



# FULLERTON CITY COUNCIL SUCCESSOR AGENCY AGENDA - APRIL 2, 2019

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 form and submit the form 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. 2019-10 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)

**Jan Flory**  
Council Member  
(At-Large)

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

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



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

**APRIL 2, 2019 - 4:30 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 LEGAL COUNSEL - EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)**

**Name of Case:** Corbin Trumbo, a minor by and through his guardian ad litem, Stephanie Ortiz; and Stephanie Ortiz v. City of Fullerton

**Case Number:** OCSC Case No.: 30-2018-00978170

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

**Name of Case:** Lucrecia Jackson, et al. v. City of Fullerton, et al.

**Case Number:** OCSC Case No. 30-2017-00939887

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

**Agency Representative/s:** Kenneth A. Domer

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

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

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

**Name of Case:** Orange County Catholic Worker et al v. Orange County et al United States District Court, Central District of California

**Case Number:** 8:18-cv-0155-DOC-JDE

## **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**

**APRIL 2, 2019- 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. **PROCLAMATION: Donate Life**
2. **PROCLAMATION: Arab American Heritage Month**

**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  
AND REPORTS**

*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**

**CONSENT CALENDAR (Items 1 - 6)**

*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.*

**1. MARCH 19, 2019 MEETING MINUTES**

Recommendation by the City Clerk's Office:

Approve March 19, 2019 City Council / Successor Agency Meeting Minutes.

**2. DESIGNATION OF PRINCIPAL LABOR NEGOTIATOR AND APPROVAL OF AGREEMENT WITH ATKINSON, ANDELSON, LOYA, RUUD & ROMO FOR LEGAL SERVICES AND PRINCIPAL LABOR NEGOTIATOR SERVICES**

Recommendation by the Human Resources Department:

1. Appoint Jay Trinnaman as City's Principal Labor Negotiator for negotiations between the City and Fullerton Municipal Employees Federation and Fullerton Management Association.
2. Authorize City Manager to sign an agreement with Atkinson, Andelson, Loya, Ruud & Romo law firm.

**3. STRATEGIC PLANNING - RECAP AND NEXT STEPS**

Recommendation by the Administration Department:

Receive and file.

**4. CENSUS 2020 - COMMUNITY AWARENESS EFFORTS**

Recommendation by the City Manager's Office:

Receive and file.

**5. FIRE DEPARTMENT TRAINING GROUND IMPROVEMENTS AND PURCHASE OF EXTRICATION EQUIPMENT**

Recommendation by the Fire Department:

1. Approve and appropriate the improvements of the Fire Department training ground and the purchase of extrication equipment in the amount of \$108,000 from the General Fund.
2. Recognize \$108,000 additional revenue in the General Fund from the following sources:

|                                     |          |
|-------------------------------------|----------|
| CARE Ambulance Facility Space Rent  | \$40,000 |
| Training Lot Temporary Storage Rent | \$28,600 |
| Santa Ana College Training Program  | \$39,400 |

**6. MISCELLANEOUS STORM DRAIN IMPROVEMENTS ON SHEPPARD DRIVE AND MIRAMAR DRIVE**

Recommendation by the Public Works Department:

1. Approve plans and specifications for Miscellaneous Storm Drain Improvements on Sheppard Drive and Miramar Drive Project.
2. Approve \$240,000 budget transfer of Drainage Capital Fund from Project 52590 Miscellaneous Storm Drain Improvements 2018-19 to Project 52588 Miscellaneous Storm Drain Improvements on Sheppard Drive and Miramar Drive.

3. Ratify \$80,200 construction contract between Dominguez General Engineering and City of Fullerton.
4. Approve \$164,360 construction contract between Nu Line Technologies and City of Fullerton, in a form approved by the City Attorney.
5. Authorize Public Works Director to approve any future change orders for construction and professional engineering construction support services within approved project budget.

