



CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
CLOSED SESSION MINUTES  
NOVEMBER 16, 2021 – 5:00 P.M.  
Council Chamber  
303 West Commonwealth Avenue  
Fullerton, California

5:01 p.m.

**CALL TO ORDER**

Mayor / Chair Whitaker called the meeting to order at 5:01 p.m.

All Present

**ROLL CALL**

Present: Mayor / Chair Whitaker, Mayor Pro Tem / Vice Chair Dunlap (arrived 5:02 p.m.), Council / Agency Members Jung (arrived 5:02 p.m.), Silva, Zahra

Absent: None

Staff Present: Acting City Manager Steve Danley, Interim Deputy City Manager Jeff Collier, City Attorney Richard D. Jones, City Clerk Lucinda Williams

**PUBLIC COMMENTS – Closed Session**

None.

5:03 p.m.

**RECESS to Closed Session**

Mayor / Chair Whitaker recessed to Closed Session at 5:03 p.m.

**CLOSED SESSION**

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

**Agency Representatives:** Eddie Manfro, Jay Trinnaman

**Employee Organizations:** Fullerton Fire Management Association, Fullerton Firefighters' Association and Fullerton Municipal Employees Federation

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

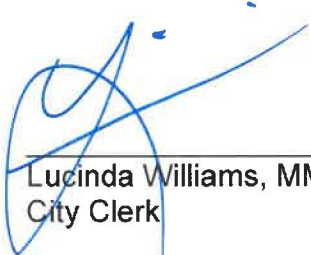
2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** Per Government Code Section 54956.9(d)(2)

Significant Exposure to Litigation: Two Cases

6:08 p.m.

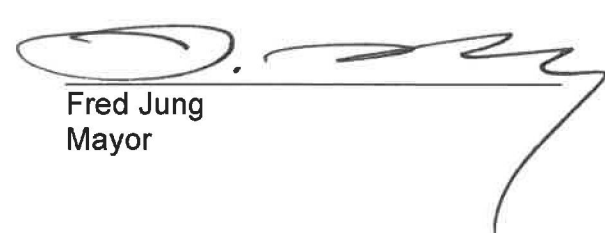
**ADJOURN CLOSED SESSION**

Mayor / Chair Whitaker adjourned the Closed Session meeting at 6:08 p.m.



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Lucinda Williams, MMC  
City Clerk



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Fred Jung  
Mayor



CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
REGULAR MEETING MINUTES  
NOVEMBER 16, 2021 – 6:30 P.M.  
Council Chamber  
303 West Commonwealth Avenue  
Fullerton, California

6:30 p.m.

**CALL TO ORDER**

Mayor / Chair Whitaker called the meeting to order at 6:30 p.m.

All Present

**ROLL CALL**

Present: Mayor / Chair Whitaker, Mayor Pro Tem / Vice Chair Dunlap, Council / Agency Members Jung, Silva, Zahra

Absent: None

Staff Present: Acting City Manager Steve Danley, City Attorney Richard D. Jones, City Clerk Lucinda Williams, Police Chief Robert Dunn, Fire Chief Adam Loeser, Community and Economic Development Director Greg Pfof

**INVOCATION** given by given by Police Chaplain Charlie Frost.

**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**

Council Member Jung reported he spoke with representatives of the Fullerton Firefighters' Association and Fullerton Police Officers Association.

Council Member Silva reported he spoke with representatives of the Fullerton Firefighters' Association and Fullerton Police Officers Association.

Council Member Zahra reported he spoke with Dan Lancaster of the Fullerton Firefighters' Association.

Mayor Whitaker reported he received a text from Dan Lancaster of the Fullerton Firefighters' Association.

## **PRESENTATIONS**

None.

## **PUBLIC COMMENTS - Regular Session**

The following addressed City Council:

- Marilyn Harris thanked the City for their assistance with the recent Veteran's Day program.
- Maureen Milton spoke about the recent Veteran's Day event.
- Tony Package, Fullerton, spoke about the budget process.
- Jan Flory spoke about the UP Park and UP Trail.
- Bernard Oh, Fullerton, spoke about the Brown Act and the UP Trail project.
- Curtis Gamble spoke about veterans.
- Gretchen Cox spoke about the UP Trail.

The following addressed City Council via Zoom:

- Damion Lloyd spoke about comments made at a previous City Council meeting.
- Matt Leslie, Fullerton, spoke about campaign contributions.

