



FULLERTON CITY COUNCIL SUCCESSOR AGENCY AGENDA - MAY 7, 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**

MAY 7, 2019 - 4:30 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: 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 City Council / Successor Agency Study Session at 5:30 p.m. in Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.

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

MAY 7, 2019 - 5:30 P.M.

Council Chamber - 303 West Commonwealth Avenue, Fullerton, CA

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

STUDY SESSION (Item 1)

**1. REQUEST FOR PROPOSALS PERTAINING TO FUTURE USES OF HUNT
BRANCH LIBRARY - STUDY SESSION**

Request for Proposal discussion identifying and prioritizing future potential uses of the Hunt Branch Library as recommended by the Library Ad Hoc Committee.

Recommendation by the Library:

Direct any additional potential uses of Hunt Branch Library for inclusion in a Request for Proposals.

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 7, 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:** [Friends of Jazz](#)
2. **PRESENTATION:** [Fullerton College Men's Basketball Team](#)
3. **PROCLAMATION:** [Public Works Week](#)
4. **PROCLAMATION:** [Drinking Water Week](#)

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 - 11)

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 16, 2019 MEETING MINUTES AND APRIL 23, 2019 SPECIAL MEETING MINUTES**

Recommendation by the City Clerk's Office:

Approve April 16, 2019 City Council / Successor Agency Meeting Minutes and April 23, 2019 City Council / Successor Agency Special Meeting Minutes.

2. **AMENDMENTS TO CITYWIDE REGULATIONS FOR BUSINESSES SELLING ALCOHOL AND OFFERING ENTERTAINMENT - SECOND READING OF ORDINANCE**

Recommendation by the City Clerk's Office:

Adopt Ordinance No. 3270.

ORDINANCE NO. 3270 - 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

3. **DOWNTOWN PARKING - NIGHTTIME PAID PARKING PILOT PROGRAM - SECOND READING OF ORDINANCE**

Recommendation by the City Clerk's Office:

Adopt Ordinance No. 3271.

ORDINANCE NO. 3271 - 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

4. **CITY OF FULLERTON MISSION, VISION AND REVISED PRIORITY POLICY STATEMENTS**

Recommendation by the Administration Department:

Adopt proposed Mission, Vision and revised Priority Policy Statements.

5. **FISCAL YEAR 2017-18 FEDERAL SINGLE AUDIT**

Recommendation by the Administrative Services Department:

Receive and file.

6. **WEST COYOTE HILLS UPDATE**

Recommendation by the Parks and Recreation Department:

Receive and file.

7. USE OF ASSET SEIZURE FUNDS TO PURCHASE POLICE VEHICLES

Recommendation by the Police Department:

Approve use of estimated \$150,600 Asset Seizure Funds to purchase and equip five police vehicles and increase Police Department appropriations in the same amount.

8. TRUSLOW AVENUE - EARLY MORNING PARKING

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, RESCINDING THE "EARLY MORNING PARKING" RESTRICTION ON THE NORTH SIDE OF TRUSLOW AVENUE IN FRONT OF UNION PACIFIC PARK

9. WILSHIRE AVENUE - RESIDENT ONLY PERMIT PARKING REQUEST

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, APPROVING RESIDENT ONLY PERMIT PARKING ON BOTH SIDES OF WILSHIRE AVENUE BETWEEN LAWRENCE AVENUE AND BALCOM AVENUE AND REPEALING THE PORTION OF RESOLUTION NO. 3842 IN CONFLICT WITH THIS RESOLUTION

10. FULLERTON MUNICIPAL CODE AMENDMENT RELATING TO REGULATION OF TAXICABS

Recommendation by the Administration 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 CHAPTER 3.44 OF TITLE 3 OF THE FULLERTON MUNICIPAL CODE RELATING TO REGULATION OF TAXICABS

11. CALTRANS COOPERATIVE AGREEMENT FOR BROOKHURST ROAD REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM

Recommendation by the Public Works Department:

Authorize Director of Public Works to enter into Cooperative Agreement with Caltrans and to execute any amendments / supplements, in a form approved by the City Attorney.

