



**FULLERTON CITY COUNCIL
SUCCESSOR AGENCY
PUBLIC FINANCING AUTHORITY
AGENDA - DECEMBER 19, 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 Spectrum 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.

Doug Chaffee
Mayor

Greg Sebourn
Mayor Pro Tem

Jennifer Fitzgerald
Council Member

Jesus Silva
Council Member

Bruce Whitaker
Council Member





CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION AGENDA
DECEMBER 19, 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. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)**

Name of Case: Eduviges Nicolasa Rodriguez v. City of Fullerton, et al.

Case Number: 30-2016-00891458

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

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

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

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

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

Property: 3001 Pearl Drive, Fullerton, CA APN 339-231-12
Agency Negotiator: Hugo Curiel, Director of Parks and Recreation
Negotiating Parties: Gem Property Owners
Under Negotiations: Price and terms

4. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation Per Government Code Section 54956.9(d)(2)

Significant Exposure to Litigation: One Case

ADJOURNMENT

The next regular City Council / Successor Agency / Public Financing Authority meeting is December 19, 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
DECEMBER 19, 2017 - 6:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California**

CALL TO ORDER

ROLL CALL

INVOCATION - Fullerton Fire Chaplain Fernando Villicaña

PLEDGE OF ALLEGIANCE – U.S. Navy Ensign Marshall Chaffee

NATIONAL ANTHEM – Kristen Romero

CLOSED SESSION REPORT

EX PARTE COMMUNICATIONS REPORT PURSUANT TO CITY OF FULLERTON RESOLUTION NO. 2016-41 – TRANSPARENCY IN LABOR NEGOTIATIONS

PRESENTATIONS

- 1. PRESENTATION: Mayor's Remarks**
- 2. PRESENTATION: Pavement Management Program**

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. [OAKMONT SENIOR LIVING 433, 455 - 459 WEST BASTANCHURY ROAD](#)

Review and take final action on a private development proposal for the redevelopment of a 3.23-acre parcel located at the northwest corner of Bastanchury Road and Morelia Avenue. The project includes construction and operation of a 112-bed / 95-unit Residential Care Facility for the Elderly.

Recommendation by the Community Development Department:

Adopt the following Resolutions:

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15332 AND AS ALLOWED BY CEQA GUIDELINES SECTION 15300.2 FOR PRJ17-00150, THE CONSTRUCTION AND OPERATION OF A 112-BED / 95 UNIT RESIDENTIAL CARE FACILITY FOR THE ELDERLY, INCLUDING ASSOCIATED APPLICATIONS MAJOR SITE PLAN ZON17-00039, CONDITIONAL USE PERMIT ZON17-00040, MINOR EXCEPTION ZON17-00094 AND ABANDONMENT SUB17-00002 ON PROPERTY LOCATED AT 433 AND 455-459 WEST BASTANCHURY ROAD

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A MAJOR SITE PLAN TO CONSTRUCT A 112-BED / 95 UNIT RESIDENTIAL CARE FACILITY FOR THE ELDERLY ON PROPERTY LOCATED AT 433 AND 455-459 WEST BASTANCHURY ROAD

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A 112-BED / 95 UNIT RESIDENTIAL CARE FACILITY FOR THE ELDERLY ON PROPERTY LOCATED AT 433 AND 455-459 WEST BASTANCHURY ROAD

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A MINOR EXCEPTION FOR A DECREASE OF NOT MORE THAN 20 PERCENT OF REQUIRED SETBACKS, SPECIFICALLY A REQUEST TO PROVIDE A 13-FOOT SETBACK RATHER THAN

A 15-FOOT SETBACK FOR A LENGTH OF 80 FEET (A 13.3 PERCENT REDUCTION) TO FACILITATE CONSTRUCTION OF A WIDER PUBLIC SIDEWALK ON PROPERTY LOCATED AT 433 AND 455-459 WEST BASTANCHURY ROAD

