

MINUTES

City of Fountain Valley City Council
And
Agency for Community Development
Regular Meeting

August 17, 2010
City Council Chambers
10200 Slater Avenue
Fountain Valley, California

CLOSED SESSION 5:15 P.M.

Mayor/Agency Chair Crandall announced the call to closed session at 5:15 p.m.

- 1) **(Council)** Conference with Labor Negotiators pursuant to Government Code §54957.6

Agency Negotiators

City Manager, Ray Kromer
Personnel Manager, Jean Hirai

Non-Represented Groups

Administrative Officers

- 2) **(Agency)** Pursuant to Government Code Section 54956.8 to provide direction to the Agency's real property negotiator City Manager Ray Kromer concerning property negotiations between the Fountain Valley Agency for Community Development and the Olson Company for a parcel located at 17570 Brookhurst Street (APN # 169-131-17)

REGULAR MEETING

CALL TO ORDER

Mayor Crandall called the regular City Council/Agency for Community Development at 6:05 p.m. and announced there was no action taken by City Council during Closed Session.

INVOCATION

Rabbi Einstein gave the invocation.

SALUTE TO THE FLAG

Mayor/Agency Chair Crandall gave the salute to the flag of the United States.

ROLL CALL

Council/Agency Member Nagel, Mayor Pro Tem/Agency Vice-Chair Brothers, Mayor/Agency Chair Crandall, Council/Agency Member Carrozzo, Council/Agency Member Collins **ALL PRESENT**

ALSO PRESENT: Community Services Manager Mark Nix, Planning and Building Director Andy Perea, Housing Coordinator Brent Hoff, Fire Chief Bill Walker, Police Chief Paul Sorrell, Finance Director/City Treasurer Sherri Holman, Utilities Supervisor Michael Green, Personnel Manager Jean Hirai, Assistant to City Manager Matt Mogensen, City Attorney Alan Burns, City Manager Raymond Kromer, Deputy City Clerk Kathy Heard

ANNOUNCEMENT OF LATE COMMUNICATIONS

Deputy City Clerk Kathy Heard announced the City Clerk's office received the following red folder items:

- Page 11 under Public Hearing Item #2 there was an addition of the word "not" to clarify the meaning of the sentence.
- Page 33 Item #4 Resolution No. 9268 was added to the Resolution of Intention
- Page 176 Consent Calendar Item #7 addition of a approval signature from the City Manager
- Page 211 Consent Calendar Item #11 the word project was substituted for the word construction under the Financial Analysis portion of the staff report.

APPROVAL OF MINUTES

(Council/Agency) Consideration of approval of the minutes of the City Council/Agency for Community Development meeting held on July 20, 2010 as distributed.

Motion by Council/Agency Member Collins, second by Council/Agency Member Carrozzo to approve the minutes of the City Council/Agency for Community Development meeting held on July 20, 2010 as distributed.

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall

NOES: None

Motion Adopted 5-0

PUBLIC HEARINGS

1. **(Council)** Conduct a public hearing to approve the 2010 report on the City's water quality relative to public health goals and receive and file the report.

Environmental Services Administrator Steve Hauerwaas presented a short summary of the report provided to Council Members in their Agenda Packets by providing details of the 2010 Report on the City's Water Quality relative to the public health goals.

Mayor Crandall asked that information regarding the hard water issue be posted on the City's website. Questions and comments ensued by Council regarding the frequency of the testing.

Mayor/Agency Chair Crandall opened the Public Hearing. Having nobody to speak on the issue, Mayor/Agency Chair Crandall closed the Public Hearing.

Motion by Council/Agency Member Collins, second by Council/Agency Member Carrozzo to approve the 2010 report on the City's water quality relative to public health goals, and receive, and file the report.

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall

NOES: None

Motion Adopted 5-0

2. **(Council)** Conduct a public hearing to adopt a resolution for the proposed spending plan in the 2010-2011 Fiscal Year for the Supplemental Law Enforcement Services Fund (SLESF)

Resolution No. 9264 A Resolution of the City Council of the City of Fountain Valley, California, Adopting the Proposed Spending Plan in the 2010/2011 Fiscal Year for the Supplemental Law Enforcement Services Fund (SLESF)

Chief of Police Paul Sorrell gave a brief summary of the report provided to Council Members in their agenda packets.

Mayor/Agency Chair Crandall opened Public Hearing. Having nobody to speak on the issue, Mayor/Agency Crandall closed the Public Hearing.

Questions and comments ensued from Council on the issue of being fully funded under these funds.

