



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION MINUTES
JULY 17, 2018 - 5:00 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California**

5:00 p.m.

CALL TO ORDER

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

All Present

ROLL CALL

Present: Mayor / Chair Chaffee, Council Members Fitzgerald, Silva, Whitaker
Absent: Mayor Pro Tem / Vice Chair Sebourn
Staff Present: City Manager Kenneth A. Domer, City Attorney Richard D. Jones, City Clerk Lucinda Williams

PUBLIC COMMENTS

None.

RECESS to Closed Session

City Attorney Jones noted that Closed Session Item 3 should have the following title:

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

Initiation of Litigation: One Case

Mayor / Chair Chaffee recessed to Closed Session at 5:01 p.m.

CLOSED SESSION

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

Name of Case: Miran Hong v. City of Fullerton, et al.

Case Number: 30-2016-00876317-CU-PO-CJC

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

Agency Representative/s: City Manager Kenneth Domer

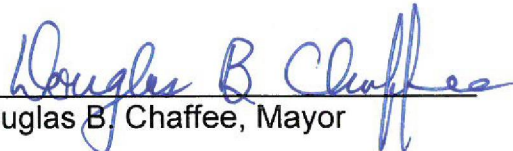
Employee Organization/s: Fullerton Fire Management
Association, Fullerton Police

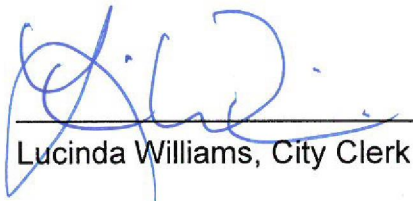
Under Discussion: Parameters of authority for negotiating salaries, benefits and working conditions

3. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Per**
Government Code Section 54956.9(d)(2-4)
Significant Exposure to Initiation of Litigation: One Case
4. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Per**
Government Code Section 54956.9(d)(2)
Significant Exposure to Litigation: One Case
5. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)**
Name of Case: Cody Carter v. City of Fullerton, et al.
Case Number: OCSC Case No. 30-2018-00990952

ADJOURNMENT

Mayor / Chair Chaffee adjourned the Closed Session meeting at 6:19 p.m.


Douglas B. Chaffee, Mayor


Lucinda Williams, City Clerk



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
REGULAR MEETING MINUTES
JULY 17, 2018 - 6:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California**

6:32 p.m.

CALL TO ORDER

Mayor / Chair Chaffee called the meeting to order at 6:32 p.m.

ROLL CALL

Present: Mayor / Chair Chaffee, Council Members Fitzgerald, Silva, Whitaker

Absent: Mayor Pro Tem / Vice Chair Sebourn

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 Community Development Ted White, Director of Public Works Don Hoppe, Police Lieutenant Oliveras, Director of Administrative Services Michael O'Kelly, Fire Division Chief Jamie Newton

INVOCATION given by Pastor Isai Itiburo.

PLEDGE OF ALLEGIANCE led by District Attorney Tony Rackauckas.

CLOSED SESSION REPORT

None.

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

None.

All presented except
volunteer of the
month

PRESENTATIONS

- 1. PRESENTATION: OCDA Human Exploitation and Trafficking Unit**

2. **PRESENTATION: 4th of July Recap**
3. **PRESENTATION: OC Animal Care**
4. **PRESENTATION: Fullerton College Football Coaches**
5. **PRESENTATION: Outgoing Board / Commission / Committee Members**
6. **PRESENTATION: Love Fullerton 2018 Event**
7. **PRESENTATION: Volunteer of the Month**

