5:00 p.m.

CALL TO ORDER
Mayor Bankhead called the meeting to order at 5:00 p.m.

All present

ROLL CALL

Present: Mayor/Chair Bankhead; Mayor Pro Tem/ Vice Chair Keller; Council/Agency Members Jones, and Quirk-Silva

Absent: None

Staff Present: Chris Meyer, City Manager; Richard D. Jones, City Attorney; Beverley White, City Clerk

None

PUBLIC COMMENTS

RECESS to Closed Session

Chris Meyer, City Manager, requested Closed Session Item No. 1, Conference with Legal Counsel, be continued to the September 21, 2010 City Council/Redevelopment Agency meeting at 5:00 p.m.; and requested agendizing Conference with Legal Counsel – Anticipated Litigation, per Government Code Section 54956.9(b) as an emergency item due to the need to take action arising after the posting of the agenda.

Councilmember Quirk-Silva expressed concern regarding the attempt by the requesting party to have the item agendized as an emergency item and stated the request was out of order.

It was moved by Quirk-Silva, seconded by Keller, to continue Item No. 1, Conference with Legal Counsel – Existing Litigation, to the September 21, 2010 City Council/ Redevelopment Agency meeting at 5:00 p.m.

Motion carried 4-0.

It was moved by Bankhead, seconded by Jones, to agendize Conference with Legal Counsel – Anticipated Litigation, per
Government Code Section 54956.9(b), due to the need to take action arising after the posting of the agenda.

Motion failed 2-2, Keller, Quirk-Silva opposed.

Mayor Bankhead recessed the meeting at 5:25 p.m. to Closed Session regarding the following:

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – Per Government Code Section 54957.8
   - Name of case: People v. Cohen and Aquino
   - Case number: 10NM07748

2. CONFERENCE WITH LABOR NEGOTIATOR – Per Government Code Section 54957.6
   - Agency Negotiator: Attorney David Larsen and Gretchen Beatty
   - Employee: Fullerton Firefighters’ Association
   - Organization: Fullerton Firefighters’ Association
   - 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: 1000 S. Euclid Avenue, Fullerton, CA
   - Agency Negotiator: Rob Zur Schmiede, Director of Redevelopment and Economic Development
   - Negotiating Parties: Chi Jun Xie
   - Under Negotiations: Price and terms

6:05 p.m.

ADJOURNMENT – Mayor Bankhead adjourned the meeting at 6:05 p.m. The next regular City Council/Redevelopment Agency meeting will be held on August 17, 2010, at 6:30 p.m., in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.

Beverley White, City Clerk

Don Bankhead, Mayor
6:30 p.m. CALL TO ORDER Mayor Bankhead called the meeting to order at 6:30 p.m.

All present ROLL CALL

Present: Mayor/Chair Bankhead; Mayor Pro Tem/ Vice Chair Keller; Council/Agency Members Jones, and Quirk-Silva

Absent: None

Staff Present: Chris Meyer, City Manager; Richard D. Jones, City Attorney; Harold Potter, Deputy City Attorney, Beverley White, City Clerk

INVOCATION – Given by Councilmember Quirk-Silva

PLEDGE OF ALLEGIANCE – Led by Councilmember Jones

None CLOSED SESSION REPORT

Presented PRESENTATIONS

1. Dr. Rajen Vurdien, Fullerton College President

2. Townsend Public Affairs

3. Certificates of Commendation
   - Lemon/Maple Community Center Renovation Committee

PUBLIC COMMENTS

Ram Kakkar requested that faiths, other than only Christian, be invited to give the invocation at Council meetings.

Bernard Lipman spoke on a Global Warning survey he submitted to staff.

APPOINTMENTS - None
CONSENT CALENDAR (Items 1 through 13)

Item No.2 was removed from the Consent Calendar by Mayor Pro Tem Keller.

It was moved by Jones, seconded by Keller, to approve the remainder of the Consent Calendar as recommended by staff.

Motion carried 4-0.

Approved

1. MINUTES – AUGUST 3, 2010
   Recommendation by the Office of the City Clerk: Approve the August 3, 2010 City Council/Redevelopment Agency Minutes.

See page 5

2. PERSONNEL MANAGEMENT SYSTEM CHANGES
   See page 5.

Approved

3. DONOR RECOGNITION PROGRAM
   Recommendation by the Library Department/Parks and Recreation Department: Approve the proposed Fullerton Public Library/Fullerton Parks and Recreation Department Donor Recognition Program. (104-02)

Approved staff recommendation

4. TRANSPORTATION CENTER PARKING EXPANSION
   Recommendation by the Engineering Department:
   1. Approve design-build bid documents for the Transportation Center Parking Expansion project.
   2. Award the design-build contract for the base bid and add-alternate for the Transportation Center Parking Expansion Project to Bomel Construction Company, in the amount of $13,453,165. (802)

Adopted Resolution No. 10-77

5. 155 S. LINCOLN AVENUE – DISABLED PERSON’S PARKING
   Recommendation by the Engineering Department: Adopt Resolution No. 10-77.

