



FULLERTON CITY COUNCIL SUCCESSOR AGENCY

AGENDA - APRIL 16, 2019

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 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 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. 2019-10 to review the complete Rules of Procedure and Decorum for City Council meetings.

Jesus Silva
Mayor (District 3)

Jennifer Fitzgerald
Mayor Pro Tem (At-Large)

Jan Flory
Council Member (At-Large)

Bruce Whitaker
Council Member (At-Large)

Ahmad Zahra
Council Member (District 5)



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

APRIL 16, 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.

1. RANDOM LOTTERY DRAWING FOR FIREWORKS STAND PERMITS

RECESS to Closed Session

CLOSED SESSION

1. 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

2. 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

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**

APRIL 16, 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:** [Mayor's Cyber Cup - Troy High School](#)
2. **PRESENTATION:** [Woman's Club of Fullerton](#)
3. **PRESENTATION:** [CSUF Center for Healthy Neighborhoods](#)

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
AND REPORTS**

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

CONSENT CALENDAR (Items 1 - 6)

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.

1. APRIL 2, 2019 MEETING MINUTES

Recommendation by the City Clerk's Office:

Approve April 2, 2019 City Council / Successor Agency Meeting Minutes.

2. MARCH 2019 CHECK REGISTER

Recommendation by the Administrative Services Department:

Receive and file.

3. MONTHLY LEGISLATIVE UPDATE

Recommendation by the Administration Department:

Receive and file.

4. REQUEST TO CARRY OVER 2017 PROPOSITION 69 DNA APPROPRIATIONS

Recommendation by the Police Department:

Approve carryover of \$18,214.97 2017 Proposition 69 appropriations from Police Department Fiscal Year 2017-18 budget into Fiscal Year 2018-19 budget.

5. AUTHORITY TO BIND EXCESS LIABILITY INSURANCE COVERAGE WITH ALLIED WORLD INSURANCE COMPANY AND ALLIED WORLD ASSURANCE COMPANY

Recommendation by the Human Resources Department:

Authorize Staff to bind excess liability insurance with limits of \$1 million to \$8 million per occurrence with Allied World Insurance Company and Allied World Assurance Company via Allied Public Risk at a premium cost of \$263,051.

6. GRANT FUNDING FOR NEW WELL 7A CONSTRUCTION

Recommendation by the Public Works Department:

Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, SUPPORTING AN APPLICATION TO THE DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION FOR THE WATERSMART GRANTS: DROUGHT RESILIENCY PROJECTS FOR FISCAL YEAR 2019 FOR WELL 7A CONSTRUCTION

PUBLIC HEARINGS (Items 7 - 8)

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.

7. AMENDMENTS TO CITYWIDE REGULATIONS FOR BUSINESSES SELLING ALCOHOL AND OFFERING ENTERTAINMENT

City-initiated request to amend regulations related to businesses selling alcohol and to

entertainment permits as well as consideration of a 12-month waiver of application fees for businesses with active Department of Alcoholic Beverage Control licenses to obtain a new or amended land use entitlement related to alcohol sales and / or entertainment.

Recommendation by the Community Development Department:

1. 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 TITLES 15 AND 3 OF THE FULLERTON MUNICIPAL CODE TO UPDATE DEVELOPMENT AND OPERATIONAL STANDARDS, PROCESSES AND ENFORCEMENT TOOLS FOR BUSINESSES SELLING ALCOHOL FOR ON-SITE CONSUMPTION AND FOR BUSINESSES WITH ENTERTAINMENT

2. Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, WAIVING COMMUNITY DEVELOPMENT APPLICATION FEES FOR A PERIOD OF 12-MONTHS FROM THE EFFECTIVE DATE OF ORDINANCE XXXX FOR EXISTING BUSINESSES WHICH HAVE AN ACTIVE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE TO OBTAIN OR AMEND EITHER A CONDITIONAL USE PERMIT (CUP) OR ADMINISTRATIVE RESTAURANT USE PERMIT (ARUP) RELATED TO ALCOHOL SALES AND / OR ENTERTAINMENT

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

Consideration of Downtown nighttime paid parking pilot program operational parameters including Professional Services Agreement with SP+ for parking management services, consideration of budget adjustments related to procurements by SP+ and introduction of an ordinance to expand parking citation authority.

Recommendation by the Community Development Department:

1. Authorize City Manager to execute Professional Services Agreement with SP+ for parking management services.
2. Approve scope and costs for management and implementation of Downtown nighttime paid parking pilot program.
3. Appropriate \$55,050 from General Fund and recognize \$28,500 additional revenue for Fiscal Year 2018-19.
4. Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING THE DOWNTOWN NIGHTTIME PAID PARKING PILOT PROGRAM

5. Approve use of \$58,000 in asset seizure funds and corresponding budget adjustment 19-0069 from Asset Seizure Fund Balance for purchase of two license plate readers.
6. Approve \$21,000 budget adjustment 19-0058 from Building Maintenance Fund Balance for reinstatement of warranty and maintenance on previously purchased kiosk

pay stations in SOCO parking structure.

7. 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 SECTION 8.48.040 OF THE FULLERTON MUNICIPAL CODE PERTAINING TO CITATION AUTHORITY

REGULAR BUSINESS - None

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, April 23, 2019

- *SPECIAL MEETING: Budget Workshop*

Tuesday, May 7, 2019

- *PRESENTATION: Friends of Jazz*
- *PRESENTATION: Fullerton College Men's Basketball Team*
- *LEGAL SERVICES AGREEMENT WITH FILARSKY AND WATT*
- *ORANGE COUNTY TRANSPORTATION AUTHORITY MEASURE M2 GRANT*
- *CITY COUNCIL AND COMMITTEES PERSONAL DEVICES AND ACCOUNTS POLICY*
- *COMMITTEE RULES OF PROCEDURE REVIEW*
- *FORM ACTIVE TRANSPORTATION COMMITTEE*
- *MUNICIPAL CODE AMENDMENT TO REGULATION OF TAXICABS*
- *MUNICIPAL CODE AMENDMENT TO ADMINISTRATIVE CITATION FEE SCHEDULE*

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.