



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION MINUTES
AUGUST 6, 2019 – 5:00 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California**

5:01 p.m.

CALL TO ORDER

Mayor / Chair Silva called the meeting to order at 5:01 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

PUBLIC COMMENTS

None.

RECESS to Closed Session

Mayor / Chair Silva recessed the meeting at 5:02 p.m.

CLOSED SESSION

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

Name of Case: Francisco Oliveras, et al. v. City of Fullerton, et al.

Case Number: 30-2018-00981683

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

Name of Case: Carla Wix, et al. v. City of Fullerton, et al.

Case Number: 30-2018-01033360

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

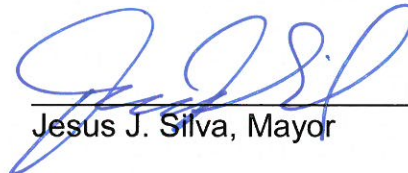
4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Per Government Code Section 54956.9(d)(2)

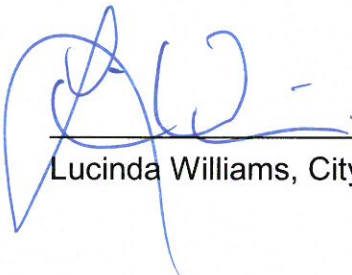
Significant Exposure to Litigation: One Case

6:35 p.m.

ADJOURNMENT

Mayor / Chair Silva adjourned the meeting at 6:35 p.m.



Jesus J. Silva, Mayor

Lucinda Williams, City Clerk



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

6:40 p.m.

CALL TO ORDER

Mayor / Chair Silva called the meeting to order at 6:40 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, Police Chief Robert Dunn, Fire Chief Adam Loser

INVOCATION given by Chaplain Charles Frost.

PLEDGE OF ALLEGIANCE led by Mayor Pro Tem Fitzgerald.

CLOSED SESSION REPORT

City Attorney Jones reported that the Fullerton Municipal Employees' Association and Fullerton Management Association rejected the City's proposals dated June 11, 2019.

City Attorney Jones reported that City Council unanimously voted to settle the case of Carla Wix et al. v. City of Fullerton, et al. in the amount of \$190,000.

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

None.

PRESENTATIONS

- 1. PRESENTATION: Outgoing Planning Commissioner**
- 2. PRESENTATION: League of California Cities**

PUBLIC COMMENTS

- Craig Allen Sheets spoke about homelessness, nuclear transport and methamphetamine.
- Kayla (no last name given) commented on homeless issues.
- Laura (no last name given) spoke about homeless issues.
- Xiamara Melendez commented on homeless issues.
- Kelly (no last name given) commented on homeless issues.
- Maureen Milton, Fullerton, spoke about City Hall signage and public comment forms.
- Jensen Hallstrom, Fullerton, spoke about City trees.
- Anita Adriano asked City Council to include business owners and residents on the homeless ad-hoc committee.
- Curtis Gamble spoke about homeless issues.
- Jose Trinidad Castaneda spoke about safe parking programs and Woodcrest Park renovations.
- Bernard (no last name given) spoke about housing issues.

CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS AND REPORTS

City Manager Domer responded to items arising during public comments.

Council Member Flory asked to agendaize a discussion of the Hunt Branch Library lease, asked for reports on overnight parking restriction exemptions, the property at Brea Boulevard and Marion Avenue and street repair funding and asked the public to let City Council know if they would like to hold a conversation about national issues.

Council Member Zahra asked the Police Department to review their protocols for mass shooting events, spoke about homeless issues, parking and traffic safety concerns and reported on recent and upcoming community events.

Council Member Whitaker spoke about homeless issues.

Mayor Pro Tem Fitzgerald announced that the Golden Hill Little League will participate in the Little League World Series.

Mayor Silva congratulated employees honored at the recent employee

recognition event and acknowledged new artwork on public utility boxes.

Appointment made

APPOINTMENTS

1. PLANNING COMMISSION APPOINTMENT TO FILL UNSCHEDULED VACANCY

Council Member Whitaker appointed Doug Cox to fill an unscheduled vacancy on the Planning Commission for a partial term expiring December 31, 2020.

Silva moved, seconded by Flory, to ratify the direct appointment.

Motion carried 5 – 0.

CONSENT CALENDAR (Items 1 - 7)

Flory moved, seconded by Whitaker, to approve Consent Calendar Items 1, 3, 4, 5, 6 and 7.

Motion carried 5 – 0.