Motion by Council/Agency Member Collins, second by Mayor Pro Tem/Agency Vice-Chair Brothers to adopt Resolution No. 9264, a resolution adopting the proposed spending plan in the 2010/2011 Fiscal Year for the Supplemental Law Enforcement Services Fund (SLESF).

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall

NOES: None

Motion Adopted 5-0

ADOPTION OF AN ORDINANCE

3. **(Council)** Adoption of Ordinance No. 1447 amending the Fountain Valley Municipal Code to reflect the transfer of Building Services from the Fire Department to the Planning Department.

Ordinance No. 1447 An Ordinance of the Fountain Valley City Council Amending the Fountain Valley Municipal Code to Reflect the Transfer of the Building Services Division from the Fire Department to the Planning and Building Department

Motion by Council/Agency Member Collins, second by Council/Agency Member Carrozzo to adopt Ordinance No. 1447 amending the Fountain Valley Municipal Code to reflect the transfer of Building Services from the Fire Department to the Planning Department.

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall

NOES: None

Motion Adopted 5-0

INTRODUCTION OF AN ORDINANCE

4. **(Council)** Approval of a Resolution of Intention and introduction of an Ordinance of the Fountain Valley City Council approving an amendment to the contract with the California Public Employees' Retirement System to include: 1) Government Code Section 21363.1, 3% at 55 formula for newly hired Sworn Police Employees; 2) Government Code Section 20475 to establish different levels of benefits; and 3) Government Code Section 21354.4 voluntary pooling of the City's 2.5% at 55 Plan for Miscellaneous Employees and passage to a second reading for adoption.

Questions ensued from Council Members regarding the merit opposed to the disadvantage of voluntary pooling of the City's 2.5% at 55 Plan.

RESOLUTION NO. 9268 A Resolution of Intention to Approve an Amendment to the Contract between the Board of Administration California Public Employees' Retirement System and the City Council of the City Of Fountain Valley

Motion by Council/Agency Member Collins, second by Mayor Pro Tem/Agency Vice-Chair Brothers to adopt Resolution No. 9268, a Resolution of Intention to approve an amendment to the contract between the Board of Administration California Public Employees' Retirement System and the City of Fountain Valley City Council

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall

NOES: None

Motion Adopted 5-0

ORDINANCE NO. 1448 An Ordinance Of The City Council Of The City Of Fountain Valley Approving An Amendment To The Contract Between The Board Of Administration For The California Public Employees' Retirement System To Include 1) Government Code Section 21363.1, 3% At 55 Formula For Newly-Hired Sworn Police Employees; 2) Government Code Section 20475 To Establish Different Levels Of Benefits; And 3) Government Code Section 21354.4 Voluntary Pooling Of The City's 2.5% At 55 Plan For Miscellaneous Employees

Personnel Manager Jean Hirai gave a PowerPoint presentation to Council Members on the amendment to the contract with CalPERS.

Motion by Council/Agency Member Collins, second by Council/Agency Member Nagel to approve the introduction of Ordinance No. 1448 approving an amendment to the contract between the Board of Administration for the California Public Employees' Retirement System including Government Code Section 21363.1, 3% at 55 Formula for newly-hired Sworn Police Employees; Government Code Section 20475 to establish different levels of benefits; and Government Code Section 21354.4 voluntary pooling of the City's 2.5% at 55 Plan for Miscellaneous Employees and passage to a second reading for adoption.

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall

NOES: None

Motion Adopted 5-0

CONSENT CALENDAR

5. **(Council)** Approval of the City of Fountain Valley Fiscal Year 2010/2011 Statement of Investment Policy.
6. **(Council)** Approve a resolution to accept office of Traffic Safety Selective Traffic Enforcement Program Grant money to reimburse for overtime costs to staff Selective Traffic Enforcement between October 1, 2010, through September 30, 2011, in the amount of 89,000.

RESOLUTION NO. 9265 A Resolution of the Fountain Valley City Council to Accept Office of Traffic Safety Selective Reimbursement for Overtime Costs to Staff Selective Traffic Enforcement Between October 1, 2010, through September 30, 2011, in the amount of \$89,000

7. **(Council)** Approval of a Resolution of the City Council of the City of Fountain Valley for Employer-Paid Member Contributions with CalPERS.

