



# **FULLERTON CITY COUNCIL SUCCESSOR AGENCY AGENDA - MAY 15, 2018**

**303 West Commonwealth Avenue, Fullerton, California**

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**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 as well as request removal of Consent Calendar items for further discussion during Public Comments at the Regular Session meeting. 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 slip and submit the slip 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](http://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](http://www.cityoffullerton.com).

State regulations prohibit City Council from taking action on non-agenda items except as provided by law. Visit [www.cityoffullerton.com](http://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](mailto: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](http://www.cityoffullerton.com).

Refer to Resolution No. 2018-03 to review the complete Rules of Procedure and Decorum for City Council meetings.

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**Doug Chaffee**  
Mayor

**Greg Sebourn**  
Mayor Pro Tem

**Bruce Whitaker**  
Council Member

**Jennifer Fitzgerald**  
Council Member

**Jesus Silva**  
Council Member



**CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
CLOSED SESSION AGENDA  
MAY 15, 2018 - 5:00 P.M.**

**Council Chamber - 303 West Commonwealth Avenue, Fullerton, CA**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS**

*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 Representative/s:** Steven Berliner, Kenneth Domer

**Employee Organization/s:** Fullerton Fire Management Association

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

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

**Property:** Approximately 1745 West Commonwealth Avenue, Fullerton, CA 92833 (adjacent to the south east portion of assessor parcel number (APN) 030-252-01; a remnant portion of right-of-way acquired by the City as part of the Commonwealth Avenue Underpass Project; also known as a portion of Lot 8 of the Stern-Nicolas subdivision)

**Agency Negotiator:** Kenneth A. Domer, City Manager

**Negotiating Parties:** Ted Kim, Business / Legal Director, Grace Ministries International

**Under Negotiations:** Price and Terms

**ADJOURNMENT**

*Adjourn to the next regular City Council / Successor Agency meeting at 6:30 p.m. in Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.*

**CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
REGULAR MEETING AGENDA**

**MAY 15, 2018 - 6:30 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 PURSUANT TO FMC 2.33.040 -  
TRANSPARENCY AND ACCOUNTABILITY IN LABOR NEGOTIATIONS**

**PRESENTATIONS**

1.     **PRESENTATION:**     Orange County Registrar of Voters - June Primary Election
2.     **PRESENTATION:**     American Veterans Memorial Association
3.     **PROCLAMATION:**   Employee Appreciation Week
4.     **PRESENTATION:**     OC Teacher of the Year - Andrea Calvo
5.     **PRESENTATION:**     Mayor's Cyber Cup - Troy High School
6.     **PROCLAMATION:**   Star Wars Day Summer Reading Program

**PUBLIC COMMENTS**

*The City Council / Successor Agency will hear public comments on matters not appearing on the agenda but within City Council / Agency jurisdiction at this time. The City Council / Agency will also accept public requests for removal of Consent Calendar items for further discussion. 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**

*City Council may ask a question for clarification, make a brief announcement, make a brief report on his / her 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

### PUBLIC HEARINGS (Items 1 - 2)

*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.*

**1. AFFORDABLE HOUSING / PROPERTY DEVELOPMENT AGREEMENT WITH HABITAT FOR HUMANITY, ORANGE COUNTY, INC. FOR THE DEVELOPMENT OF 12 AFFORDABLE HOME OWNERSHIP UNITS LOCATED AT 418, 424 WEST VALENCIA AND 437, 443, 455 AND 467 WEST WEST AVENUE**

Consideration of an Affordable Housing / Property Development Agreement by and between the City of Fullerton and Habitat for Humanity of Orange County, Inc. for development of 12 affordable home ownership units located at 418, 424 West Valencia and 437, 443, 455 and 467 West West Avenue.

Recommendation by the Community Development Department:

1. Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING AN AFFORDABLE HOUSING AND PROPERTY DISPOSITION AGREEMENT BETWEEN THE CITY OF FULLERTON AND HABITAT FOR HUMANITY OF ORANGE COUNTY, INC.

2. Authorize payments not to exceed \$872,000 from either 2010 Taxable Tax Allocation Housing Bond proceeds or HOME Investment Partnership funds or a combination of both funding sources, that includes \$10,000 for professional services including legal counsel and consultant costs for preparation of the Agreement and to pay costs associated with acquisition and development of the proposed affordable housing project.
3. Authorize disposition of City-owned property located at 418, 424 West Valencia and 437, 443, 455 and 467 West West Avenue to Habitat for Humanity of Orange County, Inc. for development of 12 affordable housing units per the Agreement.
4. Authorize City Manager and Special Counsel to the City of Fullerton to finalize and execute Agreement and any other documents necessary to implement said Agreement.
5. Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A MINOR SITE PLAN TO CONSTRUCT TWELVE ONE-STORY CONDOMINIUMS (6-DUPLEXES) WITH ATTACHED GARAGES ON SIX PROPERTIES ON PROPERTY LOCATED AT 418 AND 424 WEST VALENCIA DRIVE AND 437, 443, 455 AND 467 WEST WEST AVENUE

**2. TITLE 15 ZONING ORDINANCE AMENDMENT REGARDING EMERGENCY SHELTERS AND MULTISERVICE CENTERS**

Proposed amendment to the Fullerton Municipal Code, regarding design requirements for emergency shelters and multiservice centers for the homeless. The proposed amendment would not expand permitted locations of Emergency Shelters beyond current boundaries of the Emergency Shelter Overlay Zone.

