



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION MINUTES
OCTOBER 1, 2019 – 5:00 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California**

5:05 p.m.

CALL TO ORDER

Mayor / Chair Silva called the meeting to order at 5:05 p.m.

All Present

ROLL CALL

Present: Mayor / Chair Silva, Mayor Pro Tem / Vice Chair Fitzgerald, Council / Agency Members Flory, Whitaker (arrived 5:10 p.m.), 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 to order at 5:05 p.m.

CLOSED SESSION

1. 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

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Per Government Code Section 54957(b)(1)

Title: City Manager

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

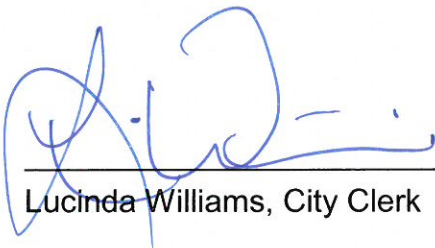
Name of Case: Lucrecia Jackson, et al. v. City of Fullerton, et al.

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

6:27 p.m.

ADJOURNMENT

Mayor / Chair Silva adjourned the meeting at 6:27 p.m.



Lucinda Williams, City Clerk

Jesus J. Silva, Mayor



CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
REGULAR MEETING MINUTES
OCTOBER 1, 2019 - 6:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California

6:35 p.m.

CALL TO ORDER

Mayor / Chair Silva called the meeting to order at 6:35 p.m.

All Present

ROLL CALL

Present: Mayor / Chair Silva, Mayor Pro Tem / Vice Chair Fitzgerald, Council / Agency 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 and Economic Development Matt Foulkes, Police Chief Robert Dunn, Director of Administrative Services Ellis Chang, Deputy Fire Chief Jamie Newton

INVOCATION given by Pastor Greg Hickman.

PLEDGE OF ALLEGIANCE led by Mayor Pro Tem Fitzgerald.

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

Mayor Pro Tem Fitzgerald reported that she discussed labor negotiations with the Fullerton Firefighters' Association.

PRESENTATIONS

1. **PRESENTATION: Census Partnership and Engagement Program**

City Council recognized the Fullerton Sister City Association.

2. PROCLAMATION: Women's Transitional Living Center Domestic Violence Awareness Month

PUBLIC COMMENTS

- Todd Harrison, Fullerton, spoke about Rancho La Paz.
- Gail Taylor, Fullerton College Foundation, spoke about an upcoming fundraising event.
- Nancy Avila, NALEO, spoke about the 2020 Census.
- Jensen Hallstrom, Fullerton, spoke about urban forests.
- Unidentified speaker, Fullerton, spoke about pooled water and mosquitos in her neighborhood and at Woodcrest School.
- Steve Blount, Cypress, spoke about the proposed Fullerton College Stadium.
- Mark Miller, Anaheim, spoke about Rancho La Paz.
- Donna Whitman, OC United, spoke about crime in the Valencia neighborhood.
- Kitty Jaramillo, Fullerton, spoke about homeless issues and code enforcement.
- Curtis Gamble spoke about the Fullerton Transportation Center, Rancho La Paz and homeless issues.

CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS AND REPORTS

City Manager Domer responded to issues arising during Public Comments.

Council Member Zahra spoke about homelessness, asked for a presentation, supported by Flory, on the Urban Forest Plan, spoke about attendance at recent community events, announced upcoming activities and discussed water issues.

Council Member Flory spoke about Fullerton Connect, water billing and fundraising events throughout the City.

Council Member Whitaker reported on attendance at recent events and commented on homeless issues.

Mayor Pro Tem Fitzgerald spoke about the upcoming Women's Leadership Conference.

Mayor Silva announced his next Monthly Update.

APPOINTMENTS

None.

CONSENT CALENDAR (Items 1 - 8)

Flory moved, seconded by Zahra, to approve Consent Calendar Items 1 – 8.

Motion carried 5 – 0.

Approved

1. **SEPTEMBER 17, 2019 MEETING MINUTES**

Recommendation by the City Clerk's Office:

Approve September 17, 2019 City Council / Successor Agency Meeting Minutes.

Resolution
2019-54 adopted

No. 2. **CITY TREASURER APPOINTMENT**

Recommendation by the City Clerk's Office:

Adopt Resolution No. 2019-54.