RESOLUTION NO. 9266 A Resolution of the Fountain Valley City Council for Employer-Paid Member Contributions with the California Public Employees' Retirement System

8. **(Council)** Approval by the Fountain Valley City Council to approve the terms and conditions of a one-year agreement with the Professional/Technical Unit, Fountain Valley General Employees' Association, Fountain Valley Municipal Employees' Association and the Confidential, Individually Represented Professional/Technical Employees effective from August 16, 2010 through August 15, 2011.
9. **(Council)** Approval by the Fountain Valley City Council of a one-year extension to the Memorandum of Understanding with the Fountain Valley Police Officer's Association.
10. **(Council)** Approval of Agreement between the City of Fountain Valley and the Municipal Water District of Orange County for preparation of the 2010 Urban Water Management Plan; and 2) Amendment of the 2010/2011 Budget by carrying forward \$55,000 from the 2009/2010 Capital Budget.
11. **(Council)** Acceptance of the proposal and award a contract to AKM Engineering Inc., in the amount of \$250,010 for construction management/inspection services for the building and equipping of Well No. 9, Project No. WU 832
12. **(Council)** Approval to purchase Vermont Recreation Management Software (WEBTRAC & PAYTRAC); purchase Poweredge R710 server; and amend the 2010/2011 Budget in the amount of \$13,974 for online registration.
13. **(Council)** Approval of a resolution of the Fountain Valley City Council authorizing the destruction of certain city records.

RESOLUTION NO. 9267 A Resolution of the Fountain Valley City Council Authorizing the Destruction of Certain City Records

Motion by Council/Agency Member Collins, second by Council/Agency Member Carrozzo to approve Consent Calendar Items 5 through 13.

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall

NOES: None

Motion Adopted 5-0

ADMINISTRATIVE ITEM

14. **(Council/Agency)** City of Fountain Valley Home Improvement Program Policy Amendment.

Housing Coordinator Brent Hoff gave a brief summary of the information provided to Council Members in their agenda packets.

Motion by Council/Agency Member Carrozzo, second by Council/Agency Member Nagel to approve the Home Improvement Program Policy Amendment

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall
NOES: None
Motion Adopted 5-0

PRESENTATION OF DEMANDS

(Council) Ratification of Payroll: Payroll Checks and Direct Deposit Vouchers as listed in the report.

Motion by Council/Agency Member Nagel, second by Council/Agency Member Carrozzo to approve the ratification of payroll, payroll checks, and direct deposition vouchers as listed in the report by the following roll-call vote:

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall
NOES: None
Motion Adopted 5-0

(Council) Register of Demands: Checks, ACH Vendor Payment, and Electronic Transfers as listed in the report.

Motion by Council/Agency Member Collins, second by Council/Agency Member Nagel to approve the Register of Demands including ACH Vendor Payments and Electronic Transfers as listed in the report by the following roll-call vote:

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall
NOES: None
Motion Adopted 5-0

(Agency) Register of Demands: Electronic Bank Transfers as listed in the report

Motion by Mayor/Agency Chair Crandall, second by Council/Agency Member Carrozzo to approve the Agency Register of Demands and electronic bank transfers as listed in the report by the following roll-call vote:

AYES: Nagel, Carrozzo, Collins, Brothers, Crandall
NOES: None
Motion Adopted 5-0

PUBLIC APPEARANCES

A resident of Mt. Tricia St. in Fountain Valley spoke regarding a flyer she received in her mailbox describing a proposal to close off Mt. Tricia St from Edinger Avenue.

COUNCIL/AGENCY COMMENTS (AB1234 Reporting and General Comments)

Mayor Pro Tem/Agency Vice-Chair Brothers reported that six Southern California LAFCO's have formed a California Coalition of LAFCO.

Council/Agency Member Nagel made comment on the Coyote issues plaguing the residents, and mentioned that some cities have hired private companies to help protect the citizens against the Coyote incursion.

Council/Agency Member Collins reported his attendance on July 21 at the California Joint Powers Insurance meeting; August 6 at the Water Advisory Committee of Orange County; and August 11 at the Coyote Awareness Meeting.

Council/Agency Member Carrozzo reported that grant writer Heather Stanfield had secured a Dryers Ice-cream Grant for the Disabled Dance.

Mayor/Agency Chair Crandall noted that there would be bond issues and fundraisers to raise money to finish the artificial turf project at Fountain Valley High School. He also mentioned he had met with the CEO of KABC News regarding the possible loss of the ABC Channel and ESPN Channel from the Time Warner Cable channel line-up.

ADJOURNMENT

Mayor/Agency Chair adjourned City of Fountain Valley City Council/Agency for Community Development meeting at 6:46 p.m. to the next scheduled meeting of September 21, 2010 at 6:00 p.m.

Mayor/Agency Chair Larry Crandall

Deputy City Clerk Kathy Heard