



## **NOTICE OF MEETING TIME CHANGE**

NOTICE IS HEREBY GIVEN the **April 16, 2024** City Council **Closed Session Meeting** scheduled to begin at 4:00 p.m. will convene at **4:30 p.m.** in the Council Chambers, 303 West Commonwealth Avenue, Fullerton, CA.

Dated: April 11, 2024

A handwritten signature in blue ink, consisting of a stylized 'L' and 'W' followed by a long horizontal stroke.

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Lucinda Williams, MMC  
City Clerk



# FULLERTON CITY COUNCIL SUCCESSOR AGENCY

## AGENDA – APRIL 16, 2024

303 West Commonwealth Avenue, Fullerton, California

Zoom Meeting Details: [www.zoom.us/join](https://www.zoom.us/join)

Meeting ID: 978 4219 1797 Telephone Option: 1-669-900-9128

**MEETINGS:** The Fullerton City Council / Successor Agency meets on the first and third Tuesday of the month, convening for First Session at 4:00 p.m. and Second Session at 5:30 p.m. Council Members may participate in meetings via teleconference in accordance with California Brown Act (Government Code Section 54950 et seq) provisions.

**PUBLIC PARTICIPATION:** The public can access meetings streamed live online at <https://fullerton.legistar.com>, on Spectrum Cable Channel 3 and AT&T U-Verse Channel 99.

The Council Chamber has seating available on a first-come, first-served basis for those attending the meeting in person. All persons visiting City facilities shall observe health, safety and decorum protocols.

**ADDRESSING CITY COUNCIL:** To address City Council remotely, please follow the *Instructions for Public Comment Using Zoom*. To address City Council in Chambers, please register for each agenda item in the City Manager's Office. You do not need to provide your name to register. Staff will call you to the microphone when it is your turn to speak. You may state your name and city of residence for the record at the beginning of your remarks. All speakers shall observe civility, decorum and good behavior. Any item submitted to City Council during the meeting shall become public record and subject to applicable disclosure laws.

The public may comment on Closed Session items at the beginning of the Closed Session meeting. The public may comment on matters not appearing on the agenda and Consent Calendar items during Public Comments at the Regular Session meeting. The public may request City Council remove consent items for further discussion during Public Comments. City Council will pull Consent Calendar items at its discretion. Those wishing to speak on a regular business or a public hearing item on this agenda may do so when the Mayor calls that specific item for consideration.

Each speaker addressing non-agenda and consent calendar items shall have three minutes to make their remarks. City Council will allow no more than a total of 30 minutes at the beginning of the Regular Session for non-agenda comments. Those speaking on regular business and public hearing items shall have no more than three minutes per item to address City Council. No person shall speak more than one time to the same item. The Mayor may request that a spokesperson represent a group wishing to address City Council. The Mayor or majority of the Council may grant an extension of time for a speaker. No speaker may yield their time to another speaker.

Please contact the City Clerk's Office no later than 48 hours before the meeting to request interpreter assistance.

**CORRESPONDENCE:** The public can send correspondence to City Council regarding agenda items by emailing [CouncilMembers@cityoffullerton.com](mailto:CouncilMembers@cityoffullerton.com) with the subject line "CITY COUNCIL MEETING CORRESPONDENCE - ITEM #" (insert the item number relevant to your comment) or "CITY COUNCIL MEETING CORRESPONDENCE NON-AGENDA ITEM". Staff will forward correspondence received to City Council. All correspondence received becomes part of the official record of the meeting and posted online with the supplemental materials for that meeting. Contact the City Clerk's Office at [cityclerksoffice@cityoffullerton.com](mailto:cityclerksoffice@cityoffullerton.com) or (714)-738-6350 with any questions.

Nicholas Dunlap  
Mayor (District 2)

Fred Jung  
Mayor Pro Tem (District 1)

Shana Charles  
Council Member (District 3)

Bruce Whitaker  
Council Member (District 4)

Ahmad Zahra  
Council Member (District 5)



**AGENDA ITEMS:** This agenda contains a summary of each item the Council / Agency will consider. The City Clerk's Office posts the agenda packet online no later than 72 hours prior to the meeting at [www.cityoffullerton.com](http://www.cityoffullerton.com). The City Clerk's Office and Library have copies of the packet available for public review.

In accordance with CA Government Code Section 54957.5, the public may inspect any writings or documents relating to an open session agenda item distributed less than 72 hours prior to a regular meeting at the City Clerk's Office located at 303 West Commonwealth Avenue, Fullerton, California and the Fullerton Main Branch Library Information Counter located at 353 West Commonwealth Avenue, Fullerton, California during normal business hours. The City will post such writings and documents received in sufficient time on the City's website at [www.cityoffullerton.com](http://www.cityoffullerton.com).

State regulations prohibit City Council from acting on non-agenda items except as provided by law. Visit [www.cityoffullerton.com](http://www.cityoffullerton.com) or call (714) 738-6350 for more information.

