



**FULLERTON CITY COUNCIL
SUCCESSOR AGENCY
PUBLIC FINANCING AUTHORITY
AGENDA – OCTOBER 3, 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
OCTOBER 3, 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. CONFERENCE WITH LABOR NEGOTIATOR Per Government Code Section 54957.6**

Agency Representative/s: Steve Berliner, Kenneth A. Domer

Employee Organizations: Fullerton Municipal Employees Federation, Fullerton Management Association, Fullerton Police Officers' Association – Safety, Fullerton Police Officers' Association – Dispatcher, Fullerton Fire Management Association, Fullerton Police Management Association, Fullerton Firefighters' Association

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

ADJOURNMENT

The next regular City Council / Successor Agency / Public Financing Authority meeting is October 3, 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
OCTOBER 3, 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: Coast to Coast Foundation**

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. **AMENDMENT TO FULLERTON MUNICIPAL CODE TITLES 13 AND 14 PERTAINING TO MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT**

On September 19, 2017, City Council adopted a Resolution of Intention to amend the Fullerton Municipal Code (FMC) regarding Maximum Floor Area Allowances Per Occupant for assembly areas without fixed seats. The proposed ordinance would amend FMC Sections 13.20.200 and 14.03.080 to remove the local amendments regarding maximum occupancy for specified assembly areas, bringing the FMC into congruence with requirements contained in the State Fire Code and California Building Code.

Recommendation by the Community Development Department:

Introduce Ordinance XXXX for first reading by title only and waive further reading of the ordinance.

ORDINANCE NO. XXXX - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING TITLES 13 AND 14 OF THE FULLERTON MUNICIPAL CODE PERTAINING TO MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

REGULAR BUSINESS (Items 2 – 3)

2. **REVISIONS TO RESOLUTION FOR COMPENSATION FOR EXECUTIVE EMPLOYEES**

Proposed revision to the resolution relating to compensation for executive employees: Fire Chief, Director of Public Works, Director of Engineering, Director of Community Development, Director of Administrative Services, Director of Maintenance Services, Director of Parks & Recreation, Library Director.

Recommendation by the Human Resources Department:

Adopt Resolution 2017-XX.

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RELATING TO COMPENSATION FOR

3. **CITY COUNCIL VOTING DISTRICT BOUNDARIES**

During the September 19, 2017 City Council Meeting, Council Member Silva, supported by Mayor Pro Tem Chaffee, asked to agendize a report on the process to reconsider by-district voting boundaries at the October 3, 2017 meeting.

Recommendation by the City Clerk's Office:

Receive and file report and provide further direction to staff, if necessary.

CONSENT CALENDAR (Items 4 – 8)

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.

4. **SEPTEMBER 19, 2017 MEETING MINUTES**

Recommendation by the City Clerk's Office:

Approve September 19, 2017 City Council / Successor Agency / Public Financing Authority Meeting Minutes.

5. **APPEAL OF HEARING OFFICER'S RECOMMENDATION**

Recommendation by the City Attorney:

Adopt Findings, Determination and Order reviewed in Closed Session.

6. **WAIVER OF OUTSIDE NEGOTIATOR FOR ONGOING NEGOTIATIONS INVOLVING FULLERTON MUNICIPAL EMPLOYEES FEDERATION, FULLERTON MANAGEMENT ASSOCIATION, AND FULLERTON POLICE MANAGEMENT ASSOCIATION AND DESIGNATE CITY MANAGER AS ADDITIONAL NEGOTIATOR**

Recommendation by the Human Resources Department:

Adopt Resolution 2017-XX

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, TO WAIVE THE REQUIREMENT UNDER MUNICIPAL CODE SECTION 2.33.040 FOR AN OUTSIDE NEGOTIATOR AT THE NEGOTIATING TABLE FOR THE ONGOING NEGOTIATIONS WITH THE FULLERTON MUNICIPAL EMPLOYEES FEDERATION (FMEF), FULLERTON MANAGEMENT ASSOCIATION (FMA) AND FULLERTON POLICE MANAGEMENT ASSOCIATION (FPMA) AND CONCURRENTLY APPOINT THE CITY MANAGER TO THE CITY'S NEGOTIATING TEAM IN ADDITION TO THE DIRECTOR OF HUMAN RESOURCES AND THE DIRECTOR OF ADMINISTRATIVE SERVICES

7. **POLICE DEPARTMENT PURCHASE OF 160 PATROL RIFLES THROUGH ASSET SEIZURE FUNDS**

Recommendation by the Police Department:

1. Approve \$240,000 purchase of 160 patrol rifles and related accessories.
2. Appropriate \$240,000 from the Asset Seizure Fund Balance.

8. **LAGUNA BOOSTER PUMP STATION AND MOTOR CONTROL CENTER UPGRADE - DESIGN CONSULTANT SERVICES AWARD**

Recommendation by the Public Works Department:

Authorize Director of Public Works to execute \$106,000 agreement with Krieger & Stewart, Inc. for professional engineering services for the Laguna Booster Pump Station and Motor Control Center Upgrade in a form approved by the City Attorney.

AGENDA FORECAST *(tentative)*

Tuesday, October 17, 2017

- MONTHLY BUDGET UPDATE
- MONTHLY LEGISLATIVE UPDATE
- PUBLIC WORKS REORGANIZATION
- MAGNOLIA AVENUE REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM COOPERATIVE AGREEMENT
- BROOKHURST ROAD REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM COOPERATIVE AGREEMENT
- SECOND READING DOWNTOWN OCCUPANCY ORDINANCE
- ORDINANCE AMENDMENT - CANNABIS USES CITYWIDE
- STEM ENERGY STORAGE SERVICE
- FOX BLOCK DEVELOPMENT PLAN - DEVELOPMENT ALTERNATIVES

Tuesday, November 7, 2017

- PROCLAMATION: Fit City Status
- FIRST QUARTER FINANCIAL REPORT FOR FY 2017-18
- SEPTEMBER 2017 CHECK REGISTER
- OCTOBER 2017 CHECK REGISTER
- 2017 JUSTICE ASSISTANCE GRANT (JAG) AGREEMENT TO TRANSFER FUNDS
- ROLLING HILLS AREA STREET, SEWER AND WATER IMPROVEMENT PROJECT
- AMENDMENT TO CITY OF FULLERTON 2015 URBAN WATER MANAGEMENT PLAN

ADJOURNMENT

The next City Council / Successor Agency closed session meeting is October 17, 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 meeting is October 17, 2017 at 6:30 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.