



NOTICE AND CALL OF SPECIAL MEETING OF CITY COUNCIL TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF FULLERTON AND TO THE CITY CLERK

NOTICE IS HEREBY GIVEN that a special meeting of the Council of the City of Fullerton is hereby called to be held on **August 20, 2019**, commencing at **4:30 p.m.** in the Council Chambers 303 West Commonwealth Avenue, Fullerton, CA.

Said Special Meeting shall be held for the purposes described in the attached Exhibit A.

Dated: 8/14/19



Mayor



FULLERTON CITY COUNCIL SUCCESSOR AGENCY

AGENDA - AUGUST 20, 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 and Consent Calendar items during Public Comments at the Regular Session meeting. Prior to public comments, the public may request the removal of consent items for further discussion. 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
AUGUST 20, 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. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION Per Government Code Section 54957(b)(1)**
Title: City Manager

2. **CONFERENCE WITH LABOR NEGOTIATOR Per Government Code Section 54957.6**
Agency Representative/s: Kenneth Domer, Jay Trinnaman
Employee Organization/s: Fullerton Municipal Employees Federation, Fullerton Management Association, Fullerton Police Officers' Association, Fullerton Police Management Association, Fullerton Fire Management Association
Under Discussion: Parameters of authority for negotiating salaries, benefits and working conditions

3. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)**
Name of Case: Adriana Palomares v. City of Fullerton, et al.
Case Number: USDC Case No.: 18 CV 01843 DOC

4. **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**

AUGUST 20, 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: U14 Fullerton Hills Softball - State Champions**
2. **PRESENTATION: Utility Box Public Art**

PUBLIC COMMENTS

The City Council / Successor Agency will hear public comments on matters not appearing on the agenda but within City Council / Agency jurisdiction and Consent Calendar items not pulled from the Consent Calendar at this time. Speakers will have three minutes to make their remarks. 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. 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 - 8)

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. **AUGUST 6, 2019 MEETING MINUTES**

Recommendation by the City Clerk's Office:

Approve August 6, 2019 City Council / Successor Agency Meeting Minutes.

2. JULY 2019 CHECK REGISTER

Recommendation by the Administrative Services Department:

Receive and file.

3. MONTHLY LEGISLATIVE UPDATE

Recommendation by the Administration Department:

Receive and file Monthly Legislative Report.

4. PROPOSED CHANGES TO PERSONNEL CLASSIFICATION PLAN AND EXECUTIVE EMPLOYEE COMPENSATION RESOLUTION

Recommendation by the Human Resources Department:

1. Adopt the following resolutions:

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING AND DELETING CERTAIN CLASS SPECIFICATIONS FROM THE PERSONNEL MANAGEMENT SYSTEM, AMENDING APPENDIX A OF RESOLUTION NO. 2015-52 (FULLERTON MUNICIPAL EMPLOYEES FEDERATION) AND RESOLUTION NO. 2016-23 (FULLERTON MANAGEMENT ASSOCIATION) AND AMENDING THE APPENDIX OF RESOLUTION NO. 2018-50 (DESIGNATED CITY OF FULLERTON EMPLOYEES REQUIRED TO FILE A CONFLICT OF INTEREST DISCLOSURE STATEMENT)

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RELATING TO COMPENSATION FOR EXECUTIVE EMPLOYEES AND SUPERSEDING RESOLUTION NO. 2017-66 AND AMENDMENTS THERETO

2. Amend Fiscal Year 2019-20 adopted budget to remove and replace budgeted positions within the Police and Public Works departments as specified.

5. FULLERTON CERTIFIED FARMERS MARKET

Recommendation by the Parks and Recreation Department:

Authorize Director of Parks and Recreation to sign Memorandum of Understanding between City of Fullerton and Fullerton Certified Farmers Market, Inc. to continue operation of Fullerton Market at Independence Park.

