



**CITY OF FULLERTON
CITY COUNCIL / SUCCESSOR AGENCY
CLOSED SESSION AGENDA
AUGUST 19, 2014 - 4:00 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: Ed York, et al. v. City of Fullerton, et al.
Case Number: OCSC 30-2013 00675291

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

Name of Case: Pacific Coast Homes v. City of Fullerton, et al.
Case Number: OCSC 30-2010 00401519

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

Property: 312, 324, 336, 406, 418, 424 West Valencia Drive;
407, 413, 437, 443, 455, 467 West Avenue and 518,
524, 530 South Ford Avenue

Agency Negotiator: City Manager Joe Felz / Mark Korando, Habitat for Humanity of Orange County

Under Negotiations: Price and terms

4. CONFERENCE WITH LABOR NEGOTIATOR Per Government Code Section 54957.6

Agency Representative/s: Gretchen Beatty

Employee Organization: Fullerton Firefighters' Association

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

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

Initiation of Litigation: One case

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

Property: 1535 Deerpark Drive, Fullerton, CA, APN: 338-131-01; APN: 293-241-07; APN: 280-016-07; APN: 287-111-02

Agency Negotiator: City Manager Joe Felz

Under Negotiations: Price and terms

ADJOURNMENT

The next regular City Council / Successor Agency / Public Financing Authority meeting is August 19, 2014 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
AUGUST 19, 2014 - 6:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California**

CALL TO ORDER

ROLL CALL

INVOCATION - Chris Trejo, Solidarity / ROCKHARBOR Fullerton

PLEDGE OF ALLEGIANCE - Boy Scout Troop 93

CLOSED SESSION REPORT

PRESENTATIONS

1. **PRESENTATION: Ketchum University**
2. **PRESENTATION: OCTA Bike Loop**
3. **PRESENTATION: Police Reserve Officers**
4. **PRESENTATION: Volunteers of the Month**

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.

The public may inspect any writings or documents provided to a majority of the Council / Agency / Authority regarding any item on this agenda 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 also post such writings and documents on the City's website at www.cityoffullerton.com.

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

CONSENT CALENDAR (Items 1 through 9)

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.

1. [AUGUST 5, 2014 MEETING MINUTES](#)

Recommendation by the Office of the City Clerk:

Approve August 5, 2014 City Council / Successor Agency / Public Financing Authority Meeting Minutes.

2. [AUGUST 2014 WARRANT REGISTERS](#)

Recommendation by the Administrative Services Department:

Receive and file.

3. **PROPOSED SECOND ALLONGE AND MODIFICATION TO PROMISSORY NOTE TO OWNER PARTICIPATION AGREEMENT FOR FULLERTON CITY LIGHTS SINGLE-ROOM OCCUPANCY APARTMENTS LOCATED AT 224 EAST COMMONWEALTH AVENUE (Continued from August 5, 2014)**

<http://docs.cityoffullerton.com/weblink8/1/doc/550912/Page1.aspx>

Recommendation by the Community Development Department:

Approve Second Allonge and Modification to the Promissory Note and authorize City Manager to execute document and take all actions reasonably necessary to implement the previously approved Amendment No. 1.

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4. **ALL THE ARTS FOR ALL THE KIDS HEART PROJECT**

Recommendation by the Parks and Recreation Department:

1. Approve placement of three heart sculptures on City property in the downtown area which meet standard conditions and receive all required permits from appropriate City departments.
2. Authorize City Manager to waive permit fees as appropriate.

5. **CALIFORNIA POINT OF HISTORIC INTEREST FOR AMERIGE BUILDING**

Recommendation by the Parks and Recreation Department:

Adopt Resolution No. 2014-XX.

RESOLUTION NO. 2014-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF PARKS AND RECREATION TO INCLUDE THE AMERIGE BROTHERS REALTY OFFICE AS A CALIFORNIA POINT OF HISTORICAL INTEREST

6. **PERSONNEL MANAGEMENT SYSTEM CHANGES**

Recommendation by the Human Resources Department:

Adopt Resolution No. 2014-XX.

RESOLUTION NO. 2014-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING AND DELETING CERTAIN CLASS SPECIFICATIONS

7. **CONTRACT FOR STRUCTURED TELECOMMUNICATIONS CABLING IN CITY BUILDINGS**

Recommendation by the Public Works Department:

Authorize Mayor to approve contract with Inter-Pacific, Inc. for \$118,593.12 for structured telecommunications cabling.

8. **NEW CINGULAR WIRELESS, D.B.A., AT&T MOBILITY TELECOMMUNICATIONS SITE LEASE AGREEMENT RICHMAN PARK – 711 SOUTH HIGHLAND AVENUE**

Recommendation by the Public Works Department:

1. Authorize staff to enter into a lease agreement with AT&T for the construction, operation and maintenance of cellular facilities located within Richman Park, subject to final plan approval.

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

9. FULLERTON / PLACENTIA LONG TERM MAINTENANCE AGREEMENT – PLACENTIA AVENUE GRADE SEPARATION

Recommendation by the Public Works Department:

1. Authorize staff to enter into lease agreement with the AT&T for construction, operation and maintenance of cellular facilities located within Richman Park, subject to final plan approval.
2. Authorize City Manager to execute lease agreement on behalf of the City of Fullerton, in a form approved by the City Attorney.

