



**CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
CLOSED SESSION MINUTES  
MARCH 19, 2019 - 4:30 P.M.  
Council Chamber  
303 West Commonwealth Avenue  
Fullerton, California**

4:33 p.m.

### **CALL TO ORDER**

Mayor / Chair Silva called the meeting to order at 4:33 p.m.

All Present

### **ROLL CALL**

Present: Mayor / Chair Silva, Mayor Pro Tem / Vice Chair Fitzgerald, Council Members Flory, Zahra (arrived 4:35 p.m.)

Absent: Whitaker

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 4:34 p.m.

### **CLOSED SESSION**

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

**Name of Case:** Corbin Trumbo, a minor by and through his guardian ad litem, Stephanie Ortiz; and Stephanie Ortiz v. City of Fullerton

**Case Number:** OCSC Case No.: 30-2018-00978170

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

**Name of Case:** Lucrecia Jackson, et al. v. City of Fullerton, et al.

**Case Number:** OCSC Case No. 30-2017-00939887

**3. CONFERENCE WITH LABOR NEGOTIATOR Per Government Code Section 54957.6**

**Agency Representative/s:** Kenneth A. Domer

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

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

**4. 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

6:37 p.m.

**ADJOURNMENT**

Mayor / Chair Silva adjourned the meeting at 6:37 p.m.

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Jesus J. Silva, Mayor

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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**

6:41 p.m.

**CALL TO ORDER**

Mayor / Chair Silva called the meeting to order at 6:41 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 Chief of Police Robert Dunn, Director of Administrative Services Michael O'Kelly, Fire Chief Adam Loser

**INVOCATION** given by Pastor Hector Saucedo.

**PLEDGE OF ALLEGIANCE** led by Mayor Pro Tem Fitzgerald.

**CLOSED SESSION REPORT**

None.

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

Council Member Zahra reported that he met with the Fullerton Firefighters' Association President and the Fullerton Police Officers' Association President regarding attrition issues.

## **PRESENTATIONS**

1. **PROCLAMATION: Donate Life**
2. **PROCLAMATION: Arab American Heritage Month**

## **PUBLIC COMMENTS**

- Kristie Ramos, Office of Assembly Member Quirk-Silva, introduced new office staff members.
- Shelly Youngbauer spoke about RV parking.
- Jacqui Danis spoke about homeless issues.
- Caitlin Harper, Fullerton, spoke about public parking.
- Egleth Nuncci spoke about the location of the Fire Department ladder truck.
- Calime Calixto, Fullerton, spoke about the Fire Department ladder truck.
- Unidentified speaker spoke about the Fire Department ladder truck, restrooms at Richman Park and crosswalks on Orangethorpe.
- Paola Longstrong spoke about the Fire Department ladder truck.
- Samantha (no last name given) spoke about safe parking.
- Jensen Hallstrom spoke about the Urban Forestry Program.
- Doug Smith spoke about overnight parking.
- Paulette Marshall Chaffee spoke about LoveFullerton Day.
- Maureen Milton spoke about flag poles.
- Esmeralda Orozco invited the public to Congressman Cisneros' upcoming town hall.
- Jenny Lee spoke about Good Hands for All.
- Marilynn Davisson spoke about Council Member etiquette and parking.
- Curtis Gamble spoke about homeless issues.
- Unidentified speaker spoke about police issues in Anaheim.

## **CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS AND REPORTS**

City Manager Domer responded to issues arising during public comments.

Council Member Zahra asked questions about issues arising during public comments, spoke about use of Roundup, reported on attendance

at community events and reported on Orange County Water District activities.

Council Member Flory spoke about gas taxes and street repair schedules.

Council Member Whitaker reported on attendance at community events.

## **APPOINTMENTS**

None.

## **CONSENT CALENDAR (Items 1 - 6)**

Fitzgerald moved, seconded by Flory, to approve Consent Calendar Items 1, 2, 4, 5 and 6.

Motion carried 5 – 0.

Approved

### **1. MARCH 19, 2019 MEETING MINUTES**

Recommendation by the City Clerk's Office:

Approve March 19, 2019 City Council / Successor Agency Meeting Minutes.

Approved

### **2. DESIGNATION OF PRINCIPAL LABOR NEGOTIATOR AND APPROVAL OF AGREEMENT WITH ATKINSON, ANDELSON, LOYA, RUUD & ROMO FOR LEGAL SERVICES AND PRINCIPAL LABOR NEGOTIATOR SERVICES**

Recommendation by the Human Resources Department:

1. Appoint Jay Trinnaman as City's Principal Labor Negotiator for negotiations between the City and Fullerton Municipal Employees Federation and Fullerton Management Association.
2. Authorize City Manager to sign an agreement with Atkinson, Andelson, Loya, Ruud & Romo law firm.

Approved

### **4. CENSUS 2020 - COMMUNITY AWARENESS EFFORTS**

Recommendation by the City Manager's Office:

Receive and file.

Approved

### **5. FIRE DEPARTMENT TRAINING GROUND IMPROVEMENTS AND PURCHASE OF EXTRICATION EQUIPMENT**

Recommendation by the Fire Department:

1. Approve and appropriate the improvements of the Fire Department training ground and the purchase of extrication equipment in the amount of \$108,000 from the General Fund.
2. Recognize \$108,000 additional revenue in the General Fund

from the following sources:

CARE Ambulance Facility Space Rent	\$40,000
Training Lot Temporary Storage Rent	\$28,600
Santa Ana College Training Program	\$39,400.

