



# FULLERTON CITY COUNCIL SUCCESSOR AGENCY

## AGENDA - DECEMBER 18, 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](http://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](http://www.cityoffullerton.com).

State regulations prohibit City Council from taking action on non-agenda items except as provided by law. Visit [www.cityoffullerton.com](http://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](mailto: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](http://www.cityoffullerton.com).

Refer to Resolution No. 2018-03 to review the complete Rules of Procedure and Decorum for City Council meetings.

**Jesus Silva**  
Mayor (District 3)

**Jennifer Fitzgerald**  
Mayor Pro Tem (At-Large)

**Vacant**  
Council Member

**Bruce Whitaker**  
Council Member (At-Large)

**Ahmad Zahra**  
Council Member (District 5)



**CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
CLOSED SESSION AGENDA**

**DECEMBER 18, 2018 - 5:00 P.M.**

**Council Chamber - 303 West Commonwealth Avenue, Fullerton, CA**

**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 LABOR NEGOTIATOR Per Government Code Section 54957.6**

**Agency Representative/s:** City Manager Kenneth Domer

**Employee Organization/s:** Fullerton Fire Management Association, Fullerton Police Officers' Association, Fullerton Municipal Employees Federation, Fullerton Firefighters' Association, Fullerton Management Association, Fullerton Police Management Association

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

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

**Name of Case:** Friends of Coyote Hills et al., v. City of Fullerton, et al.

**Case Number:** OCSC 30-2016-00834366

**ADJOURNMENT**

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

**CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
REGULAR MEETING AGENDA  
DECEMBER 18, 2018 - 6:30 P.M.**

**Council Chamber - 303 West Commonwealth Avenue, Fullerton, CA**

**CALL TO ORDER**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CLOSED SESSION REPORT**

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

**PRESENTATIONS**

1. **PRESENTATION:**     **Community Heroes**

**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 - None**

**PUBLIC HEARINGS (Item 1)**

*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.*

1. **PARKING STRUCTURE LIGHTING REPLACEMENT**

This project includes lighting measures for potential electricity consumption reduction in

three City parking structures: Plummer, Wilshire and Transportation Center.

Recommendation by the Public Works Department:

1. Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, MAKING A FINDING THAT THE PROPOSED LIGHT REPLACEMENT PROJECT IS CATEGORICALLY EXEMPT FROM CEQA REVIEW, MAKING A FINDING OF ANTICIPATED COST SAVINGS AS A RESULT OF THE PROJECT, APPROVING A WORK ORDER WITH EXPRESS ENERGY SERVICES, INC. TO IMPLEMENT THE PROJECT, APPROVING THE USE OF ON-BILL FINANCING THROUGH SOUTHERN CALIFORNIA EDISON, AND AUTHORIZING THE CITY MANAGER TO SIGN THE WORK ORDER AND THE ON-BILL FINANCING AGREEMENT ON BEHALF OF THE CITY TO IMPLEMENT THE PARKING STRUCTURES LIGHT REPLACEMENT PROJECT

2. Approve \$100,000 budget transfer from Facility Capital Repair Fund balance to Facility Capital Repair Program contractual services account.

## **REGULAR BUSINESS (Items 2 - 4)**

### **2. 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 2018:

- Orange County Sanitation District Board
- Fullerton Investment Advisory Committee (Primary and Alternate)
- Metropolitan Water District Board of Directors
- Fullerton Sister City Association
- Fullerton Arboretum Commission
- Fullerton-Brea Fire Services Working Group
- Regional Homeless Shelter Discussions Working Group
- Orange County Vector Control Board (Alternate)
- Fullerton Sports Field Users Group (Alternate).

2. Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPOINTING TWO BOARD DIRECTORS AND AN ALTERNATE TO THE GOVERNING BOARD OF THE NORTH ORANGE COUNTY CITIES JOINT POWERS AUTHORITY (NOCCJPA)

3. Review and reaffirm all other advisory body appointments with unexpired terms or no specific term end date.

**3. OPTIONS FOR FILLING CITY COUNCIL VACANCY**

On December 4, 2018, Council Member Silva was sworn in as the District 3 City Council Member. This created a mid-term vacancy in Council Member Silva's prior at-large City Council seat which expires in December 2020 and requires the City Council to consider the legally available alternatives for filling the vacancy.