PUBLIC HEARINGS - None

REGULAR BUSINESS (Items 12 - 15)

12. FULLERTON MUNICIPAL CODE AMENDMENT REGARDING ADMINISTRATIVE

CITATION PROCESS AND FEE SCHEDULE

Proposed amendment to Fullerton Municipal Code Title 1 (Administrative Citations) to provide more effective code enforcement and to implement changes to California Government Code effective January 1, 2019 as a result of California Assembly Bill 2598 and California Assembly Bill 2164.

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 CHAPTER 1.10 OF TITLE 1 OF THE FULLERTON MUNICIPAL CODE RELATING TO ADMINISTRATIVE CITATIONS

2. Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING AMOUNTS FOR FINES IMPOSED FOR CODE VIOLATIONS PURSUANT TO SECTION 1.10.050 OF THE FULLERTON MUNICIPAL CODE

13. CONSIDERATION OF LEMON PARK MURALS RESTORATION AND ADDITIONAL COMMUNITY ART ENGAGEMENT OPPORTUNITIES

On February 5, 2019, Council Member Zahra, supported by Mayor Pro Tem Fitzgerald, requested a future agenda item to discuss restoration of Lemon Street Murals located at 701 South Lemon Street and potential improvements to Lemon Street Bridge.

Recommendation by the Parks and Recreation Department:

1. Approve restoration of one mural and appropriate up to \$8,500 from Parks and Recreation Budget.
2. Provide further direction on additional restoration and enhancement opportunities through community partnerships and Public Arts Committee.

14. UPDATE ON PEARL LOT ACQUISITION - 3001 PEARL DRIVE

Update regarding acquisition of Pearl Lot located at 3001 Pearl Drive.

Recommendation by the Parks and Recreation Department:

1. Receive and file.
2. Direct Staff to pursue Proposition 68 Statewide Park Grant program funding.

15. RAYMOND AVENUE GRADE SEPARATION - SETTLEMENT AND RELEASE AGREEMENT FOR CONSTRUCTION CONTRACT

Consideration of Settlement and Release Agreement between City of Fullerton and Flatiron West, Inc., General Contractor for Raymond Avenue Grade Separation Project.

Recommendation by the Public Works Department:

Approve \$54,000,000 Settlement and Release Agreement between City of Fullerton and Flatiron West, Inc. and authorize Director of Public Works to execute on City's behalf, in a form approved by the City Attorney.

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, May 14, 2019

- *Special Meeting Budget Workshop*

Tuesday, May 21, 2019

- *PRESENTATION: Fullerton Police Department Retired Senior Volunteer Program*
- *PRESENTATION: Fullerton Police Department Chief's Advisory Council*
- *PRESENTATION: Act of Courage Dog Attack*
- *PRESENTATION: Memorial Day Parade*
- *FIRE DEPARTMENT ACCEPTANCE OF DONATIONS*
- *CURB / GUTTER AND SIDEWALK RECONSTRUCTION FISCAL YEAR 2018-19*
- *APRIL 2019 CHECK REGISTER*
- *TRENCHLESS PIPE TECHNOLOGY INVESTIGATION AND DESIGN CHANGE ORDER*
- *EMERGENCY MANAGEMENT PERFORMANCE GRANT*
- *TRANSPORTATION AUTHORITY MEASURE M2 ENVIRONMENTAL CLEANUP*
- *UPDATED RESOLUTION SETTING CALPERS EMPLOYER PAID MEMBER CONTRIBUTIONS*
- *COMMITTEE RULES OF PROCEDURE REVIEW*
- *GRAFFITI REMOVAL SERVICES CONTRACT EXTENSION*
- *LEGAL SERVICES AGREEMENT WITH FILARSKY & WATT*
- *APPROVAL OF JAIL STAFFING SERVICES AGREEMENT*
- *MONTHLY LEGISLATIVE UPDATE*

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.