



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION MINUTES
JUNE 2, 2020 – 5:00 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California**

5:02 p.m.

CALL TO ORDER

Mayor / Chair Fitzgerald called the meeting to order at 5:02 p.m.

All Present

ROLL CALL

Present: Mayor / Chair Fitzgerald, Mayor Pro Tem / Vice Chair Flory, Council / Agency Members Silva Whitaker, Zahra (arrived 5:04 p.m.)

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 5:03 p.m.

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATOR Per Government Code Section 54957.6

Agency Representative/s: Kenneth A. Domer, Ellis Chang and Jay Trinnaman

Employee Organization/s: Fullerton Fire Management Association, Fullerton Municipal Employees Federation, Fullerton Police Officers' Association - Safety and Dispatch, Fullerton Firefighters' Association, Fullerton Police Management Association, Fullerton Management

Under Discussion:

Association

Negotiating
measures

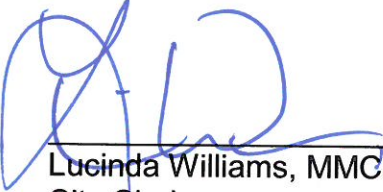
cost


savings

6:27 p.m.

ADJOURNMENT

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



Lucinda Williams, MMC
City Clerk

Jennifer Fitzgerald
Mayor



CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
REGULAR MEETING MINUTES
JUNE 2, 2020 - 6:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California

6:38 p.m.

CALL TO ORDER

Mayor / Chair Fitzgerald called the meeting to order at 6:38 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, City Attorney Richard D. Jones, City Clerk Lucinda Williams, Director of Community and Economic Development Matt Foulkes, Police Chief Robert Dunn, Fire Chief Adam Loser, Library Director Judy Booth

INVOCATION given by Police Chaplain John Schaefer.

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**

Mayor Pro Tem Flory, Council Member Silva and Council Member Zahra reported that they each individually spoke with Dan Lancaster of the Fullerton Firefighters Association.

PRESENTATIONS

None.

PUBLIC COMMENTS

- City Clerk Williams summarized an eComment from Joe Imbriano in opposition to Consent Calendar Item 2.
- City Clerk Williams summarized an eComment from a Guest User requesting speed enforcement on North Woods Avenue.
- Susie Dittmar spoke in support of the Fullerton Museum.
- Zach Nelson, Fullerton, spoke about code enforcement issues with his business.
- Unidentified speaker requested a location in the City to express support for Black Lives Matter.
- Dan Lancaster, President, Fullerton Firefighters Association, attempted to speak about Item 5, was ruled out of order by the Mayor, and after refusing to yield, the Mayor called for a recess.

Mayor Fitzgerald recessed the meeting at 7:04 p.m.

Mayor Fitzgerald reconvened the meeting at 7:08 p.m.

- Jensen Hallstrom spoke about hazards in city parks and trails.
- Veronica Moran spoke about illegal fireworks and thanked the police for their work.
- Alma Chavez spoke about illegal fireworks.
- Jose Trinidad Castaneda spoke about racial justice.
- Rex Pritchard spoke about the Consent Calendar process.
- Egleth Nuncci, Fullerton, thanked the City for its leadership and assistance.
- Evelyn Bautista, Fullerton, spoke about police issues and illegal fireworks.

CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS AND REPORTS

City Manager Domer responded to items arising during public comments.

Council Member Silva asked protestors to remain peaceful and thanked Staff for their COVID-19 efforts.

Council Member Zahra requested, supported by Mayor Fitzgerald, to consider a resolution against discrimination at the next meeting, spoke about social issues, spoke about abating foxweed on City trails, asked

about illegal fireworks, asked for public space for residents to express support for Black Lives Matter and reported on his upcoming monthly meeting.

Council Member Whitaker spoke in support of the public's right to peaceful protest.

Mayor Pro Tem Flory congratulated the Police Chief for assisting with peaceful demonstrations over the weekend and spoke about illegal fireworks and City trails.

APPOINTMENTS (Item 1)

1. COMMISSION / COMMITTEE / BOARD APPOINTMENTS

Mayor Fitzgerald appointed Chris Thompson to fill an unscheduled vacancy on the Community Development Citizens Committee.