RESOLUTION NO. 10-77 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING A DISABLED PERSON’S
Adopted Resolution No. 10-76

6. 124 E. TRUSLOW AVENUE – 15 MINUTE PARKING

Recommendation by the Engineering Department: Adopt Resolution No. 10-76.

RESOLUTION NO. 10-76 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DESIGNATING THE SOUTH SIDE OF TRUSLOW AVENUE, IN FRONT OF 124 E. TRUSLOW AVENUE, AS A PLACE WHERE PARKING WILL BE LIMITED TO 15-MINUTES OF CONTINUOUS PARKING

Adopted Resolution No. 10-75

7. 101 N. BASQUE AVENUE – 15 MINUTE PARKING

Recommendation by the Engineering Department: Adopt Resolution No. 10-75.

RESOLUTION NO. 10-75 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DESIGNATING THE WEST SIDE OF BASQUE AVENUE, IN FRONT OF 101 N. BASQUE AVENUE, AS A PLACE WHERE PARKING WILL BE LIMITED TO 15-MINUTES OF CONTINUOUS PARKING

Adopted Resolution No. 10-78

8. CONFLICT OF INTEREST CODE – DESIGNATED POSITIONS/DISCLOSURE CATEGORIES

Recommendation by the Office of the City Clerk: Adopt Resolution No. 10-78.

RESOLUTION NO. 10-78 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, MODIFYING THE DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES CONTAINED IN THE CONFLICT OF INTEREST CODE OF THE CITY OF FULLERTON

Approved staff recommendation

9. BUILDING DEMOLITION – 130 WEST SANTA FE AVENUE

Recommendation by the Engineering Department:

1. Approve the plans and specifications for the
Building Demolition project at 130 West Santa Fe Avenue.

2. Award the contract for the Building Demolition project at 130 West Santa Fe Avenue to Interior Demolition, Inc. in the amount of $217,600.  

10. LEMON PARK/MAPLE COMMUNITY CENTER RENOVATION – AGREEMENT FOR LANDSCAPE ARCHITECTURE SERVICES

Recommendation by the Parks and Recreation Department: Approve the contract agreement with Nuvis for landscape architecture/architecture and related services for the development of construction documents for the Lemon Park and Maple Community Center renovation project, and authorize the Director of Parks and Recreation to sign the agreement.

11. SIXTEENTH AMENDMENT TO ORANGE COUNTY TRANSPORTATION AUTHORITY AGREEMENT C-8-0367

Recommendation by the Parks and Recreation Department:

1. Approve Amendment No. 16 to Agreement No. C-8-0367 with OCTA and authorize the Director of Parks and Recreation to sign the Sixteenth Amendment.

2. Authorize the Director of Parks and Recreation to sign any amendments to the agreement during fiscal year 2010-11 that do not exceed the City's budgeted amount.

12. 2010-11 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF) EXPENDITURE PLAN

Recommendation by the Police Department: Accept the SLESF funding and approve the Police Department’s expenditure plan for fiscal year 2010-2011.

13. WATER MAIN REPLACEMENT – WILSHIRE AVENUE AND WHITING AVENUE

Recommendation by the Engineering Department:
Adopted Resolution No. 10-71

ITEMS REMOVED FROM THE CONSENT CALENDAR

2. PERSONNEL MANAGEMENT SYSTEM CHANGES

Mayor Pro Tem Keller asked and received clarification from staff that employees in the class specifications contained in the proposed resolution were given an opportunity to meet the minimum qualifications established by the Education Code.

It was moved by Keller, seconded by Quirk-Silva, to adopt Resolution No. 10-71.

RESOLUTION NO. 10-71 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING AND DELETING CERTAIN CLASS SPECIFICATIONS

Motion carried 4-0.

PUBLIC HEARINGS (Items 14 through 15)

14. TOWING ORDINANCE NO. 3146, AND CITY OF FULLERTON "TOWING GUIDELINES AND REQUIREMENTS", RESOLUTION NO. 10-59

Mayor Bankhead opened the public hearing at 7:13 p.m.

The following members of the audience spoke in opposition to the Towing Ordinance and Towing Guidelines and Requirements:

Russ Welch, Jay Van Arsdale, Horace Vega

There were no other speakers on the subject and Mayor Bankhead closed the public hearing at 7:28 p.m.

It was moved by Jones, seconded by Keller, to have first reading by title only, introduce and waive further reading of Ordinance No. 3146 regarding the City towing ordinance; proceed with soliciting "Requests for Proposals" to franchise City Towing operations. Projected franchise fee: $265,000; continue with current rotational/no preference tow operations and maintain the official
police tow contract with “Anaheim/Fullerton Tow” pending new contract(s) with police tow service provider(s); and adopt Resolution No. 10-59, “Towing Requirements and Guidelines” in conjunction with Ordinance No. 3146.

