



**FULLERTON CITY COUNCIL
SUCCESSOR AGENCY
PUBLIC FINANCING AUTHORITY
AGENDA - JUNE 6, 2017**

303 West Commonwealth Avenue, Fullerton, CA

MEETINGS: The Fullerton City Council / Successor Agency / Public Financing Authority meets on the first and third Tuesday of the month, convening for Closed Session at 5:00 p.m. and Regular Session at 6:30 p.m.

PUBLIC COMMENT: The public may comment on Closed Session items at the beginning of the Closed Session meeting. The public may comment on matters not appearing on the agenda as well as request removal of Consent Calendar items for further discussion during Public Comments at the Regular Session meeting. Those wishing to speak on a regular business or a public hearing item on this agenda may do so when the Mayor calls that specific item for consideration.

Each speaker addressing non-agenda and consent calendar items shall have three minutes to make their remarks. City Council will allow no more than a total of 30 minutes at the beginning of the Regular Session for non-agenda comments. Those speaking on regular business and public hearing items shall have no more than five minutes per item to address City Council. No person shall speak more than one time to the same item. The Mayor may request that a spokesperson represent a group wishing to address City Council. The Mayor or majority of the Council may grant an extension of time for a speaker. No speaker may yield their time to another speaker.

PERSONS ADDRESSING CITY COUNCIL: Please complete a speaker slip and submit the slip to the Assistant City Clerk in the lobby prior to approaching the podium. State your name and city of residence for the record at the beginning of your remarks. All speakers shall observe civility, decorum and good behavior. Any item submitted to the City Council during the meeting shall become public record and subject to applicable disclosure laws.

AGENDA ITEMS: This agenda contains a brief summary of each item the Council / Agency / Authority will consider. The City Clerk's Office posts the agenda packet online no later than 72 hours prior to the meeting at www.cityoffullerton.com. The City Clerk's Office and Library have copies of the packet available for public review.

In accordance with CA Government Code Section 54957.5, the public may inspect any writings or documents relating to an open session agenda item distributed less than 72 hours prior to a regular meeting at the City Clerk's Office located at 303 West Commonwealth Avenue, Fullerton, California and the Fullerton Main Branch Library Information Counter located at 353 West Commonwealth Avenue, Fullerton, California during normal business hours. The City will post such writings and documents received in sufficient time on the City's website at www.cityoffullerton.com.

State regulations prohibit City Council from taking action on non-agenda items except as provided by law. Visit www.cityoffullerton.com or call (714) 738-6350 for more information.

ADA REQUIREMENTS: The City has equipment and services available to assist disabled persons with communications at the public meeting in compliance with the requirements of Title II of the Americans with Disabilities Act (ADA). Should you require special accommodations to participate in a meeting, please contact the City Clerk at cityclerksoffice@cityoffullerton.com or (714) 738-6350 at least 48 hours prior to the meeting to make arrangements.

REMINDER: Please silence all electronic devices while City Council is in session.

The City will rebroadcast this City Council / Successor Agency / Public Financing Authority meeting on Time Warner Cable Channel 3. The public can find cable channel rebroadcast times as well as view the meeting video on-demand at www.cityoffullerton.com.

Refer to Resolution No. 2017-03 to review the complete Rules of Procedure and Decorum for City Council meetings.

Bruce Whitaker
Mayor

Doug Chaffee
Mayor Pro Tem

Jennifer Fitzgerald
Council Member

Greg Sebourn
Council Member

Jesus Silva
Council Member





**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION AGENDA
JUNE 6, 2017 - 5:00 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California**

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

City Council / Successor Agency will hear public comments on matters appearing on the Closed Session agenda.

RECESS to Closed Session

CLOSED SESSION

1. **PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE Per Government Code Section 54957.1(a)(5)**
2. **PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE Per Government Code Section 54957.1(a)(5)**
3. **CONFERENCE WITH LABOR NEGOTIATOR Per Government Code Section 54957.6**
Agency Representative/s: Steve Berliner
Employee Organization: Fullerton Fire Management Association
Under Discussion: Parameters of authority for negotiating salaries, benefits and working conditions
4. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Per Government Code Section 54956.8**
Property: 1535 Deerpark Drive, Fullerton, CA
APN 338-131-01
Agency Negotiator: Allan Roeder, Interim City Manager
Negotiating Parties: Charles Grieve, Meridian Sports Club
Under Negotiations: Price and Terms

ADJOURNMENT

The next regular City Council / Successor Agency / Public Financing Authority meeting is June 6, 2017 at 6:30 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY /
PUBLIC FINANCING AUTHORITY
REGULAR MEETING AGENDA**

