



FULLERTON CITY COUNCIL SUCCESSOR AGENCY AGENDA - JUNE 6, 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**

JUNE 6, 2023 - 4:00 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: Roland Garcia, et al. v. City of Fullerton, et al.

Case Number: WCAB ADJ 12631461, ADJ 14735622

2. **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

3. **CONFERENCE WITH LABOR NEGOTIATOR Per Government Code Section 54957.6**

Agency Representatives: Eddie Manfro, Jay Trinnaman

Employee Organizations: Fullerton Municipal Employees Federation; Fullerton Management Association

Under Discussion: Parameters of authority for negotiating salaries, benefits and working conditions

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**

JUNE 6, 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

1. **CERTIFICATE:** Fullerton City Scholastic Chess Championship
2. **PRESENTATION:** Memorial Day Ceremony
3. **PROCLAMATION:** National Gun Violence Awareness Day

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

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

Recommendation:

1. Council Member Zahra make the following direct appointment:

a. Parks and Recreation Commission - unexpired term ending December 31, 2026.

2. Ratify appointment.

CONSENT CALENDAR (Items 1 - 7)

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. MAY 16, 2023 MEETING MINUTES

Recommendation:

Approve May 16, 2023 City Council / Successor Agency Meeting Minutes.

2. FULLERTON CERTIFIED FARMERS' MARKET LICENSE AGREEMENT

Recommendation:

1. Approve License Agreement between the City of Fullerton and Fullerton Certified Farmers' Market, Inc. to continue the Fullerton Certified Farmers Market operation through June 30, 2025.
2. Authorize City Manager, or designee, to execute and administer the Fullerton Certified Farmers' Market License Agreement, in a form approved by the City Attorney.

3. MASTER SERVICES AND PURCHASE AGREEMENT WITH AXON ENTERPRISE, INC. FOR SERVICES, DATA STORAGE AND UPGRADED EQUIPMENT

Recommendation:

Approve Master Services and Purchasing Agreement with Axon Enterprise, Inc. for services, data storage and upgraded equipment and authorize City Manager, or designee, to execute and administer the agreement and related documents, in a form approved by City Attorney.

4. AGREEMENT WITH CALIFORNIA HIGH-SPEED RAIL AUTHORITY FOR TECHNICAL STUDY COSTS REIMBURSEMENT

Recommendation:

Authorize City Manager, or designee, to execute Standard Agreement HSR22-58 between the City of Fullerton and California High-Speed Rail Authority for reimbursement of City costs associated with technical studies of high-speed rail.

5. EARLY MORNING PARKING RESTRICTION ON BOTH SIDES OF WILSHIRE AVENUE BETWEEN WOODS AVENUE AND DRAKE AVENUE RESCISSION

Recommendation:

Adopt Resolution No. 2023-XXX.

RESOLUTION NO. 2023-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RESCINDING THE "EARLY MORNING PARKING" RESTRICTION ON BOTH SIDES OF WILSHIRE AVENUE BETWEEN WOODS AVENUE AND DRAKE AVENUE

6. **EARLY MORNING PARKING RESTRICTION ON BOTH SIDES OF AMERIGE AVENUE BETWEEN ROOSEVELT AVENUE AND WOODS AVENUE RESCISSION**

Recommendation:

Adopt Resolution No. 2023-XXX.

RESOLUTION NO. 2023-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RESCINDING THE "EARLY MORNING PARKING" RESTRICTION ON BOTH SIDES OF AMERIGE AVENUE BETWEEN ROOSEVELT AVENUE AND WOODS AVENUE

7. **GREEN ZONE REMOVAL AT 912 EAST COMMONWEALTH AVENUE**

Recommendation:

Adopt Resolution No. 2023-XXX.

RESOLUTION NO. 2023-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REMOVING THE GREEN ZONE IN FRONT OF 912 EAST COMMONWEALTH AVENUE

PUBLIC HEARINGS (Items 8 - 9)

Pursuant to California Government Code Section 65009, if you challenge a City Council / Successor Agency decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City of Fullerton at, or prior to, the public hearing.

8. **ANNUAL OPERATING BUDGET, SCHEDULE OF FEES AND CHARGES AND ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023-24**

Consideration of the City of Fullerton Annual Operating Budget for Fiscal Year (FY) 2023-24, including the General Fund, the Capital Improvement Program and all other City Funds, approval of the City's Schedule of Fees and Charges and Annual Appropriations Limit for FY 2023-24.

