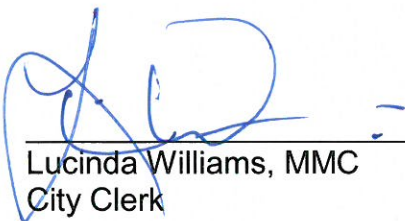




NOTICE OF MEETING TIME CHANGE

NOTICE IS HEREBY GIVEN the **January 7, 2020** City Council **Closed Session Meeting** scheduled to begin at 4:00 p.m. will convene at **5:00 p.m.** in the Council Chambers, 303 West Commonwealth Avenue, Fullerton, CA.

Dated: January 2, 2020



Lucinda Williams, MMC
City Clerk



FULLERTON CITY COUNCIL SUCCESSOR AGENCY

AGENDA - JANUARY 7, 2020

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.

Jennifer Fitzgerald
Mayor (At-Large)

Jan Flory
Mayor Pro Tem (At-Large)

Jesus Silva
Council Member (District 3)

Bruce Whitaker
Council Member (At-Large)

Ahmad Zahra
Council Member (District 5)



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION AGENDA
JANUARY 7, 2020 - 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 Firefighters' Association, Fullerton Police Management Association

Unrepresented Employees: Administrative Assistant / Human Resources, Payroll Technician, Personnel Technician, Employee Benefits Specialist, Executive Assistant, Human Resources / Risk Management Analyst, Budget Analyst, Public Information Coordinator, Human Resources Manager I, Human Resources Manager II, Fiscal Services Manager, Risk Manager, City Clerk / Clerk Services Manager, Assistant to the City Manager / Economic Development Manager

Under Discussion: Replace with parameters of authority for negotiating salaries, benefits and working condition

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
REGULAR MEETING AGENDA**

JANUARY 7, 2020- 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. **PROCLAMATION:** [Slavery and Human Trafficking Prevention Month](#)
2. **PRESENTATION:** [Orangethorpe Elementary Teach Rock Program](#)

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

1. **COMMISSION / COMMITTEE / BOARD APPOINTMENTS**

Recommendation by the City Clerk's Office:

1. Council Member Whitaker make the following direct appointment:
 - a. Community Development Citizens' Committee - unexpired term expiring December 31, 2020.

2. Mayor Pro Tem Flory make the following direct appointment:
 - a. Library Board of Trustees - term expiring December 31, 2023.
3. Ratify appointments.

CONSENT CALENDAR (Items 1 - 7)

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. DECEMBER 17, 2019 MEETING MINUTES

Recommendation by the City Clerk's Office:

Approve December 17, 2019 City Council / Successor Agency Meeting Minutes.

2. APPROVAL OF 2019-20 ALL CITY MANAGEMENT SERVICES, INC. CONTRACT FOR CROSSING GUARD SERVICES

Recommendation by the Police Department:

Approve contract.

3. CHANGE ORDER FOR FACILITY CONDITION ASSESSMENT OF HUNT BRANCH LIBRARY

Recommendation by the Public Works Department:

1. Authorize Public Works Director to execute \$3,300 change order with EMG for additional facilities condition assessment services.
2. Approve \$3,300 budget transfer from Facility Capital Repair Fund Balance to fund change order.

4. SANTIAGO LIBRARY SYSTEM E-RESOURCES GRANT

Recommendation by the Library:

Approve \$7,984 grant funding for Santiago Library System E-Resources Grant funded by California Library Services Act.

5. LEGAL SERVICES AGREEMENT WITH LEWIS BRISBOIS

Recommendation by the Human Resources Department:

1. Approve Agreement between Lewis Brisbois and City of Fullerton, in a final form approved by City Attorney's Office, to provide legal services with respect to specialized area of labor and employment law.
2. Authorize City Manager to execute agreement and take any and all action necessary to implement and administer agreement.

6. OPPOSITION TO MODIFIED REGIONAL HOUSING NEEDS ASSESSMENT ALLOCATION METHODOLOGY APPROVED BY SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REGIONAL COUNCIL AND REQUEST TO CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO

INTERVENE

Recommendation by the Community and Economic Development Department:

Adopt Resolution No. 2020-XX.