Recommendation by the Community Development Department:

Introduce Ordinance No. XXXX for first reading by title only and waive further reading of the ordinance.

ORDINANCE NO. XXXX - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING FULLERTON MUNICIPAL CODE CHAPTER 15.42 TO CLARIFY DEVELOPMENT STANDARDS ENUMERATED THEREIN PERTAINING TO EMERGENCY SHELTERS AND MULTISERVICE CENTERS FOR THE HOMELESS

## **REGULAR BUSINESS (Items 3 - 7)**

### **3. LIBRARY CAFÉ CONTRACT**

Consideration of Fullerton Library Café Concession Agreement with Anita Lim (Cherries Jubilee, LLC) for property located at 353 West Commonwealth Avenue, Fullerton, CA.

Recommendation by the Library:

1. Approve agreement with Anita Lim (Cherries Jubilee, LLC) to operate the café at the Fullerton Public Library located at 353 West Commonwealth Avenue in a form approved by the City Attorney.
2. Authorize Mayor to execute Agreement and take all actions reasonably necessary to implement it.

### **4. BALFOUR AVENUE - RESIDENT ONLY PERMIT PARKING**

Discussion regarding district-wide implementation of Resident Only Permit Parking in select neighborhoods bordering Cal State University Fullerton, Hope University and Ketchum University, as opposed to street-by-street consideration.

Recommendation by the Public Works Department:

Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, PROHIBITING PARKING ON BOTH SIDES OF BALFOUR AVENUE, BETWEEN SAN CARLOS DRIVE AND DEREK DRIVE, WITHOUT A VALID CITY ISSUED PARKING PERMIT AND REPEALING RESOLUTION NO. 9504 AND RESOLUTION NO. 08-88 IN THEIR ENTIRETY

### **5. BODY WORN CAMERA AND TASER AGREEMENT**

Consideration of agreement with Axon Enterprises, Inc. / TASER to supply 155 body worn cameras and accessories with support, maintenance, replacements and unlimited data storage and 155 Tasers, accessories and replacements.

Recommendation by the Police Department:

Authorize the Chief of Police to enter into a five-year agreement with Axon Enterprises in the amount of \$1,164,445 and increase Department appropriations in the same amount over a five-year period, pending adoption of the FY 2018-19 budget which includes funding for this item.

**6. HUNT BRANCH LIBRARY AD-HOC COMMITTEE FORMATION**

City Council consideration of formation of an ad-hoc committee to address the former Hunt Branch Library as requested by Council Member Silva and supported by Council Member Whitaker.

Recommendation by the Administration Department:

Provide Staff direction regarding the formation of an ad-hoc citizen committee of citizens regarding possible uses of the former Hunt Branch Library, including committee membership and timeline for bringing forth recommendations.

**7. BUDGET STUDY SESSION FOR FISCAL YEAR 2018-19**

Staff will present the preliminary Proposed Budget, Capital Improvement Plan (CIP) and fee discussion for Fiscal Year 2018-19.

Recommendation by the Administrative Services Department:

Receive and file.

**CONSENT CALENDAR (Items 8 - 16)**

*City Council / Successor Agency will enact routine matters listed on the Consent Calendar with one motion. The Council / Agency will not have separate discussion of these items unless Council / Agency Members, Staff or the public request discussion or removal of specific Consent Calendar items for separate action.*

**8. MAY 1, 2018 MEETING MINUTES**

Recommendation by the City Clerk's Office:

Approve May 1, 2018 City Council / Successor Agency Meeting Minutes.

**9. APRIL 2018 CHECK REGISTER**

Recommendation by the Administrative Services Department:

Receive and file.

**10. BOARD / COMMISSION / COMMITTEE REORGANIZATION - SECOND READING OF ORDINANCES**

Recommendation by the City Clerk's Office:

Adopt the following ordinances:

ORDINANCE NO. 3258 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING CHAPTER 2.11 OF THE MUNICIPAL CODE SETTING FORTH CONDITIONS GOVERNING COMMISSION AND COMMITTEE APPOINTMENTS AND OFFICE

ORDINANCE NO. 3259 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING FULLERTON MUNICIPAL CODE CHAPTER

2.13 RENAMING THE COMMUNITY SERVICES COMMISSION AS THE PARKS AND RECREATION COMMISSION, SETTING FORTH REGULATIONS RELATING TO ACTIVITIES OF ALL COMMISSION MEMBERS

ORDINANCE NO. 3260 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING CHAPTER 2.18 OF THE FULLERTON MUNICIPAL CODE PERTAINING TO THE PLANNING COMMISSION

ORDINANCE NO. 3261 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING CHAPTER 2.85 OF THE FULLERTON MUNICIPAL CODE PERTAINING TO THE TRANSPORTATION AND CIRCULATION COMMISSION

ORDINANCE NO. 3262 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REPEALING CHAPTER 2.15 OF THE FULLERTON MUNICIPAL CODE PERTAINING TO THE UNDERGROUND UTILITIES COMMISSION

**11. MONTHLY LEGISLATIVE UPDATE**

Recommendation by the Administration Department:

Receive and file.

