CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION MINUTES

MARCH 3, 2020 – 4:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California

4:31 p.m.

CALL TO ORDER

Mayor / Chair Fitzgerald called the meeting to order at 4:31 p.m.

All Present

ROLL CALL

Present:	Mayor / Chair Fitzgerald, Mayor Pro Tem / Vice Chair Flory, Council / Agency Members Silva, Whitaker (arrived 4:44 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 Fitzgerald recessed the meeting at 4:32 p.m.

CLOSED SESSION

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Per Government Code Section 54956.8**

Property:	510 North Harbor, Fullerton, CA (APN: 029-033-21)
Agency Negotiator:	City Manager Kenneth A. Domer
Negotiating Parties:	Dan Almquist, Frontier Real Estate Investments
Under Negotiations:	Price and Terms

5:28 p.m.

ADJOURNMENT

Mayor / Chair Fitzgerald adjourned the meeting at 5:28 p.m.

Jennifer Fitzgerald, Mayor

Lucinda Williams, City Clerk

CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
STUDY SESSION MINUTES
MARCH 3, 2020 - 5:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California

5:32 p.m.

CALL TO ORDER

Mayor / Chair Fitzgerald called the meeting to order at 5:32 p.m.

All Present

ROLL CALL

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

Absent: None

Staff Present: City Manager Kenneth A. Domer, Deputy City Manager Antonia Graham, City Attorney Richard D. Jones, City Clerk Lucinda Williams, Director of Director of Public Works Meg McWade, Director of Community and Economic Development Matt Foulkes, Police Chief Robert Dunn, Fire Chief Adam Loser, Director of Parks and Recreation Hugo Curiel, Director of Administrative Services Ellis Chang

PUBLIC COMMENTS

None.

STUDY SESSION (Item 1)

1. PRESENTATION OF COMMUNITY SURVEY RESULTS

John Fairbanks, of FM3 Research, presented the results of a statistically valid telephone and internet-based survey conducted for the City in early November, 2019. The survey asked respondents their feelings on several matters to include various departments of the City, the City Council, and perceptions on whether the City was moving in a positive direction or not. Additionally, the survey asked respondents their perception about many different infrastructure issues, homelessness, and other items related to City programs and services. The survey also asked respondents about their

feelings towards revenue enhancement options to include a parcel tax, sales tax, and feelings toward legalization and taxation of cannabis.

- Jane Reifer, Fullerton, asked why the survey only included registered voters and if data was broken down by voting district.
- Diane Vena, Fullerton, asked about the methods used to survey respondents, the number of non-respondents and the selection of the questions used in the survey.
- Billie Holt, Fullerton, asked about the percentage of the population surveyed and selection of voters surveyed.
- Derek Johnson asked how the City would track funding directed toward homeless issues.

Fitzgerald moved, seconded by Flory, to receive and file community survey results as presented by FM3 Research and direct Staff accordingly.

Motion carried 5 – 0.

6:25 p.m.

ADJOURNMENT

Mayor / Chair Fitzgerald adjourned the Study Session meeting at 6:25 p.m.

Jennifer Fitzgerald, Mayor

Lucinda Williams, City Clerk

CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
REGULAR MEETING MINUTES
MARCH 3, 2020 - 6:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California

6:32 p.m.

CALL TO ORDER

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

All Present

ROLL CALL

Present:	Mayor / Chair Fitzgerald, Mayor Pro Tem / Vice Chair Flory, Council / Agency Members Silva, Whitaker, Zahra
Absent:	None
Staff Present:	City Manager Kenneth A. Domer, Deputy City Manager Antonia Graham, City Attorney Richard D. Jones, City Clerk Lucinda Williams, Director of Parks and Recreation Hugo Curiel, Director of Public Works Meg McWade, Director of Community and Economic Development Matt Foulkes, Police Chief Robert Dunn, Director of Administrative Services Ellis Chang, Fire Chief Adam Loser

INVOCATION given by Reverend Mandye Yates.

PLEDGE OF ALLEGIANCE led by Council Member Zahra.

CLOSED SESSION REPORT

None.

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

None.

PRESENTATIONS

1. **PRESENTATION: University of California, Irvine Update**
Alberto Sandoval, Senior Director of Community and Government Relations, made a presentation about UCI.

PUBLIC COMMENTS

- Todd Harrison, Fullerton, spoke about Rancho La Paz.
- Tanya McCrory, Fullerton, spoke about Council Member Zahra's monthly meetings.
- Jensen Hallstrom, Fullerton, spoke about urban forests.
- Kitty Jaramillo, Fullerton, spoke about street repairs.
- Unidentified speaker spoke about preserving urban forests.
- Unidentified speaker shared videos.
- Jose Trinidad Castaneda spoke about Community Choice Energy.
- Martha San Elias spoke about the Maple neighborhood.
- Elgeth Nuncci clarified comments by the previous speaker.
- Jane Reifer spoke about translations at City Council meetings.

CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS AND REPORTS

City Manager Domer responded to issues arising during public comments.

Council Member Silva invited the public to contact him with questions about the City.

Council Member Zahra spoke about his monthly meetings, language assistance and attendance at community events.

Council Member Whitaker responded to issues arising during public comments and spoke about attendance at recent events.

Mayor Pro Tem Flory spoke about development of the former Beckman property and the City website.

Mayor Fitzgerald spoke about attendance at recent events.

APPOINTMENTS

None.

CONSENT CALENDAR (Items 1 - 7)

Zahra moved, seconded by Fitzgerald, to approve Consent Calendar Items 2, 3, 5, and 6.