Recommendation by the City Clerk's Office:

1. Appoint a qualified individual to the fill the vacancy through the remainder of the term, either through direct appointment or following a process for applications and / or interviews and / or other steps as determined by City Council.
2. Direct Staff to prepare resolutions to call a special election to fill the vacancy for the remainder of the term for consideration at the next City Council meeting.
3. Continue discussion to the January 15, 2019 City Council meeting.

**4. COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2018**

To submit to the City Council the Comprehensive Annual Financial Report (CAFR) for the City of Fullerton for the fiscal year ended June 30, 2018.

Recommendation by the Administrative Services Department:

Receive and file.

**CONSENT CALENDAR (Items 5 - 13)**

*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. DECEMBER 4, 2018 MEETING MINUTES**

Recommendation by the City Clerk' Office;

Approve December 4, 2018 City Council / Successor Agency / Housing Authority Meeting Minutes.

**6. NOVEMBER 2018 CHECK REGISTER**

Recommendation by the Administrative Services Department:

Receive and file.

**7. MONTHLY LEGISLATIVE UPDATE**

Recommendation by the Administration Department:

Receive and file.

**8. CHANGES TO PERSONNEL MANAGEMENT SYSTEM**

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, ADOPTING AND DELETING A CERTAIN CLASS SPECIFICATION

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

Recommendation by the Administrative Services Department:

Receive and file.

**10. PARTICIPATION IN ORANGE COUNTY RECYCLING MARKET DEVELOPMENT ZONE**

Recommendation by the Public Works Department:

1. Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REQUESTING ADDITION TO THE ORANGE COUNTY RECYCLING MARKET DEVELOPMENT ZONE AS A PARTICIPATING JURISDICTION

2. Direct City Clerk to forward certified copy of Resolution No. 2018-XX to Orange County Recycling Market Development Zone Administrator.

**11. LEASE EXTENSION WITH AVIATION FACILITIES INCORPORATED**

Recommendation by the Public Works Department:

Authorize Mayor to execute lease extension with Aviation Facilities Incorporated, in a form approved by the City Attorney.

**12. CONSTRUCTION OF A VERIZON WIRELESS MONOPINE AND EQUIPMENT SHELTER AT 2470 WEST PIONEER**

Recommendation by the Public Works Department:

1. Authorize staff to enter into lease agreement with Verizon for construction, operation and maintenance of cellular facilities located at 2470 West Pioneer, subject to final plan approval.

2. Authorize City Manager to execute lease agreement on behalf of City of Fullerton, in a final form approved by the City Attorney.

**13. LAGUNA BOOSTER PUMP STATION UPGRADES PROJECT**

Recommendation by the Public Works Department:

1. Approve plans and specifications for Laguna Booster Pump Station Upgrades Project.

2. Approve \$164,906 budget transfer from Water Fund from Project 53002, Miscellaneous Distribution System Upgrade, to Project 53603, Water Production Equipment Upgrade and Rehabilitation (Laguna Booster Pump Station Upgrades).

3. Award \$878,478 construction contract for Laguna Booster Pump Station Upgrades Project, in a form approved by the City Attorney, to SCW Contracting Corporation.
4. Authorize Director of Public Works to approve any future change orders for construction and professional engineering construction support services within approved project budget.

## **AGENDA FORECAST - Tentative**

*Tuesday, January 15, 2019*

- *PRESENTATION: FULLERTON AQUATIC SWIM TEAM (FAST)*
- *PRESENTATION: CAL STATE FULLERTON CLUB / SORORITY*
- *PRESENTATION: CSUF PRESIDENT FRAMROZE VIRJEE*
- *DIRECT COMMITTEE APPOINTMENTS*
- *DECEMBER 18, 2018 CITY COUNCIL MEETING MINUTES*
- *DECEMBER 2018 CHECK REGISTER*
- *RECOGNIZED OBLIGATION PAYMENT SCHEDULE 2019 20*
- *APPROVAL OF JAIL STAFFING SERVICES AGREEMENT*
- *RULES OF PROCEDURE AND DECORUM FOR CITY COUNCIL MEETINGS*

*Tuesday, February 5, 2019*

- *AT LARGE APPOINTMENTS*
- *JANUARY 15, 2019 CITY COUNCIL MEETING MINUTES*
- *CITY COUNCIL DECISION REGARDING FILLING COUNCIL VACANCY*
- *FIREWORKS ANNUAL REPORT AND 2019 TIMELINE*

## **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.*