



CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION MINUTES
APRIL 16, 2024 – 4:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California

4:34 p.m.

CALL TO ORDER

Acting Mayor Whitaker called the meeting to order at 4:34 p.m.

ROLL CALL

Present: Mayor Pro Tem / Vice Chair Jung (remote), Council / Agency Members Charles, Whitaker, Zahra

Absent: Mayor / Chair Dunlap

Staff Present: City Manager Eric J. Levitt, City Attorney Richard D. Jones, City Clerk Lucinda Williams

Mayor Pro Jung requested remote participation under the Just Cause provisions of AB 2449 (2022). Council Members granted the request by acclamation.

PUBLIC COMMENTS - Closed Session

None.

FIREWORKS LOTTERY DRAWING

Fireworks lottery drawing conducted.

RECESS TO CLOSED SESSION

Acting Mayor Whitaker recessed to Closed Session at 4:42 p.m.

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

5:20 p.m.

ADJOURNMENT

Acting Mayor Whitaker adjourned the meeting at 5:20 p.m.

Nicholas Dunlap
Mayor

Lucinda Williams, MMC
City Clerk



CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
REGULAR SESSION MINUTES
APRIL 16, 2024 – 5:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California

5:32 p.m.

CALL TO ORDER

Acting Mayor Whitaker called the meeting to order at 5:32 p.m.

ROLL CALL

Present: Mayor Pro Tem / Vice Chair Jung (remote), Council / Agency Members Charles, Whitaker, Zahra

Absent: Mayor / Chair Dunlap

Staff Present: City Manager Eric J. Levitt, City Attorney Richard D. Jones, City Clerk Lucinda Williams, Deputy City Manager Daisy Perez, Police Chief Jonathan Radus, Fire Chief Adam Loeser

INVOCATION given by Imam Khalid Alkhalili, Fullerton Muslim Community Center.

PLEDGE OF ALLEGIANCE led by Council Member Zahra.

CLOSED SESSION REPORT

None.

EX PARTE COMMUNICATIONS REPORT

None.

Presented

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

City Council removed Consent Calendar Item 4.

PUBLIC COMMENTS - Regular Session

The following addressed City Council:

- Evan Park, Good Hand for One, spoke about organization activities.
- Todd Harrison spoke about the Senior Advisory Committee.
- Craig Sheets spoke about the FBI, capital crimes and radiation.
- Helen Higgins, Fullerton, opposed privatizing the Fullerton library system and expressed concerns about the UP Trail design.
- Diane Vena thanked City Council for various projects.
- Blanca Hernandez, Fullerton, spoke about overnight parking.
- Jose Trinidad Castaneda, Buena Park, spoke about energy efficiency grants.
- Sam Alicar, Fullerton, asked for an update on the pilot parking program.
- Curtis Gamble spoke about homeless issues.
- Andrew Lenihan, Fullerton, spoke about the Hunt Library.
- Yolanda Harrison spoke about Rancho La Paz and curb cuts.

The following addressed City Council remotely:

- Zee (no last name provided) spoke about police activities, auto malls and Ramadan.
- Maureen Milton spoke about the Hunt Library and law enforcement referrals.

CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS AND REPORTS

City Manager Levitt responded to items arising during public comments.

Council Member Charles spoke about office hours, Senior Committee

applications, recent City events and wished a happy Passover to those celebrating the holiday.

Council Member Zahra spoke about recent and upcoming City events

Council Member Whitaker reported on a recent town hall meeting at CSUF and graffiti removal.

APPOINTMENTS

None.

CONSENT CALENDAR (Items 1 through 6)

Zahra moved, seconded by Charles, to approve Consent Calendar Items 1, 2, 3, 5 and 6.

Motion carried 4 – 0 – 1 (Absent: Dunlap).

Approved

1. APRIL 2, 2024 MEETING MINUTES

Proposed Motion:

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

Received and filed

2. MARCH 2024 CHECK REGISTER

Proposed Motion:

Receive and file.

Received and filed

3. MONTHLY COMMITTEE ACTIVITY AND ATTENDANCE REPORT

Proposed Motion:

Receive and file.

Approved

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.

Approved

6. VACTOR CNG COMBINATION SEWER TRUCK PURCHASE

Proposed Motion:

1. Approve \$1,504,577.90 purchase of two Vactor 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 Vactor 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 through 11)

Adopted

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

The following addressed City Council:

- Unidentified speaker asked about the lifespan of a street.
- Andrew Lenihan spoke about the impact of DMV activities on City streets.
- Curtis Gamble supported this item.

