



FULLERTON CITY COUNCIL SUCCESSOR AGENCY AGENDA - JUNE 5, 2018

303 West Commonwealth Avenue, Fullerton, California

MEETINGS: The Fullerton City Council / Successor Agency 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 items and public hearing items shall have no more than three 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 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 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. 2018-03 to review the complete Rules of Procedure and Decorum for City Council meetings.

Doug Chaffee
Mayor

Greg Sebourn
Mayor Pro Tem

Bruce Whitaker
Council Member

Jennifer Fitzgerald
Council Member

Jesus Silva
Council Member



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
SPECIAL MEETING AGENDA**

JUNE 5, 2018 - 5:00 P.M.

Council Chamber - 303 West Commonwealth Avenue, Fullerton, CA

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

**EX PARTE COMMUNICATIONS REPORT PURSUANT TO FMC 2.33.040 -
TRANSPARENCY AND ACCOUNTABILITY IN LABOR NEGOTIATIONS**

PRESENTATIONS

1. **PRESENTATION:** **Volunteer of the Month - Katherine England**
2. **PRESENTATION:** **Troy Science Olympiad**

PUBLIC COMMENTS

The City Council / Successor Agency will hear public comments on matters not appearing on the agenda but within City Council / Agency jurisdiction at this time. The City Council / Agency will also accept public requests for removal of Consent Calendar items for further discussion. Those wishing to speak on a regular business or 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 from acting on non-agenda items.

CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS

City Council may ask a question for clarification, make a brief announcement, make a brief report on his / her 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 (Item 1)

1. **LIBRARY AD-HOC COMMITTEE APPOINTMENTS**

Recommendation by the City Clerk's Office:

1. Council Members make direct appointments to the Library Ad-Hoc Committee.
2. City Council ratify the direct appointments.

REGULAR BUSINESS (Items 2- 3)

2. AGREEMENT WITH CARE AMBULANCE FOR EMERGENCY MEDICAL TRANSPORTATION SERVICES

Care Ambulance is the Fire Department's current provider for 9-1-1 Basic Life Support ambulance transport. Following extensive review and negotiations, Staff requests that City Council consider the agreement for increased revenue sharing for a two year period, for inclusion as expected revenue for Fiscal Year 2018-19.

Recommendation by the Fire Department:

1. Approve agreement with Care Ambulance for an initial two year period with two, one year extensions upon mutual agreement.
2. Approve and authorize the City to continue to utilize the Orange County Health Care Agency billing rate structure approved through formal resolution by the Orange County Board of Supervisors.
3. Authorize Fire Department to contract with a third-party billing company to manage EMS billing and, until such time as a third-party billing company is hired, continue to utilize Care Ambulance.

3. EXCLUSIVE NEGOTIATION AND PROPERTY ACQUISITION AGREEMENT BY AND BETWEEN FULLERTON INTERFAITH EMERGENCY SERVICE, INC., DBA PATHWAYS OF HOPE, AND CITY OF FULLERTON FOR DEVELOPMENT OF 1600 WEST COMMONWEALTH AVENUE

Consideration of Exclusive Negotiation Agreement by and between Fullerton Interfaith Emergency Service, Inc. dba Pathways of Hope and City of Fullerton for the development of affordable housing at 1600 West Commonwealth Avenue.

Recommendation by the Community Development Department:

Authorize City Manager to execute Exclusive Negotiation Agreement by and between Pathways of Hope and the City of Fullerton for the development of affordable housing at 1600 West Commonwealth Avenue, in a form approved by the City Attorney.

PUBLIC HEARINGS (Item 4)

Pursuant to California Government Code Section 65009, if you challenge a City Council / Successor Agency 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.

4. PROPOSED ANNUAL BUDGET, FEES AND APPROPRIATIONS LIMIT FOR FISCAL YEAR 2018-19

Consideration of Proposed Annual Budget, Fees and Appropriations Limit for Fiscal Year 2018-19.

Recommendation by the Administrative Services Department:

Adopt the following resolutions:

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING AND ADOPTING THE PROPOSED BUDGET FOR FISCAL YEAR 2018-19 AND APPROPRIATING THE FUNDS

NECESSARY TO MEET THE EXPENDITURES SET FORTH THEREIN

RESOLUTION NO 2018- XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING FEES AND CHARGES FOR MUNICIPAL SERVICES FOR FISCAL YEAR 2018-19 AND REPEALING RESOLUTIONS NO. 2017-40 AND 2018-02

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2018-19 PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA STATE CONSTITUTION

CONSENT CALENDAR (Items 5 - 23)

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

5. MAY 15, 2018 MEETING MINUTES

Recommendation by the City Clerk's Office:

Approve May 15, 2018 City Council / Successor Agency Meeting Minutes.

