



FULLERTON CITY COUNCIL SUCCESSOR AGENCY

AGENDA - MARCH 6, 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
CLOSED SESSION AGENDA**

March 6, 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 LEGAL COUNSEL - ANTICIPATED LITIGATION Per Government Code Section 54956.9(d)(2)**

Significant Exposure to Litigation: One Case

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

Agency Representative/s: Kenneth Domer

Employee Organization/s: Fullerton Police Management Association; Fullerton Police Officers' Association - Dispatcher Unit; Fullerton Municipal Employees Federation; Fullerton Management Association

Unrepresented Employees: Administrative Assistant / Human Resources, Payroll Technician, Personnel Technician, Employee Benefits Specialist, Executive Assistant, Human Resources / Risk Management Analyst, Senior Administrative Analyst, Budget Analyst, Public Information Coordinator, Human Resources Manager I, Human Resources Manager II, Fiscal Services Manager, Risk Manager, City Clerk / Clerk Services Manager, Information Technology Manager, Revenue Manager, Assistant To The City Manager / Economic Development Manager

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: APN: 293-154-37, 293-241-07, 337-121-02, 280-016-07, 032-152-31, 032-152-08, 032-152-30

Agency Negotiator: City Manager Kenneth A. Domer

Under Negotiations: Price and Terms

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**

March 6, 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:** [Friends of Jazz](#)
2. **PROCLAMATION:** [Arbor Day 2018](#)

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

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. **TITLE 15 ZONING ORDINANCE AMENDMENT EMERGENCY SHELTERS AND MULTISERVICE CENTERS**

Proposed amendment to the Fullerton Municipal Code, Title 15 (Zoning Ordinance), addressing location and design of emergency shelters and multiservice centers for the homeless.

Recommendation by the Community Development Department:

Introduce Ordinance No. 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 TITLE 15 OF THE FULLERTON MUNICIPAL CODE CHAPTERS 15.30, 15.40 AND 15.42 TO ALLOW EMERGENCY SHELTERS AND MULTISERVICE CENTERS FOR THE HOMELESS TO LOCATE ON PROPERTIES IN THE C-M (COMMERCIAL MANUFACTURING), M-P (MANUFACTURING PARK), M-G (MANUFACTURING GENERAL) AND G-C (GENERAL COMMERCIAL) ZONES THAT ARE OUTSIDE THE ES (EMERGENCY SHELTER) OVERLAY ZONE, SUBJECT TO ISSUANCE OF A CONDITIONAL USE PERMIT AND TO CLARIFY SPECIFIC DEVELOPMENT STANDARDS ENUMERATED IN CHAPTER 15.42 OF THE FULLERTON MUNICIPAL CODE

2. **TITLE 15 ZONING ORDINANCE AMENDMENT TO PUBLIC LAND ZONE PERTAINING TO PUBLIC SERVING USES ON CITY-OWNED LAND**

Proposed amendment to the Fullerton Municipal Code Title 15 (Zoning Ordinance), updating provisions of Chapter 15.25 pertaining to public serving uses on city-owned land designated Public Land.

Recommendation by the Community Development Department:

Introduce Ordinance No. 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 FULLERTON MUNICIPAL CODE CHAPTER 15.25 TO UPDATE THE LAND USE AND PROCEDURAL PROVISIONS APPLICABLE TO THE PUBLIC LAND (P-L) ZONE AS CONSISTENT WITH THE INTENT OF THE ZONE CLASSIFICATION AND IN THE PUBLIC INTEREST

REGULAR BUSINESS

3. **CITY OF FULLERTON BOARD / COMMISSION / COMMITTEE REORGANIZATION**

City Council discussion of the City's current board, commission and committee structure pertaining to opportunities for increased efficiency, community input and the City's transition to district based elections beginning November 2018.

Recommendation by the City Clerk's Office:

Begin discussion regarding the City's boards, commissions and committees and direct Staff to return to City Council with updates and / or the necessary legislative instruments (ordinance, resolution, minute order) to enact any changes at a future City Council meeting.

4. **MODEL SMALL CELL SITE AGREEMENT**

Staff has developed a model agreement for future small cell site installations.

Recommendation by the Public Works Department:

1. Approve model Small Cell License Agreement.
2. Authorize City Manager to execute agreement and future amendments with small cell providers, in a final form approved by the City Attorney.