PUBLIC COMMENTS

- Amy Ramos, Assembly Member Quirk Silva's Office, introduced office interns.
- Tony Package, Fullerton, spoke about rates charged to residents for recycling.
- Phillip Bromley spoke about acquiring the property at 1600 West Commonwealth.
- Brian Yanity spoke about Amtrack train service in Fullerton.
- Jose Castaneda spoke about cooling centers.
- Mahdi Abbas, Fullerton, spoke in support of the proposed Pathways of Hope project at 1600 West Commonwealth.
- Stephanie Bromley, Fullerton, supported manufacturing development at the 1600 West Commonwealth site.
- Rachel French, Fullerton, proposed waiting for other cities to take on their share of the homeless burden before approving housing at 1600 West Commonwealth.
- Hector Aparico spoke against pot dispensaries in his neighborhood.
- Richard Doubledde, Fullerton, spoke in support of short-term solutions to homelessness.
- Dennis Kris, Fullerton, asked the City to undertake any and every solution to homelessness.
- Thad Sanford, Fullerton, spoke about the condition of City's water system.
- Larry McCullah, Fullerton, spoke against homeless housing in his neighborhood.
- Harry Langenbacher, Fullerton, spoke in support of Pathways of Hope.
- Joni Walhbring, Fullerton, spoke about a marijuana dispensary illegally operating in her neighborhood.
- Lucia Cardenas, Fullerton, spoke in opposition to the proposed homeless housing at 1600 West Commonwealth and noted the poor street conditions in her neighborhood.

- Curtis Gamble spoke about homeless issues.
- Unidentified speaker, spoke in opposition to the proposed Pathways of Hope project at 1600 West Commonwealth.
- Debra Pember spoke in support of Pathways of Hope.
- Unidentified speaker spoke in opposition to supportive housing at 1600 West Commonwealth.
- Paulette Marshall Chaffee spoke about the Fullerton Sister City Association.
- Arnel Dino, Fullerton, spoke about the condition of the City's water system infrastructure.

CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS

City Manager Domer responded to issues arising during Public Comments.

Council Member Fitzgerald thanked speakers for attending the City Council meeting and said City Council is committed to making the community safe.

Council Member Silva acknowledged homeless issues, asked City Council to consider an administrative citation process for property owners allowing discharge of illegal fireworks on their property and announced an upcoming coffee and conversation event.

Mayor Chaffee spoke about train service and the homeless situation and welcomed interns.

APPOINTMENTS

None.

PUBLIC HEARINGS

None.

REGULAR BUSINESS (Items 1 - 5)

Approved

1. RESIDENTIAL SLURRY SEAL AND MISCELLANEOUS REHABILITATION CONTRACT AWARD

Fitzgerald moved, seconded by Silva, to:

1. Approve plans and specifications for Residential Slurry Seal And Miscellaneous Rehabilitation Project.
2. Approve \$500,000 budget transfer of General Fund Balance to Project 44694 Residential Slurry Seal And Miscellaneous Rehabilitation.

3. Approve \$729,395.28 construction contract between Doug Martin Contracting Company, Inc. and City of Fullerton, in a form approved by the City Attorney.

Motion carried 4 – 0 – 1 (Absent: Sebourn).

Resolution No. 2018-44 adopted

2. PERSONNEL MANAGEMENT SYSTEM CHANGES

Tony Package asked about the reporting structure for the new positions.

Fitzgerald moved, seconded by Silva, to adopt Resolution No. 2018-44.

RESOLUTION NO. 2018-44 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING AND DELETING CERTAIN CLASS SPECIFICATIONS FROM THE PERSONNEL MANAGEMENT SYSTEM AND AMENDING APPENDIX A OF RESOLUTION NO. 2016-23 (FULLERTON MANAGEMENT ASSOCIATION) AND THE APPENDIX OF RESOLUTION NO. 2016-66 (DESIGNATED CITY OF FULLERTON EMPLOYEES REQUIRED TO FILE A CONFLICT OF INTEREST DISCLOSURE STATEMENT)

Motion carried 4 – 0 – 1 (Absent: Sebourn).

Direction provided

3. INCREASED REVENUES / EXPENDITURES FOR STREET RECONSTRUCTION / IMPROVEMENT PROJECTS OPTIONS

- Thad Sanford noted the City Council has not exhausted all options for funding street repair.
- Ahmad Zahra asked if returning alleyways to private owners would affect property assessments.
- Sean Paden said the City would have a difficult time convincing the public of the need to raise taxes and suggested considering all options, including contracting with the OC Sheriff Department.

