



NOTICE OF MEETING TIME CHANGE

NOTICE IS HEREBY GIVEN the **November 16, 2021** City Council **Closed Session Meeting** scheduled to begin at 4:00 p.m. will convene at **5:00 p.m.** in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, CA.

Dated: November 10, 2021

A handwritten signature in blue ink, appearing to read "Lucinda Williams", is written over a horizontal line.

Lucinda Williams, MMC
City Clerk



SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19) **AND CITY COUNCIL MEETING PARTICIPATION**

Zoom Meeting Details: www.zoom.us/join

Meeting ID: 978 4219 1797 **Telephone Option:** 1-669-900-9128

On October 5, 2021, City Council adopted Resolution No. 2021-73 which makes the legally required findings to continue to authorize remote meeting participation for legislative body members per Assembly Bill 361. City Council will continue to make this finding every 30 days. Some or all of the Fullerton City Council may participate in meetings via teleconference.

PUBLIC PARTICIPATION: Members of the public can **access meetings streamed live online at <https://fullerton.legistar.com>, on Spectrum Cable Channel 3 and AT&T U-Verse Channel 99.**

The Council Chamber will have seating available on a first-come, first-served basis for members of the public to attend the meeting in person. All persons visiting City facilities shall observe health and safety protocols.

PUBLIC COMMENTS: **In lieu of attendance at the City Council meeting, the public may make oral public comments via computer, smart device or telephone by following the instructions on the next page.**

CORRESPONDENCE: The public can send correspondence to the City Council regarding agenda items by emailing CouncilMembers@cityoffullerton.com with the subject line "CITY COUNCIL MEETING CORRESPONDENCE - ITEM #" (insert the item number relevant to your comment) or "CITY COUNCIL MEETING CORRESPONDENCE NON-AGENDA ITEM" or by clicking on the eComment link accompanying the agenda posted online at <https://fullerton.legistar.com>. Staff will forward correspondence received to City Council. **Correspondence is not read during public comment portion of the meeting.** However, all correspondence received becomes part of the official record of the meeting. Staff posts correspondence online with the meeting's supplemental materials. Contact the City Clerk's Office at cityclerksoffice@cityoffullerton.com or (714)-738-6350 with any questions.

ACCESSIBILITY: If requested, staff will make the agenda and backup materials available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid or service by contacting the City Clerk's Office at cityclerksoffice@cityoffullerton.com or by telephone at (714) 738-6350 no later than 48 hours before the meeting.

INSTRUCTIONS FOR PUBLIC COMMENTS USING ZOOM

The public may remotely participate in the meeting to make oral public comment via computer, smart device or telephone.

Please log on or call in as early as possible to address any technical issues that may occur and ensure you do not miss the time to speak on the desired item.

To log into Zoom from your computer or smart device, follow these steps (Your device must have audio capability to participate.):

Go To: www.zoom.us/join

Enter Meeting ID: 978 4219 1797

To call into Zoom from your telephone, follow these steps:

Dial 1-669-900-9128 and press pound (#)

Enter Meeting ID: 978 4219 1797 (and press pound (#))

Optional: You may enter your name when prompted, but this is not required to participate. Staff will remove anyone entering names that violate community standards.

1. Use the “raise hand” function to join the queue to speak on the current agenda item when the Mayor calls the item for discussion.

Computer / Smart Device Users: You can find the raise hand option under your participant name.

Telephone Users: Press star-nine (*9) on your phone to raise your hand. Press star-six (*6) to unmute when it is your turn to address City Council.

Lower your hand if you chose not to speak or after you have made your comments by unchecking the raise hand option online.

2. Staff will call your name or the last four digits of your phone number when it is your time to speak.
3. Please state your name and city of residence at the beginning of your remarks for the minutes.
4. Speakers will have up to three minutes to make their remarks.
5. You may log off or hang up after making your comments.

DISCLAIMER: Participant names and/or phone numbers will be visible to all participants. The City records all public meetings.

