



## **NOTICE OF MEETING TIME CHANGE**

NOTICE IS HEREBY GIVEN the **March 3, 2020** City Council **Closed Session Meeting** scheduled to begin at 4:00 p.m. will convene at **4:30 p.m.** in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, CA.

Dated: February 27, 2020

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Lucinda Williams, MMC  
City Clerk



# FULLERTON CITY COUNCIL SUCCESSOR AGENCY

REVISED 2/28/20

## AGENDA - MARCH 3, 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](http://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](http://www.cityoffullerton.com).

State regulations prohibit City Council from taking action on non-agenda items except as provided by law. Visit [www.cityoffullerton.com](http://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](mailto: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](http://www.cityoffullerton.com).

Refer to Resolution No. 2020-04 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**

**MARCH 3, 2020 - 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 REAL PROPERTY NEGOTIATOR - Per Government Code Section 54956.8**

**Property:** 510 North Harbor, Fullerton, CA (APN: 029-033-21)

**Agency Negotiator:** City Manager Kenneth A. Domer

**Negotiating Parties:** Dan Almquist, Frontier Real Estate Investments

**Under Negotiations:** Price and Terms

**ADJOURNMENT**

*Adjourn to 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**

**MARCH 3, 2020 - 5:30 P.M.**

**Council Chamber - 303 West Commonwealth Avenue, Fullerton, CA**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS**

*City Council will hear public comments on items on the Study Session agenda.*

**STUDY SESSION**

**1. PRESENTATION OF COMMUNITY SURVEY RESULTS**

Presentation of results of Community Survey conducted by FM3 Research.

Recommendation:

Receive and File Community Survey results as presented by FM3 Research and direct staff accordingly.

**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**

**MARCH 3, 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. **PRESENTATION:** [University of California, Irvine Update](#)

**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 - 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. **FEBRUARY 18, 2020 MEETING MINUTES**

Recommendation:

Approve February 18, 2020 City Council / Successor Agency Meeting Minutes.

2. **ZONING MAP AMENDMENT TO CHANGE ZONING CLASSIFICATION FOR PROPERTY AT 751 EAST BASTANCHURY ROAD - SECOND READING OF ORDINANCE**

Recommendation:

Adopt Ordinance No. 3278.

ORDINANCE NO. 3278 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A ZONING AMENDMENT TO CHANGE THE ZONING CLASSIFICATION FROM O-G (OIL GAS) TO PRD-I (PLANNED RESIDENTIAL DEVELOPMENT - INFILL) ON A 2.4 ACRE PROPERTY AT 751 EAST BASTANCHURY ROAD

3. **CITY REPRESENTATION - INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY**

Recommendation:

Adopt Resolution No. 2020-XX.

RESOLUTION NO. 2020-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPOINTING A REPRESENTATIVE AND SUBSTITUTE ALTERNATE REPRESENTATIVE TO THE GOVERNING BOARD OF THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA) AND REPEALING RESOLUTION NO. 2020-05

4. **ESTABLISHING STAFF AUTHORITY FOR HANDLING AND SETTLING LIABILITY AND WORKERS' COMPENSATION CLAIMS**

Recommendation:

Adopt the following resolutions:

RESOLUTION NO. 2020-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, UPDATING AUTHORIZATION FOR HANDLING LIABILITY CLAIMS AND RESCINDING RESOLUTION NO. 08-47

RESOLUTION NO. 2020-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, UPDATING AUTHORIZATION FOR REPRESENTATION AT WORKERS' COMPENSATION PROCEEDINGS AND RESCINDING RESOLUTION NO. 08-49

5. **WEST COAST ARBORIST CONTRACT AMENDMENT TO ALLOW FOR SERVICES TO BE AUTHORIZED AT PRICES BID**

Recommendation:

Authorize Public Works Director to execute amendment, subject to City Attorney review, to the 2017 agreement for City Tree Services with West Coast Arborists, Inc. to enable additional operational and Capital Improvement Program project work at prices bid. This action removes the prior expenditure cap of \$1,183,170 per year.