Approved

1. JULY 16, 2019 MEETING MINUTES

Recommendation by the City Clerk's Office:

Approve July 16, 2019 City Council / Successor Agency Meeting Minutes.

Resolution No.
2019-41 adopted

3. DISABLED PERSONS PARKING - 130 SOUTH PRITCHARD AVENUE

Recommendation by the Public Works Department:

Adopt Resolution No. 2019-41.

RESOLUTION NO. 2019-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING A DISABLED PERSONS PARKING ZONE IN FRONT OF 130 SOUTH PRITCHARD AVENUE

Resolution No.
2019-42 adopted

4. 100 BLOCK WEST COMMONWEALTH AVENUE - INSTALLATION OF 2-HOUR PARKING

Recommendation by the Public Works Department:

Adopt Resolution No. 2019-42.

RESOLUTION NO. 2019-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING 2-HOUR PARKING ON THE NORTH SIDE OF WEST COMMONWEALTH AVENUE BETWEEN MALDEN AVENUE AND THE NORTH / SOUTH ALLEY WEST OF

HARBOR BOULEVARD, AS SHOWN IN EXHIBIT "A"

Resolution No.
2019-43 adopted

**5. TRUSLOW PARK NEIGHBORHOOD - INSTALLATION OF
ADDITIONAL TRAFFIC STOP CONTROL**

Recommendation by the Public Works Department:

Adopt Resolution No. 2019-43.

RESOLUTION NO. 2019-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING THE INSTALLATION OF ADDITIONAL STOP CONTROL AT VARIOUS INTERSECTIONS WITHIN THE TRUSLOW PARK NEIGHBORHOOD

Approved

6. SKYLINE DRIVE EASEMENT SEWER RECONSTRUCTION

Recommendation by the Public Works Department:

1. Approve plans and specification for Skyline Drive Easement Sewer Reconstruction Project.
2. Approve a \$256,000 budget transfer of Sewer Enterprise Fund to Project 51026 Skyline Drive Easement Sewer Reconstruction from Project 51419 Annual Sewer Replacement Program.
3. Award construction contract for Skyline Drive Easement Sewer Reconstruction Project to GRFCO, Inc.
4. Authorize Public Works Director to approve any future change order for construction and professional engineering construction support services within approved project budget.

Approved

**7. CURB / GUTTER AND SIDEWALK RECONSTRUCTION
FISCAL YEAR 2017-18 - ADDITIONAL FUNDING**

Recommendation by the Public Works Department:

Approve budget transfers to Project 44789 Curb / Gutter and Sidewalk Reconstruction Project FY 2017-18 in the following amounts:

- \$15,000 from Drainage Capital Outlay Fund Balance
- \$10,000 from Sanitation Fund Balance.

PUBLIC HEARINGS

None.

REGULAR BUSINESS (Items 8 - 10)

Received and filed;

8. CONSIDERATION OF TEMPORARY LIMIT ON SPACE

RENTAL RATE INCREASES IN MOBILE HOME PARKS

- Todd Harrison spoke about Rancho La Paz homeowners' property rights.
- June Perez, Fullerton, expressed disappointment with the property owner's concessions.
- Cheryl Moi, Anaheim, expressed disappointment with the property owner's concessions.
- Rosemary McLeod, Fullerton, expressed disappointment with the property owner's concessions.
- Carol Heckerman spoke about the impact of rent increases on residents.
- Unidentified speaker spoke about the impact of rent increases on Rancho La Paz residents.
- Ben Eilenberg, Fullerton, suggested making the moratorium on rent increases applicable to new increases only.
- Rancho La Paz HOA President, Anaheim, spoke about the impact of rent increases on residents.
- Christine Schachter urged City Council to support policies that increase the housing supply.
- Clay Hage discussed the unintentional targets of rent control ordinances.
- Jorge Rivera spoke in support of the Rancho La Paz residents.
- Elisabeth Hansburg, Fullerton, spoke about the need for more housing.
- Mary Jo Baretich spoke in support of the proposed ordinance.
- Susan James opposed the proposed ordinance.
- Andrea West opposed the proposed ordinance.
- Julie Paule, Western Manufactured Housing Communities Association, opposed the proposed ordinance.
- Peter Herzog, MHET, opposed the proposed ordinance.
- Eve Lucas spoke in support of Rancho La Paz residents.
- Victor Cae, California Apartment Association, spoke in opposition to rent control.
- Adam Wood, BIA / OC, spoke against the ordinance.
- Jerry Jacobsen opposed rent control.
- Unidentified speaker spoke about the impact of the sale of Rancho La Paz.

