

**CITY OF FOUNTAIN VALLEY
CITY COUNCIL
AGENCY FOR COMMUNITY DEVELOPMENT**

**MINUTES
March 3, 2009**

CLOSED SESSION

City Attorney Alan Burns announced that pursuant to Government Code Section 54957.6 the City's negotiating team of Ray Kromer, Jean Hirai, and Matt Mogensen met with the City Council regarding labor relations with the Professional and Technical Association represented by Bob Kellison and Temo Galvez. No final determinations were given; however, direction was provided.

CALL TO ORDER

Mayor Carrozzo called the Fountain Valley Council meeting to order at 7:03 p.m.

INVOCATION

Council Member John J. Collins gave the invocation.

SALUTE TO THE FLAG

Mayor Pro Tem Larry Crandall led the salute to the flag of the United States.

ROLL CALL

Council Members Present: Nagel, Crandall, Carrozzo, Collins, Brothers
Council Members Absent: None

Also Present: City Manager Ray Kromer, City Attorney Alan Burns, Finance Director/City Treasurer Elizabeth Fox, Fire Chief Bill Walker, Management Analyst Matt Mogensen, Personnel Manager Jean Hirai, Planning Director Andy Perea, Police Chief Paul Sorrell, Public Works Director/City Engineer Mark Lewis and City Clerk Robin Roberts.

APPROVAL OF MINUTES

(Council/Agency) Consideration of the approval of the minutes of the regular City Council/Agency for Community Development meeting held on February 17, 2009 as distributed.

- **Motion by Council Member Brothers, second by Council Member Collins to approve the minutes of the City Council/Agency for Community Development meeting held on February 17, 2009 as amended.**

Ayes: Nagel, Crandall, Collins Brothers, Carrozzo

Noes: None

Motion Carried

PRESENTATIONS

Presentation by Leticia Mata of the Orange County Human Relations Committee on the activity in Fountain Valley. Ms. Mata distributed a handout to the City Council titled "OC Human Relations Annual Report 2007-2008".

Presentation by Bob Aldrich, Assistant Executive Officer of Orange County Local Agency Foundation Commission (LAFCO). Mr. Aldrich discussed LAFCO's reaffirmation of the City of Fountain Valley's Municipal Service Review (MSR) in November of 2008, extended an invitation to attend the March 27th 2009 Summit regarding discussion of regional issues facing Orange County over the next 10 years and noted Council Member Brother's appointment to the California Association of Local Agency Formation Commissions.

Presentation of Certificates of Recognition to the outgoing members of the Committees, Commissions and Board members: Dieter Kammemer, Steve Nagel, Mark McCurdy, William Raabe and Cal Winslow.

PUBLIC HEARING

1. (Council) Public hearing regarding a resolution of the City Council of the City of Fountain Valley for consideration of an amendment to the City of Fountain Valley's Resolution No. 9181 establishing the 2008-2009 Fee Schedule.

Resolution No. 9199 A Resolution of the City Council of the City of Fountain Valley Amending Resolution No. 9181 Establishing the City of Fountain Valley 2008-2009 Annual Fee Schedule

Public Works Director/City Engineer Mark Lewis provided background information regarding the matter, including past Council actions and recommendations, and noted that the amended agenda item includes a Resolution amending the fee structure outlined in the previous Council meeting discussions.

Mayor Carrozzo opened the Public Hearing.

Mayor Carrozzo then closed the Public Hearing as there were no requests to speak on this matter.

- **Motion by Council Member Collins, second by Council Member Brothers to approve Resolution 9199, a Resolution amending Resolution No. 9181 Establishing the City of Fountain Valley 2008-2009 Annual Fee Schedule regarding the fee structure of the City's Tree Maintenance, Removal, and Reforestation Policy.**

Ayes: Nagel, Crandall, Collins Brothers, Carrozzo

Noes: None

Motion Carried

CONSENT CALENDAR (Consent Item #4 was pulled for public comment)

2. (Council) Approval of the amended City Council Tree Maintenance, Removal, and Reforestation Policy and authorized tree list.
3. (Council) 1) Acceptance of bids and award of a contract in the amount of \$1,229,759.84 to R. J. Noble for project construction; 2) Amendment of the Sewer Enterprise Fund (FUND 32) in the amount of \$30,000; and 3) Amendment of the Water Enterprise Fund (FUND 71) in the amount of \$140,000 for the Collector Street Rehabilitation Project No. GT161.

- **Motion by Mayor Pro Tem Crandall, second by Council Member Collins to approve Consent Calendar Items 2 and 3 as revised per the Red Folder documentation.**

Ayes: Nagel, Collins, Crandall, Brothers, Carrozzo

Noes: None

Motion Carried

4. (Council) Approval of the formation of the Ad Hoc Fountain Valley Summerfest Committee to celebrate the City of Fountain Valley's anniversary and approval of the contract for festival operator, O Entertainment.