Recommendation:

Adopt the following resolutions:

RESOLUTION NO. 2023-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING AND ADOPTING THE CITY OF FULLERTON OPERATING BUDGET FOR FISCAL YEAR 2023-24 AND APPROPRIATING THE FUNDS NECESSARY TO MEET THE EXPENDITURES SET FORTH THEREIN

RESOLUTION NO. 2023-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023-24 PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA STATE CONSTITUTION

RESOLUTION NO. 2023-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING THE CITY OF FULLERTON'S MASTER SCHEDULE OF FEES AND CHARGES FOR FISCAL YEAR 2023-24

9. THE TRACKS AT FULLERTON STATION - CONTINUE PUBLIC HEARING

Request to continue the public hearing for the Tracks at Fullerton Station.

Recommendation:

Continue Public Hearing to June 20, 2023 City Council meeting at 5:30 p.m. in the Fullerton Council Chambers.

REGULAR BUSINESS (Items 10 - 12)

10. HUNT BRANCH LIBRARY UPDATE AND LIBRARY AD-HOC COMMITTEE RECOMMENDED ACTIONS

City Council directed staff to present external proposals as well as a City proposal to the Library Ad-Hoc Committee for Hunt Branch Library operation. The Committee recommended the City provide full-service library operations and community cultural arts programming for adults and children as a two-year bridge until the City identifies a qualified tenant or partner to meet the community needs for this historic space.

Recommendation:

1. Approve two-year bridge program to operate the Hunt Branch Library as a city-run facility with arts and culture programming open daily alongside a library operation.
2. Authorize City Manager to enter into and administer agreements between the City and various community groups to facilitate programming at the Hunt Branch Library, in a form approved by the City Attorney.
3. Authorize \$505,137 appropriation of expenditures and \$679,561 in revenues to the Fiscal Year (FY) 2023-24 Budget for Hunt Branch Library operation.
4. Approve addition of one full time equivalent Events Specialist and 6,240 non-regular hours to the Parks and Recreation FY 2023-24 personnel summary and addition of one full time equivalent Library Technical Assistant II and 1,920 non-regular hours to the Library FY 2023-24 personnel summary.

11. COMMUNITY FOREST MANAGEMENT PLAN UPDATE

Update of the City's Community Forest Management Plan and intent to plant 500 trees in conformance with Cal-Fire grant requirements.

Recommendation:

Approve the Community Forest Management Plan and proceed with planting 500 trees.

12. TENTATIVE AGREEMENT BETWEEN THE CITY OF FULLERTON AND THE FULLERTON FIRE MANAGEMENT ASSOCIATION AND CLASSIFICATION PLAN UPDATE RELATING TO FIRE BATTALION CHIEF, DIVISION CHIEF AND DEPUTY CHIEF

A proposed Memorandum of Agreement between the City of Fullerton and the Fullerton Fire Management Association reflecting tentative agreement on wages, hours and working conditions and classification plan update for Fire Battalion and Division and Deputy Chief positions.

Recommendation:

Adopt Resolution No. 2023-XXX.

RESOLUTION NO. 2023-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING THE AGREEMENT BETWEEN THE CITY AND THE FULLERTON FIRE MANAGEMENT ASSOCIATION DATED MAY 17, 2023, SUPERSEDING RESOLUTION NO. 2022-029 AND UPDATING, ADDING AND DELETING CERTAIN CLASS SPECIFICATIONS IN THE PERSONNEL CLASSIFICATION PLAN

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, June 20, 2023

- NOISE ORDINANCE
- M2 ELIGIBILITY RENEWAL
- MAY 2023 CHECK REGISTER
- RETAIL STRATEGIES PLAN UPDATE
- INVESTMENT ADVISORY COMMITTEE APPOINTMENTS
- WATER MAIN REPLACEMENT AT VARIOUS LOCATIONS
- LIBRARY CONFERENCE ROOM TECHNOLOGY UPGRADES
- MONTHLY COMMITTEE ACTIVITY AND ATTENDANCE REPORT
- PROCLAMATION: JULY IS PARKS MAKES LIFE BETTER MONTH
- POINTE COMMON AFFORDABLE HOUSING AND LAND DISPOSITION
- SAFE STREETS AND ROADS FOR ALL (SS4A) GRANT ACCEPTANCE
- THE TRACKS AT FULLERTON STATION AT 200-214 EAST SANTA FE AVENUE
- CITY OF FULLERTON COMMUNITY FACILITIES DISTRICT NO. 3 (PINES AT SUNRISE VILLAGE)

Tuesday, July 4, 2023

- 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.