



# FULLERTON CITY COUNCIL SUCCESSOR AGENCY AGENDA JULY 2, 2024

303 West Commonwealth Avenue, Fullerton, California

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



**NOTICE OF FIRST SESSION  
MEETING CANCELLATION**

**CITY OF FULLERTON**

**CITY COUNCIL  
SUCCESSION AGENCY**

Notice is hereby given that the **first session** of the Tuesday, **July 2, 2024** Fullerton City Council / Successor Agency meeting scheduled at 4:00 p.m. is **cancelled**.

**City Council will convene for the second session of the Tuesday, July 2, 2024 Fullerton City Council / Successor Agency meeting at 5:30 p.m.**

City Council holds all meetings in the Council Chamber located at **303 West Commonwealth Avenue, Fullerton, California.**

For more information, please visit [www.cityoffullerton.com](http://www.cityoffullerton.com) or contact the Fullerton City Clerk's Office at (714) 738-6350.

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

**JULY 2, 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. **PRESENTATION:**     **Fourth of July Preview**

**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 (Item 1)**

1. **COMMISSION / COMMITTEE / BOARD APPOINTMENTS**

Proposed Motion:

1. Mayor Dunlap make the following direct appointment:
  - a. Senior Advisory Committee partial term initial appointment - term ending December 31, 2024.
2. Council Member Charles make the following direct appointment:

- a. Senior Advisory Committee partial term initial appointment - term ending December 31, 2026.

3. Ratify appointments.

## **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. JUNE 18, 2024 MEETING MINUTES**

Proposed Motion:

Approve June 18, 2024 City Council / Successor Agency Meeting Minutes.

### **2. YOUTH ADVISORY COMMITTEE FORMATION**

Proposed Motion:

Adopt Resolution No. 2024-XXX.

RESOLUTION NO. 2024-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REVISING YOUTH ADVISORY COMMITTEE FORMATION AND RESCINDING RESOLUTION NO. 2020-097

### **3. SECOND AMENDMENT TO LEASE AGREEMENT WITH BOYS AND GIRLS CLUB OF FULLERTON FOR FULLERTON COMMUNITY CENTER AND AMERIGE PARK**

Proposed Motion:

Approve and authorize City Manager, or designee, to execute and administer the Second Amendment to Lease Agreement with the Boys and Girls Club of Fullerton, in a form approved by City Attorney.

### **4. CONTRACT WITH OTIS ELEVATOR COMPANY FOR MAIN LIBRARY BUILDING ELEVATOR REPAIRS FORWARD GRANT PROJECT**

Proposed Motion:

1. Approve Main Library elevator repairs scope of work.
2. Award \$325,247.72 construction contract for Main Library Building Forward Grant Project to Otis Elevator Company through sole source purchasing and authorize City Manager, or designee, to execute and administer the contract, in a form approved by the City Attorney.
3. Authorize Public Works Director, or designee, to approve any future change orders for construction and professional engineering construction support services within the approved project budget.

### **5. CONTRACT WITH BIG BEN, INC. FOR SUNNY HILLS - TWILIGHT AREA WATER MAIN REPLACEMENT**

Proposed Motion:

1. Approve plans and specifications for Sunny Hills - Twilight Area Water Main

Replacement Project.

2. Approve \$4,100,000 Water Funds (Fund 44) budget transfer and appropriation from Project 53250 Water Main System Replacement to Project 53039 Sunny Hills - Twilight Area Water Main Replacement within the Water Fund (Fund 44).
3. Award a \$3,668,775 construction contract for Sunny Hills - Twilight Area Water Main Replacement Project to Big Ben, Inc. and authorize City Manager, or designee, to execute and administer the contract, in a form approved by the City Attorney.
4. Authorize Public Works Director, or designee, to approve any future change orders for construction and professional engineering construction support services within the approved project budget.

**6. CONTRACT WITH ROY ALLAN SLURRY SEAL, INC. FOR MISCELLANEOUS SLURRY SEAL FISCAL YEAR 2023-24 PROJECT**

Proposed Motion:

1. Approve plans and specifications for Miscellaneous Slurry Seal Fiscal Year (FY) 2023-24 Project.
2. Approve the following budget transfers and appropriations in CIP Project 44699 Miscellaneous Slurry Seal FY 2023-24:
  - \$600,000 SB1 Funds (Fund 74) from CIP Project 44589 Residential Street Program to CIP Project 44699 Miscellaneous Slurry Seal FY 2023-24 within the Capital Projects Fund (Fund 74)
  - \$400,000 General Fund (Fund 74) from CIP Project 44589 Residential Street Program to CIP Project 44699 Miscellaneous Slurry Seal FY 2023-24 within the Capital Projects Fund (Fund 74).
3. Award \$820,596.05 construction contract for Miscellaneous Slurry Seal FY 2023-24 Project to Roy Allan Slurry Seal, Inc. and authorize City Manager, or designee, to execute and administer the contract, in a form approved by the City Attorney.
4. Authorize Public Works Director, or designee, to approve any future change orders for construction and professional engineering construction support services within the approved project budget.

**PUBLIC HEARINGS - None**

**REGULAR BUSINESS (Item 7)**

**7. TRANSACTIONS AND USE TAX INFORMATION**

Two City Council members requested agendaizing a transactions and use tax discussion.

Proposed Motion:

Motion based on City Council direction.

**ITEMS REMOVED FROM CONSENT CALENDAR**

**AGENDA FORECAST (Tentative)**

*Tuesday, July 16, 2024*

- JUNE 2024 CHECK REGISTER
- MONTHLY COMMITTEE ACTIVITY AND ATTENDANCE REPORT
- YOUTH COMMITTEE WORK PLAN
- ORANGETHORPE AVENUE INFRASTRUCTURE IMPROVEMENTS
- INSURANCE PROGRAM REPORT
- CLASSIFICATION PLAN UPDATE ADMINISTRATIVE ANALYST SERIES
- ANNUAL ACTION PLAN
- GRAND JURY RESPONSE MENTAL HEALTH CALLS FOR SERVICE
- WALK ON WILSHIRE
- STREET SWEEPING OPERATION ALTERNATIVE

*Tuesday, August 6, 2024*

- TREASURER'S REPORT FOR QUARTER ENDED JUNE 30, 2024
- ECONOMIC DEVELOPMENT UPDATE

## **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.*