## **PUBLIC HEARINGS - None**

## **REGULAR BUSINESS (Items 7 - 10)**

### **7. DISCUSSION AND DIRECTION REGARDING ABILITY TO CONTROL RENT INCREASES IN MOBILE HOME PARKS WITHIN CITY AND / OR OTHER OPTIONS REGARDING PRESERVING AFFORDABLE HOUSING OPTIONS WITHIN MOBILE HOME PARKS**

Residents at one of the City's mobile home parks were served with a 90 day notice of increased rents, ranging from \$197 to \$397 a month, which have since been rescinded by the new owner. The rent increases as initially proposed for some senior and low-income renters was approximately 55% more than their current rent. The rent increases if implemented, according to the tenants, would have priced residents out of their rental spaces thereby placing seniors and other low-income residents into lesser living conditions or homelessness. While the park owner has since rescinded the increases, it brought to light the fragile nature of some mobile home park tenants' ability to retain affordable housing under current state law which allows a rent increase with a 90 day notice.

Request by the Mayor:

1. Discuss rent stability options for mobile home park tenants to include possibility of implementing a rent control ordinance for mobile home parks.
2. Provide direction to City Manager regarding alternative options to preserve affordable housing opportunities within mobile home parks within the City.

### **8. WATER RATE STUDY PRESENTATION AND SET PUBLIC HEARING DATE**

Approval of Citizen Water Rate Ad Hoc Committee recommendations, as shown in "Water Rate Recommendation" presentation and draft "Water Rate Study" report, along with authorization to mail Proposition 218 Notification.

Recommendation by the Public Works Department:

1. Approve water rate recommendations presented in "Water Rate Recommendation" presentation and "Water Rate Study" report.
2. Authorize mailing of Proposition 218 notice which starts 45-day comment period related to the proposed rate structure changes and rate increases.
3. Set Public Hearing for June 4, 2019 related to water rate structure changes and adjustments.

**9. STREET IMPROVEMENTS - PROJECT OPTIONS FOR USE OF ONE-TIME REVENUES**

Provide direction regarding street improvements using revenue generated by recent sale of City property and Rule 20A allocations.

Recommendation by the Public Works Department:

Approve use of revenues for Arterial and Residential Street Improvements Plan (Option 1).

**10. EUCLID STREET REHABILITATION PROJECT - ROAD MAINTENANCE AND REHABILITATION ACCOUNT (SB1)**

Consideration of list of roadway segments planned for reconstruction and funded by Road Maintenance and Rehabilitation Account, also known as Senate Bill 1.

Recommendation by the Public Works Department:

Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2019-20 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

**ITEMS REMOVED FROM CONSENT CALENDAR**

**AGENDA FORECAST (Tentative)**

*Tuesday, April 16, 2019*

- FIREWORKS LOTTERY DRAWING
- PRESENTATION: Mayor's Cyber Cup Troy High School
- PRESENTATION: Woman's Club of Fullerton
- PRESENTATION: CSUF Center for Healthy Neighborhoods
- MARCH 2019 CHECK REGISTER
- MONTHLY LEGISLATIVE UPDATE
- GRANT FUNDING FOR NEW WELL 7A CONSTRUCTION
- LEGAL SERVICES AGREEMENT WITH FILARSKY & WATT
- DOWNTOWN PARKING NIGHTTIME PAID PARKING PILOT PROGRAM
- REGULATIONS FOR BUSINESSES SELLING ALCOHOL
- APPROVAL OF JAIL STAFFING SERVICES AGREEMENT
- MUNICIPAL CODE AMENDMENT RELATING TO REGULATION OF TAXICABS
- AMENDMENT TO ADMINISTRATIVE CITATION FEE SCHEDULE

*Tuesday, May 7, 2019*

- PRESENTATION: Friends of Jazz
- PRESENTATION: Fullerton College Men's Basketball Team
- FORM ACTIVE TRANSPORTATION COMMITTEE

**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.*