6. TITLE 15 ZONING ORDINANCE AMENDMENT REGARDING EMERGENCY SHELTERS AND MULTISERVICE CENTERS - SECOND READING OF ORDINANCE

Recommendation by the City Clerk's Office:

Adopt Ordinance No. 3263.

ORDINANCE NO. 3263 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING FULLERTON MUNICIPAL CODE CHAPTER 15.42 TO CLARIFY DEVELOPMENT STANDARDS ENUMERATED THEREIN PERTAINING TO EMERGENCY SHELTERS AND MULTISERVICE CENTERS FOR THE HOMELESS

7. JULY 3, 2018 CITY COUNCIL MEETING CANCELLATION

Recommendation by the City Clerk's Office:

Cancel the July 3, 2018 City Council / Successor Agency Meeting.

8. RESOLUTION OF INTENTION TO AMEND FULLERTON MUNICIPAL CODE TITLE 15 UPDATING REGULATIONS FOR BUSINESSES SELLING ALCOHOL

Recommendation by the Community Development Department:

Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DECLARING ITS INTENTION TO CONSIDER AMENDMENTS TO THE FULLERTON MUNICIPAL CODE REGARDING DEVELOPMENT AND OPERATIONAL STANDARDS FOR BUSINESSES SELLING ALCOHOL FOR ON-SITE CONSUMPTION

9. NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION

Recommendation by the City Clerk's Office:

Adopt the following resolutions:

RESOLUTION NO. 2018- XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

RESOLUTION NO. 2018- XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION ON NOVEMBER 6, 2018 WITH THE STATEWIDE GENERAL ELECTION HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

RESOLUTION NO. 2018- XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TUESDAY, NOVEMBER 6, 2018

10. ACCEPTANCE OF DONATION TO LIBRARY

Recommendation by the Library:

Accept donation on behalf of the Fullerton Public Library.

11. ACCEPTANCE OF DONATIONS TO FIRE DEPARTMENT

Recommendation by the Fire Department:

Accept donations on behalf of the Fullerton Fire Department.

12. FORMATION OF WATER RATE STUDY AD-HOC COMMITTEE

Recommendation by the Public Works Department:

Approve formation of Water Rate Study Ad-Hoc Committee comprised of Energy Resource Management Committee and Citizens' Infrastructure Review Committee members.

13. WAIVER OF OUTSIDE NEGOTIATOR AND APPOINTMENT OF CITY NEGOTIATING TEAM

Recommendation by the Human Resources Department:

Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-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 FOR NEGOTIATIONS WITH THE FULLERTON FIRE MANAGEMENT ASSOCIATION AND CONCURRENTLY APPOINT THE CITY MANAGER TO THE CITY'S NEGOTIATING TEAM IN ADDITION TO THE DIRECTOR OF HUMAN RESOURCES AND THE DIRECTOR OF

14. TOBACCO GRANT MEMORANDUM OF UNDERSTANDING APPROVAL

Recommendation by the Fullerton Police Department:

Authorize Chief of Police to sign Memorandum Of Understanding for \$214,931 grant and increase Police Department appropriations to Grant Fund 32 in the same amount.

15. MEASURE M2 ELIGIBILITY RENEWAL

Recommendation by the Public Works Department:

1. Approve and authorize staff to submit Measure M2 Seven-Year Capital Improvement Program for Fiscal Years 2018-19 through 2024-25 to Orange County Transportation Authority (OCTA).
2. Approve and authorize Staff to submit Pavement Management Plan to OCTA.
3. Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, CONCERNING THE STATUS AND UPDATE OF THE PAVEMENT MANAGEMENT PLAN FOR THE MEASURE M2 PROGRAM

4. Authorize Director of Public Works to make administrative changes as advised by OCTA, if necessary.

16. TENTH (FINAL) AMENDMENT TO EXCLUSIVE NEGOTIATION AGREEMENT BETWEEN FULLERTON REDEVELOPMENT AGENCY AND FTC ACQUISITION, LLC. TO PLAN FOR DEVELOPMENT OF FULLERTON TRANSPORTATION CENTER

Recommendation by the Community Development Department:

Approve Tenth Amendment to Exclusive Negotiation Agreement.