PUBLIC HEARINGS (Item 10)

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.

10. LOCAL HISTORICAL LANDMARKS PRJ13-00341; ZON13-00071; LRP13-00035

Request to designate the following two properties as Historical Landmarks and make corresponding revisions to the Fullerton Plan Local Register of Historic Resources:

- 1400 West Orangethorpe Avenue – Clarence S. Spencer House (Lelia Wang)
- 545 West Whiting Avenue – Julius S. Bradford Residence (David Alloway).

Recommendation by the Community Development Department:

1. Make finding that project is exempt from CEQA review pursuant to CEQA guidelines Section 15601.
2. Adopt Resolution No. 2014-XX.

RESOLUTION NO. 2014-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING LOCAL LANDMARK DESIGNATIONS FOR TWO INDIVIDUAL HISTORIC PROPERTIES LOCATED AT 1400 WEST ORANGETHORPE AND 545 WEST WHITING AVENUE AND A GENERAL PLAN REVISION TO UPDATE THE FULLERTON PLAN, LOCAL REGISTER OF HISTORICAL RESOURCES, TO MAKE CORRESPONDING CHANGES

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REGULAR BUSINESS (Items 11 through 13)

11. SUPPORT OF HOUSE RESOLUTION NO. 121

The Korean American Forum of California has requested City Council approval of a Resolution of Support regarding United States House of Representatives Resolution No. 121 (HR 121) which states the official position of the United States government regarding the tragedy of human trafficking and the “comfort women” system.

Recommendation by Administration:

1. Authorize Mayor to execute Resolution of Support.
2. Support Fullerton Museum Center Association as they consider options for the display of a Peace Monument.

12. REQUEST FOR POLICY DIRECTION RELATED TO OUTDOOR MUSIC IN THE DOWNTOWN AREA

The Fullerton Municipal Code allows for amplified outdoor music in the Downtown area, subject to a Conditional Use Permit (CUP). The Planning Commission noted that the Municipal Code lacks applicable criteria by which to evaluate CUP requests and recommends that the City develop a comprehensive approach to the outdoor music issue.

Recommendation by the Community Development Department:

Consider alternative approaches for addressing noise issues and as recommended by the acoustical consultant and direct staff to provide additional information and / or draft an ordinance for City Council consideration.

13. ISSUANCE OF TAX ALLOCATION REFUNDING BONDS

Proposed refunding of outstanding 1998 City of Fullerton Public Financing Authority Revenue Bonds and related 1998 Financing Agreement with new issue to provide debt savings and provide relief to General Fund.

Recommendation by the Administrative Services Department:

Adopt Resolution No. 2014-XX.

RESOLUTION NO. 2014-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ACTING AS THE SUCCESSOR AGENCY TO THE FULLERTON REDEVELOPMENT AGENCY REQUESTING DIRECTION TO UNDERTAKE PROCEEDINGS FOR THE ISSUANCE OF TAX ALLOCATION REFUNDING BONDS TO REFUND CERTAIN OUTSTANDING OBLIGATIONS OF THE FORMER FULLERTON REDEVELOPMENT AGENCY, APPROVING THE

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ISSUANCE OF SUCH REFUNDING BONDS AND THE EXECUTION AND DELIVERY OF RELATED FINANCING AGREEMENTS AND OFFICIAL ACTIONS

AGENDA FORECAST

September 2, 2014 – No Meeting

September 16, 2014

- World Alzheimer’s Month Presentation
- Orange County Vector Control Presentation
- 2014 Chess Champions Presentations
- Committee Appointments / Reorganization
- Adoption of the Investment Policy
- Fullerton Successor Agency – Recognized Obligation Payment Schedule 14-15B (January 1, 2014 – July 31, 2015)
- Personnel Management System Change
- Final Map No. 17502 Approval
- T&CC Recommendations:
 1. 415 Valencia Drive - Disabled Persons Parking
 2. 417 Truslow Avenue - Disabled Persons Parking
 3. 123 East Brookdale Place - Disabled Persons Parking
 4. 600 Block North Highland - Posted Street Sweeping
 5. Laurel Avenue & Lark Ellen Drive - 4-Way Stop
 6. Sunny Hills Access Road – No Stopping Anytime
 7. 159 West Wilshire Avenue – 30 Minute Parking
- Response to Grand Jury Report
- Consideration of Proposals for Investment Advisory Services
- Year-End Financial Report

ADJOURNMENT

The next City Council / Successor Agency closed session meeting is September 16, 2014 at 5:00 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.

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The next regular City Council / Successor Agency / Public Financing Authority meeting is September 16, 2014 at 6:30 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.

The City will rebroadcast this City Council / Successor Agency / Public Financing Authority meeting on Time Warner Cable Channel 3 at 6:00 p.m. the Wednesday and Sunday immediately following the meeting. The public may access meeting rebroadcasts on demand at www.cityoffullerton.com.

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