**12. WORKERS' COMPENSATION THIRD PARTY ADMINISTRATOR AGREEMENT**

Recommendation by the Human Resources Department:

Authorize the City Manager to execute an agreement with AdminSure, Inc. for third party administrator services for the workers' compensation program.

**13. CaIPERS EMPLOYER PAID MEMBER CONTRIBUTIONS**

Consideration of updated resolution to implement changes authorized by prior City Council action concerning Employer Paid Member Contributions under the California Public Employees' Retirement System.

Recommendation by the Human Resources Department:

Adopt Resolution No. 2018-XX.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, CONCERNING PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR CLASSIC MEMBERS AND REPEALING RESOLUTION NO. 2017-69 IN ITS ENTIRETY

**14. SENIOR MOBILITY PROGRAM PROFESSIONAL SERVICES AGREEMENT**

Recommendation by the Parks and Recreation Department:

1. Authorize Director of Parks and Recreation to enter into professional services agreement with California Yellow Cab for taxi services through the Senior Mobility Program in a form approved by the City Attorney.
2. Authorize Director of Parks and Recreation to sign any amendments to agreement that do not exceed City's budgeted amount.

**15. LISTING AGREEMENT FOR FULLERTON TRANSPORTATION CENTER STATION BUILDING LEASE**

Recommendation by the Community Development Department:

Authorize City Manager to enter into listing agreement with Voit Real Estate Services to represent the City in lease negotiations with Bushala Brothers, Inc. for real property located in the Fullerton Transportation Center.

**16. BARRIS DRIVE - REPEAL EARLY MORNING PARKING**

Recommendation by the Public Works Department:

Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REPEALING A PORTION OF RESOLUTION NO. 6478 PERTAINING TO "EARLY MORNING PARKING" ON BARRIS DRIVE

**AGENDA FORECAST (Tentative)**

*Tuesday, June 5, 2018*

- CALL NOVEMBER 6, 2018 CITY COUNCIL ELECTION
- MEASURE M2 ELIGIBILITY RENEWAL
- VALENCIA DRIVE INFRASTRUCTURE IMPROVEMENTS FROM GILBERT TO BROOKHURST
- WILSHIRE AVENUE BICYCLE BOULEVARD IMPROVEMENT PROJECT
- AIRPORT TERMINAL BUILDING EXPANSION, PHASE 2
- PROPOSED ANNUAL BUDGET, PROPOSED FEES, AND ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2018-19
- PROPOSED EXCLUSIVE NEGOTIATION AND PROPERTY ACQUISITION AGREEMENT WITH FULLERTON INTERFAITH EMERGENCY SERVICE, INC., DBA PATHWAYS OF HOPE FOR DEVELOPMENT OF 1600 WEST COMMONWEALTH AVENUE
- RESOLUTION OF INTENTION TO AMEND FULLERTON MUNICIPAL CODE TITLE 15 REGARDING DEVELOPMENT AND OPERATIONAL STANDARDS FOR BUSINESSES SELLING ALCOHOL
- FORMATION OF AD HOC COMMITTEE FOR WATER RATE STUDY

*Tuesday, June 19, 2018*

- PRESENTATION: OUTGOING EDC COMMISSIONERS
- PRESENTATION: OC ANIMAL CARE
- PRESENTATION: AMERICAN VETERANS ASSOCIATION MEMORIAL DAY EVENT RECAP
- CONTRACT AWARD FOR LARGE FIELD MOWING
- UPDATE ON WOODCREST PARK AND PEARL PARK
- MONTHLY LEGISLATIVE UPDATE
- CHAPMAN AVENUE REHABILITATION LAWRENCE / SANTA FE SEWER IMPROVEMENTS
- MAY 2018 CHECK REGISTER
- INSURANCE PROGRAM REPORT AND RECOMMENDATIONS
- FISCAL YEAR 2017 18 BUDGET ACTION ITEMS UPDATE
- PURCHASE AND SALE AGREEMENT – COSTCO PARCELS
- COMMITTEE REORGANIZATION

**ADJOURNMENT**

*Adjourn to next regularly scheduled closed session meeting at 5:00 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.*

*Adjourn to next regularly scheduled City Council / Successor Agency meeting at 6:30 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.*