memorial at Hillcrest Park. During this time, they also met with and received support from members of the City Council and Fullerton's local Veterans groups associated with the City's existing Veterans and War Memorials.

On November 5, 2019 a new MOU was approved by City Council, with direction for staff to work with OCKWMC and proceed with the project. Landscape Architect Mia Lehrer + Assoc., in conjunction with the OCKWMC and City staff, developed a concept plan for the memorial at Hillcrest Park adjacent to the Duck Pond. The project is currently in the construction document phase.

Attachments:

Attachment 1 – Korean War Memorial MOU Council Agenda Letter – November 5, 2019

Attachment 2 – MOU between OCKWMC and the City of Fullerton

Attachment 3 – Korean War Memorial Conceptual Site Plan

Attachment 4 – Korean War Memorial Illustrative



Hugo Curiel
Director of Parks and Recreation



Agenda Report

Fullerton City Council

MEETING DATE: NOVEMBER 5, 2019

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: KENNETH DOMER, CITY MANAGER

PREPARED BY: HUGO CURIEL, DIRECTOR OF PARKS AND RECREATION

SUBJECT: PROPOSED MEMORANDUM OF UNDERSTANDING WITH THE ORANGE COUNTY KOREAN WAR MEMORIAL COMMITTEE FOR A POTENTIAL MEMORIAL AT HILLCREST PARK

SUMMARY

Consideration of a Memorandum of Understanding (MOU) between the City of Fullerton and the Orange County Korean War Memorial Committee (OCKWMC) regarding their request to place a Korean War Memorial at Hillcrest Park adjacent to the Duck Pond (near Brea Boulevard and Harbor Boulevard). The purpose of the MOU would be to facilitate development of a concept plan and terms for the proposed memorial that would be subject to City Council approval at a later date. The proposed memorial would be the first Korean War Memorial in the United States to commemorate all 34,027 United States Service members that died during the war. Of these losses, 2,611 were from California.

RECOMMENDATION

Authorize the Mayor to execute a Memorandum of Understanding with Orange County Korean War Memorial Committee in a form approved by the City Attorney.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Infrastructure and City Assets.

FISCAL IMPACT

All costs associated with the proposed war memorial, including any changes to the Duck Pond Renovation project as a result of the proposed war memorial, will be covered by the OCKWMC.

DISCUSSION

In March of 2014, the OCKWMC entered into an MOU with the City to “facilitate mutually beneficial efforts to promote a historic remembrance for those who sacrificed their lives for the United States during the Korean War”. The MOU’s term ended in March, 2016. During this time, several locations throughout the City were considered for the memorial. However, OCKWMC’s efforts tapered off and ultimately were postponed.

Earlier this year, OCKWMC met with the Mayor to express interest in continuing with their prior efforts and to discuss the possibility of moving forward with the memorial at the current proposed location adjacent to the Duck Pond at Hillcrest Park. The proposed memorial would be amended into the current plans for renovations at the Duck Pond in order to ensure both distinct projects are not in conflict with either and the addition is harmonious with the City’s planned improvements. They have also met with and received support from Fullerton’s local Veterans groups associated with the City’s existing Veterans and War Memorials.

With City Council approval, Staff will work with OCKWMC to develop a concept plan and terms for the proposed memorial. Staff will return to City Council at a later date for approval of these items and possible award of construction for the memorial site.

Attachments:

- Attachment 1 – Korean War Memorial MOU
- Attachment 2 – Prior MOU
- Attachment 3 – Proposed War Memorial Site Plan

MEMORANDUM OF UNDERSTANDING
BETWEEN
ORANGE COUNTY KOREAN WAR MEMORIAL COMMITTEE
AND
CITY OF FULLERTON

This MEMORANDUM OF UNDERSTANDING ("MOU") is entered into by and between the ORANGE COUNTY KOREAN WAR MEMORIAL COMMITTEE ("OCKWMC"), A California Nonprofit Corporation and the CITY OF FULLERTON ("CITY"), a California municipal corporation, collectively, referred to as "Parties" and individually as "Party."

Recitals

WHEREAS, OCKWMC desires to promote a historical remembrance for those United States Service Members ("US Service Members") who sacrificed their lives for the United States during the Korean War; and

WHEREAS, CITY is supportive of OCKWMC's desire to promote a historical remembrance for those US Service Members who sacrificed their lives during the Korean War with a Korean War Memorial; and

WHEREAS, the parties agree that it would be to their mutual benefit to collaborate and cooperate with each other as forth in the herein MOU in support of the aforementioned Korean War Memorial.