Fitzgerald moved, seconded by Flory, to ratify the appointment of Chris Thompson to the Community Development Citizens' Committee for an unexpired term expiring December 31, 2020.

Motion carried 5 – 0.

CONSENT CALENDAR (Items 1 - 7)

Fitzgerald moved, seconded by Flory, to approve Consent Calendar Items 1, 2, 3, 6 and 7.

Motion carried 5 – 0.

Approved

1. MAY 19, 2020 MEETING MINUTES

Recommendation:

Approve May 19, 2020 City Council / Successor Agency Meeting Minutes.

Ordinance No. 3283 introduced

2. FULLERTON MUNICIPAL CODE AMENDMENT PERTAINING TO AMENDING STATE SPEED LIMITS - SECOND READING OF ORDINANCE

Recommendation:

Adopt Ordinance No. 3283.

ORDINANCE NO. 3283 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING SECTION 8.56.020 OF CHAPTER 8.56 OF TITLE 8 OF THE FULLERTON MUNICIPAL CODE RELATING TO SPEED ZONES

Approved

3. TREASURER'S REPORT FOR QUARTER ENDED MARCH 31, 2020

Recommendation:

Receive and file Quarterly Investment Report.

Resolution No. 6.
2020-44 adopted

APPLICATION AND RECEIPT OF LEAP PLANNING GRANTS PROGRAM FUNDS

Recommendation:

1. Adopt Resolution No. 2020-44.

RESOLUTION NO. 2020-44 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS

2. Authorize appropriation of receipt and use of LEAP Planning Grant Funds.

Resolution No. 7.
2020-45 adopted

HARBOR BOULEVARD CORRIDOR - PROJECT P REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM - AUTHORIZATION TO REQUEST DELAY OF PROJECT DUE TO FINANCIAL UNCERTAINTIES FROM COVID-19

Recommendation:

Adopt Resolution No. 2020-45.

RESOLUTION NO. 2020-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A REQUEST TO PURSUE A PROJECT DELAY FROM THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR THE HARBOR BOULEVARD CORRIDOR PROJECT - PROJECT P REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM

PUBLIC HEARINGS (Item 8 - 9)

Continued to June 8.
16, 2020 at 6:30
p.m.

FULLERTON MUNICIPAL CODE AMENDMENTS PERTAINING TO REGULATION OF SHORT-TERM RENTALS (CONTINUED FROM MAY 5, 2020)

Fitzgerald moved, seconded by Whitaker, to continue this item to June 16, 2020 at 6:30 p.m. in the City Council Chambers.

Motion carried 4 – 1 (No: Silva).

Resolution Nos. 9.
2020-46, 2020-47,
and 2020-48
adopted

ADOPTION OF PROPOSED ANNUAL BUDGET, PROPOSED FEES AND ANNUAL APPROPRIATIONS LIMIT FISCAL YEAR 2020-21

Mayor Fitzgerald recessed the meeting at 9:11 p.m.

Mayor Fitzgerald reconvened the meeting at 9:16 p.m.

Mayor Fitzgerald opened the public hearing at 9:50 p.m.

- Suzanne Benet spoke in support of keeping the Museum open.
- Andrea Freeman spoke in support of keeping the Museum open.

City Clerk Williams summarized the following eComments:

- Carol Henke in support of using public safety funds to keep the museum open.
- Guest user in support of the Fullerton Museum.
- Amelia Henke in support of redirecting public safety funding to keep the museum open.

Mayor Fitzgerald closed the public hearing at 9:56 p.m.