RESOLUTION NO. 2019-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPOINTING THE POSITION OF CITY TREASURER OF THE CITY OF FULLERTON AND FULLERTON SUCCESSOR AGENCY

Approved

3. **2019-20 OFFICE OF TRAFFIC SAFETY GRANT AGREEMENT**

Recommendation by the Police Department:

1. Authorize Chief of Police to execute \$460,000 2019-20 Office of Traffic Safety "Selective Traffic Enforcement Program" grant agreement and any amendments, in a form approved by the City Attorney.
2. Increase Police Department appropriations by \$460,000 in Grants Fund 32.

Resolution
2019-55 adopted

No. 4. **CALRECYCLE RUBBERIZED PAVEMENT GRANT PROGRAM AUTHORIZATION FOR FIVE-YEAR SUBMITTAL PERIOD AND INITIAL GRANT SUBMITTAL FOR EUCLID STREET ROADWAY AND SEWER REHABILITATION PROJECT**

Recommendation by the Public Works Department:

Adopt Resolution No. 2019-55.

RESOLUTION NO. 2019-55 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING THE PUBLIC WORKS DIRECTOR TO

SUBMIT AN APPLICATION FOR THE CALRECYCLE RUBBERIZED PAVEMENT GRANT PROGRAM AND TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE THE GRANT FUNDING

Resolution No. 5.
2019-56 adopted

CERTIFICATION OF FUNDING AVAILABILITY AND COMMITMENT TO FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM PROJECTS

Recommendation by the Public Works Department:

Adopt Resolution No. 2019-56.

RESOLUTION NO. 2019-56 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, WHICH CERTIFIES THAT THE CITY OF FULLERTON HAS THE RESOURCES TO FUND THE PROJECTS IN THE FEDERAL FISCAL YEARS 2020-21 - 2025-26 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMS ITS COMMITMENT TO IMPLEMENT ALL PROJECTS IN THE PROGRAM

Approved

6. AMERICA'S WATER INFRASTRUCTURE ACT COMPLIANCE RISK AND RESILIENCY ASSESSMENT AND EMERGENCY RESPONSE PLAN (PHASES II AND III) COST SHARING AGREEMENT

Recommendation by the Public Works Department:

Authorize City Manager to execute \$145,228 agreement with Metropolitan Water District of Orange County for professional services for Risk and Resiliency Assessment and Emergency Response Plan for Phases II and III, in a form approved by the City Attorney.

Resolution No. 7.
2019-57 adopted

TRAFFIC SAFETY ENHANCEMENT STUDY - WEST CHAPMAN AVENUE NEIGHBORHOOD

Recommendation by the Public Works Department:

1. Adopt Resolution No. 2019-57.

RESOLUTION NO. 2019-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING THE INSTALLATION OF ADDITIONAL STOP CONTROL AT VARIOUS INTERSECTIONS WITHIN THE WEST CHAPMAN AVENUE NEIGHBORHOOD AND THE REDESIGNATION OF AN ALLEY FROM MULTI DIRECTIONAL TRAVEL TO ONE-WAY

2. Authorize Public Works Director to issue directive to install additional traffic safety enhancements as recommended in California Manual on Uniform Traffic Control Devices and outlined in Agenda Report.

Resolution No. 8.
2019-58 adopted

RESIDENT ONLY PERMIT PARKING REQUEST - EAST WILSHIRE AVENUE

Recommendation by the Public Works Department:

Adopt Resolution No. 2019-58.

RESOLUTION NO. 2019-58 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING RESIDENT ONLY PERMIT PARKING ON BOTH SIDES OF THE 500 BLOCK OF EAST WILSHIRE AVENUE BETWEEN BALCOM AVENUE AND BERKELEY AVENUE

PUBLIC HEARINGS

None.

REGULAR BUSINESS (Items 9 - 13)

Approved

9. TEMPORARY SAFE PARKING PROGRAM

- Jose Trinidad Castaneda, Fullerton, spoke in support of this item.
- Harry Langenbacher, Fullerton, spoke in support of this item.
- Curtis Gamble suggested placing safe parking at the Rancho La Paz mobile home park.