Approved

**6. MISCELLANEOUS STORM DRAIN IMPROVEMENTS ON SHEPPARD DRIVE AND MIRAMAR DRIVE**

Recommendation by the Public Works Department:

1. Approve plans and specifications for Miscellaneous Storm Drain Improvements on Sheppard Drive and Miramar Drive Project.
2. Approve \$240,000 budget transfer of Drainage Capital Fund from Project 52590 Miscellaneous Storm Drain Improvements 2018-19 to Project 52588 Miscellaneous Storm Drain Improvements on Sheppard Drive and Miramar Drive.
3. Ratify \$80,200 construction contract between Dominguez General Engineering and City of Fullerton.
4. Approve \$164,360 construction contract between Nu Line Technologies and City of Fullerton, in a form approved by the City Attorney.
5. Authorize Public Works Director to approve any future change orders for construction and professional engineering construction support services within approved project budget.

**PUBLIC HEARINGS**

None.

**REGULAR BUSINESS** (Items 7 - 10)

Approved

**7. DISCUSSION AND DIRECTION REGARDING ABILITY TO CONTROL RENT INCREASES IN MOBILE HOME PARKS WITHIN CITY AND / OR OTHER OPTIONS REGARDING PRESERVING AFFORDABLE HOUSING OPTIONS WITHIN MOBILE HOME PARKS**

- June Perez, Fullerton, spoke about rent increases at Rancho La Paz.
- Clay Hage spoke about rent increases at Rancho La Paz and rent control ordinances.
- Todd Harrison, Fullerton, spoke about rent increases at Rancho La Paz.
- Rose Mary McLeod spoke about rent increases at Rancho La Paz.

- Jim Warner, Fullerton, spoke about rent increases at Rancho La Paz.
- Elizabeth Hansburg, Fullerton, spoke about housing shortages.
- Unidentified speaker asked for a moratorium on rent increases.
- Unidentified speaker spoke about forming a homeowner's association at Rancho La Paz.
- Marilyn Davisson spoke about rent increases at Rancho La Paz.
- Curtis Gamble spoke about rent increases at Rancho La Paz.
- Julie Palmey, WMA, spoke about rent increases at Rancho La Paz.
- Vickie Talley, Manufactured Housing Educational Trust, spoke about rent increases at Rancho La Paz.
- Irene Malloy, Fullerton, spoke about rent increases at Rancho La Paz.
- Jerry Jacobsen, Fullerton, spoke about rent increases at Rancho La Paz.
- Terri Prado, Fullerton, spoke about rent increases at Rancho La Paz.

Fitzgerald moved, seconded by Flory, to continue this item to the July 16, 2019 City Council meeting.

Motion carried 5 – 0.

Mayor Silva recessed the meeting at 9:38 p.m.

Mayor Silva reconvened the meeting at 9:48 p.m.

Approved

## 8. **WATER RATE STUDY PRESENTATION AND SET PUBLIC HEARING DATE**

- Mark Young, Fullerton, asked about the location of the one-inch meters.
- Fritz von Coella, Fullerton, said City Council should ensure all residents receive water at a sustainable rate and consider bonds.
- Jose Trinidad Castaneda spoke in support of the recommended water rates.
- Jane Rands, Fullerton, spoke about the locations of the one-inch meters and reinvestment in the water system.

Flory moved, seconded by Fitzgerald, to:

1. Approve water rate recommendations presented in "Water

Rate Recommendation” presentation and “Water Rate Study” report.

2. Authorize mailing of Proposition 218 notice which starts 45-day comment period related to the proposed rate structure changes and rate increases.
3. Set Public Hearing for June 4, 2019 related to water rate structure changes and adjustments.

Motion carried 5 – 0.

Approved

**9. STREET IMPROVEMENTS - PROJECT OPTIONS FOR USE OF ONE-TIME REVENUES**

- Jane Rands asked about the criteria for prioritizing projects.
- Christopher Scuro, Fullerton, asked for improvements on Jacaranda Place.
- Tony Package, Fullerton, asked what streets the City plans to improve with regularly budgeted funds and expressed concerns with the condition of Commonwealth Avenue, Bastanchury Avenue and Associated Road.
- Jennifer Lilly, Fullerton, spoke in support of Option 1.
- Unidentified speaker, Fullerton, asked for improvements on Jacaranda Place.

Fitzgerald moved, seconded by Flory, to approve use of revenues for Arterial and Residential Street Improvements Plan (Option 1).

Motion carried 5 – 0.

Resolution No.  
2019-11 adopted

**10. EUCLID STREET REHABILITATION PROJECT - ROAD MAINTENANCE AND REHABILITATION ACCOUNT (SB1)**

Fitzgerald moved, seconded by Flory, to adopt Resolution No. 2019-11.

RESOLUTION NO. 2019-11 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2019-20 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

Motion carried 5 – 0.

**ITEMS REMOVED FROM CONSENT CALENDAR**

Approved

**3. STRATEGIC PLANNING - RECAP AND NEXT STEPS**

Silva moved, seconded by Fitzgerald, to receive and file.

Motion carried 5 – 0.

11:55 p.m.

## **ADJOURNMENT**

Mayor / Chair Silva adjourned the meeting at 11:55 p.m.

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Jesus J. Silva, Mayor

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Lucinda Williams, City Clerk