6. **FIRE STATIONS 2, 3 AND 4 FLOORING REPLACEMENT**

Recommendation:

1. Approve scope of work and proposal for replacement of flooring materials and installation at Fire Stations 2, 3 and 4.
2. Approve \$10,000 budget transfer from Facility Capital Repair Fund balance to Capital Improvement Project Number 50013.
3. Authorize City Manager to execute \$52,797.62 agreement with Milliken Services, LLC and authorize Public Works Director to approve necessary change orders should unforeseen conditions occur during the project.

**7. EVALUATION PANEL APPOINTMENT FOR HUNT BRANCH LIBRARY REQUEST FOR PROPOSAL PROCESS**

Recommendation:

Re-convene available members of the Hunt Branch Library Ad Hoc Committee and appoint Library Board of Trustee member, Ellen Ballard, to perform evaluation of submitted proposals for future use of the Hunt Branch Library.

**PUBLIC HEARINGS - None**

**REGULAR BUSINESS (Item 8)**

**8. INFRASTRUCTURE AND NATURAL RESOURCES ADVISORY COMMITTEE INFRASTRUCTURE REPORT AND RECOMMENDATIONS**

Consideration of Infrastructure and Natural Resources Advisory Committee (INRAC) recommendations contained in the Infrastructure Conditions and Funding Report - FY 2019-20.

Recommendation:

Based on recommendation from the Infrastructure and Natural Resources Advisory Committee, that the City Council:

- 1) Receive and File the INRAC Conditions and Funding Report.
- 2) Consider a dedicated infrastructure sales and use tax of 1% to be reviewed in 15 years, to include the development of a Citizen’s Review Committee for Transparency, Communication and Oversight to ensure all tax measure revenue is spent for infrastructure purposes as specified in a measure passed by voters and an Annual Report and Public Hearing on outcomes.
- 3) Direct Staff to implement the following items:
  - a. Hire a consultant to review the City budget to identify savings that can then be dedicated to street improvements.
  - b. Review the possibility of a transient occupancy tax (TOT) on vacation-by-owner rentals.
  - c. Implement an increased focus on Economic Development.
  - d. Pursue long-term improvements in energy use and sourcing.
- 4) Provide direction to Staff as appropriate, to include direction on Staff alternative options.

## **ITEMS REMOVED FROM CONSENT CALENDAR**

### **AGENDA FORECAST (Tentative)**

*Tuesday, March 17, 2020*

- *CODE ENFORCEMENT POLICY AND PROCEDURES*
- *NEW HARDWARE - CITY HALL FIRST FLOOR STAIRWELLS AND SECURITY ENTRY DEVICES*
- *2019 ANNUAL HOUSING ELEMENT PROGRESS REPORT*
- *CITYWIDE SPEED SURVEY REPORT*
- *UPDATE TO THE CITYWIDE SALARY SCHEDULE*
- *FEBRUARY 2020 CHECK REGISTER*
- *PERSONNEL MANAGEMENT SYSTEM CHANGES*
- *DISADVANTAGED COMMUNITY INVOLVEMENT PROGRAM TECHNICAL ASSISTANCE SUB-GRANT*
- *PEARL PARK IMPROVEMENTS UPDATE*
- *REVISED RESOLUTION FOR CONFIDENTIAL/NONREPRESENTED EMPLOYEE COMPENSATION*
- *ADOPTION OF STREET VENDING ORDINANCE*
- *ESTABLISHMENT OF PROGRAM CRITERIA FOR IMPLEMENTATION OF A MILLS ACT PROGRAM*
- *ADOPTION OF SPEED HUMP POLICY*

*Tuesday, April 7, 2020*

- *ENVIRONMENTAL SERVICES AGREEMENT FOR REVIEW OF PRIVATE DEVELOPMENT PROJECTS*
- *SHORT TERM RENTAL ORDINANCE STUDY SESSION*

### **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.*