Flory moved, seconded by Zahra, to:

1. Authorize City Manager or his designee to execute Lease Agreement, or other appropriate document, and Professional Services Agreement with Illumination Foundation, or other qualified service provider, in a form approved by the City Attorney, and take necessary actions to complete implementation of temporary Safe Parking Program.
2. Appropriate use of Low-Mod Income Housing Set Aside Fund not to exceed \$100,000 to implement six-month Safe Parking Program.

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

Resolution No. 10.
2019-59 adopted

RESOLUTION OF INTENTION TO AMEND FULLERTON MUNICIPAL CODE TITLE 15 (ZONING) TO AMEND PROVISIONS APPLICABLE TO EMERGENCY SHELTERS AND MULTISERVICE CENTERS FOR HOMELESS AND MODIFY BOUNDARIES OF EMERGENCY SHELTER OVERLAY ZONE

- Harry Langenbacher, Fullerton, spoke in support of this item.

- Curtis Gamble suggested updating the municipal code to match other cities.

Zahra moved, seconded by Flory, to adopt Resolution No. 2019-59.

RESOLUTION NO. 2019-59 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DECLARING ITS INTENTION TO CONSIDER AMENDMENTS TO TITLE 15 OF THE FULLERTON MUNICIPAL CODE TO AMEND CHAPTER 15.42 - EMERGENCY SHELTER OVERLAY ZONE, AND OTHER RELATED CHAPTERS AS NECESSARY, TO BETTER IMPLEMENT THE CITY'S GOAL TO REDUCE THE INCIDENCES OF HOMELESSNESS IN FULLERTON

Motion carried 4 – 1 (No: Whitaker).

Resolution No. 11.
2019-60 adopted

EMPLOYMENT AGREEMENT FOR INTERIM POLICE CAPTAIN

Fitzgerald moved, seconded by Silva, to adopt Resolution No. 2019-60.

RESOLUTION NO. 2019-60 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING AN AGREEMENT RETAINING ERIC CARTER AS AN INTERIM POLICE CAPTAIN IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 7522.56 AND 21224

Motion carried 4 – 1 (No: Whitaker).

Resolution No. 12.
2019-61 adopted

PROPOSED SIDE LETTER TO MEMORANDUM OF AGREEMENT BETWEEN CITY OF FULLERTON AND FULLERTON POLICE OFFICERS' ASSOCIATION - POLICE SAFETY UNIT - FINAL APPROVAL

- Jose Trinidad Castaneda spoke in support of this item.
- Isle Miranda spoke in support of this item.
- Gabriela Garcia, OC United, spoke in support of this item.
- Curtis Gamble spoke about police services and the homeless.

Fitzgerald moved, seconded by Zahra, to:

1. Adopt Resolution No. 2019-61.

RESOLUTION NO. 2019-61 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING THE SIDE LETTER AGREEMENT BETWEEN THE CITY AND THE FULLERTON POLICE OFFICERS' ASSOCIATION - POLICE SAFETY UNIT

2. Approve \$487,000 budget transfer from Police Department

salaries and benefits to City's IRS Section 115 Trust Fund.
Motion carried 4 – 1 (No: Whitaker).

Resolution No. 13. **FINANCIAL AND TREASURER'S REPORT FOR FISCAL
2019-62 adopted YEAR ENDED JUNE 30, 2019**

Flory moved, seconded by Zahra, to:

1. Adopt Resolution No. 2019-62.

RESOLUTION NO. 2019-62 - A RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF FULLERTON,
CALIFORNIA, APPROVING PROPOSED AMENDMENTS
TO THE ANNUAL BUDGET FOR FISCAL YEAR 2018-19

2. Receive and file Financial and Treasurer's Reports.

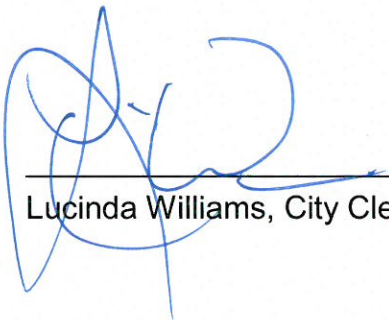
ITEMS REMOVED FROM CONSENT CALENDAR

None.

9:41 p.m.

ADJOURNMENT

Mayor / Chair Silva adjourned the meeting at 9:41 p.m.



Lucinda Williams, City Clerk

Jesus J. Silva, Mayor