6. PAVEMENT MANAGEMENT PROGRAM CONSULTANT

Recommendation by the Public Works Department:

1. Authorize Director of Public Works, or designee, to execute \$61,957 Consultant Agreement with Bucknam Infrastructure Group for Fiscal Year 2019-20, in a form approved by the City Attorney.

2. Authorize Director of Public Works, or designee, to negotiate and execute Consultant

Agreements with Bucknam Infrastructure Group to prepare Pavement Management Program for Fiscal Years 2020-21 and 2021-22, in a form approved by the City Attorney.

7. ORANGE COUNTY TRANSPORTATION AUTHORITY MEASURE M2 ENVIRONMENTAL CLEANUP TIER 1 GRANT PROGRAM FISCAL YEAR 2019-20 RESOLUTION REVISION

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, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP TIER 1 GRANT PROGRAM FISCAL YEAR 2019-20 UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE ENVIRONMENTAL CLEANUP PROGRAM PROJECT AND REPEALING RESOLUTION NO. 2019-19 IN ITS ENTIRETY

8. MISCELLANEOUS STORM DRAIN REPAIR CONTRACT AUTHORIZATION - 335 SOUTH HALE AVENUE

Recommendation by the Public Works Department:

1. Authorize City Manager to award and execute construction contract not to exceed \$200,000 with approved contractor for storm drain repair work at 335 South Hale Avenue, in a form approved by the City Attorney.
2. Authorize City Manager to conduct public hearing to hear bid protests, if any protests submitted.

PUBLIC HEARINGS - None

REGULAR BUSINESS (Items 9 - 10)

9. TENANT BASED RENTAL ASSISTANCE PROGRAM OPTIONS IN SENIOR MOBILE HOME PARKS

City Council directed Staff to bring forward program ideas for a Tenant Based Rental Assistance Program in senior mobile home parks funded through HOME Investment Partnerships Program funds.

Recommendation by the Community Development Department:

Approve up to \$350,000 to implement revised tenant based rental assistance program for senior mobile home park residents within City to preserve affordable housing options.

10. LETTER OF INTENT REGARDING ASSISTANCE FOR ACQUISITION AND DEVELOPMENT OF RECUPERATIVE CARE / NAVIGATIONAL CENTER FOR HOMELESS WITH ILLUMINATION FOUNDATION

City Council consideration of letter of intent to assist Illumination Foundation secure additional funding for property acquisition for potential development. City Council declared an emergency shelter crisis on July 2, 2019 and an opportunity exists to assist Illumination Foundation secure facility to operate recuperative care and navigation center.

Recommendation by the Administration Department:

Authorize Mayor to sign Letter of Intent to assist Illumination Foundation secure additional funding to acquire, and eventually develop, recuperative care / navigation center for homeless individuals and authorize City Manager to apply for grant funding, including State homeless assistance funds, for acquisition, tenant improvements and operational needs.

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, September 17, 2019

- *PRESENTATION: Fullerton Police Department Chief's Advisory Council*
- *PRESENTATION: Fullerton Host Lions Chess Activities Coordinator*
- *MISCELLANEOUS STORM DRAIN REPAIRS AT 335 SOUTH HALE AVENUE*
- *MISCELLANEOUS STORM DRAIN REPAIR PROJECTS*
- *METROPOLITAN WATER DISTRICT CONNECTION REPAIR PROJECT*
- *AMERICANS WITH DISABILITIES SELF EVALUATION AND TRANSITION PLAN*
- *ABANDONMENT OF FORMER ANAHEIM UNION WATER COMPANY EASEMENT*
- *FUTURE SUPPLY ACTIONS FUNDING PROGRAM GRANT*
- *FIREWORKS PUBLIC SAFETY REPORT AND BALLOT MEASURE DISCUSSION*

Tuesday, October 1, 2019

- *PROCLAMATION: Women's Transitional Living Center Domestic Violence Awareness Month*

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.