Fitzgerald moved, seconded by Silva, to:

1. Adopt Resolution No. 2020-46.

RESOLUTION 2020-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING AND ADOPTING THE PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2020-21 AND APPROPRIATING THE FUNDS NECESSARY TO MEET THE EXPENDITURES SET FORTH THEREIN

2. Adopt Resolution No. 2020-47.

RESOLUTION 2020-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020-21 PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA STATE CONSTITUTION

3. Adopt Resolution No. 2020-48.

RESOLUTION 2020-48 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING OR ESTABLISHING NEW FEES AND CHARGES FOR MUNICIPAL SERVICES FOR FISCAL YEAR 2020-21 AND REPEALING RESOLUTION NO. 2019-25

4. Approve creation of a new special restricted fund, entitled Franchise Fee Cable TV - Public, Educational, Governmental (PEG) Access Fund (Fund 27), to properly account and record restricted telecommunications franchise revenues.
5. Approve transfer of all budgeted PEG revenues and expenditures and fund balances from the General Fund to PEG Fund in FY 2019-20, in which the planned revenues and expenditures for FY 2020-21 will be included with

budget adoption.

Motion carried 5 – 0.

Zahra moved, seconded by Fitzgerald, to partially open the Museum as soon as possible.

Motion carried 4 – 1 (No: Whitaker).

REGULAR BUSINESS (Items 10 - 14)

Approved

10. LITERACY AND CULTURAL INNOVATION PROGRAMMING PARTNERSHIP, HUNT BRANCH LIBRARY PROPOSAL RECOMMENDATION *(taken out of agenda order)*

- Nahala Kayali, Access California Services, expressed concerns with the RFP process and asked to table this item.
- Representative from Assembly Member Quirk Silva's Office spoke in support of the recommendation.
- Mohammad Hijazi, Access California Services, asked to table this item until Staff discusses the RFP review process with applicants.
- Rubina Chaudhary recommended inviting the four highest ranking proposals for interviews.
- Fareed Farukhi, Universal Heritage and Research Center, questioned the RFP scoring methodology.
- Debbie Schroeder, Hunt Library Gardens, suggested tabling this item and have further dialog with the top applicants.
- Michelle Henry, Hunt Library Gardens, spoke about deficiencies in the top rated proposal.
- Jane Reifer, Save the Hunt, asked questions about the RFP and the sale of the property.
- Andre Woodward, Fullerton, supported preserving the Hunt Branch Library building.
- Egleth Nuncci, Fullerton, thanked the Ad Hoc Committee and Staff for their work.

City Clerk Williams summarized the following eComments:

- Kathleen Dasney in support of the recommendation.
- Guest User in support of the recommendation.
- Guest User in support of the recommendation.
- Guest User in support of the recommendation.
- Guest User asking why the Hunt Branch library was closed

to patrons.

Silva moved, seconded by Flory, to allow City Staff to engage with respondents of joint proposal Heritage Future and Arts Orange County on future use of Hunt Branch Library.

Motion carried 5 – 0.

Mayor Pro Tem Flory requested, supported by Mayor Fitzgerald, to consider the Hunt Library policy direction provided by Molly McClanahan at the next meeting.

Tabled

11. EVICTION MORATORIUM EXTENSION REQUEST

Fitzgerald moved, seconded by Flory, to table this item due to the Governor extending the State deadline until July 28, 2020.

Motion carried 5 – 0.

Direction provided

12. REQUEST FOR SIXTY DAY RENT FREEZE DUE TO COVID-19 PUBLIC HEALTH CRISIS

- Victoria (no last name given), Fullerton, spoke in support of the rent freeze.
- Alejandro Ramirez, Fullerton, spoke in support of the rent freeze.
- Jocelyn Sandoval, Fullerton, spoke in support of the rent freeze.
- Jose Trinidad Castaneda spoke in support of the rent freeze.
- Sandra Mejia, Fullerton, spoke in support of the rent freeze.
- Veronica Moran, Fullerton, spoke in support of the rent freeze.
- Alma Chavez, Fullerton, spoke in support of the rent freeze.
- Leonel Talavera spoke in support of the rent freeze.
- Eddie Corona, Assembly Member Quirk Silva's Office, spoke in support of the rent freeze.
- Egleth Nuncci spoke in support of the rent freeze.

City Clerk Williams summarized the following eComments:

- Guest User in support of this item.
- Guest User in opposition to this item.
- Guest User in support of this item.
- Guest User in support of this item.