NOTE: The Council Meeting video will not stream through the Zoom meeting. To view the meeting, please go to <https://fullerton.legistar.com>, **Spectrum Cable Channel 3** or **AT&T U-Verse Channel 99**. However, please listen to the audio of the meeting through Zoom as you wait for your turn to speak. The video stream has up to a 30 second delay and you may miss your turn to speak if you are not listening through the Zoom app.



FULLERTON CITY COUNCIL SUCCESSOR AGENCY

AGENDA - NOVEMBER 16, 2021

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 4:00 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: See special notice regarding Coronavirus (COVID-19) and City Council meeting participation for instructions to participate in the meeting. 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. 2021-02 to review the complete Rules of Procedure and Decorum for City Council meetings.

Bruce Whitaker
Mayor (District 4)

Nick Dunlap
Mayor Pro Tem (District 2)

Fred Jung
Council Member (District 1)

Jesus Silva
Council Member (District 3)

Ahmad Zahra
Council Member (District 5)



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION AGENDA**

NOVEMBER 16, 2021 - 5:00 P.M.

Council Chamber - 303 West Commonwealth Avenue, Fullerton, CA

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS - Closed Session

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 Representatives: Eddie Manfro and Jay Trinnaman

Employee Organizations: Fullerton Fire Management Association, Fullerton Firefighters' Association and Fullerton Municipal Employees Federation

Under Discussion: Parameters of authority for negotiating salaries, benefits and working conditions

2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Per Government Code Section 54956.9(d)(2)**

Significant Exposure to Litigation: Two cases

ADJOURN CLOSED SESSION

**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
REGULAR MEETING AGENDA
NOVEMBER 16, 2021 - 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

PRESENTATIONS

PUBLIC COMMENTS - Regular Session

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.

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 - 14)

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. NOVEMBER 2, 2021 MEETING MINUTES

Recommendation:

Approve November 2, 2021 City Council / Successor Agency Meeting Minutes.

2. OCTOBER 2021 CHECK REGISTER

Recommendation:

Receive and file.

3. SUPPORT OF FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER / WASTEWATER AGENCIES

Recommendation:

Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, SUPPORTING FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER / WASTEWATER AGENCIES

4. CLASSIFICATION PLAN UPDATE RELATING TO A MINIMUM WAGE INCREASE

Recommendation:

Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING RESOLUTION NO. 2020-104 APPENDIX A, RELATING TO PAY FOR NON-REGULAR EMPLOYEES

5. 2022 GROUP INSURANCE PLAN RENEWAL

Recommendation:

Receive and file report.

6. WEST COYOTE HILLS GRANT AWARD

Recommendation:

1. Adopt the following resolutions:

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING THE GRANT OF FUNDS FROM THE STATE COASTAL CONSERVANCY AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO A GRANT AGREEMENT FOR THE ACQUISITION OF A PORTION OF ASSESSOR'S PARCEL NUMBER 287-081-52 TOTALING APPROXIMATELY 13.7 ACRES, KNOWN AS NEIGHBORHOOD 3 WITHIN THE WEST COYOTE HILLS DEVELOPMENT, IN ORANGE COUNTY.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO A GRANT AND SUBGRANT AGREEMENT WITH THE CALIFORNIA WILDLIFE CONSERVATION BOARD AND THE US FISH AND WILDLIFE SERVICES AND AUTHORIZING THE ACQUISITION OF A PORTION OF ASSESSOR'S PARCEL NUMBER 287-081-52 TOTALING APPROXIMATELY 10.4 ACRES, KNOWN AS NEIGHBORHOOD 1 WITHIN THE WEST COYOTE HILLS DEVELOPMENT, IN ORANGE COUNTY.

