



FULLERTON CITY COUNCIL SUCCESSOR AGENCY

AGENDA - MARCH 5, 2024

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.

Nick 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)



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
STUDY SESSION AGENDA
MARCH 5, 2024 - 5:00 P.M.**

Council Chamber - 303 West Commonwealth Avenue, Fullerton, CA

CALL TO ORDER

ROLL CALL

PRESENTATIONS

1. **PRESENTATION:** **Metropolitan Water District of Southern California**

PUBLIC COMMENTS - Study Session

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

STUDY SESSION - None

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**

MARCH 5, 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. **PROCLAMATION: American Red Cross 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

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

Proposed Motion:

1. Mayor Pro Tem Jung make the following direct appointment:
 - a. Parks and Recreation Commission - term ending December 31, 2024.
2. Ratify appointments.

CONSENT CALENDAR (Items 1 - 10)

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. **FEBRUARY 20, 2024 MEETING MINUTES**

Proposed Motion:

Approve February 20, 2024 City Council / Successor Agency Meeting Minutes.

2. **FLOOD ZONE DEVELOPMENT MUNICIPAL CODE AMENDMENTS - SECOND READING OF ORDINANCE**

Proposed Motion:

Adopt Ordinance No. 3330.

ORDINANCE NO. 3330 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING FULLERTON MUNICIPAL CODE SECTION 14.01.015 PERTAINING TO FLOOD ZONE DEVELOPMENT

3. **2024 LEGISLATIVE PLATFORM**

Proposed Motion:

Adopt the 2024 Legislative Platform with no changes from the 2023 Platform and authorize the Mayor (or Mayor Pro Tem in the Mayor's absence) to sign policy and position letters within platform guidelines.

4. **POLICE CANINE TITAN RETIREMENT**

Proposed Motion:

1. Authorize Fullerton Police Canine Titan retirement.
2. Authorize ownership transfer from City of Fullerton to handler Corporal Green with \$1 payment to the Fullerton Police Canine Foundation.

5. **ENVIRONMENTALLY PREFERRED PURCHASING POLICY TO COMPLY WITH SENATE BILL 1383**

Proposed Motion:

Adopt Recovered Organic Waste Product Procurement Policy.

6. **PROFESSIONAL SERVICES AGREEMENT WITH LOCALITY MEDIA, INC. FOR FIRE DEPARTMENT RECORDS MANAGEMENT PAYMENT PROCESSING AMENDMENT**

Proposed Motion:

1. Approve amendment to Agreement for Services with Locality Media, Inc., doing business as First Due, for an electronic payment processing solution.
2. Approve absorbing electronic payment processing fees, such as credit card and eCheck service fees, for fire inspections and permits.

7. OPERATING AGREEMENT WITH ILLUMINATION FOUNDATION FOR FULLERTON NAVIGATION CENTER

Proposed Motion:

1. Authorize City Manager to execute and administer operating agreement, including minor revision, with Illumination Foundation for Fullerton Navigation Center operation at 3535 West Commonwealth Avenue to provide 40 shelter beds dedicated for Fullerton residents, in a form approved by the City Attorney.
2. Authorize City Manager to approve lease agreement, including any minor revisions, in a form approved by the City Attorney.

8. AGREEMENT WITH METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, MUNICIPAL WATER DISTRICT OF ORANGE COUNTY, ORANGE COUNTY WATER DISTRICT, CITY OF ANAHEIM AND CITY OF SANTA ANA REGARDING ASSIGNMENT OF EXTRAORDINARY SUPPLY FROM SANTA ANA RIVER CONSERVATION AND CONJUNCTIVE USE PROGRAM

Proposed Motion:

Authorize City Manager, or designee, to execute Agreement for Extraordinary Supply from the Santa Ana River Conservation and Conjunctive Use Program.

9. COOPERATIVE AGREEMENT WITH CITIES OF LA HABRA, ANAHEIM, GARDEN GROVE, SANTA ANA AND FOUNTAIN VALLEY FOR EUCLID STREET REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM PROJECT

Proposed Motion:

Authorize City Manager, or designee, to execute Euclid Street Regional Traffic Signal Synchronization Program Project Cooperative Agreement.

10. AGREEMENT WITH BONADIMAN WATER, INC. FOR HOLLYDALE AREA WATER MAIN REPLACEMENT

Proposed Motion:

1. Approve plans and specifications for Project 53031 Hollydale Area Water Main Replacement Project.
2. Approve \$2,281,900 Water Funds (Fund 44) budget transfer and appropriation from Project 53250 Water Main System Replacement to Project 53031 Hollydale Area Water Main Replacement Project.
3. Award \$1,728,100 construction contract to Bonadiman Water, Inc. for Project 53031 Hollydale Area Water Main Replacement Project and authorize City Manager, or designee, to execute and administer contract, in a form approved by the City Attorney.
4. Authorize Public Works Director, or designee, to approve future change orders for construction and professional engineering construction support services within the approved project budget.

PUBLIC HEARINGS (Item 11)

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.

11. APPEAL OF MAJOR SITE PLAN FOR 801 - 811 ACACIA AVENUE AND 1580 KIMBERLY AVENUE

A request to consider appeal of a Major Site Plan to construct a 185,525-square-foot concrete tilt-up warehouse building including 10,000 square feet of supporting office space on property located at 801 - 811 Acacia Avenue and 1580 Kimberly Avenue.

Proposed Motion:

Adopt Resolution No. 2024-XXX.

RESOLUTION NO. 2024-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION APPROVAL OF A MAJOR SITE PLAN TO DEMOLISH ONSITE STRUCTURES TO CONSTRUCT AN INDUSTRIAL WAREHOUSE BUILDING ON PROPERTY ZONED M-P-80ES, LOCATED AT 801 - 811 ACACIA AVENUE AND 1580 KIMBERLY AVENUE

REGULAR BUSINESS (Item 12)

12. ACACIA AVENUE RAILROAD GRADE CROSSING QUIET ZONE ASSESSMENT

Initial assessment of quiet zone implementation at the Acacia Avenue rail grade crossing.

Proposed Motion:

Receive and file.

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, March 19, 2024

- PROCLAMATION: ARBOR DAY 2024
- SKYLINE-RAYMOND AREA WATER MAIN REPLACEMENT
- VALENCIA MESA DRIVE STREET REHABILITATION
- STREET REHABILITATION - VARIOUS LOCATIONS FISCAL YEAR 2023-24
- MISCELLANEOUS SEWER LINING FISCAL YEAR 2023-24
- MONTHLY COMMITTEE ACTIVITY AND ATTENDANCE REPORT
- MILLS ACT
- FULLERTON MUNICIPAL CODE AMENDMENT PERTAINING TO SHORT-TERM RENTAL PROVISIONS
- GENERAL PLAN ANNUAL REPORT
- EXISTING OVERNIGHT PARKING BAN ORDINANCE

Tuesday, April 2, 2024

- DIRECT SENIOR ADVISORY COMMITTEE APPOINTMENTS
- YOUTH COMMITTEE STRUCTURE

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.