



FULLERTON CITY COUNCIL SUCCESSOR AGENCY HOUSING AUTHORITY

AGENDA - DECEMBER 3, 2019

303 West Commonwealth Avenue, Fullerton, California

MEETINGS: The Fullerton City Council / Successor Agency / Housing Authority 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 / Chair 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 / Agency / Authority 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 / Agency / Authority. No person shall speak more than one time to the same item. The Mayor / Chair may request that a spokesperson represent a group wishing to address City Council / Agency / Authority. The Mayor / Chair or majority of the Council / Agency / Authority 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 / Agency / Authority 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 / Authority 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 / Agency / Authority 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 / Agency / Authority is in session.

The City will rebroadcast this City Council / Successor Agency / Authority 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
DECEMBER 3, 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 Domer and Jay Trinnaman

Employee Organization/s: Fullerton Municipal Employees Federation, Fullerton Management Association, Fullerton Police Management Association, Fullerton Firefighters' 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: Rosa Garcia De Reyes v. City of Fullerton

Case Number: OCSC 30-2018-0102355

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 / HOUSING AUTHORITY
REGULAR MEETING AGENDA
DECEMBER 3, 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 - None

PUBLIC COMMENTS

The City Council / Successor Agency / Housing Authority will hear public comments on matters not appearing on the agenda but within City Council / Agency / Authority 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 / Authority from acting on non-agenda items. State regulations prohibit the City Council / Agency / Authority from acting on non-agenda items.

**CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY STAFF
COMMUNICATIONS AND REPORTS**

City Council / Agency / Authority Members 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

REGULAR BUSINESS (Item 1)

1. MAYOR / CHAIR AND MAYOR PRO TEM / VICE CHAIR SELECTION

The City Council / Successor Agency / Housing Authority selects a new Mayor / Chair and Mayor Pro Tem / Vice Chair on an annual basis.

Recommendation by the City Clerk's Office:

1. Pleasure of the City Council / Agency / Authority for appointment of Mayor / Chair for the ensuing term.
2. Pleasure of the City Council / Agency / Authority for appointment of Mayor Pro Tem /

Vice Chair for the ensuing term.

CONSENT CALENDAR (Items 2 - 4)

City Council / Successor Agency / Housing Authority will enact routine matters listed on the Consent Calendar with one motion. The Council / Agency / Authority will not have separate discussion of these items unless Council / Agency / Authority Members, Staff or the public request discussion or removal of specific Consent Calendar items for separate action.

2. NOVEMBER 19, 2019 MEETING MINUTES

Recommendation by the City Clerk's Office:

Approve November 19, 2019 City Council / Successor Agency Meeting Minutes.

3. PERSONNEL MANAGEMENT SYSTEM CHANGES RELATING TO NON-REGULAR EMPLOYEES

Recommendation by the Human Resources Department:

Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RELATING TO PAY FOR NON-REGULAR EMPLOYEES AND REPLACING RESOLUTION NO. 2018-67

4. METRO CITIES FIRE AUTHORITY FOURTH AMENDED JOINT POWERS AGREEMENT

Recommendation by the Fire Department:

Approve Metro Cities Fire Authority Fourth Amended Joint Powers Agreement.

PUBLIC HEARINGS (Item 5)

Pursuant to California Government Code Section 65009, if you challenge a City Council / Successor Agency / Authority 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. APPEAL OF PLANNING COMMISSION ACTION TO DENY MAJOR SITE PLAN, CONDITIONAL USE PERMIT AND VARIANCE FOR CONSTRUCTION AND OPERATION OF CARWASH FACILITY AT 3105 - 3109 YORBA LINDA BOULEVARD

The Planning Commission denied a request by Rapids Express Corporation to demolish an existing building and construct a new drive-through carwash at 3105 - 3109 Yorba Linda Boulevard. The applicant has appealed the Planning Commission determination.

Recommendation by the Planning Commission:

Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DENYING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A MAJOR SITE PLAN, CONDITIONAL USE PERMIT AND VARIANCE FROM FULLERTON MUNICIPAL CODE SECTION 15.30.040.D TO CONSTRUCT AND OPERATE AN AUTOMATED DRIVE-THROUGH CAR WASH FACILITY AT 3105 - 3109 YORBA LINDA BOULEVARD

REGULAR BUSINESS - Continued (Item 6)

6. FIRST CONSIDERATION OF TENTATIVE MEMORANDUM OF AGREEMENT BETWEEN CITY OF FULLERTON AND FULLERTON FIRE MANAGEMENT ASSOCIATION

Proposed Memorandum of Agreement reflecting tentative agreement on wages, hours and working conditions between City of Fullerton and Fullerton Fire Management Association for first review by City Council.

Recommendation by the Human Resources Department:

Review proposed Memorandum of Agreement and direct Staff to schedule for final review on December 17, 2019.

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, December 17, 2019

- PRESENTATION: California State University, Fullerton: "State of CSUF"
- PRESENTATION: Orange County Vote Center Elections
- WEST CHAPMAN AVENUE INFRASTRUCTURE IMPROVEMENTS
- NOVEMBER CHECK REGISTER
- THIRD AMENDMENT TO AGREEMENT FOR SOLID WASTE HANDLING SERVICES
- FACILITY CAPITAL REPAIR FUND BUDGET TRANSFER
- GROUP INSURANCE RENEWAL
- CSUF CENTER FOR HEALTHY NEIGHBORHOODS MEMORANDUM OF UNDERSTANDING
- MEASURE M2 EXPENDITURE REPORT AND RESOLUTION APPROVAL AND ADOPTION
- CITY COUNCIL REGULAR CLOSED SESSION MEETING START TIME CHANGE
- PARK DWELLING FEE ANNUAL COMPLIANCE REPORT
- DESIGNATION OF 200 NORTH CORNELL AVENUE AS A LOCAL LANDMARK
- DOWNTOWN PAID PARKING PILOT PROGRAM EXTENSION
- COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2019
- SPEED HUMP POLICY
- FULLERTON MUNICIPAL CODE UPDATE FLOOD ZONE DEVELOPMENT
- CONTRACT FOR CROSSING GUARD SERVICES
- PURCHASE AND SALE AGREEMENT FOR WEST COYOTE HILLS NEIGHBORHOODS 1 AND 3

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.