



## FULLERTON CITY COUNCIL SUCCESSOR AGENCY

**AGENDA - MARCH 19, 2019**

**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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**Jesus Silva**  
Mayor (District 3)

**Bruce Whitaker**  
Council Member (At-Large)

**Jennifer Fitzgerald**  
Mayor Pro Tem (At-Large)

**Ahmad Zahra**  
Council Member (District 5)

**Jan Flory**  
Council Member  
(At-Large)



**CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
CLOSED SESSION AGENDA**

**March 19, 2019 - 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 LEGAL COUNSEL - EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)**

**Name of Case:** Orange County Catholic worker et al v. Orange County et al United States District Court, Central District of California

**Case Number:** 8:18-cv-0155-DOC-JDE

2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Per Government Code Section 54956.9(d)(4)**

**Initiation of Litigation:** One Case

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

**Agency Representative/s:** Kenneth A. Domer

**Employee Organization/s:** Fullerton Fire Management Association, Fullerton Municipal Employees Federation, Fullerton Police Officers' Association, Fullerton Firefighters' Association, Fullerton Police Management Association, 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 6:30 p.m. in Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.*

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

**March 19, 2019- 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:**     **Fullerton College Drone Technology and Journalism 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 - None**

**REGULAR BUSINESS (Items 1 - 6)**

1. **PARK DWELLING FEES FOR ACCESSORY DWELLING UNITS**

Per City Council direction, Staff performed a market study of developer park impact fees (Park Dwelling) assessed on Accessory Dwelling Units (ADUs). The Parks and

Recreation Commission reviewed the information and recommends a fee reduction.

Recommendation by the Parks and Recreation Department:

Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING A FEE FOR ACCESSORY DWELLING UNITS

**2. CITY COUNCIL FLAG POLICY AND ANNUAL DISPLAY OF THE PRIDE FLAG AT CITY HALL**

Policy consideration for display of flags at City Hall and as requested by Council Member Zahra, seconded by Council Member Flory, consider authorizing annual display of Pride Flag at City Hall to commemorate Harvey Milk Day and Lesbian, Gay, Bisexual and Transgender Pride Month.

Recommendation by the Administration Department:

Adopt the following resolutions:

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING A POLICY FOR THE DISPLAY OF FLAGS AT CITY HALL

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING THE ANNUAL DISPLAY OF THE PRIDE FLAG AT CITY HALL TO COMMEMORATE HARVEY MILK DAY AND LESBIAN, GAY, BISEXUAL AND TRANSGENDER PRIDE MONTH

**3. ORANGE COUNTY HOUSING FINANCE TRUST JOINT POWERS AUTHORITY AGREEMENT**

The Orange County Housing Finance Trust Joint Powers Authority Agreement, as enacted by Assembly Bill 448, is proposed to provide and receive funds for housing for the homeless population and persons and families of extremely low, very low and low income within the County of Orange, to include the City of Fullerton.

Recommendation by the Community Development Department:

1. Approve the Orange County Housing Finance Trust Joint Powers Authority Agreement and authorize the Mayor, or designee, to sign and execute the Agreement.
2. Receive and file the draft bylaws, which are subject to formal adoption by the Orange County Housing Trust's Board of Directors following its creation through the execution of the Orange County Housing Finance Trust Joint Powers Agreement by the County of Orange and participating cities.

**4. ANNUAL REVIEW OF RULES OF PROCEDURE AND DECORUM FOR CITY COUNCIL MEETINGS**

City Council annually reviews its Rules of Procedure and Decorum for City Council Meetings and considers adjustments to the Rules of Procedure for future City Council meetings.

Recommendation by the City Clerk's Office:

Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING RULES OF PROCEDURE AND DECORUM FOR CITY COUNCIL MEETINGS AND REPEALING RESOLUTION NO. 2018-03

or

Direct Staff to prepare a new draft resolution with additional changes.

**5. MEMORANDUM OF UNDERSTANDING BETWEEN THIRTEEN CITIES OF NORTH SERVICE PLANNING AREA REGARDING HOMELESS NAVIGATIONAL CENTER ESTABLISHMENT AND OPERATIONS**

The proposed Memorandum of Understanding establishes a multi-jurisdictional agreement for establishing, constructing, developing, maintaining, providing, operating and facilitating the provision of two navigational centers and the provision of certain services at the centers for homeless adults, children and families located within the North Service Planning Area of Orange County, comprised of thirteen cities including Fullerton.

Recommendation by the Community Development Department:

1. Approve entering into Memorandum of Understanding with North Service Planning Area cities for establishing and operating two homeless navigational centers.
2. Authorize City Manager to execute Memorandum of Understanding, to include any non-substantial amendments.
3. Approve City's cost sharing percentages for acquisition and construction of 25.92% and annual operations of 30.97% from non-General Fund sources.

**6. STATEMENT OF FINANCIAL POLICIES**

The financial policies establish a comprehensive set of guidelines to assist City Council and Staff decision-making that has a fiscal impact with the goal to maintain and improve the City's financial condition and stability. The City will review Financial Policies regularly and update to ensure they remain current and incorporate best practices.

Recommendation by the Administrative Services Department:

Approve Statement of Financial Policies.

**CONSENT CALENDAR (Items 7 - 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.*

**7. MARCH 5, 2019 MEETING MINUTES**

Recommendation by the City Clerk's Office:

Approve March 5, 2019 City Council / Successor Agency Meeting Minutes.

**8. FEBRUARY 2019 CHECK REGISTER**

Recommendation by the Administrative Services Department:

Receive and file.

**9. MONTHLY LEGISLATIVE UPDATE**

Recommendation by the Administration Department:

Receive and file.

**10. DOWNTOWN PARKING - NIGHTTIME PAID PARKING PILOT PROGRAM**

Recommendation by the Community Development Department:

Continue to April 16, 2019 City Council Meeting.

**11. SANTIAGO LIBRARY SYSTEM GRANT**

Recommendation by the Library:

Approve grant funding for Santiago Library System E-Resources Grant funded by California Library Services Act.

**12. 2018 PROPOSITION 69 DNA FUNDS**

Recommendation by the Fullerton Police Department:

Accept 2018 Proposition 69 funds and increase Police Department General Fund allocations by \$62,700.

**13. FISCAL YEAR 2018-19 ASSEMBLY BILL 109 FUNDING**

Recommendation by the Fullerton Police Department:

Accept Fiscal Year 2018-19 AB 109 funds and increase Police Department General Fund allocations by approximately \$101,600.

**14. 2018 ANNUAL HOUSING ELEMENT PROGRESS REPORT**

Recommendation by the Community Development Department:

Authorize submittal of 2018 General Plan Housing Element Annual Report to Governor's Office of Planning and Research and State Department of Housing and Community Development.

**15. CARDIAC MONITORS AND AUTO-PULSE PURCHASE**

Recommendation by the Fire Department:

1. Approve and appropriate \$328,458 purchase of cardiac monitors and auto-pulses from General Fund.
2. Recognize \$180,000 revenue in General Fund and transfer \$148,458 to General Fund from Equipment Replacement Fund.

**16. STIPULATION AND AGREEMENT BETWEEN CITY OF FULLERTON AND PACIFIC COAST HOMES FOR DISMISSAL OF LEGAL ACTION ENTITLED PACIFIC COAST HOMES V. CITY OF FULLERTON, ET AL.**

Recommendation by the Administration Department:

Approve the Stipulation and Agreement and authorize the Mayor to sign.

## **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.*