5. **FIRST REVIEW OF SIDE LETTER TO MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF FULLERTON AND THE FULLERTON POLICE MANAGEMENT ASSOCIATION**

Side Letter to Memorandum of Agreement between the City of Fullerton and the Fullerton Police Management Association related to extension of the existing agreement and agreement on the replacement of existing medical insurance plans.

Recommendation by the Human Resources Department:

Review the proposed Side Letter and direct staff to schedule it for final review on March 20, 2018.

6. **REVISED RESOLUTION RELATING TO COMPENSATION FOR CONFIDENTIAL / NONREPRESENTED EMPLOYEES**

Proposed revision to the Resolution Relating to Compensation for Confidential / Nonrepresented employees: Administrative Assistant / Human Resources, Payroll Technician, Personnel Technician, Employee Benefits Specialist, Executive Assistant, Human Resources / Risk Management Analyst, Senior Administrative Analyst, Budget Analyst, Public Information Coordinator, Human Resources Manager I, Human Resources Manager II, Fiscal Services Manager, Risk Manager, City Clerk / Clerk Services Manager, Information Technology Manager, Revenue Manager, Assistant to the City Manager / Economic Development Manager.

Recommendation by Human Resources:

Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018 - XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RELATING TO COMPENSATION FOR CONFIDENTIAL / NONREPRESENTED EMPLOYEES AND SUPERSEDING RESOLUTION NO. 2016-24

7. **FINAL CONSIDERATION OF PROPOSED MEMORANDUM OF AGREEMENT BETWEEN CITY OF FULLERTON AND FULLERTON FIREFIGHTERS' ASSOCIATION**

Memorandum of Agreement between City of Fullerton and Fullerton Firefighters' Association for final consideration by City Council.

Recommendation by Human Resources Department:

Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING THE AGREEMENT BETWEEN THE CITY AND THE FULLERTON FIREFIGHTERS' ASSOCIATION DATED FEBRUARY 12, 2018

CONSENT CALENDAR

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.

8. FEBRUARY 20, 2018 MEETING MINUTES

Recommendation by the City Clerk's Office:

Approve February 20, 2018 City Council / Successor Agency / Public Financing Authority Meeting Minutes.

9. GRANT AWARDS FOR PARKS AND RECREATION CAPITAL PROJECTS

Recommendation by the Parks and Recreation Department:

Accept California Rivers Parkway, Land & Water, California Urban Rivers and Warne Family Foundation grants and approve the following budget transfers from grant funds:

- \$380,000 allocated to Hillcrest Park Rehabilitation Project #54500
- \$488,250 allocated to Woodcrest Park Improvement Project #54023
- \$1.05 million allocated to West Coyote Hills Acquisition Project #54036.

10. LAMBERT ROAD REHABILITATION - COOPERATIVE AGREEMENT WITH CITY OF LA HABRA

Recommendation by the Public Works Department:

Authorize Director of Public Works to enter into Cooperative Agreement, in a form approved by the City Attorney, with the City of La Habra.

11. CHANGES AND UPDATES IN ANTI-DISCRIMINATION HOUSING LAWS

Recommendation by the City Attorney:

Receive and file.

12. AGREEMENT WITH TETRA TECH FOR ENGINEERING DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR STRUCTURAL REHABILITATION OF THE LOWER ACACIA RESERVOIR 1D

Recommendation by the Public Works Department:

Authorize Director of Public Works to execute \$96,009 agreement, in a form approved by the City Attorney, with Tetra Tech for engineering consultant services for final design and construction management for the rehabilitation of the Reservoir.

AGENDA FORECAST (Tentative)

Tuesday, March 20, 2018

- PROCLAMATION: DONATE LIFE RUN / WALK
 - FEBRUARY 2018 CHECK REGISTER
 - ANNUAL HOUSING ELEMENT PROGRESS REPORT
 - ORDINANCE 1440 AMENDMENT - ST. MARY'S CHURCH FESTIVAL IN AMERIGE PARK
- SECOND READING BEEKEEPING ORDINANCE

- *FUEL MANAGEMENT SYSTEM UPGRADE PROJECT*

Tuesday, April 3, 2018

- *AMEND FISCAL YEAR 2018-19, SB1 FUNDED PROJECT RESOLUTION*

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.