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING AN ABANDONMENT OF THE EASTERLY UNUSED PORTION OF A 30- TO 40-FOOT WIDE EASEMENT FOR EQUESTRIAN AND STORM DRAIN PURPOSES, SPECIFICALLY AN AREA AT THE TOP OF THE SLOPE MEASURING GENERALLY 20 FEET IN WIDTH AND 277 FEET IN LENGTH, ON PROPERTY LOCATED AT 433 AND 455-459 WEST BASTANCHURY ROAD

REGULAR BUSINESS (Items 2 – 8)

2. REVIEW OF REQUEST FOR QUALIFICATION CONTENT AND FORMAT - DEVELOPMENT OPPORTUNITIES WALNUT / TRUSLOW BETWEEN HARBOR BOULEVARD AND WOODS AVENUE

Review draft content and example formats for use in completion of a Request for Qualifications to develop a master plan and implementation framework to revitalize the area roughly bounded by Walnut and Truslow Avenues between Harbor Boulevard and Woods Avenue.

Recommendation by the Community Development Department:

Provide direction to staff.

3. CONSIDERATION OF REDUCTION OF CITY GENERAL FUND SUBSIDIES FOR ANIMAL CARE SERVICES RELATED TO ORANGE COUNTY ANIMAL CARE AGREEMENT

Consideration of reduction of the City's General Fund subsidy for animal care services in response to an updated Orange County Animal Care Services Fee Study pertaining to the City's existing agreement for services with Orange County Animal Care.

Recommendation by the Administration Department:

Adopt Resolution No. 2017-XX.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REVISING FEES FOR SERVICES PROVIDED UNDER THE ORANGE COUNTY ANIMAL CARE CONTRACT

4. ANNUAL REVIEW OF RULES OF PROCEDURE AND DECORUM FOR CITY COUNCIL MEETINGS

City Council annually reviews its Rules of Procedure and Decorum for City Council Meetings and considers adjustments to the Rules of Procedure for future City Council meetings.

Recommendation by the City Clerk's Office:

Review City Council Resolution No. 2017-03 (Rules of Procedure and Decorum for City Council Meetings) and direct staff to prepare a draft resolution with any changes to the Rules of Procedure and Decorum for adoption at the January 16, 2018 City Council meeting.

5. **CITY REPRESENTATION - REGIONAL ADVISORY BODIES AND WORKGROUPS**

Annual City Council review of the City's designated representation on regional advisory bodies and workgroups and appointment of representatives and alternates.

Recommendation by the City Clerk's Office:

1. Appoint representatives to the following regional advisory bodies for terms expired or vacated in 2017:
 - Orange County Vector Control District Board
 - Fullerton Investment Advisory Committee
 - Independent Cities Risk Management Authority.
2. Review and reaffirm other advisory body appointments with unexpired terms or no specific term end date.

6. **FISCAL YEAR 2017-18 BUDGET ACTION ITEMS UPDATE**

This is an ongoing status report from the City Manager regarding the City Council's Fiscal Year 2017-18 budget action items. The reports will appear as a discussion item on the City Council agenda every other month going forward.

Recommendation by the Administration Department:

Receive and file.

7. **CITY COUNCIL PRIORITY POLICY STATEMENTS**

Consideration by the City Council to adopt a set of Priority Policy Statements following the strategic planning study session held on Tuesday, November 28, 2017.

Recommendation by the Administration Department:

Adopt the draft Priority Policy Statements.

8. **FIRST REVIEW OF SIDE LETTERS TO MEMORANDA OF AGREEMENT BETWEEN THE CITY OF FULLERTON AND THE FULLERTON POLICE OFFICERS' ASSOCIATION - SAFETY UNIT AND THE FULLERTON POLICE OFFICERS' ASSOCIATION - DISPATCHER UNIT**

Side Letters to Memoranda of Agreement between the City of Fullerton and the Fullerton Police Officers' Association – Safety Unit and the Fullerton Police Officers' Association - Dispatcher Unit extending the term of agreements, deferring salary increases and implementing related terms and conditions of employment.

Recommendation by the Human Resources Department:

Review the proposed Side Letters and direct staff to post them on the City website and schedule it for final review on January 16, 2018.

CONSENT CALENDAR (Items 9 – 20)

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.

9. DECEMBER 5, 2017 MEETING MINUTES

Recommendation by the City Clerk's Office:

Approve December 5, 2017 City Council / Successor Agency / Public Financing Authority Meeting Minutes.