Ron Walker, Fountain Valley resident and member of the Summerfest Event Committee, spoke in support of Council approval of this item, stating the proceeds of the event would be given to the Fountain Valley Community Foundation.

Community Services Manager Mark Nix then gave an overview of the committee formation and the proposed three day Summerfest event created to celebrate the City's Anniversary.

There was Council and staff discussion regarding concerns such as the current economic situation, event costs and O Entertainment contract language including subcontracting abilities. There was further discussion regarding the many positive attributes such an event would provide to the City.

- **Motion by Council Member Collins, second by Council Member Brothers to bring back Item 4 at the March 17, 2009 City Council meeting.**

Ayes: Nagel, Collins, Crandall, Brothers, Carrozzo

Noes: None

Motion Carried

ADMINISTRATIVE ITEMS

5. Acceptance of easements for street purposes as separate instruments located at 18111 Brookhurst Street (Orange Coast Memorial Medical Center) and 18025 Brookhurst Street (Talbert Dentistry).

City Attorney Alan Burns noted that potential conflict of interest may arise with respect to certain Council Members.

Mayor Pro Tem Crandall stated that he has an economic conflict of interest as his residence is approximately 500 feet from Orange Coast Memorial Medical Center. He then left the Council Chambers.

Council Member Nagel stated that there is a remote possibility of a conflict of interest as his wife works for Long Beach Memorial Hospital, a subsidiary of Memorial Health Services, which is the parent of Orange Coast Memorial Medical Center. He then left the Council Chambers.

Council Member Collins stated that notwithstanding his position on the Fountain Valley Regional Hospital Board of Directors, he has been advised by the City Attorney that his position does not create a conflict of interest.

- **Motion by Council Member Brothers, second by Council Member Collins to approve the acceptance of easements for street purposes at 18111 and 18025 Brookhurst Street.**

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Ayes: Collins, Brothers, Carrozzo

Noes: None

Absent: Nagel, Crandall

Motion Carried

PRESENTATION OF DEMANDS

(1) Council Ratification of Payroll: 258708, 264765 – 264771 and Direct Deposit Vouchers as listed in the report.

- **Motion by Mayor Pro Tem Crandall, second by Council Member Collins to ratify the payroll listed in the report provided by the Finance Director/City Treasurer by the following roll call vote:**

Ayes: Nagel, Collins, Crandall, Brothers, Carrozzo

Noes: None

Motion Carried

(2) Council Consideration of Register of Demands: 169876 - 170053, ACH Vendor Payments; and Electronic Transfers as listed in the report.

- **Motion by Mayor Pro Tem Crandall, second by Council Member Nagel to approve the register of demands listed in the report provided by the Finance Director/City Treasurer by the following roll call vote:**

Ayes: Nagel, Collins, Crandall, Brothers, Carrozzo

Noes: None

Motion Carried

COUNCIL/AGENCY COMMENTS (Outside Committee Activities, AB1234 Reporting and General Comments)

Mayor Pro Tem Crandall reported on attendance at the Orange County Sanitation District meeting, the 5K, and softball field dedication held this past weekend at Mile Square Park Recreation Center.

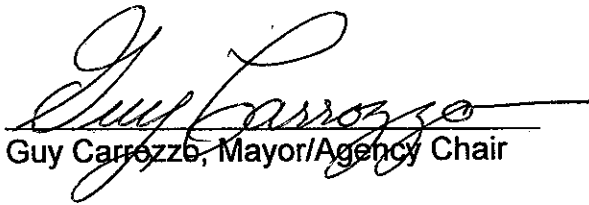
Council Member Nagel discussed his participation in the 5K and softball field dedication held this past weekend at Mile Square Park Recreation Center and thanked City staff for their assistance and participation.

Council Member Brothers thanked staff for their efforts in making the past weekend events excellent. She then provided information regarding the Public Cable Television Authority mobile film studio that arrived and is being equipped, the preparation of an Orange County Vector Control and Agricultural Committee, and that the League of Orange County Cities is considering their position to suspend the implementation of SB375 and AB32 until there is adequate State funding.

Council Member Collins stated his attendance at the Orange County Central Corridor Advisory Committee with Mayor Pro Tem Crandall, City Manager Ray Kromer and Public Works Director/City Engineer Mark Lewis regarding their proposals for the corridor area. He then thanked Community Services Director Mark Nix and staff for the past weekend 5K and softball dedication event.

Mayor Carrozzo stated that it was an honor to throw the first ball at the softball field dedication event this past weekend.

Mayor Carrozzo adjourned the City of Fountain Valley City Council and Agency for Community Development meeting at 7:46 p.m. to the next scheduled meeting of March 17, 2009.


Guy Carrozzo, Mayor/Agency Chair


Robin Roberts, City Clerk/Agency Secretary