RESOLUTION NO. 2020-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, OPPOSING THE MODIFIED REGIONAL HOUSING NEEDS ASSESSMENT ALLOCATION METHODOLOGY APPROVED BY THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REGIONAL COUNCIL AND REQUESTING CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INTERVENTION

7. PERSONNEL MANAGEMENT SYSTEM CHANGE TO ADD DEPUTY DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT TO EXECUTIVE RESOLUTION AND ALLOW APPOINTMENT OF QUALIFIED INDIVIDUAL BY CITY MANAGER ON AN URGENCY BASIS

Recommendation by the Human Resources Department:

1. Adopt Resolution No. 2020-XX.

RESOLUTION NO. 2020-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RELATING TO COMPENSATION FOR EXECUTIVE EMPLOYEES AND SUPERSEDING RESOLUTION NO. 2019-53

2. Authorize City Manager to appoint qualified individual as Deputy Director of Community and Economic Development on an urgency basis.

PUBLIC HEARINGS - None

REGULAR BUSINESS (Items 8 - 9)

8. CITY REPRESENTATION - REGIONAL ADVISORY BODIES AND WORKGROUPS

Annual City Council review of City's designated representation on regional advisory bodies and workgroups and appointment of representatives and alternates.

Recommendation by the City Clerk's Office:

1. Appoint representatives, as appropriate, to the following regional advisory bodies for terms expired or vacated in 2019:

- Orange County Vector Control Board (Primary - 2 or 4 year term)
- Independent Cities Risk Management Authority (Alternate - No specific term)
- Fullerton Investment Advisory Committee (Primarily, Alternate - Term ending 12/31/20)
- Fullerton Museum Board of Trustees (Primary - Term ending 12/31/22).

2. Review and reaffirm all other advisory body appointments with unexpired terms or no specific term end date.

9. THIRD AMENDMENT TO SOLID WASTE HANDLING SERVICES AGREEMENT BETWEEN CITY OF FULLERTON AND REPUBLIC SERVICES FOR GREEN

MATERIAL AS ALTERNATIVE DAILY COVER MANDATE AND RATE INCREASE

Consideration of Third Amendment to Agreement for Solid Waste Handling Services between City of Fullerton and Republic Services to implement residential green material composting under State mandate AB 1594 and corresponding fee increase for residential service.

Recommendation by the Public Works Department:

1. Adopt Resolution No. 2020-XX.

RESOLUTION NO. 2020-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING THE THIRD AMENDMENT TO ITS FRANCHISE AGREEMENT FOR SOLID WASTE HANDLING SERVICES WITH REPUBLIC WASTE SERVICES OF SOUTHERN CALIFORNIA, LLC.

2. Authorize City Manager to execute Third Amendment on behalf of City.
3. Authorize Public Works Director to develop and provide final approval on any notification to Fullerton residents regarding rate increase for green waste composting.

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, January 21, 2020

- DECEMBER CHECK REGISTER
- FULLERTON SUCCESSOR AGENCY OBLIGATION PAYMENT SCHEDULE
- CONTRACT RENEWAL FOR CONSULTANT TRAFFIC ENGINEERING SERVICES
- APPEAL OF PLANNING COMMISSION APPROVAL OF A HUMAN SERVICE AGENCY
- FULLERTON MUNICIPAL CODE UPDATE - FLOOD ZONE DEVELOPMENT
- CITY COUNCIL RULES OF PROCEDURE REVIEW
- AGREEMENT WITH SP+ FOR PARKING ENFORCEMENT SERVICES CITYWIDE
- POLICY ON DISCONTINUATION OF RESIDENTIAL WATER SERVICE

Tuesday, February 4, 2020

- COMMITTEE RULES OF PROCEDURE REVIEW
- AGREEMENT FOR ENVIRONMENTAL REVIEW OF 2001 E. ORANGETHORPE AVE.
- 2020 FIREWORKS SALES

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.