



FULLERTON CITY COUNCIL SUCCESSOR AGENCY

AGENDA - DECEMBER 5, 2023

303 West Commonwealth Avenue, Fullerton, California

MEETINGS: The Fullerton City Council / Successor Agency meets on the first and third Tuesday of the month, convening for Closed Session at 5:00 p.m. and Regular Session at 6:30 p.m.

PUBLIC COMMENT: 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. Prior to public comments, the public may request the removal of consent items for further discussion. 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 items 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.

PERSONS ADDRESSING CITY COUNCIL: Please complete a speaker form and submit the form to the Assistant City Clerk in the lobby prior to approaching the podium. 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 the City Council during the meeting shall become public record and subject to applicable disclosure laws.

AGENDA ITEMS: This agenda contains a brief 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. 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.

State regulations prohibit City Council from taking action on non-agenda items except as provided by law. Visit www.cityoffullerton.com or call (714) 738-6350 for more information.

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 contact the City Clerk at cityclerksoffice@cityoffullerton.com or (714) 738-6350 at least 48 hours prior to the meeting to make arrangements.

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

The City will rebroadcast this City Council / Successor Agency meeting on Spectrum Cable Channel 3. The public can find cable channel rebroadcast times as well as view the meeting video on-demand at www.cityoffullerton.com.

Refer to Resolution No. 2020-04 to review the complete Rules of Procedure and Decorum for City Council meetings.

Fred Jung
Mayor (District 1)

Bruce Whitaker
Mayor Pro Tem (District 4)

Nick Dunlap
Council Member (District 2)

Shana Charles
Council Member (District 3)

Ahmad Zahra
Council Member (District 5)



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION AGENDA
DECEMBER 5, 2023 - 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.

RECESS TO CLOSED SESSION

CLOSED SESSION

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

Name of Case: Estate of Noah Weatherly v. City of Fullerton

Case Number: OCSC 30-2018-01037224

2. PUBLIC EMPLOYEE APPOINTMENT Per Government Code Section 54957(b)(1)

Title: Chief of Police

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Per Government Code Section 54956.8

Property: 3535 West Commonwealth Avenue, Fullerton, CA 92833

Agency Negotiator: City Manager Eric J. Levitt, Deputy City Manager Daisy Perez

Negotiating Parties: Dyer 18 LLC

Under Negotiations: Price and Terms

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 / HOUSING AUTHORITY /
PUBLIC FINANCING AUTHORITY
REGULAR MEETING AGENDA
DECEMBER 5, 2023 - 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 - None

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 - 4)

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. [NOVEMBER 21, 2023 MEETING MINUTES](#)

Recommendation:

Approve November 21, 2023 City Council / Successor Agency Meeting Minutes.

2. CLASSIFICATION PLAN UPDATE FOR HUMAN RESOURCES / RISK MANAGEMENT ANALYST SERIES (LIMITED TERM / AT-WILL) AND LIBRARY TECHNOLOGY ASSISTANT

Recommendation:

1. Approve revision to Fiscal Year (FY) 2023-24 Human Resources Personnel summary to increase budgeted full-time equivalent positions from 11 to 12 to reflect addition of a Limited Term / At-Will Human Resources / Risk Management Analyst II.
2. Approve \$41,000 budget appropriation from General Fund (Fund 10) unassigned fund balance to Human Resources department budget for FY 2023-24.
3. Adopt Resolution No. 2023-XXX.

RESOLUTION NO. 2023-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING, UPDATING AND DELETING CERTAIN CLASS SPECIFICATIONS IN THE PERSONNEL CLASSIFICATION PLAN AND AMENDING RESOLUTION NO. 2023-052 (FULLERTON MUNICIPAL EMPLOYEES FEDERATION) APPENDIX A AND RESOLUTION NO. 2023-064 (RELATING TO COMPENSATION FOR CONFIDENTIAL / NONREPRESENTED EMPLOYEES) APPENDIX A

3. SECOND BUILDING FORWARD GRANT FOR IMPROVEMENTS TO THE FULLERTON PUBLIC LIBRARY MAIN BRANCH

Recommendation:

1. Adopt Resolution No. 2023-XXX.

RESOLUTION NO. 2023-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING GRANT APPLICATION, ACCEPTANCE AND EXECUTION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA BUDGET ACT OF 2022 (AB 178) OR THE STATE OF CALIFORNIA BUDGET ACT OF 2023 (SB 101)

2. Appropriate \$778,055 Building Forward State Grant funds and \$389,027 budget transfer of matching donation funds from the Library Fund (Fund 13) to Project 55062 Main Library Building Forward Improvements in the Capital Projects Fund (Fund 74).

4. PROFESSIONAL SERVICES AGREEMENT WITH HF&H CONSULTANTS, LLC FOR SENATE BILL 1383 CONTRACT ASSISTANCE

Recommendation:

Approve Professional Services Agreement with HF&H Consultants, LLC, effective January 1, 2024 through December 31, 2024, in a form approved by the City Attorney, and authorize the City Manager, or designee, to enter up to two additional one-year extension options.

PUBLIC HEARINGS - None

REGULAR BUSINESS (Items 5 - 6)

5. UNION PACIFIC TRAIL PHASE TWO RECONSIDERATION

City Council considered Union Pacific Park trail options on August 15, 2023 and voted 3 - 2 to direct staff to reapproach the California Natural Resources Agency to consider reallocating the Phase Two project grant funding to another project. Council Member Zahra requested, supported by Council Member Charles, to bring this item back for City Council consideration.

Recommendation:

1. Reaffirm City Council direction from August 15, 2023 and direct City Manager to reapproach the State of California Natural Resources Agency and continue to explore an alternate project for the grant.

OR

2. Direct City Manager to move forward with the Union Pacific Trail Phase Two project, as recommended by the Parks and Recreation Commission, and appropriate \$330,000 from Park Dwelling (Fund 39) fund balance to Project 54260 Union Pacific Trail Phase Two Project in Capital Projects Fund (Fund 74).

6. MAYOR / CHAIR AND MAYOR PRO TEM / VICE CHAIR APPOINTMENT

City Council / Successor Agency / Housing Authority / Financing Authority appoints a new Mayor / Chair and Mayor Pro Tem / Vice Chair on an annual basis.

Recommendation:

1. City Attorney conduct nominations for Mayor / Chair appointment.
2. Mayor conduct nominations for Mayor Pro Tem / Vice Chair appointment.

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, December 19, 2023

- NOVEMBER 2023 CHECK REGISTER
- MONTHLY COMMITTEE REPORT
- ON CALL SCADA INTEGRATION SERVICES
- ADMINISTRATIVE CITATION FINE AMOUNTS SHORT TERM RENTALS
- REQUEST FOR PROPOSAL AGREEMENT FOR GRANT WRITING SERVICES
- REQUEST FOR PROPOSAL AGREEMENT FOR LEGISLATIVE SERVICES
- NOISE ORDINANCE
- FLOOD ORDINANCE UPDATE
- CONSIDERATION OF EXISTING OVERNIGHT PARKING BAN ORDINANCE

Tuesday, January 2, 2024

- MEETING CANCELLED

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.