Fitzgerald moved, seconded by Silva, to direct staff to provide a plan at the next City Council meeting that includes public education, decision making milestones and timelines to meet regarding making decisions about how to fix roads.

Motion carried 3 – 1 – 1 (No: Whitaker; Absent: Sebourn).

Ordinance No. 3264 introduced

4. RESERVE OFFICER ORDINANCE

Fitzgerald moved, seconded by Chaffee, to introduce Ordinance No. 3264 for first reading by title only and waive further reading of the ordinance.

ORDINANCE NO. 3264 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING CHAPTER 2.36 OF TITLE 2 OF THE FULLERTON MUNICIPAL CODE, RELATING TO A RESERVE POLICE

FORCE

Motion carried 4 – 0 – 1 (Absent: Sebourn).

Approved

5. QUITCLAIM DEED TO TRANSFER VACANT LAND, APN 293-241-07, ALSO KNOWN AS "BASTANCHURY LIBRARY PROPERTY" TO FULLERTON PUBLIC LIBRARY FOUNDATION

Sean Paden said the Library Board of Trustees supports this item and asked to change the recommendation from "authorize" to "direct".

Whitaker moved, seconded by Fitzgerald, to authorize and direct City Manager to execute quitclaim deed to transfer vacant land located at APN 293-241-07 to Fullerton Public Library Foundation and other actions necessary to transfer the property.

Motion carried 4 – 0 – 1 (Absent: Sebourn).

CONSENT CALENDAR (Items 6 - 19)

Silva moved, seconded by Fitzgerald, to approve Consent Calendar Items 6 through 13 and 16 through 19.

Motion carried 4 – 0 – 1 (Absent: Sebourn).

Approved

6. JUNE 19, 2018 MEETING MINUTES

Recommendation by the City Clerk's Office:

Approve June 19, 2018 City Council / Successor Agency Meeting Minutes.

Received and filed

7. JUNE 2018 CHECK REGISTER

Recommendation by the Administrative Services Department:
Receive and file.

Received and filed

8. MONTHLY LEGISLATIVE UPDATE

Recommendation by the Administration Department:
Receive and file.

Resolution No.
2018-45 adopted

9. PARKS MAKE LIFE BETTER! MONTH

Recommendation by the Parks and Recreation Department:
Adopt Resolution No. 2018-45.

RESOLUTION NO. 2018-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, NAMING JULY 2018 PARKS MAKE LIFE BETTER! MONTH

Approved

10. ONE-YEAR AFTER SCHOOL EDUCATION AND SAFETY

GRANT RENEWAL - FULLERTON SCHOOL DISTRICT

Recommendation by the Parks and Recreation Department:

Approve 2018-19 Independent Contractor Agreement between Fullerton School District and City of Fullerton and authorize Parks and Recreation Director to sign agreement and subsequent amendments.

Approved

11. CALIFORNIA IMMIGRANT ALLIANCE PROJECT - BILINGUAL BOOKS GRANT FUNDED BY LIBRARY SERVICES AND TECHNOLOGY ACT

Recommendation by the Library:

Approve \$7500 grant funding from federal Library Services and Technology Act funds to purchase bilingual books or audio visual materials for pre-K through sixth grade.

Approved

12. ONE-YEAR AFTER SCHOOL EDUCATION AND SAFETY GRANT RENEWAL- PLACENTIA-YORBA LINDA UNIFIED SCHOOL DISTRICT

Recommendation by the Parks and Recreation Department:

Approve Independent Contractor Agreement between Placentia-Yorba Linda School District and City of Fullerton and authorize Parks and Recreation Director to sign current agreement not to exceed 12 months.

Approved

13. TOBACCO GRANT AMENDMENT APPROVAL

Recommendation by the Fullerton Police Department:

Authorize Chief of Police to:

1. Sign addendum to Tobacco Grant Memorandum of Understanding for additional \$87,123 grant funding and increase Police Department appropriations to Grant Fund 32 in the same amount, thereby increasing total award to \$302,054.
2. Sign future amendments, increases in funds and extensions for this grant.

