



FULLERTON CITY COUNCIL SUCCESSOR AGENCY AGENDA - JUNE 4, 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**

JUNE 4, 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 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**

JUNE 4, 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:** [Orange County Transportation Authority](#)
2. **PRESENTATION:** [Memorial Day Ceremony Recap](#)
3. **PRESENTATION:** [Sunny Hills High School AP Physics Paper Boat Team](#)

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 - 4)

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

1. MAY 21, 2019 MEETING MINUTES

Recommendation by the City Clerk's Office:

Approve May 21, 2019 City Council / Successor Agency Meeting Minutes.

2. THIRD QUARTER TREASURER'S REPORT FOR FISCAL YEAR 2018-19 AND REVISIONS TO INVESTMENT POLICY

Recommendation by the Administrative Services Department:

1. Receive and file third quarter Treasurer's Report for Fiscal Year 2018-19.
2. Approve recommended changes to City's Investment Policy.

3. MEASURE M2 ELIGIBILITY RENEWAL

Recommendation by the Public Works Department:

1. Approve and authorize Staff to submit Measure M2 seven-year Capital Improvement Program for Fiscal Years 2019-20 through 2025-26 to Orange County Transportation Authority (OCTA).
2. Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, CONCERNING THE STATUS AND UPDATE OF THE CIRCULATION ELEMENT AND MITIGATION FEE PROGRAM FOR THE MEASURE M (M2) PROGRAM

3. Authorize Public Works Director to make administrative changes, as advised by OCTA, if necessary.

4. CONTRACT FOR FINANCIAL AUDIT SERVICES

Recommendation by the Administrative Services Department:

1. Authorize Administrative Services Director to execute a five-year agreement with Lance, Soll & Lunghard, LLP for audit services in a form approved by the City Attorney.
2. Authorize Administrative Services Director, based on direction from City Manager or City Council, to enter into agreements with Lance, Soll & Lunghard, LLP, White Nelson Diehl Evans, LLP or Davis Farr, LLP for optional services on an as-needed basis based on the submitted hourly cost proposals.

PUBLIC HEARINGS (Items 5 - 7)

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.

5. PROPOSED WATER RATE INCREASE

Receive public comments on proposed water rate modifications, consider protests, and if no majority protest received, adopt resolution for revised water rates.

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, ADOPTING REVISED WATER RATES TO BE CHARGED TO USERS OF THE FULLERTON WATER SYSTEM BASED ON COST OF SERVICES

6. PROPOSED 2019-20 ANNUAL ACTION PLAN FOR FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS

The U.S. Department of Housing and Urban Development requires every jurisdiction receiving federal Community Development Block Grant and HOME Investment Partnerships Program Funds to submit an Annual Action Plan.

Recommendation by the Community Development Department:

1. Approve Draft Program Year 2019-20 Annual Action Plan.
2. Approve PY 2019-20 Community Development Block Grant budget.
3. Approve proposed PY 2019-20 HOME Investment Partnerships Program budget.
4. Authorize Staff to submit PY 2019-20 Annual Action Plan to U.S. Department of Housing and Urban Development requesting \$1,385,159 Community Development Block Grant funds and \$522,322 HOME Investment Partnerships funding by June 14, 2019.
5. Authorize Community Development Director, or designee, to execute PY 2019-20 Community Development Block Grant agreements with approved non-profit agencies and Memorandum of Understanding with Public Works Department for Capital Improvement Project.

7. PROPOSED ANNUAL BUDGET, FEES AND APPROPRIATIONS LIMIT FOR FISCAL YEAR 2019-20

Consideration of Proposed Annual Budget, Fees and Appropriations Limit for Fiscal Year 2019-20.

Recommendation by the Administrative Services Department:

Adopt the following resolutions:

RESOLUTION 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING AND ADOPTING THE PROPOSED BUDGET FOR FISCAL YEAR 2019-20 AND APPROPRIATING THE FUNDS NECESSARY TO MEET THE EXPENDITURES SET FORTH THEREIN

RESOLUTION 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2019-20 PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA STATE CONSTITUTION

RESOLUTION 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING FEES AND CHARGES FOR MUNICIPAL

REGULAR BUSINESS - None

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, June 18, 2019

- *PRESENTATION: Paramedic Subscription Membership*
- *PRESENTATION: Fullerton Police Department Retired Senior Volunteer Program*
- *PRESENTATION: Fullerton Police Department Chief's Advisory Council*
- *UPDATED RESOLUTION SETTING CALPERS EMPLOYER PAID MEMBER CONTRIBUTIONS*
- *MAY 2019 CHECK REGISTER*
- *LEGAL SERVICES AGREEMENT WITH FILARSKY & WATT*
- *INSURANCE PROGRAM REPORT FOR PROPERTY AND CASUALTY INSURANCE*
- *AMENDMENT TO FULLERTON MUNICIPAL CODE CHAPTER 2.64 (PURCHASING)*
- *MONTHLY LEGISLATIVE UPDATE*
- *136 WEST ELM AVENUE DISABLED PERSONS PARKING*
- *APPROVAL OF JAIL STAFFING SERVICES AGREEMENT*
- *STATEWIDE PARK DEVELOPMENT GRANT APPLICATION FOR CONSTRUCTION OF PEARL PARK*
- *ATHLETIC FIELD USE AND ALLOCATION POLICY*

Tuesday, July 2, 2019

- *No items scheduled at this time.*

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.