JUNE 6, 2017 - 6:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

**EX PARTE COMMUNICATIONS REPORT PURSUANT TO CITY OF
FULLERTON RESOLUTION NO. 2016-46 – TRANSPARENCY IN LABOR
NEGOTIATIONS**

PRESENTATIONS

1. PRESENTATION: MEMORIAL DAY SUMMARY

PUBLIC COMMENTS

The City Council / Successor Agency / Public Financing Authority will hear public comments on matters not appearing on the agenda but within City Council / Agency / Authority jurisdiction at this time. The City Council / Agency / Authority will also accept public requests for removal of Consent Calendar items for further discussion. Those wishing to speak on a regular business or a public hearing item on this agenda may do so when the Mayor / Chair calls that specific item for discussion. State regulations prohibit the City Council / Agency / Authority from acting on non-agenda items.

CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS

City Council Members may ask questions for clarification, make a brief announcement, make a brief report on activities, request a report from staff at a subsequent meeting concerning any matter or direct staff to place a matter of business on a future agenda.

APPOINTMENTS

None

PUBLIC HEARINGS (Item 1)

Pursuant to California Government Code Section 65009, if you challenge a City Council / Successor Agency / Public Financing Authority decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City of Fullerton at, or prior to, the public hearing.

1. PROPOSED ANNUAL BUDGET, PROPOSED FEES AND ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2017-18

A public hearing to consider adoption of the Proposed Annual Budget, Fees and Appropriations Limit for Fiscal Year 2017-18.

Recommendation by the Administrative Services Department:

1. Adopt the following resolutions:

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING AND ADOPTING THE PROPOSED BUDGET FOR FISCAL YEAR 2017-18 AND APPROPRIATING THE FUNDS NECESSARY TO MEET THE EXPENDITURES SET FORTH THEREIN

RESOLUTION NO. 2017- XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2017-18 PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA STATE CONSTITUTION

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING FEES AND CHARGES FOR MUNICIPAL SERVICES FOR FISCAL YEAR 2017-18 AND REPEALING RESOLUTION NO. 2015-32

2. Authorize City Council action items as recommended.

REGULAR BUSINESS

None

CONSENT CALENDAR (Items 2 – 11)

City Council / Successor Agency / Public Financing Authority will enact routine matters listed on the Consent Calendar with one motion. The Council / Agency / Authority will not have separate discussion of these items unless Council / Agency / Authority Members, staff or the public request discussion or removal of specific Consent Calendar items for separate action.

MAY 16, 2017 MEETING MINUTES

Recommendation by the City Clerk's Office:

Approve May 16, 2017 City Council / Successor Agency / Public Financing Authority Meeting Minutes.

APRIL 2017 AND MAY 2017 CHECK REGISTERS

Recommendation by the Administrative Services Department:

Receive and file.

BOARD, COMMISSION AND COMMITTEE RULES OF PROCEDURE

Recommendation by the City Clerk's Office:

Adopt Resolution No. 2017-XX.

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING RULES OF PROCEDURE AND DECORUM FOR BOARD, COMMISSION AND COMMITTEE MEETINGS

LEGAL SERVICES AGREEMENTS WITH WALL, MCCORMICK, BAROLDI & DUGAN AND HANNA BROPHY

Recommendation by the Human Resources Department:

Authorize Interim City Manager to sign separate legal services agreements with above named firms to provide legal services with respect to specialized defense of workers' compensation claims and industrial disability retirement.

PURCHASE AND SALE AGREEMENT – 1535 DEERPARK DRIVE

Recommendation by Administration:

1. Authorize City Manager, or designee, to execute Purchase and Sale Agreement with Chuck Grieve, in a form approved by the City Attorney, and take all necessary actions to complete the sale of the property located at 1535 Deerpark Drive.
2. Authorize City Manager, or his designee, to execute Purchase and Sale Agreement with Plumtree Watson LLC, in a form approved by the City Attorney, in the event that Mr. Grieve does not meet terms of the Purchase and Sale Agreement, escrow does not open within 30 days of City Council authorization of the Purchase and Sale Agreement or the transaction is not otherwise completed.
3. Provide direction to staff regarding use of proceeds from the sale.

7. MEASURE M2 FUNDING ELIGIBILITY

Recommendation by the Public Works Department:

1. Adopt Resolution No. 2017-XX.

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, CONCERNING THE STATUS AND UPDATE OF THE CIRCULATION ELEMENT, MITIGATION FEE PROGRAM AND LOCAL SIGNAL SYNCHRONIZATION PLAN FOR THE MEASURE M (M2) PROGRAM

2. Approve, and authorize staff to submit to the Orange County Transportation Authority (OCTA), the Measure M2 Seven-Year Capital Improvement Program for Fiscal Years 2017-2018 through 2023-2024 to comply with Measure M2 eligibility criteria.
3. Authorize Director of Public Works to make any administrative changes, as advised by OCTA.