The following addressed City Council remotely:

- Zee (no last name provided) supported an auto mall to generate tax revenue to repair streets.

Zahra moved, seconded by Charles, to adopt Resolution No. 2024-024.

RESOLUTION NO. 2024-024 - 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

Motion carried 3 – 0 – 2 (Absent: Dunlap, Jung).

Continued

8. STREET SWEEPING OPERATIONS ALTERNATIVES AND ENFORCEMENT UPDATE (*item taken out of agenda order*)

The following addressed City Council:

- Amy Parker supported continuing this item to the May 7, 2024 meeting.
- Isle Miranda supported having Spanish translation for this item.
- Joshua Ferguson suggested information to include with the continued item Agenda Report.
- Sam (no last name provided) agreed with the previous

speaker.

- Phillip (no last name provided), Fullerton, supported continuing this item.
- Rosa Meritt supported continuing this item.
- Unidentified speaker supported continuing this item.

The following addressed City Council remotely:

- Munish supported continuing this item early on the next agenda.

Item continued to May 7, 2024 meeting by order of the Acting Mayor.

Received and filed

9. SERIES STREET LIGHT UPDATE

The following addressed City Council:

- Patrick Lenihan commented on options listed in the staff report.
- Unidentified speaker suggested upgrading every other light.
- Curt (no last name provided) spoke about solar lighting.

The following addressed City Council remotely:

- Zee (no last name provided) supported paying for streetlights with auto mall tax revenue.

Charles moved, seconded by Zahra, to receive and file.

Motion carried 3 – 0 – 2 (Absent: Dunlap, Jung).

Approved

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

The following addressed City Council:

- Andrew Lenihan spoke about conditions on his streets.

The following addressed City Council remotely:

- Zee (no last name provided) asked how the City would increase funding to repair streets.

Zahra moved, seconded by Charles, to approve Fiscal Year 2024-25 street rehabilitation projects approach.

Motion carried 3 – 0 – 2 (Absent: Dunlap, Jung).

Adopted

11. PROPOSED ADJUSTMENT TO FIRE CHIEF CLASSIFICATION SALARY RANGE

The following addressed City Council remotely:

- Zee asked about the full annual pay for this position.

Zahra moved, seconded by Charles, to adopt Resolution No. 2024-025.

RESOLUTION NO. 2024-025 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RELATING TO EXECUTIVE EMPLOYEE COMPENSATION AND SUPERSEDING RESOLUTION NO. 2023-068

Motion carried 3 – 0 – 2 (Absent: Dunlap, Jung).

ITEMS REMOVED FROM CONSENT CALENDAR

Approved

4. FULLERTON POLICE DEPARTMENT POLICY 708 - MILITARY EQUIPMENT USE *(item taken out of agenda order)*

Mayor Pro Tem Jung left the meeting at 7:45 p.m.

The following addressed City Council:

- Todd Harrison supported this item.
- Amy Parker opposed this item.
- Monique (no last name provided), Fullerton, opposed this item.
- Jack Henderson supported helping the homeless over purchasing military equipment.
- Olive Bui opposed providing more armaments to the police department.
- Jenson Walsh opposed this item.
- Saffa (no last name provided) opposed this item.
- Joshua Ferguson supported a police oversight policy.
- Andrew Lenihan asked about rocket launchers.
- Blanca Hernandez asked why the police department needs military equipment.
- Unidentified speaker opposed militarizing the police and supported better training.
- Curtis Gamble supported this item.

The following addressed City Council remotely:

- Zee (no last name provided) said this policy give the Police Department the appropriate amount of weaponry.
- Munish (no last name provided) noted the policy does not militarize the Police Department.

Charles moved, seconded by Zahra, to renew Fullerton Police Department Policy 708 - Military Equipment Use approval.

Motion carried 3 – 0 – 2 (Absent: Dunlap, Jung).

Acting Mayor Whitaker recessed the meeting at 8:15 p.m.

Acting Mayor Whitaker reconvened the meeting at 8:23 p.m.

ADJOURNMENT

Acting Mayor Whitaker adjourned the meeting at 9:41 p.m.

Nicholas Dunlap
Mayor

Lucinda Williams, MMC
City Clerk