



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION MINUTES
MARCH 19, 2019 - 5:00 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California**

5:00 p.m.

CALL TO ORDER

Mayor / Chair Silva called the meeting to order at 5:00 p.m.

All Present

ROLL CALL

Present: Mayor / Chair Silva, Mayor Pro Tem / Vice Chair Fitzgerald (arrived 6:15 p.m.), Council Members Flory, Whitaker, Zahra (arrived 6:15 p.m.)

Absent: None

Staff Present: City Manager Kenneth A. Domer, City Attorney Richard D. Jones, City Clerk Lucinda Williams

PUBLIC COMMENTS

None.

RECESS to Closed Session

Mayor / Chair Silva recessed to Closed Session at 5:00 p.m.

CLOSED SESSION

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

Name of Case: Orange County Catholic worker et al v. Orange County et al United States District Court, Central District of California

Case Number: 8:18-cv-0155-DOC-JDE

2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Per Government Code Section 54956.9(d)(4)

Initiation of Litigation: One Case

3. CONFERENCE WITH LABOR NEGOTIATOR Per Government Code Section 54957.6

Agency Representative/s: Kenneth A. Domer

Employee Organization/s: Fullerton Municipal Employees Federation, Fullerton Police Officers' Association, Fullerton Firefighters' Association, Fullerton Fire Management Association, Fullerton Police Management Association

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

6:18 p.m.

ADJOURNMENT

Mayor / Chair Silva adjourned the meeting at 6:18 p.m.

Jesus J. Silva, Mayor

Lucinda Williams, City Clerk



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
REGULAR MEETING MINUTES
MARCH 19, 2019 - 6:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California**

6:30 p.m.

CALL TO ORDER

Mayor / Chair Silva called the meeting to order at 6:30 p.m.

All Present

ROLL CALL

Present: Mayor / Chair Silva, Mayor Pro Tem / Vice Chair Fitzgerald, Council Members Flory, Whitaker, Zahra

Absent: None

Staff Present: City Manager Kenneth A. Domer, City Attorney Richard D. Jones, City Clerk Lucinda Williams, Director of Parks and Recreation Hugo Curiel, Director of Human Resources Gretchen Beatty, Director of Public Works Meg McWade, Director of Community Development Ted White, Interim Police Chief Robert Dunn, Director of Administrative Services Michael O'Kelly, Deputy Fire Chief Jamie Newton

INVOCATION given by Police Chaplain Charles Frost.

PLEDGE OF ALLEGIANCE led by Council Member Flory.

CLOSED SESSION REPORT

None.

EX PARTE COMMUNICATIONS REPORT PURSUANT TO FMC 2.33.040 - TRANSPARENCY AND ACCOUNTABILITY IN LABOR NEGOTIATIONS

Mayor Silva and Council Member Flory reported that they had conversations with the Fullerton Firefighters' Association President regarding department attrition.

Presented

PRESENTATIONS

1. **PRESENTATION: Fullerton College Drone Technology and Journalism Program**

PUBLIC COMMENTS

- Unidentified speaker spoke about Rancho La Paz rent increases.
- Marilyn Davisson, Fullerton, spoke about water rates and rent increases at Rancho La Paz.
- Jose Trinidad Castaneda spoke about the Fullerton Hazard and Mitigation Disaster Plan.
- Liberty Lindstrom spoke about Rancho La Paz rent increases.
- Nathan Guerrero, Fullerton, spoke about West Coyote Hills.
- Unidentified speaker spoke about Rancho La Paz rent increases.
- Rosemary McLeod spoke about Rancho La Paz rent increases.
- Egleth Nuncci, Fullerton, spoke about a bilingual CERT program.
- Charlie Miller, Fullerton, spoke about Rancho La Paz rent increases.
- Eva Knight, Fullerton, spoke about Rancho La Paz rent increases.
- Carol Heckerman, Fullerton, spoke about Rancho La Paz rent increases.
- Clay Hage, Country Place Mobile Home Park, spoke about Rancho La Paz rent increases and rent control.
- Diane Seville spoke about Woodcrest Park, marijuana dispensaries, pot holes on Orangethorpe Avenue and traffic on Euclid Avenue.
- Unidentified speaker, Fullerton, spoke about Rancho La Paz rent increases.
- Charlene Bunnell-McAlister spoke about Rancho La Paz rent increases.
- Dr. Richard Odegard spoke about Rancho La Paz rent increases.
- Ed Kim spoke about Rancho La Paz rent increases.
- Maureen Milton spoke about access to City Council agendas.
- Yolanda Quillan spoke about Rancho La Paz rent increases.
- Unidentified speaker spoke about Rancho La Paz rent increases.
- Julie Paule, Western Manufactured Housing Communities, spoke about Rancho La Paz rent increases.
- Mike Acora spoke about water rate increases.
- Brian Kaye spoke about closing marijuana dispensaries and Rancho La Paz rent increases.
- Unidentified speaker spoke about Rancho La Paz rent increases

and drug issues.