10. NOVEMBER 2017 CHECK REGISTER

Recommendation by the Administrative Services Department:

Receive and file.

11. MONTHLY LEGISLATIVE UPDATE

Recommendation by the Administration Department:

Receive and file.

12. REAUTHORIZING A FEE TO SUPPORT PUBLIC, EDUCATION AND GOVERNMENTAL CHANNEL FACILITIES WITHIN THE CITY'S JURISDICTION - SECOND READING OF ORDINANCE

Recommendation by the City Clerk's Office:

Adopt Ordinance No. 3253.

ORDINANCE NO. 3253 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING ORDINANCE NO. 3089 TO REAUTHORIZE A FEE TO SUPPORT PUBLIC, EDUCATION AND GOVERNMENTAL ("PEG") CHANNEL FACILITIES WITHIN THE CITY'S JURISDICTION

13. APPOINTMENT OF CITY TREASURER

Recommendation by the Administrative Services Department:

Adopt Resolution No. 2017-XX.

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPOINTING THE POSITION OF CITY TREASURER OF THE CITY OF FULLERTON AND FULLERTON SUCCESSOR AGENCY

14. COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2017

City Council receipt of the Comprehensive Annual Financial Report for the City of Fullerton and its related component units (e.g., City of Fullerton Public Financing Authority and Housing Authority) for the Fiscal Year ended June 30, 2017.

Recommendation by the Administrative Services Department:

Receive and file.

15. **COMMUNITY FACILITIES DISTRICT SPECIAL TAX BOND ANNUAL ACCOUNTABILITY REPORT**

Recommendation by the Administrative Services Department:

Receive and file.

16. **FIRST AMENDMENT TO USE AGREEMENT BETWEEN SUCCESSOR AGENCY AND SOUTHERN CALIFORNIA RAILWAY PLAZA ASSOCIATION**

Recommendation by the Community Development Department:

As the Successor Agency, approve First Amendment to Use Agreement between Successor Agency and Southern California Railway Plaza Association and authorize Executive Director to sign agreement.

17. **TEN-YEAR ENERGY STORAGE SERVICE AGREEMENT WITH STEM, INC.**

Recommendation by the Public Works Department:

Authorize Director of Public Works to execute a service agreement and amendments, as needed, with Stem, Inc., in a form approved by the City Attorney.

18. **RAYMOND AVENUE EARLY MORNING PARKING**

Recommendation by the Public Works Department:

Adopt Resolution.

RESOLUTION NO. 2017-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RESCINDING THE "EARLY MORNING PARKING" RESTRICTION ON THE WEST SIDE OF RAYMOND AVENUE BETWEEN DOROTHY LANE AND GLENWOOD AVENUE

19. **TWO-HOUR PARKING RESTRICTION ON ORANGE AVENUE FROM COMMONWEALTH TO WILLIAMSON**

Recommendation by the Public Works Department:

Adopt Resolution.

RESOLUTION NO. 2017-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DESIGNATING BOTH SIDES OF ORANGE AVENUE, BETWEEN COMMONWEALTH AVENUE AND WILLIAMSON AVENUE, AS PLACES WHERE PARKING OF VEHICLES IS RESTRICTED TO 2-HOURS OF CONTINUOUS PARKING BETWEEN THE HOURS OF 8:00 A.M. AND 4:00 P.M.

20. **WILSHIRE PARKING LOT - ADA ACCESSIBLE PARKING STALLS**

Recommendation by the Public Works Department:

Reject bids for the Wilshire Parking Lot - ADA Accessible Parking Stalls Project.

AGENDA FORECAST (tentative)

Tuesday, January 2, 2018

- MEETING CANCELLED

Tuesday, January 16, 2018

- DIRECT COMMISSION / COMMITTEE APPOINTMENTS
- CONSIDERATION OF AN AGREEMENT WITH STANTEC INC. TO PERFORM A WATER RATE STUDY

ADJOURNMENT

The next City Council / Successor Agency closed session meeting is January 16, 2018 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 January 16, 2018 at 6:30 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.