- Guest User in support of this item.
- Guest User in support of this item.
- Guest User in support of this item.
- Guest User in support of this item.
- Guest User in support of this item.
- Ynez Ximena in support of this item.
- Augustin (no last name given) in support of this item.
- Clay Hage, Country Place MHP, in opposition to this item.
- Victor Cao, California Apartment Association, in opposition to this item.
- Guest User in support of this item.
- Guest User in support of this item.
- Guest User in support of this item.
- Victoria (no last name given) in support of this item.
- Michael Colvin and Maria Nunez in support of this item.
- Maria (no last name given) in support of this item.
- Guest User in support of this item.
- Andrea West, Rancho Fullerton MHE, in opposition to this item.
- Leonel Velazquez in support of this item.
- Guest User in support of this item.
- Guest User in support of this item.

Silva moved, seconded by Zahra, to direct Staff to present an urgency ordinance for a 90-day city-wide rent freeze, excluding mobile home parks if possible, for City Council consideration at the next City Council meeting.

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

Zahra moved, seconded by Silva, to consider all options for rental assistance at the next City Council meeting and direct code enforcement to inspect the Palm Gardens property.

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

Continued

13. **AWARD OF PROFESSIONAL SERVICES FOR COMMUNICATION AND OUTREACH EFFORTS**

Fitzgerald moved, seconded by Silva, to continue this item to the next regular meeting.

Motion carried 5 – 0.

Continued

14. POLICIES AND PROCEDURES FOR EVALUATING TRANSPORTATION IMPACTS AND EFFECTS IN RESPONSE TO SB 743 (2013)

Fitzgerald moved, seconded by Silva, to continue this item to a next regular meeting.

Motion carried 5 – 0.

ITEMS REMOVED FROM CONSENT CALENDAR

Approved

4. MONTHLY LEGISLATIVE UPDATE

Zahra moved, seconded by Flory, to:

1. Receive and file Monthly Legislative Update report and direct Staff accordingly.
2. Authorize Mayor to sign letter requesting CARES funding from the State.
3. Authorize Mayor to sign letter advocating for pension reform with CalPERS as amended by Mayor Fitzgerald and Council Member Zahra.
4. Authorize Mayor to sign letter of support for Assembly Bill 2959 (Calderon) Solid Waste: Byproducts from the processing of food or beverages.

Motion carried 4 – 1 (No: Whitaker).

Approved

5. AUTOMATIC AID AGREEMENT FOR EXCHANGE OF FIRE, RESCUE AND EMERGENCY MEDICAL SERVICES BETWEEN CITY OF PLACENTIA AND CITY OF FULLERTON

- Rex Pritchard spoke in opposition to this item.
- Cathy Frazier, Fullerton, spoke in opposition to this item.
- Patrick Powers, Placentia Emergency and Health Services Manager, spoke in support of this item.
- Dan Lancaster, Fullerton Firefighters' Association, spoke in opposition to this item.
- Tim Steging, Orange County Professional Firefighters Association, spoke in opposition to this item.
- Walt Lynch, Lynch EMS, provided information about Lynch Ambulance.
- John Van Gieson, Placentia Fire Chief, spoke in support of this item.

City Clerk Williams summarized the following eComments:

- Guest User in opposition to this item.

- Guest User in opposition to this item.
- Joe Imbriano, Fullerton, in opposition to this item.

Fitzgerald moved, seconded by Flory, to authorize City Manager to execute Automatic Aid Agreement for Exchange of Fire, Rescue and Emergency Medical Services between the City of Placentia and City of Fullerton.

Zahra made an alternative motion, seconded by Silva, to continue this item until the Memorandum of Understanding and information on mutual aid for comparison are available for City Council consideration.

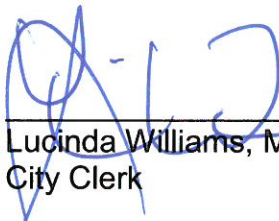
Motion carried 3 – 2 (No: Fitzgerald, Whitaker).

1:01 a.m.

ADJOURNMENT

Mayor / Chair Fitzgerald adjourned the meeting in memory of George Floyd at 1:01 a.m.



Jennifer Fitzgerald
Mayor

Lucinda Williams, MMC
City Clerk