- Samantha Quintero spoke about an online rental registry program.
- Curtis Gamble spoke about homeless issues and rental costs.
- Richard Flores, Fullerton, spoke about Rancho La Paz rent increases.
- Ruth Ann Markeyna, Fullerton, spoke about Rancho La Paz rent increases.
- Valdana Longrace, Fullerton, spoke about Rancho La Paz rent increases.
- Dave Keifer, Fullerton, spoke about Rancho La Paz rent increases.
- Bernard (no last name given) spoke about housing issues.

CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS

City Manager Domer responded to issues arising during public comments.

Council Member Zahra reported on the following: Water Rate Ad-Hoc Committee meetings, Orangethorpe Avenue road conditions, 30 year anniversary of the Fullerton Chinese School, Arbor Day, ACC-OC advocacy trip, the Orange County Water District Board and bills related to water issues and asked to adjourn the meeting in memory of the victims of the New Zealand terror attack.

Council Member Whitaker reported on the Arborland Montessori 30th year anniversary, AFI flight training open house event and Arbor Day.

Mayor Pro Tem Fitzgerald reminded residents to clear properties of standing water to prevent West Nile Virus and reported on the upcoming LoveFullerton Day and an ACC-OC advocacy trip to Sacramento.

Mayor Silva reported on Arbor Day and congratulated the Arborland Montessori School anniversary.

APPOINTMENTS

None.

PUBLIC HEARINGS

None.

REGULAR BUSINESS (Items 1 - 6)

Resolution No. 2019-07 adopted as amended

1. PARK DWELLING FEES FOR ACCESSORY DWELLING UNITS

- Sayeed (no last name given) spoke in support of this item.
- Jose Trinidad Castaneda asked to lower fees to zero for the next year.
- Samantha Quintero spoke in support of this item.
- Curtis Gamble spoke in support of this item.
- Randy Smith, Fullerton, spoke in support of this item.

Fitzgerald moved, seconded by Zahra, to adopt Resolution No. 2019-07 as amended.

RESOLUTION NO. 2019-07 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING A FEE FOR ACCESSORY DWELLING UNITS

Motion carried 5 – 0.

Resolution No. 2019-08 and 2019-09 adopted

2. CITY COUNCIL FLAG POLICY AND ANNUAL DISPLAY OF THE PRIDE FLAG AT CITY HALL

- Eric Barlow spoke in support of this item.
- Kitty Jaramillo, Fullerton, spoke in support of this item.
- Jose Trinidad Castaneda spoke in support of this item.
- Linda May spoke in support of this item.
- Sabrina Hughes spoke in support of this item.
- Debbie Langenbacher, Fullerton, spoke in support of this item.
- Maureen Milton asked about flag protocols.
- Jeff Koskola, Fullerton, asked how the City will address future request to fly flags representing other causes.
- Kurt Johnston spoke about flag protocol.
- Curtis Gamble spoke in support of this item.
- Bernard (no last name given) spoke in support of this item.

Zahra moved, seconded by Flory, to adopt the following resolutions.

RESOLUTION NO. 2019-08 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA,

ESTABLISHING A POLICY FOR THE DISPLAY OF FLAGS AT CITY HALL

RESOLUTION NO. 2019-09 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING THE ANNUAL DISPLAY OF THE PRIDE FLAG AT CITY HALL TO COMMEMORATE HARVEY MILK DAY AND LESBIAN, GAY, BISEXUAL AND TRANSGENDER PRIDE MONTH

Whitaker made a substitute motion, seconded by Fitzgerald, to issue an annual proclamation in recognition of Pride Month.

Zahra made a second substitute motion to adopt the proposed resolutions and issue an annual proclamation.

Second substitute motion failed for lack of a second.

First substitute motion failed 2 – 3 (In favor: Whitaker, Fitzgerald).

Original motion carried 3 – 2 (No: Whitaker, Fitzgerald).

Approved

3. **ORANGE COUNTY HOUSING FINANCE TRUST JOINT POWERS AUTHORITY AGREEMENT**

- Doug Chaffee, County Supervisor, spoke in support of this item.
- Debbie Langenbacher spoke in support of this item.

Fitzgerald moved, seconded by Zahra, to:

1. Approve the Orange County Housing Finance Trust Joint Powers Authority Agreement and authorize the Mayor, or designee, to sign and execute the Agreement.
2. Receive and file the draft bylaws, which are subject to formal adoption by the Orange County Housing Trust's Board of Directors following its creation through the execution of the Orange County Housing Finance Trust Joint Powers Agreement by the County of Orange and participating cities on condition that the bylaws are brought into conformity with the Joint Powers Agreement.

