



**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 **May 12, 2021** commencing at **4:00 p.m.** in the Council Chambers 303 West Commonwealth Avenue, Fullerton, CA. The public and Council Members may participate remotely.

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

Dated: MAY 11, 2021 Bruce Whitaker  
Mayor



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

**Zoom Meeting Details:** [www.zoom.us/join](https://www.zoom.us/join)

**Closed Session Meeting ID:** 945 3849 4711 **Telephone Option:** 1-669-900-9128

---

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (superseding the Brown Act-related provisions of Executive Order N-25-20 issued on March 12, 2020), which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that some or all of the Fullerton City Council will participate in meetings via teleconference.

**PUBLIC PARTICIPATION:** Pursuant to Executive Order N-29-20 and given the current health concerns, 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 limited 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 wear face masks and observe social distancing 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](mailto: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 and is posted online with the supplemental materials for that meeting. Contact the City Clerk's Office at [cityclerksoffice@cityoffullerton.com](mailto:cityclerksoffice@cityoffullerton.com) or (714)-738-6350 with any questions.

**ACCESSIBILITY:** If requested, the agenda and backup materials will be made 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](mailto:cityclerksoffice@cityoffullerton.com) or by telephone at (714) 738-6350 no later than 48 hours before the meeting.

## **ZOOM COMPUTER / SMART DEVICE / TELEPHONE PARTICIPATION**

The public may remotely participate in the meeting to make oral public comment via computer, smart device or telephone by following these instructions:

The public should log on or call in as early as possible to be address any technical issues that may occur and ensure they do not miss the time to speak on the desired item.

### **1. To access Zoom:**

**Log into Zoom from your computer or smart device at the following link:** [www.zoom.us/join](https://www.zoom.us/join)

**Closed Session Meeting ID: 945 3849 4711**

**or**

Your device must have audio capability to participate.

**Call into Zoom from your telephone:** 1-669-900-9128 and then press pound (#). When prompted, enter the meeting ID number and press pound (#) again.

**Closed Session Meeting ID: 945 3849 4711**

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.

### **2. Use the “raise hand” function to join the queue to speak on the current agenda item.** (Do not raise your hand until the Mayor has called the item for discussion).

You can find the raise hand option under your participant name on your computer or smart device or press star-nine (\*9) on your phone to raise your hand. Press star-six (\*6) to unmute.

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

3. Staff will notify you when it is your turn to speak.
4. Please state your name and city of residence at the beginning of your remarks for the minutes.
5. Speakers will have up to three minutes to make their remarks.
6. 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 though Zoom as you await 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  
SPECIAL MEETING AGENDA – MAY 12, 2021  
303 West Commonwealth Avenue, Fullerton, CA**

---

**SPECIAL MEETINGS:** The Mayor or a majority of the legislative body may call a special meeting of the City Council with a minimum 24 hours' notice.

**PUBLIC PARTICIPATION:** Pursuant to Executive Order N-29-20 and given the current health concerns, 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**.

**Zoom Meeting Details:** [www.zoom.us/join](http://www.zoom.us/join)

**Meeting ID:** 945 3849 4711 **Telephone Option:** 1-669-900-9128

**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 / Authority will consider. The City Clerk's Office posts the special meeting agenda no later than 24 hours prior to the special meeting at [www.cityoffullerton.com](http://www.cityoffullerton.com).

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 after posting of the agenda packet but prior to the meeting.

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), email [cityclerksoffice@cityoffullerton.com](mailto:cityclerksoffice@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, or as soon as possible in the case of a special meeting, to make arrangements.

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**

**MAY 12, 2021 - 4:00 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**

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)**

**Name of Case:** Joshua Ferguson v. City of Fullerton

**Case Number:** OCSC 30-2019-01103679

**Name of Case:** City of Fullerton v. Friends of Fullerton's Future, Joshua Ferguson and David Curlee

**Case Number:** OCSC 30-2019-01107063

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)**

**Name of Case:** Christopher Wren v. City of Fullerton and Does 1 - 10

**Case Number:** OCSC 30-2021-011907-44-CU-CC-CJC

**ADJOURN**