**REMINDER:** Please silence all electronic devices while City Council is in session.

**REBROADCAST:** The City will rebroadcast this City Council / Successor Agency meeting on local government access channels. The public can find cable channel rebroadcast times as well as view the meeting video on-demand at [www.cityoffullerton.com](http://www.cityoffullerton.com).

**ACCESSIBILITY:** Staff will make the agenda and backup materials available in appropriate alternative formats upon request 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 requiring a disability-related modification or accommodation to observe and/or offer public comment may request such reasonable modification, accommodation, aid or service by contacting the City Clerk's Office at [cityclerksoffice@cityoffullerton.com](mailto:cityclerksoffice@cityoffullerton.com) or by telephone at (714) 738-6355 no later than 48 hours before the meeting.

Refer to Resolution No. 2023-020 to review the complete Rules of Procedure and Decorum for City Council meetings.

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**Nicholas Dunlap**  
Mayor (District 2)

**Bruce Whitaker**  
Council Member (District 4)

**Fred Jung**  
Mayor Pro Tem (District 1)

**Ahmad Zahra**  
Council Member (District 5)

**Shana Charles**  
Council Member (District 3)



# **INSTRUCTIONS FOR PUBLIC COMMENTS USING ZOOM**

The public may remotely participate in the meeting to make public comment via computer, smart device or telephone.

Please log on or call in as early as possible to address any technical issues that may occur and ensure you do not miss the time to speak on the desired item.

**Follow these steps to log into Zoom from your computer or smart device** (Your device must have audio capability to participate):

Go To: [www.zoom.us/join](https://www.zoom.us/join)  
Enter Meeting ID: 978 4219 1797

**Follow these steps to call into Zoom from your telephone:**

Dial 1-669-900-9128 and press pound (#)  
Enter Meeting ID: 978 4219 1797 and press pound (#)

Optional: You may enter your name when prompted, but this is not required to participate. Staff will remove anyone entering names that violate community standards.

1. **Use the “raise hand” function to join the queue to speak on the current agenda item** when the Mayor calls the item for discussion.

Computer / Smart Device Users: You can find the raise hand option under your participant name.

Telephone Users: Press star-nine (\*9) on your phone to raise your hand. Press star-six (\*6) to unmute when it is your turn to address City Council.

Lower your hand if you choose not to speak or after you have made your comments by unchecking the raise hand option online.

2. Staff will call your name or the last four digits of your phone number when it is your time to speak.
3. You may state your name and city of residence at the beginning of your remarks for the minutes.
4. Speakers will have up to three minutes to make their remarks.
5. You may log off or hang up after making your comments.

DISCLAIMER: Participant names and/or phone numbers may be visible to other participants. The City records all public meetings.

NOTE: The Council Meeting video will not stream through the Zoom meeting. To view the meeting, please go to <https://fullerton.legistar.com>, Spectrum Cable Channel 3 or AT&T U-Verse Channel 99. However, please listen to the audio of the meeting through Zoom as you wait for your turn to speak. The video stream has up to a 30 second delay and you may miss your turn to speak if you are not listening through the Zoom app.

**CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
CLOSED SESSION AGENDA**

**APRIL 16, 2024 - 4:30 P.M.**

**Council Chamber - 303 West Commonwealth Avenue, Fullerton, CA**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS - Closed Session**

*City Council / Successor Agency will hear public comments on matters appearing on the Closed Session agenda.*

**FIREWORKS LOTTERY DRAWING**

**RECESS TO CLOSED SESSION**

**CLOSED SESSION**

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)**

**Name of Case:** Thomas Barbor v. City of Fullerton, Fullerton Fire Department

**Case Number:** OCSC 30-2018-01028694-CU-OE-CJC

2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)**

**Name of Case:** Air Combat USA, Inc. v. City of Fullerton

**Case Number:** OCSC 30-2107-00952643-CU-CO-CJC

**ADJOURNMENT**

*Adjourn to the next regular City Council / Successor Agency meeting at 5:30 p.m. in Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.*

**CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
REGULAR MEETING AGENDA**

**APRIL 16, 2024 - 5:30 P.M.**

**Council Chamber - 303 West Commonwealth Avenue, Fullerton, CA**

**CALL TO ORDER**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CLOSED SESSION REPORT**

**EX PARTE COMMUNICATIONS REPORT**

**PRESENTATIONS**

1. **CERTIFICATE:** Isaac Morales, OC Register All-County First Team
2. **CERTIFICATE:** Mural Restoration Volunteers
3. **PROCLAMATION:** American Muslim Appreciation and Awareness Month

**ITEMS REMOVED FROM CONSENT CALENDAR ANNOUNCEMENT**

**PUBLIC COMMENTS - Regular Session**

*The City Council / Successor Agency will hear public comments on matters not appearing on the agenda but within City Council / Agency jurisdiction and Consent Calendar items at this time. Speakers will have three minutes to make their remarks. Those wishing to speak on a regular business or public hearing item on this agenda may do so when the Mayor / Chair calls that specific item for discussion. State regulations prohibit the City Council / Agency from acting on non-agenda items.*

**CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS  
AND REPORTS**

*City Council may ask a question for clarification, make a brief announcement, make a brief report on their activities, request a report from staff at a subsequent meeting concerning any matter or direct staff to place a matter of business on a future agenda.*

**APPOINTMENTS - None**

**CONSENT CALENDAR (Items 1 - 6)**

*City Council / Successor Agency will enact routine matters listed on the Consent Calendar with one motion. The Council / Agency will not discuss these items unless Council / Agency Members request discussion or removal of specific Consent Calendar items for separate action.*

1. **APRIL 2, 2024 MEETING MINUTES**

Proposed Motion:

Approve April 2, 2024 City Council / Successor Agency Meeting Minutes.

2. **MARCH 2024 CHECK REGISTER**

Proposed Motion:

Receive and file.

3. **MONTHLY COMMITTEE ACTIVITY AND ATTENDANCE REPORT**

Proposed Motion:

Receive and file.

4. **FULLERTON POLICE DEPARTMENT POLICY 708 - MILITARY EQUIPMENT USE**

Proposed Motion:

Renew Fullerton Police Department Policy 708 - Military Equipment Use approval.

5. **COMMUNITY FACILITIES DISTRICT NO. 2 (AMERIGE HEIGHTS) BOND REFINANCING**

Proposed Motion:

Direct staff to engage a financing team to refinance the 2014 Community Facilities District (CFD) No. 2 (Amerige Heights) Bonds to reduce special taxes for property owners in the CFD.

6. **VECTOR CNG COMBINATION SEWER TRUCK PURCHASE**

Proposed Motion:

1. Approve \$1,504,577.90 purchase of two Vector CNG Combination Sewer Trucks from Haaker Equipment Company through Sourcewell cooperative purchasing (Contract No. 101221-VTR).
2. Authorize Director of Administrative Services, or designee, to issue \$1,504,577.90 purchase order to Haaker Equipment Company for two new Vector CNG Combination Sewer Trucks.
3. Authorize Public Works Director, or designee, to approve any change orders within the approved project budget.

**PUBLIC HEARINGS - None**

**REGULAR BUSINESS (Items 7 - 11)**

7. **FISCAL YEAR 2024-25 ROAD MAINTENANCE AND REHABILITATION (SB 1) ACCOUNT FUNDS ALLOCATION**

Request to adopt resolution identifying Maplewood Area as roadway segments planned for rehabilitation, funded by the Road Maintenance and Rehabilitation Account, also

known as Senate Bill 1.

Proposed Motion:

Adopt Resolution No. 2024-XXX.

RESOLUTION NO. 2024-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2024-25 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

**8. STREET SWEEPING OPERATIONS ALTERNATIVES AND ENFORCEMENT UPDATE**

Update on street sweeping enforcement and street sweeping operation alternatives.

Proposed Motion:

Maintain current street sweeping operations level with enforcement.

**9. SERIES STREET LIGHT UPDATE**

The City has approximately 7,000 street lights with about half on high-voltage circuits. Southern California Edison no longer supports the transformers that power these circuits. Staff is exploring options to address the antiquated circuits.

Proposed Motion:

Receive and file.

**10. FISCAL YEAR 2024-25 CIP BUDGET - STREET REHABILITATION PROJECT APPROACH**

Review proposed budget and approach for Fiscal Year (FY) 2024-25 street rehabilitation projects.

Proposed Motion:

Approve FY 2024-25 street rehabilitation projects approach.

**11. PROPOSED ADJUSTMENT TO FIRE CHIEF CLASSIFICATION SALARY RANGE**

Proposed Executive Compensation Resolution amendment to adjust Fire Chief classification salary range.

Proposed Motion:

Adopt Resolution No. 2024-XXX.

RESOLUTION NO. 2024-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RELATING TO EXECUTIVE EMPLOYEE COMPENSATION AND SUPERSEDING RESOLUTION NO. 2023-068

## **ITEMS REMOVED FROM CONSENT CALENDAR**

### **AGENDA FORECAST (Tentative)**

*Tuesday, May 7, 2024*

- *NICOLAS JUNIOR HIGH/FULLERTON SCHOOL DISTRICT TINY HOME PROJECT*
- *TREASURER'S REPORT FOR QUARTER ENDED MARCH 31, 2024*



- *AMENDING FMC PERMIT PROCESS FOR EV CHARGING AND HYDROGEN FUELING STATIONS*
- *MURALS*
- *AT LARGE / SENIOR CLUB SAC APPOINTMENTS*

*Tuesday, May 21, 2024*

- *APRIL 2024 CHECK REGISTER*
- *MONTHLY COMMITTEE ACTIVITY AND ATTENDANCE REPORT*

## **ADJOURNMENT**

*Adjourn to next regularly scheduled first session meeting at 4:00 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.*

*Adjourn to next regularly scheduled second session meeting at 5:30 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.*