Approved

16. INDEPENDENCE PARK LARGE POOL REPLASTERING PROJECT CONTRACT AWARD

Recommendation by the Public Works Department:

1. Approve plans and specifications for Independence Park Large Pool Replaster Project.
2. Approve a budget transfer to Project 55030 Independence Park Large Pool Replaster in the following amounts:
 - \$451,750 of Facility Capital Repair Fund Balance
 - \$451,750 of Park Dwelling Fund Balance.

3. Approve \$1,285,000 construction contract between California Commercial Pools, Inc. and the City of Fullerton, in a form approved by the City Attorney.
4. Authorize Director of Parks and Recreation to execute funding agreement with Fullerton Aquatics Sports Team in a form approved by the City Attorney. Anticipated funding amount is \$333,516. The final amount will be based on final construction quantities.

Approved

17. CITYWIDE BICYCLE AND PEDESTRIAN IMPROVEMENT PROJECT BID REJECTION

Recommendation by the Public Works Department:

Reject the solo bid for Citywide Bicycle and Pedestrian Improvement Project.

Approved

18. MALVERN / CHAPMAN AVENUE PROJECT P REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM CONTRACT AWARD

Recommendation by the Public Works Department:

1. Approve plans and specifications for Malvern / Chapman Avenue Regional Traffic Signal Synchronization Project.
2. Approve \$1,353,944 construction contract between DBX, Inc. of Temecula and the City of Fullerton, in a form approved by the City Attorney.

Approved

19. CURB / GUTTER AND SIDEWALK RECONSTRUCTION (FISCAL YEAR 2017-18) CONTRACT AWARD

Recommendation by the Public Works Department:

1. Approve plans and specifications for Curb / Gutter and Sidewalk Reconstruction Project Fiscal Year 2017-18.
2. Approve \$50,000 budget transfer from Drainage Capital Outlay Fund Balance to Project 44789 Curb / Gutter and Sidewalk Reconstruction Fiscal Year 2017-18.
3. Award \$380,761 construction contract for Curb / Gutter and Sidewalk Reconstruction Project Fiscal Year 2017-18 to Minako America Corporation.

ITEMS PULLED FROM THE CONSENT CALENDAR

Resolution No.
2018-46 adopted

14. RESOLUTION TO AMEND THE ADMINISTRATIVE CITATION FEE SCHEDULE FOR VIOLATIONS OF THE FULLERTON MUNICIPAL CODE PREVIOUSLY SET BY RESOLUTION NO. 8986

Paulette Marshall Chafee asked to increase the fine for marijuana dispensaries.

Silva moved, seconded by Fitzgerald, to adopt Resolution No. 2018-46.

RESOLUTION NO. 2018-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING THE ADMINISTRATIVE CITATION FEE SCHEDULE FOR VIOLATIONS OF THE FULLERTON MUNICIPAL CODE

Motion carried 4 – 0 – 1 (Absent: Sebourn).

Resolution No.
2018-47 adopted

15. POLICY GUIDE FOR NAMING PUBLIC PARKS AND RECREATION FACILITIES - NAMING OF CHAPMAN PARK FIELD 1

Tony Bogart spoke in support of this item.

Silva moved, seconded by Fitzgerald, to:

1. Adopt Resolution No. 2018-47.

RESOLUTION NO. 2018-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING CERTAIN POLICY, OBJECTIVES AND PRINCIPLES, AS A GUIDE FOR THE NAMING OF PUBLIC PARKS AND RECREATION FACILITIES

2. Approve naming Chapman Park baseball field #1 as Steve Macchia Field.

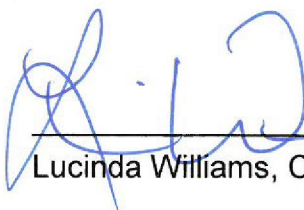
Motion carried 4 – 0 – 1 (Absent: Sebourn).

9:27 p.m.

ADJOURNMENT

Mayor Chaffee adjourned the meeting at 9:27 p.m.


Douglas B. Chaffee, Mayor


Lucinda Williams, City Clerk