



FULLERTON CITY COUNCIL SUCCESSOR AGENCY AGENDA - APRIL 2, 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
CLOSED SESSION AGENDA**

APRIL 2, 2024 - 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 LABOR NEGOTIATOR Per Government Code Section 54957.6**

Agency Representatives: Eddie Manfro and Jay Trinnaman

Employee Organization: Executive Unit

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

2. **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

3. **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

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

Property: 2701 Nutwood Avenue, Fullerton, CA 92831

Agency Negotiator: City Manager Eric J. Levitt

Negotiating Parties: The State of California through the Trustees of the California State University, Marriott

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
REGULAR MEETING AGENDA**

APRIL 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. **CERTIFICATE:** **Mucio Vidales, 2024 Middle School Teacher of the Year**
2. **PRESENTATION:** **Hunt Library Update**
3. **PRESENTATION:** **Orange County Power Authority Member Agency Update**

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 appointments:

- a. Parks and Recreation Commission unscheduled vacancy - term ending December 31, 2024.
 - b. Senior Advisory Committee partial term initial appointment - term ending December 31, 2024.
2. Mayor Pro Tem Jung make the following direct appointment:
 - a. Senior Advisory Committee partial term initial appointment - term ending December 31, 2024.
3. Council Member Charles make the following direct appointment:
 - a. Senior Advisory Committee partial term initial appointment - term ending December 31, 2026.
4. Council Member Whitaker make the following direct appointment:
 - a. Senior Advisory Committee partial term initial appointment - term ending December 31, 2024.
5. Council Member Zahra make the following direct appointment:
 - a. Senior Advisory Committee partial term initial appointment - term ending December 31, 2026.
6. Ratify appointments.

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. MARCH 19, 2024 MEETING MINUTES

Proposed Motion:

Approve March 19, 2024 City Council / Successor Agency Meeting Minutes.

2. SHORT-TERM RENTALS LAND USE APPEAL PROCESS AMENDMENT - SECOND READING OF ORDINANCE

Proposed Motion:

Adopt Ordinance No. 3331.

ORDINANCE NO. 3331 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING FULLERTON MUNICIPAL CODE TITLE 15, SECTION 15.55.020.F.6.D REGULATING SHORT-TERM RENTALS TO MODIFY THE APPEAL PROCESS

3. YOUTH COMMITTEE STRUCTURE REVISIONS

Proposed Motion:

Adopt Resolution No. 2024-XXX.

RESOLUTION NO. 2024-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY

4. DAY OF MUSIC COMMITTEE FEE WAIVER REQUEST

Proposed Motion:

Approve Day of Music \$5,760 fee waiver request, consistent with City Council action in prior years.

5. CALIFORNIA ENERGY COMMISSION GRANT AND APPROPRIATIONS FOR PERMIT STREAMLINING AND EFFICIENCY IMPROVEMENTS

Proposed Motion:

Appropriate receipt and use of \$80,000 California Energy Commission grant award in Grant Fund (Fund 32).

6. PROFESSIONAL SERVICES AGREEMENT WITH KOA, A LOCHNER COMPANY, FOR THE FULLERTON SAFE STREETS AND ROADS FOR ALL ACTION PLAN DEVELOPMENT

Proposed Motion:

1. Approve scope and fee and authorize City Manager, or designee, to execute a \$246,570 Professional Services Agreement with KOA, a Lochner Company, for Fullerton Safe Streets and Roads for All Action Plan development.
2. Authorize Director of Administrative Services, or designee, to issue \$246,570 purchase order to KOA, a Lochner Company, for Fullerton Safe Streets and Roads for All Action Plan development.
3. Authorize Public Works Director, or designee, to approve any change orders for professional engineering services within the approved project budget.

7. MASTER AGREEMENT WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR STATE-FUNDED PROJECTS

Proposed Motion:

Adopt Resolution No. 2024-XXX.

RESOLUTION NO. 2024-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING EXECUTION OF THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION MASTER AGREEMENT NO. 12-5133S21

PUBLIC HEARINGS - None

REGULAR BUSINESS (Item 8)

8. COYOTE MANAGEMENT PLAN

Coyote sightings and interactions with residents have increased over the past few years in the City of Fullerton. The City Manager's Office created a Coyote Management Plan similar to other cities to address this issue.

Proposed Motion:

Approve the Coyote Management Plan.

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, April 16, 2024

- FIREWORKS LOTTERY DRAWING
- AT LARGE / SENIOR CLUB SAC APPOINTMENT
- MARCH 2024 CHECK REGISTER
- MONTHLY COMMITTEE ACTIVITY AND ATTENDANCE REPORT
- FULLERTON POLICE DEPARTMENT POLICY 708
- FY 2024-25 SB 1 FUNDS ALLOCATION

Tuesday, May 7, 2024

- NICOLAS JUNIOR HIGH / FULLERTON SCHOOL DISTRICT TINY HOME PROJECT
- TREASURER'S REPORT FOR QUARTER ENDED MARCH 31, 2024
- PERMIT PROCESS FOR EV CHARGING AND HYDROGEN FUELING STATIONS

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.