2. Authorize City Manager to execute all documents related to the grants.

3. Authorize acceptance and appropriation of grant funds.

7. INVESTMENT ADVISORY SERVICES CONTRACT EXTENSION

Recommendation:

1. Approve Fourth Amendment to Agreement Between City of Fullerton, California and Public Trust Advisors, LLC for two one-year options to renew and authorize City Manager, or designee, to execute and administer the agreement.
2. Authorize City Manager, or designee, to exercise options to renew.

8. TEMPORARY WATER ENGINEERING SERVICES STAFFING AUGMENTATION CONTRACTS

Recommendation:

1. Authorize Public Works Director, or designee, to execute a \$209,000 purchase order with JIG Consultants for two part-time Civil Engineer consultants. The City will issue the purchase order under the existing Professional Services Agreement with no amendment required.
2. Authorize Public Works Director, or designee, to approve future change orders for Civil Engineering - Water professional services with JIG Consultants for \$70,000 which is equivalent to two months-worth of engineering services.
3. Authorize Public Works Director to amend the existing Professional Services Agreement with Project Partners from current \$100,000 annual amount to proposed \$130,000 annual amount and approve any necessary amendments to agreement, in a form approved by the City Attorney, within approved budget. Authorize Public Works Director to approve and execute one-year extensions up to a maximum three-year extension with Project Partners, with each extension amounting to \$130,000.

9. TRAFFIC ENGINEERING SERVICES CONTRACT AMENDMENT WITH LG2WB ENGINEERS, INC.

Recommendation:

1. Approve and authorize City Manager, or designee, to execute and administer Amendment Number One to Agreement with LG2WB, in a form approved by the City Attorney.
2. Authorize City Manager or Public Works Director to execute optional one-year extensions up to a maximum three one-year extensions in a form approved by the City Attorney.

10. TRAFFIC SAFETY ENHANCEMENTS - ASH AVENUE AND MALDEN AVENUE NEIGHBORHOOD

Recommendation:

Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING THE INSTALLATION OF ADDITIONAL

STOP CONTROL AT VARIOUS INTERSECTIONS WITHIN THE ASH AVENUE AND MALDEN AVENUE NEIGHBORHOOD

11. 20-MINUTE LOADING / UNLOADING PARKING RESTRICTION - 4010 WEST COMMONWEALTH AVENUE

Recommendation:

Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DESIGNATING 40 FEET OF CURB, IN FRONT OF 4010 WEST COMMONWEALTH AVENUE AS A PLACE WHERE PARKING OF VEHICLES IS RESTRICTED TO 20 MINUTES OF CONTINUOUS PARKING BETWEEN THE HOURS OF 6:00 A.M. AND 6:00 P.M., SUNDAY AND HOLIDAYS EXEMPT

12. CHANGE NO PARKING ANYTIME TO NO STOPPING ANYTIME - ROLLING HILLS DRIVE

Recommendation:

Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REPEALING NO PARKING ANYTIME ON THE NORTH SIDE OF ROLLING HILLS DRIVE EAST OF STATE COLLEGE BOULEVARD AND DESIGNATING THE SOUTH SIDE OF SAME SEGMENT OF STREET AS A PLACE WHERE VEHICLES ARE PROHIBITED FROM STOPPING AT ANY TIME

13. FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM FUNDING CERTIFICATION AND COMMITMENT TO PROJECTS

Recommendation:

Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, CERTIFYING THAT THE CITY OF FULLERTON HAS THE RESOURCES TO FUND THE PROJECTS IN THE FEDERAL FISCAL YEARS 2022-23 - 2027-28 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMING COMMITMENT TO IMPLEMENT ALL PROJECTS IN THE PROGRAM

14. REVISED FY 2021-22 - 2027-28 SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM LIST OF PROJECTS FOR M2 FUNDING ELIGIBILITY RENEWAL

Recommendation:

Approve the amended Seven-Year Capital Improvement Program List of Projects for Fiscal Years 2021-22 to 2027-28 to maintain eligibility for funding under the Orange County Renewed Measure M Programs.

PUBLIC HEARINGS (Item 15)

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.