8. FINAL RELOCATION PLAN FOR 400 WEST VALENCIA DRIVE

Recommendation by the Community Development Department:

Adopt Resolution No. 2017-XX.

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, IN ITS CAPACITY AS THE HOUSING SUCCESSOR AGENCY, APPROVING A RELOCATION PLAN FOR DISPLACEMENT OF FOUR RESIDENTIAL UNITS AT 400 WEST VALENCIA DRIVE TO FACILITATE THE DEVELOPMENT OF AFFORDABLE HOUSING

9. COOPERATIVE AGREEMENT WITH ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) AND DESIGN SERVICES FOR CITYWIDE BICYCLE AND PEDESTRIAN IMPROVEMENTS

Recommendation by the Public Works Department:

1. Authorize Mayor to execute cooperative agreement with OCTA in a form approved by the City Attorney.
2. Approve \$70,000 budget transfer from M2 Fund Balance to Project 48006 Citywide Bicycle and Pedestrian Improvement Project for professional engineering design services.

10. COOPERATIVE AGREEMENT WITH ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) AND DESIGN SERVICES FOR EAST WILSHIRE AVENUE BICYCLE BOULEVARD IMPROVEMENTS

Recommendation by the Public Works Department:

1. Authorize Mayor to execute cooperative agreement with OCTA in a form approved by the City Attorney.
2. Approve \$150,000 budget transfer from Measure M2 Fund Balance and \$101,000 from Sanitation Fund Balance to Project 48003 East Wilshire Avenue Bicycle Boulevard Project for professional engineering services.

3. Authorize Director of Public Works to execute \$208,729 agreement with Harris & Associates for professional engineering services for East Wilshire Avenue Bicycle Boulevard Project in a form approved by the City Attorney.

11. ELM / MALDEN AREA STREET, SEWER AND WATER IMPROVEMENT PROJECT CONSTRUCTION CONTRACT AWARD

Recommendation by the Public Works Department:

1. Approve plans and specifications for Elm / Malden Area Street, Sewer and Water Improvement Project.
2. Approve budget transfer to Project 51023 Elm / Malden Area Street, Sewer and Water Improvement Project in the following amounts:
 - \$1,309,000 Sewer Enterprise Fund from Project 51418.
 - \$587,500 Water Enterprise Fund from Project 53617.
 - \$550,000 from CDBG Fund.
 - \$34,000 and \$75,500 of Measure M2 Fund from 44587 and 44588 Residential Street Program.
3. Award \$2,018,465 construction contract for Elm / Malden Area Street, Sewer and Water Improvement Project to Vido Samarzich, Inc.

AGENDA FORECAST (tentative)

Wednesday, June 7, 2017

- SPECIAL CLOSED SESSION MEETING

Tuesday, June 20, 2017

- PROCLAMATION: FIT CITY STATUS
- INSURANCE PROGRAM REPORT AND RECOMMENDATIONS
- APPEAL OF HEARING OFFICER'S RECOMMENDATION
- CURB / GUTTER AND SIDEWALK PROJECT
- MONTHLY LEGISLATIVE UPDATE
- AMENDMENT TO FULLERTON MUNICIPAL CODE TITLE 15 PERTAINING TO ACCESSORY DWELLING UNITS
- UPDATED PROCEDURES FOR BACKGROUND CHECKS ON CANDIDATES FOR CITY EMPLOYMENT
- 2017-2018 COUNTY OF ORANGE OFFICE ON AGING AGREEMENT FOR PROVISION OF OLDER AMERICANS ACT TITLE III-B SUPPORTIVE SERVICES
- STREETLIGHT LED CONVERSION / RETROFIT PROGRAM, PHASE II
- HUGHES DRIVE BIKE LANE
- EARLY MORNING PARKING EXEMPTIONS, VARIOUS STREET SEGMENTS
- PEARL LOT ACQUISITION

- AMENDMENT TO FULLERTON MUNICIPAL CODE TITLE 15 PERTAINING TO DENSITY BONUS
- EARLY MORNING PARKING 8.44.080 AMENDMENT
- RESIDENT ONLY PERMIT PARKING 8.44.230 AMENDMENT

ADJOURNMENT

The next City Council / Successor Agency regular closed session meeting is June 20, 2017 at 5:00 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.

The next regular City Council / Successor Agency / Public Financing Authority regular meeting is June 20, 2017 at 6:30 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.