## **CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS AND REPORTS**

Acting City Manager Danley spoke about agenda cancellation of the January 4, 2022 City Council meeting.

Council Member Silva thanked Marilyn Harris and staff for work on Veteran's Day events, spoke about Hillcrest Park and wished all a Happy Thanksgiving.

Council Member Jung spoke about the infrastructure bill, federal funding for Fullerton, Asian representation on children's television programming, Cancer Awareness Month and water conservation and wished all a Happy Thanksgiving.

Council Member Zahra thanked those in attendance at Veteran's Day events and thanked staff for their efforts.

Mayor Pro Tem Dunlap spoke about support for the Police Department and political action committee activities.

Mayor Whitaker expressed support of the Police Department, spoke about political action committees and Veteran's Day activities and wished all a Happy Thanksgiving.

## **APPOINTMENTS,**

None.

## **CONSENT CALENDAR (Items 1 - 14)**

Dunlap moved, seconded by Silva, to approve the Consent Calendar Items 1, 2, 4, 5, 7, 8, 9, 10, 12 and 13.

Motion carried 5 – 0.

Approved

### **1. NOVEMBER 2, 2021 MEETING MINUTES**

Recommendation:

Approve November 2, 2021 City Council / Successor Agency Meeting Minutes.

Received and filed

### **2. OCTOBER 2021 CHECK REGISTER**

Recommendation:

Receive and file.

Adopted

### **4. CLASSIFICATION PLAN UPDATE RELATING TO A MINIMUM WAGE INCREASE**

Recommendation:

Adopt Resolution No. 2021-88.

RESOLUTION NO. 2021-88 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING RESOLUTION NO. 2020-104 APPENDIX A, RELATING TO PAY FOR NON-REGULAR EMPLOYEES

Received and filed

### **5. 2022 GROUP INSURANCE PLAN RENEWAL**

Recommendation:

Receive and file report.

Approved

### **7. INVESTMENT ADVISORY SERVICES CONTRACT EXTENSION**

Recommendation:

1. Approve Fourth Amendment to Agreement Between City of Fullerton, California and Public Trust Advisors, LLC for two one-year options to renew and authorize City

Manager, or designee, to execute and administer the agreement.

2. Authorize the City Manager or designee to exercise options to renew.

Approved

**8. TEMPORARY WATER ENGINEERING SERVICES STAFFING AUGMENTATION CONTRACTS**

Recommendation:

1. Authorize Public Works Director, or designee, to execute a \$209,000 purchase order with JIG Consultants for two part-time Civil Engineer consultants. The City will issue the purchase order under the existing Professional Services Agreement with no amendment required.
2. Authorize Public Works Director, or designee, to approve future change orders for Civil Engineering - Water professional services with JIG Consultants for \$70,000 which is equivalent to two months-worth of engineering services.
3. Authorize Public Works Director to amend the existing Professional Services Agreement with Project Partners from current \$100,000 annual amount to proposed \$130,000 annual amount and approve any necessary amendments to agreement, in a form approved by the City Attorney, within approved budget. Authorize Public Works Director to approve and execute one-year extensions up to a maximum three-year extension with Project Partners, with each extension amounting to \$130,000.

Approved

**9. TRAFFIC ENGINEERING SERVICES CONTRACT AMENDMENT WITH LG2WB ENGINEERS, INC.**

Recommendation:

1. Approve and authorize City Manager, or designee, to execute and administer Amendment Number One to Agreement with LG2WB, in a form approved by the City Attorney.
2. Authorize City Manager or Public Works Director to execute optional one-year extensions up to a maximum three one-year extensions in a form approved by the City Attorney.

Adopted

**10. TRAFFIC SAFETY ENHANCEMENTS - ASH AVENUE AND MALDEN AVENUE NEIGHBORHOOD**

Recommendation:

Adopt Resolution No. 2021-91.

RESOLUTION NO. 2021-91 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING THE INSTALLATION OF ADDITIONAL STOP CONTROL AT VARIOUS INTERSECTIONS WITHIN THE ASH AVENUE AND MALDEN AVENUE NEIGHBORHOOD

Adopted

**12. CHANGE NO PARKING ANYTIME TO NO STOPPING ANYTIME - ROLLING HILLS DRIVE**

Recommendation:

Adopt Resolution No. 2021-93.