- Jane Rands, Fullerton, spoke in support of Rancho La Paz residents.
- Curtis Gamble suggested refunding the money for the sale of Rancho La Paz, discussed EBT cards and the Fullerton Armory.
- Diane Vena, Fullerton, spoke in support of the proposed ordinance.
- Valdonna Longbrake, Fullerton, expressed disappointment with the property owner's concessions.

Fitzgerald moved, seconded by Flory, to table this item.

Silva made an alternative motion, seconded by Flory, to receive and file this item and memorialize the owner's concessions.

Alternative motion carried 5 – 0.

Original motion failed.

Mayor Silva recessed the meeting at 9:58 p.m.

Mayor Silva reconvened the meeting at 10:11 p.m.

Approved

9. **LEGISLATIVE SUBCOMMITTEE RECOMMENDATIONS**

- Jose Trinidad Castaneda asked City Council to support AB 68, AB 592 and SB 330 with amendments.
- Elizabeth Hansburg asked City Council to support SB 330, AB 592 and AB 68.
- Victor Cao said AB 1482 will not solve the state's housing problems.
- Julie Paule, WMA, said AB 1482 will not solve the state's housing problems.

Fitzgerald moved, seconded by Flory, to approve the Legislative Subcommittee recommendations for support or opposition on bills as noted in the Agenda Report.

Motion carried 3 – 2 (No: Whitaker, Zahra).

Flory moved, seconded by Whitaker, to make no recommendation on AB 302.

Motion carried 4 – 1 (No: Fitzgerald).

Zahra moved, seconded by Silva, to support AB 849.

Motion failed 2 – 3 (In Favor: Zahra, Silva).

Fitzgerald moved, seconded by Flory, to oppose AB 849.

Motion carried 3 – 2 (Opposed: Zahra, Silva).

Flory moved, seconded by Fitzgerald, to oppose AB 1482.

Silva made an alternate motion, seconded by Zahra, to support AB 1482.

Alternate motion failed 2 – 3 (In Favor: Zahra, Silva).

Original motion carried 3 – 2 (Opposed: Zahra, Silva).

Flory moved, seconded by Silva, to support H.R. 530 and S. 2012 and oppose S. 1699.

Motion carried 3 – 2 (Opposed: Whitaker, Fitzgerald).

Fitzgerald moved, seconded by Flory, to oppose SB 523.

Motion carried 3 – 2 (Opposed: Zahra, Silva).

Zahra moved to support SCA 1. Motion failed for lack of a second.

Silva moved, seconded by Flory, to watch SCA 1.

Motion carried 3 – 1 – 1 (No: Whitaker; Abstain: Fitzgerald).

Delegates and Alternates Appointed 10.

DELEGATES AND ALTERNATES FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Silva moved, seconded by Fitzgerald, to appoint Mayor Silva as the voting delegate, Mayor Pro Tem Fitzgerald as the first alternate delegate and Council Member Zahra as the second alternate delegate at the 2019 League of California Cities Annual Conference Business Meeting.

Motion carried 5 – 0.

ITEMS REMOVED FROM CONSENT CALENDAR

Resolution No.
2019-40 adopted

2. COMMITTEE REORGANIZATION – ACTIVE TRANSPORTATION COMMITTEE

- Brandon Whalen spoke in opposition to this item.
- Jane Rands spoke in support of this item.

Flory moved, seconded by Silva, to adopt Resolution No. 2019-40.

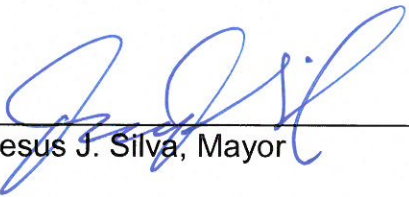
RESOLUTION NO. 2019-40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING THE ACTIVE TRANSPORTATION COMMITTEE AND REPEALING RESOLUTION NOS. 8366 AND 8724

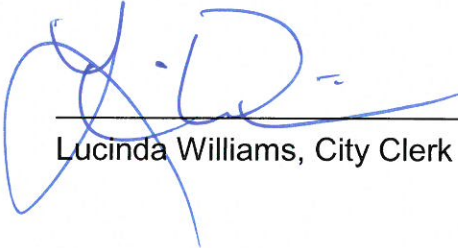
Motion carried 5 – 0.

11:19 p.m.

ADJOURNMENT

Mayor / Chair Silva adjourned the meeting at 11:19 p.m. in memory of victims of recent mass shooting events



Jesus J. Silva, Mayor

Lucinda Williams, City Clerk