ORDINANCE NO. 3146 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADDING CHAPTER 3.74 OF TITLE 3 (REGULATION OF ACTIVITIES) OF THE FULLERTON MUNICIPAL CODE REGARDING POLICE INITIATED TOW OPERATIONS

RESOLUTION NO. 10-59 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING TOW GUIDELINES AND REQUIREMENTS FOR ALL TOW COMPANIES UNDER CONTRACT WITH THE FULLERTON POLICE DEPARTMENT

Motion carried 4-0.

Beverley White, City Clerk, read Ordinance No. 3146 by title only.

Continued to a date uncertain

15. CONTINUANCE OF IMPLEMENTATION OF THE ANNUAL STATE MANDATED MULTI-FAMILY RESIDENTIAL OCCUPANCIES INSPECTION COST RECOVERY PROGRAM

It was moved by Jones, seconded by Keller, to continue this item to a date uncertain.

Motion carried 4-0.

REGULAR BUSINESS (Items 16 through 17)

Adopted Resolution Nos. 10-72 and 10-73

16. HALE AVENUE – BALFOUR AVENUE – CLARKE AVENUE PERMIT PARKING – F.M.C. 8.44.230

The following members of the audience spoke in support of the proposed Hale Avenue and Balfour Avenue Permit Parking:

Grace Zerger, Randy Smith, Jeff Koskela, Gina Schade

The following member of the audience spoke on the proposed Hale Avenue and Balfour Avenue Permit
Parking:

Don Schaffer

Mayor Pro Tem Keller stated she opposed the proposed permit parking on Clarke Avenue because the minimum number of resident signatures required to implement the permit parking program had not been acquired. Council concurred.

It was moved by Keller, seconded by Quirk-Silva, to adopt Resolution No. 10-72 authorizing “Resident Only” Permit Parking for the 500-600 block of N. Hale Avenue; and adopt Resolution No. 10-73 authorizing “Resident Only” Permit Parking for the 2400 block of Balfour Avenue between State College Boulevard and San Carlos Drive.

RESOLUTION NO. 10-72 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, PROHIBITING PARKING ON HALE AVENUE BETWEEN NUTWOOD AVENUE AND CENTRAL AVENUE, FROM 7:00 A.M. TO 7:00 P.M., MONDAY THROUGH FRIDAY, WITHOUT A VALID CITY ISSUED PARKING PERMIT

RESOLUTION NO. 10-73 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, PROHIBITING PARKING ON BALFOUR AVENUE BETWEEN STATE COLLEGE BOULEVARD AND SAN CARLOS DRIVE, FROM 7:00 A.M. TO 7:00 P.M., MONDAY THROUGH FRIDAY, WITHOUT A VALID CITY ISSUED PARKING PERMIT

Motion carried 4-0. (1104-05)

Supported Resolution Nos. 1, 2, 5, and 6

17. LEAGUE OF CALIFORNIA CITIES – 2010 ANNUAL CONFERENCE RESOLUTIONS

Council concurred to support League of California Cities Resolution Nos. 1, 2, 5, and 6. (106-01)

COUNCIL/REDEVELOPMENT AGENCY/STAFF COMMUNICATIONS

Councilmember Jones commented on negotiations between Time Warner Cable and ABC; and the future development of Disneyland and California Adventure.
Mayor Pro Tem Keller and Councilmember Quirk-Silva supported a rotation of different faiths be invited to give the invocation at Council meetings.

AGENDA FORECAST

SEPTEMBER 7, 2010 (CANCELLED)

SEPTEMBER 21, 2010

- Penal Code 290 Ordinance
- Year End Financials
- Public Hearing – PPIs – continued from 7-20
- Recognized Youth Leagues
- Award Construction Management – Transportation Ctr Parking
- Orangethorpe Reconstruction (Citrus)
- Public Hearing – Abandonment AB 10-3 – Euclid/La Mesa
- Public Hearing – 2010 Tax Allocation Housing Bond
- OCTA Bikeway Strategic Plan
- Presentation – OCTA Railroad Grade Separation Project
- Personnel Management Changes
- TCC Recommendation – Amend Citywide Speed Limits
- Use of Asset Seizure Funds

8:47 p.m.

ADJOURNMENT – Mayor Bankhead adjourned the meeting at 8:47 p.m. The September 7, 2010, 5:00 p.m. and 6:30 p.m. City Council/Redevelopment Agency closed session and regular meeting have been cancelled. The next City Council/Redevelopment Agency closed session meeting will be held on September 21, 2010, at 5:00 p.m., in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California; and the next regular City Council Redevelopment Agency meeting will be held on September 21, 2010, at 6:30 p.m., in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.