NOW THEREFORE, the Parties hereto agree as follows:

1. The Parties agree to cooperate with each other to develop a concept plan and an agreement for the construction of a Korean War Memorial at Hillcrest Park adjacent to the Duck Pond.
2. The Parties agree that the agreement for the Korean War Memorial will provide that all costs associated with the design and construction of the proposed war memorial, including any changes to the Duck Pond Renovation project as a result of the proposed war memorial, will be covered by the OCKWMC.
3. The relationship formed pursuant to the herein MOU shall be non-exclusive and nothing herein shall preclude either of the Parties from forming other relationships or cooperating with other organizations or agencies. Nothing in the herein MOU is intended to create or constitute a joint venture, partnership, or agency relationship between the parties. No Party shall have any right, power, or authority to create any obligation, express or implied, on behalf of the other parties with respect to the matters governed by the herein MOU. Without the prior written consent of the other Party, no Party may use the logo, trademark, name, or other sign of identification of the other Party, unless otherwise expressly provided herein.
4. It is the intent of the parties to undertake the acts contemplated by the herein MOU. However, it is expressly agreed that neither party shall be required or otherwise obligated to incur

any cost or expense in connection with its obligations under the herein MOU. Neither Party shall incur any expenses on behalf of the other without the prior written approval of the part to be obligated.

5. The Parties shall perform their obligations under the herein MOU in good faith. The obligations of each party shall be performed only to the extent that the obligations will not be unduly burdensome.

6. Further, it is expressly agreed that neither party shall be required or otherwise obligated, by the herein MOU, to finance or construct the Korean War Memorial.

7. The herein MOU shall be effective as of the date set forth below and shall remain in effect for a period of one year from and after its date of execution. Upon expiration of such term, the herein MOU shall be automatically extended for a term of one (1) year if neither party provides a written notice of termination to the other party at least sixty (60) days prior to the expiration of the herein MOU. Notwithstanding the foregoing, either party may terminate the herein MOU at any time by written notice to the other, provided that any obligations, financial or otherwise, incurred prior to termination shall not be cancelled by such termination. If the herein MOU is terminated for any reason, the Parties shall make prompt settlement of all outstanding financial obligations to each other.

8. The herein MOU may be amended, clarified or otherwise modified at any time by, and only by, written consent of the parties hereto.

9. The herein MOU may not be transferred or assigned without the written consent of both Parties hereto. In addition, the herein MOU shall not be binding upon the Parties and shall not create any obligations on the Parties.

IN WITNESS WHEREOF, the parties have caused the herein MOU to be executed by their duly authorized representatives on this 5 day of ~~November~~ 2019.

ORANGE COUNTY KOREAN WAR MEMORIAL COMMITTEE (OCKWMC)



Dongwoo Joseph Pak, Secretary General

CITY OF FULLERTON (CITY)



Jesus J. Silva, Mayor

ATTEST:

By:



Lucinda Williams, City Clerk

APPROVED AS TO FORM:

By:



Richard D. Jones, City Attorney



ORANGE COUNTY KOREAN WAR MEMORIAL COMMITTEE

12762 MONARCH ST. GARDEN GROVE, CA 92841

(714) 514-6363 • (714) 858-0474 • (714) 393-2132 • (714) 315-5151

DJPAK@PACBELL.NET EIN: 46-3567140

DATE: January 14, 2020

TO: Hugo Curiel, Director of Parks and Recreation
City of Fullerton

FROM: Joseph Pak, General Secretary
Orange County Korean War Memorial Committee

SUBJECT: Korean War Memorial – Notice to Proceed

This memo is to confirm Orange County Korean War Memorial Committee's (OCKWMC) desire to continue to move forward with the design, planning and ultimately, the construction of a Korean War Memorial at Hillcrest Park, near the Duck Pond area. Per the MOU between OCKWMC and the City of Fullerton (City), the two parties agree to cooperate with each other to develop a concept plan and an agreement for the construction of a Korean War Memorial at Hillcrest Park adjacent to the Duck Pond.

As it relates to funding of the project, OCKWMC desires to transfer funding to the City so that the City can draw funds from such project account to pay for design and construction related to the project. The City will account for all project funding revenues and expenditures and make them available to OCKWMC at its request. The anticipated amount for the project is \$718,730. This amount is a rough cost estimate. As the design and plans for the project progress, the cost estimate will also be adjusted accordingly. In the event that the amount of the total project cost is projected to be greater than stated in the current cost estimate, the City will inform OCKWMC.

In any case, at the end of the project, the two parties mentioned herein, shall reconcile the difference of the cost of the project against the funding transferred from OCKWMC to the City – if the cost of the project goes over the total transferred funds, OCKWMC shall pay the City the difference. If the cost of the project is lower, than the total transferred funds by OCKWMC to the City, then the City shall return to OCKWMC the unused funds. The City will make reasonable efforts to maintain the actual budget of total project within the aforementioned cost.

This memorandum issues consent to the City of Fullerton to continue working on the project as stated above and per the memorandum of understanding between the two parties; additionally, OCKWMC will provide the City with a check for \$50,000.00 to be deposited in the City's appropriate account to fund the Korean War Memorial project as stated above.

Signed:

James Ro, President, OCKWMC, January 20, 2020



Hillcrest Park Korean War Memorial and Duck Pond Revitalization- Perspective