RESOLUTION NO. 2021-93 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REPEALING NO PARKING ANYTIME ON THE NORTH SIDE OF ROLLING HILLS DRIVE EAST OF STATE COLLEGE BOULEVARD AND DESIGNATING THE SOUTH SIDE OF SAME SEGMENT OF STREET AS A PLACE WHERE VEHICLES ARE PROHIBITED FROM STOPPING AT ANY TIME

Adopted

**13. FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM FUNDING CERTIFICATION AND COMMITMENT TO PROJECTS**

Recommendation:

Adopt Resolution No. 2021-94.

RESOLUTION NO. 2021-94 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, CERTIFYING THAT THE CITY OF FULLERTON HAS THE RESOURCES TO FUND THE PROJECTS IN THE FEDERAL FISCAL YEARS 2022-23 - 2027-28 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMING COMMITMENT TO IMPLEMENT ALL PROJECTS IN THE PROGRAM

**PUBLIC HEARINGS (Item 15)**

Adopted

**15. CITY OF FULLERTON COMMUNITY FACILITIES DISTRICT NO. 3 (THE PINES AT SUNRISE VILLAGE) -- PUBLIC HEARING CONTINUANCE**

Mayor Whitaker opened the public hearing at 7:40 p.m.

No members of the public addressed City Council.

Mayor Whitaker closed the public hearing at 7:41 p.m.

Dunlap moved, seconded by Jung, to adopt Resolution No. 2021-95.

RESOLUTION NO. 2021-95 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ORDERING CONTINUATION OF HEARINGS FOR

COMMUNITY FACILITIES DISTRICT NO. 3 (THE PINES AT SUNRISE VILLAGE)

Motion carried 5 – 0.

**REGULAR BUSINESS (Items 16 - 18)**

Adopted

**16. ORANGE COUNTY TRANSPORTATION AUTHORITY 2021 PAVEMENT MANAGEMENT RELIEF FUNDING PROGRAM**

The following made public comments:

- Tony Package, Fullerton, supported repairs on Acacia, Commonwealth and Chapman Avenues.
- Curt Johnston supported a bike lane and sidewalk on Harbor Boulevard between the Brea Dam and St. Jude Hospital.
- Curtis Gamble supported working with OCTA.

The following addressed City Council via Zoom:

- Jane Rands, Fullerton, agreed with the three top recommendations.
- Jane Reifer, Fullerton. spoke about street repairs associated with development projects.

Dunlap moved, seconded by Silva, to:

1. Confirm the street segment recommended by the Infrastructure and Natural Resources Advisory Committee.
2. Adopt Resolution 2021-96.

RESOLUTION 2021-96 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA CERTIFYING THAT CITY COUNCIL HAS AUTHORIZED THE PROJECT LIST SUBMITTAL FOR CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT OF 2021 (CRRSAA) FUNDING THROUGH THE ORANGE COUNTY TRANSPORTATION AUTHORITY 2021 PAVEMENT MANAGEMENT RELIEF FUNDING PROGRAM

3. Approve and appropriate receipt and use of 2021 Pavement Management Relief Fund award to the appropriate capital project(s) budgets.

Motion carried 5 – 0.

Received and filed

**17. HOMELESSNESS RESPONSE UPDATE**

The following made public comments:

- Maureen Milton asked about days of shelter operation.



- Angela Lindstrom asked about the impact of the City's efforts.
- Curt Johnston spoke about resource center neighborhood relations.
- Curtis Gamble recommended additional services for the homeless.

The following addressed City Council via Zoom:

- Jane Rands asked about the services available to homeless in Fullerton.

Item received and filed.

Direction provided

**18. AMERICAN RESCUE PLAN ACT - POTENTIAL NAVIGATION CENTER FUNDING**

The following made public comments:

- Curt Johnston suggested letting the homeless police themselves.
- Curtis Gamble suggested tiny homes and cash out cards for homeless veterans.

The following addressed City Council via Zoom:

- Jacob Britton spoke in support of this item.
- Jane Rands expressed concerns with the Illumination Foundation partnership.

Dunlap moved, seconded by Silva, to:

1. Approve use of ARPA funds to support homelessness services at the Navigation Center within allowable US Treasury guidelines for six months.
2. Approve and any necessary budget adjustments of ARPA funds.
3. Authorize City Manager or designee to execute any agreements associated with such actions.