15. CITY OF FULLERTON COMMUNITY FACILITIES DISTRICT NO. 3 (THE PINES AT SUNRISE VILLAGE) -- PUBLIC HEARING CONTINUANCE

City Council adopted Resolutions of Intention to establish and incur bonded indebtedness for City of Fullerton Community Facilities District No. 3 (The Pines at Sunrise Village) ("CFD No. 3") on October 5, setting a public hearing for November 16, 2021. The developer has requested a delay in the proceedings. This item would open and continue the public hearing to December 21, 2021, as required by the Mello-Roos Community Facilities Act of 1982.

Recommendation:

Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ORDERING CONTINUATION OF HEARINGS FOR COMMUNITY FACILITIES DISTRICT NO. 3 (THE PINES AT SUNRISE VILLAGE)

REGULAR BUSINESS (Items 16 - 18)

16. ORANGE COUNTY TRANSPORTATION AUTHORITY 2021 PAVEMENT MANAGEMENT RELIEF FUNDING PROGRAM

Selection of street segment(s) to submit to the Orange County Transportation Authority 2021 Pavement Management Relief Funding Program.

Recommendation:

1. Confirm the street segment recommended by the Infrastructure and Natural Resources Advisory Committee.
2. Adopt Resolution 2021-XX.

RESOLUTION 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA CERTIFYING THAT CITY COUNCIL HAS AUTHORIZED THE PROJECT LIST SUBMITTAL FOR CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT OF 2021 (CRRSAA) FUNDING THROUGH THE ORANGE COUNTY TRANSPORTATION AUTHORITY 2021 PAVEMENT MANAGEMENT RELIEF FUNDING PROGRAM

3. Approve and appropriate receipt and use of 2021 Pavement Management Relief Fund award to the appropriate capital project(s) budgets.

17. HOMELESSNESS RESPONSE UPDATE

At the October 19, 2021 City Council meeting, Councilmembers Zahra and Silva requested an update regarding homeless efforts by the City.

Recommendation:

Receive and file and provide direction as appropriate.

18. AMERICAN RESCUE PLAN ACT - POTENTIAL NAVIGATION CENTER FUNDING

Council Members Jung and Silva request City Council consideration of using American Rescue Plan Act (ARPA) monies for funding of shelter beds at the Fullerton Navigation

Center.

Recommendation:

1. Determine whether to utilize ARPA funds for the Navigation Center.
2. If determined, approve Use of ARPA funds to support homelessness services at the Navigation Center within allowable US Treasury guidelines.
3. If determined, approve a specific appropriation amount and any necessary budget adjustments of ARPA funds in an amount as specified by the City Council.
4. Authorize the City Manager or designee to execute any agreements associated with such actions.

ITEMS REMOVED FROM CONSENT CALENDAR

AGENDA FORECAST (Tentative)

Tuesday, December 7, 2021

- CITY COUNCIL REORGANIZATION
- TBRA EXTENSION SENIOR AND VETERANS
- REAFFIRM AB 361 FINDINGS
- M2 EXPENDITURE REPORT
- DEVELOPER IMPACT FEE ANNUAL COMPLIANCE REPORT
- RAILROAD GRADE SEPARATION PROJECTS COOPERATIVE AGREEMENT AMENDMENT NO. 9
- CLASSIFICATION PLAN UPDATE - ADMINISTRATIVE AIDE / CITY COUNCIL POSITION
- CFD NO. 3 PUBLIC HEARING FOR PROJECT
- MILLS ACT
- LEASE AGREEMENTS FOR MAPLE NEIGHBORHOOD CENTER

Tuesday, December 21, 2021

- GILBERT / IRIS AREA WATER MAIN REPLACEMENT
- PUBLIC WORKS FEE STUDY
- ROPS
- REGIONAL ADVISORY BODY APPOINTMENTS

ADJOURNMENT

Adjourn to next regularly scheduled closed session meeting at 4:00 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.