Motion carried 5 – 0.

Ordinance No. 3278 adopted

2. ZONING MAP AMENDMENT TO CHANGE ZONING CLASSIFICATION FOR PROPERTY AT 751 EAST BASTANCHURY ROAD - SECOND READING OF ORDINANCE

Recommendation:

Adopt Ordinance No. 3278.

ORDINANCE NO. 3278 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A ZONING AMENDMENT TO CHANGE THE ZONING CLASSIFICATION FROM O-G (OIL GAS) TO PRD-I (PLANNED RESIDENTIAL DEVELOPMENT - INFILL) ON A 2.4 ACRE PROPERTY AT 751 EAST BASTANCHURY ROAD

Resolution No. 2020-26 adopted

3. CITY REPRESENTATION - INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY

Recommendation:

Adopt Resolution No. 2020-26.

RESOLUTION NO. 2020-26 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPOINTING A REPRESENTATIVE AND SUBSTITUTE ALTERNATE REPRESENTATIVE TO THE GOVERNING BOARD OF THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA) AND REPEALING RESOLUTION NO. 2020-05

Approved

5. WEST COAST ARBORIST CONTRACT AMENDMENT TO ALLOW FOR SERVICES TO BE AUTHORIZED AT PRICES BID

Recommendation:

Authorize Public Works Director to execute amendment, subject to City Attorney review, to the 2017 agreement for City Tree Services with West Coast Arborists, Inc. to enable additional operational and Capital Improvement Program project work at prices bid. This action removes the prior expenditure cap of $1,183,170 per year.

Approved

6. FIRE STATIONS 2, 3 AND 4 FLOORING REPLACEMENT

Recommendation:

1. Approve scope of work and proposal for replacement of flooring materials and installation at Fire Stations 2, 3 and 4.
2. Approve $10,000 budget transfer from Facility Capital Repair Fund balance to Capital Improvement Project Number 50013.

3. Authorize City Manager to execute $52,797.62 agreement with Milliken Services, LLC and authorize Public Works Director to approve necessary change orders should unforeseen conditions occur during the project.

PUBLIC HEARINGS

None.

REGULAR BUSINESS (Item 8)

Received and filed. Direction provided.

8. INFRASTRUCTURE AND NATURAL RESOURCES ADVISORY COMMITTEE (INRAC) INFRASTRUCTURE REPORT AND RECOMMENDATIONS

David Grantham, Public Works – Engineering, introduced Mr. Thad Sandford, INRAC Chair, who proceeded to provide a recap of the process INRAC followed to develop their recommendations as presented to Council.

- Jose Trinidad Castaneda spoke in support of a parcel tax and the INRAC recommendations.
- Carime Calixto asked City Council to outreach on this issue in multiple languages.
- Sean Paden spoke in opposition to a sales tax measure.
- Tanya McCrory, Fullerton, asked the City Council to agendize discussions regarding pension costs, city attorney services, police misconduct lawsuits and bringing a fair share of tax revenues back to the city.
- Egleth Nuncci, Fullerton, asked for more resident education.
- Damien Lloyd, Fullerton, spoke in support of a special tax for road repair.
- Patrick McNelly, Fullerton, spoke in support of the INRAC recommendation.

Fitzgerald moved, seconded by Zahra, to receive and file the INRAC Conditions and Funding Report.

Motion carried 5 – 0.

Zahra moved, seconded by Flory, to bring back information regarding a Transient Occupancy Tax and regulations for short-term rentals to City Council as soon as possible.

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

Fitzgerald moved, seconded by Zahra, to direct staff to research financial policies, prepare a draft ordinance regarding the budget and a dedicated infrastructure fund, provide information on general and special sales tax measures and

research how funding will be reinvested into the community by the May 5, 2020 meeting.

ITEMS REMOVED FROM CONSENT CALENDAR

Approved as amended

1. FEBRUARY 18, 2020 MEETING MINUTES

Recommendation:

Approve February 18, 2020 City Council / Successor Agency Meeting Minutes as amended.

Resolution Nos. 2020-27 and 2020-28 adopted

4. ESTABLISHING STAFF AUTHORITY FOR HANDLING AND SETTLING LIABILITY AND WORKERS' COMPENSATION CLAIMS

Recommendation:

Adopt the following resolutions:

RESOLUTION NO. 2020-27 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, UPDATING AUTHORIZATION FOR HANDLING LIABILITY CLAIMS AND RESCINDING RESOLUTION NO. 08-47

RESOLUTION NO. 2020-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, UPDATING AUTHORIZATION FOR REPRESENTATION AT WORKERS' COMPENSATION PROCEEDINGS AND RESCINDING RESOLUTION NO. 08-49

Approved

7. EVALUATION PANEL APPOINTMENT FOR HUNT BRANCH LIBRARY REQUEST FOR PROPOSAL PROCESS

- Jane Reifer, Save the Hunt Library, supported keeping the Hunt Branch Library for public use, spoke about building restoration and commented on the request for proposal process.
- Barbara Kilponen recommended that the new appointee review the entire ad-hoc committee report before reviewing proposals.

Zahra moved, seconded by Flory, to re-convene available members of the Hunt Branch Library Ad Hoc Committee and appoint Fasil Quazi and Library Board of Trustee Member Ellen Ballard to perform evaluation of submitted proposals for future use of the Hunt Branch Library.

Motion carried 5 – 0.

9:31 p.m.

ADJOURNMENT

Mayor / Chair Fitzgerald adjourned the meeting at 9:31 p.m.

Jennifer Fitzgerald, Mayor

Lucinda Williams, City Clerk