17. URBAN AREAS SECURITY INITIATIVE TRANSFER AGREEMENT

Recommendation by the Police Department:

Approve and authorize Chief of Police to sign 2017 Urban Areas Security Initiative transfer agreement.

18. ORANGE COUNTY TRANSPORTATION AUTHORITY MEASURE M2 ENVIRONMENTAL CLEANUP TIER 1 PROGRAM FISCAL YEAR 2018-19

Recommendation by the Public Works Department:

Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE ENVIRONMENTAL CLEANUP PROGRAM PROJECT

19. FIRE AND PUBLIC WORKS EQUIPMENT PURCHASES

Recommendation by the Public Works Department:

1. Approve \$740,000 appropriation adjustment for purchase of a fire engine.
2. Approve purchase of three vehicles and associated equipment for an amount not to exceed \$1,100,000.

20. SECURITY FENCING AT FIRE STATION 4

Recommendation by the Public Works Department:

1. Approve scope of work and proposal for construction of security fencing around perimeter of Fire Station 4, including one automatic gate and two side gates.
2. Approve \$18,000 budget transfer from Facility Capital Repair Fund balance to Capital Improvement Project Number 50009.
3. Award \$35,770 construction contract to Valley Cities / Gonzales Fence Company.

21. WILSHIRE AVENUE BICYCLE BOULEVARD IMPROVEMENT PROJECT

Recommendation by the Public Works Department:

1. Approve plans and specifications for Wilshire Avenue Bicycle Boulevard Improvement Project.
2. Award \$1,947,690.30 construction contract, in a form approved by the City Attorney, for the Wilshire Avenue Bicycle Boulevard Improvement Project to Vido Samarzich, Inc.

22. AIRPORT TERMINAL BUILDING EXPANSION, PHASE 2

Recommendation by the Public Works Department:

Authorize Director of Public Works to execute \$171,085 agreement with C&S Companies, Inc. for professional engineering services for the Airport Terminal Building Expansion Project in a form approved by the City Attorney.

23. VALENCIA DRIVE INFRASTRUCTURE IMPROVEMENTS FROM GILBERT TO BROOKHURST

Recommendation by the Public Works Department:

1. Approve plans and specifications for Valencia Drive Infrastructure Improvements from Gilbert to Brookhurst Project.
2. Approve budget transfer to Project 44032 Valencia Drive Infrastructure Improvements from Gilbert to Brookhurst Project in the following amounts:
 - \$850,000 of Sewer Enterprise Fund from Project 51418 Annual Sewer Replacement Program Fiscal Year 2016-17
 - \$1,000,000 of Gas Tax Fund Balance
 - \$100,000 of Water Fund from Project 53618 Water Main System Replacement 17-18.

3. Approve \$1,548,742 construction contract between GRFCO, Inc. and City of Fullerton, in a form approved by the City Attorney.

RECESS to Closed Session

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)

Name of Case: Orange County Catholic Worker v. Orange County, City of Anaheim
City of Costa Mesa, City of Orange, City of Santa Ana

Case Number: SA CV 18-0155-DOC

RECONVENE Regular Session

CLOSED SESSION REPORT

AGENDA FORECAST

Tuesday, June 19, 2018

- *PRESENTATION: OC Animal Care*
- *PRESENTATION: Outgoing EDC Commissioners*
- *PRESENTATION: Memorial Day Event Recap*
- *CONTRACT AWARD FOR LARGE FIELD MOWING*
- *UPDATE ON WOODCREST PARK AND PEARL PARK*
- *CHAPMAN AVENUE REHABILITATION*
- *MONTHLY LEGISLATIVE UPDATE*
- *MAY 2018 CHECK REGISTER*
- *INSURANCE PROGRAM REPORT AND RECOMMENDATIONS*
- *FISCAL YEAR 2017 18 BUDGET ACTION ITEMS UPDATE*
- *PY 2018 ANNUAL ACTION PLAN AND CITIZEN PARTICIPATION PLAN UPDATE*

Tuesday, July 3, 2018

- *MEETING SCHEDULED FOR CANCELLATION*

ADJOURNMENT

Adjourn to next regularly scheduled closed session meeting at 5:00 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.

Adjourn to next regularly scheduled City Council / Successor Agency meeting at 6:30 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.