Motion carried 4 – 1 (No Whitaker).

Mayor Silva recessed the meeting at 10:03 p.m.

Mayor Silva reconvened the meeting at 10:14 p.m.

Resolution No. 2019-10 adopted as amended

4. **ANNUAL REVIEW OF RULES OF PROCEDURE AND DECORUM FOR CITY COUNCIL MEETINGS**

- Diane Vena preferred the current process to pull Consent Calendar items and objected to allowing the option to reduce speaker time.

- Angela Dequina, Daily Titan, asked for an interview with Council Member Zahra.
- Curtis Gamble did not support changing the current resolution.

Silva moved, seconded by Flory, to adopt Resolution No. 2019-10.

RESOLUTION NO. 2019-10 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING RULES OF PROCEDURE AND DECORUM FOR CITY COUNCIL MEETINGS AND REPEALING RESOLUTION NO. 2018-03

Motion carried 5 – 0.

Approved

5. MEMORANDUM OF UNDERSTANDING BETWEEN THIRTEEN CITIES OF NORTH SERVICE PLANNING AREA REGARDING HOMELESS NAVIGATIONAL CENTER ESTABLISHMENT AND OPERATIONS

Curtis Gamble spoke in support of shelters in Fullerton.

Flory moved, seconded by Silva, to:

1. Approve entering into Memorandum of Understanding with North Service Planning Area cities for establishing and operating two homeless navigational centers.
2. Authorize City Manager to execute Memorandum of Understanding, to include any non-substantial amendments.
3. Approve City's cost sharing percentages for acquisition and construction of 25.92% and annual operations of 30.97% from non-General Fund sources.

Motion carried 5 – 0.

Approved

6. STATEMENT OF FINANCIAL POLICIES

Whitaker moved, seconded by Zahra, to approve the Statement of Financial Policies.

Motion carried 5 – 0.

CONSENT CALENDAR (Items 7 - 16)

Flory moved, seconded by Silva, to approve Consent Calendar Items 7 – 16.

Motion carried 5 – 0 (Flory abstained from Item 7).

- Approved **7. MARCH 5, 2019 MEETING MINUTES**
Recommendation by the City Clerk's Office:
Approve March 5, 2019 City Council / Successor Agency Meeting Minutes.
- Approved **8. FEBRUARY 2019 CHECK REGISTER**
Recommendation by the Administrative Services Department:
Receive and file.
- Approved **9. MONTHLY LEGISLATIVE UPDATE**
Recommendation by the Administration Department:
Receive and file.
- Continued to April 16, 2019 **10. DOWNTOWN PARKING - NIGHTTIME PAID PARKING PILOT PROGRAM**
Recommendation by the Community Development Department:
Continue to April 16, 2019 City Council Meeting.
- Approved **11. SANTIAGO LIBRARY SYSTEM GRANT**
Recommendation by the Library:
Approve grant funding for Santiago Library System E-Resources Grant funded by California Library Services Act.
- Approved **12. 2018 PROPOSITION 69 DNA FUNDS**
Recommendation by the Fullerton Police Department:
Accept 2018 Proposition 69 funds and increase Police Department General Fund allocations by \$62,700.
- Approved **13. FISCAL YEAR 2018-19 ASSEMBLY BILL 109 FUNDING**
Recommendation by the Fullerton Police Department:
Accept Fiscal Year 2018-19 AB 109 funds and increase Police Department General Fund allocations by approximately \$101,600.
- Approved **14. 2018 ANNUAL HOUSING ELEMENT PROGRESS REPORT**
Recommendation by the Community Development Department:
Authorize submittal of 2018 General Plan Housing Element Annual Report to Governor's Office of Planning and Research and State Department of Housing and Community Development.

Approved

15. CARDIAC MONITORS AND AUTO-PULSE PURCHASE

Recommendation by the Fire Department:

1. Approve and appropriate \$328,458 purchase of cardiac monitors and auto-pulses from General Fund.
2. Recognize \$180,000 revenue in General Fund and transfer \$148,458 to General Fund from Equipment Replacement Fund.

Approved

16. STIPULATION AND AGREEMENT BETWEEN CITY OF FULLERTON AND PACIFIC COAST HOMES FOR DISMISSAL OF LEGAL ACTION ENTITLED PACIFIC COAST HOMES V. CITY OF FULLERTON, ET AL.

Recommendation by the Administration Department:

Approve the Stipulation and Agreement and authorize the Mayor to sign.

11:27 p.m.

ADJOURNMENT

Mayor / Chair Silva adjourned the meeting at 11:27 p.m. in memory of Bobbie Jerome Catlin and the victims of the recent mass shooting in New Zealand.

Jesus J. Silva, Mayor

Lucinda Williams, City Clerk