Motion carried 4 – 0 – 1 (Abstain: Whitaker).

**ITEMS REMOVED FROM CONSENT CALENDAR** *(taken out of agenda order)*

Adopted

**3. SUPPORT OF FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER / WASTEWATER AGENCIES**

The following addressed City Council via Zoom:

- Jane Rands asked about the existing superfund site.

Silva moved, seconded by Dunlap, to adopt Resolution No. 2021-87.

RESOLUTION NO. 2021-87 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, SUPPORTING FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER / WASTEWATER AGENCIES

Motion carried 5 – 0.

Adopted

**6. WEST COYOTE HILLS GRANT AWARD**

The following made public comments:

- Angela Lindstrom, Fullerton, asked for clarification regarding use of leftover funds.

Dunlap moved, seconded by Jung to:

1. Adopt the following resolutions:

RESOLUTION NO. 2021-89 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING THE GRANT OF FUNDS FROM THE STATE COASTAL CONSERVANCY AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO A GRANT AGREEMENT FOR THE ACQUISITION OF A PORTION OF ASSESSOR'S PARCEL NUMBER 287-081-52 TOTALING APPROXIMATELY 13.7 ACRES, KNOWN AS NEIGHBORHOOD 3 WITHIN THE WEST COYOTE HILLS DEVELOPMENT, IN ORANGE COUNTY.

RESOLUTION NO. 2021-90 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO A GRANT AND SUBGRANT AGREEMENT WITH THE CALIFORNIA WILDLIFE CONSERVATION BOARD AND THE US FISH AND WILDLIFE SERVICES AND AUTHORIZING THE ACQUISITION OF A PORTION OF ASSESSOR'S PARCEL NUMBER 287-081-52 TOTALING APPROXIMATELY 10.4 ACRES, KNOWN AS NEIGHBORHOOD 1 WITHIN THE WEST COYOTE HILLS DEVELOPMENT, IN ORANGE COUNTY.

2. Authorize City Manager to execute all documents related to the grants.
3. Authorize acceptance and appropriation of grant funds.

Motion carried 5 – 0.

Adopted

**11. 20-MINUTE LOADING / UNLOADING PARKING RESTRICTION - 4010 WEST COMMONWEALTH AVENUE**

The following made public comments:

- Curtis Gamble asked for additional information about this item.

Jung moved, seconded by Dunlap, to adopt Resolution No. 2021-92.

RESOLUTION NO. 2021-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DESIGNATING 40 FEET OF CURB, IN FRONT OF 4010 WEST COMMONWEALTH AVENUE AS A PLACE WHERE PARKING OF VEHICLES IS RESTRICTED TO 20 MINUTES OF CONTINUOUS PARKING BETWEEN THE HOURS OF 6:00 A.M. AND 6:00 P.M., SUNDAY AND HOLIDAYS EXEMPT

Motion carried 5 – 0.

Approved

**14. REVISED FY 2021-22 - 2027-28 SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM LIST OF PROJECTS FOR M2 FUNDING ELIGIBILITY RENEWAL**

The following made public comments:

- Curtis Gamble asked for additional information

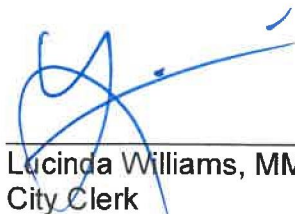
Dunlap moved, seconded by Jung, to approve the amended Seven-Year Capital Improvement Program List of Projects for Fiscal Years 2021-22 to 2027-28 to maintain eligibility for funding under the Orange County Renewed Measure M Programs.

Motion carried 5 – 0.

9:05 p.m.

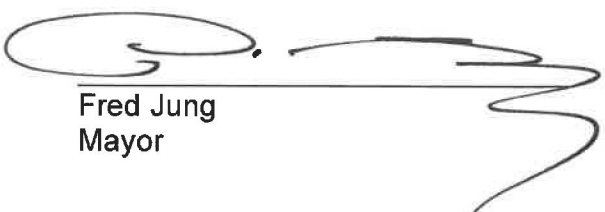
**ADJOURNMENT**

Mayor / Chair Whitaker adjourned the meeting at 9:05 p.m.



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Lucinda Williams, MMC  
City Clerk



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Fred Jung  
Mayor