

**CITY OF FOUNTAIN VALLEY  
CITY COUNCIL/AGENCY FOR COMMUNITY DEVELOPMENT  
MINUTES  
JUNE 2, 2009**

**STUDY SESSION - 5:00 P.M.**

**(Council)** Temo Galvez Senior Civil Engineer gave a PowerPoint presentation outlining the separate budget areas with regard to the revenue and expenditures of the Public Works Capital Improvement Fund for the 2009-2010 Fiscal Year that included the Traffic Congestion Fund, Gas Tax Fund, Traffic Improvement Fund, Pollution Reduction Fund, Drainage Fund, Sewer Enterprise Fund and the Water Enterprise Fund.

Discussion and questions ensued by the Council regarding the use of revenue and expenditures of the Public Works Capital Improvement Fund.

Mark Lewis Public Works Director/City Engineer gave a short PowerPoint presentation on the basic cost of water stating the City will initiate a rate increase in the fall of 2009 due to rising costs of around 36% due to Metropolitan Water District of Orange County charges and the need to import water. Discussion and questions ensued by the Council regarding the basic cost of water increasing and the penalties for going over our allegation target.

Elizabeth Fox Finance Director/Treasurer gave a PowerPoint presentation on the 2009-2010 Housing and Community Development Grant Funds and the Fountain Valley Agency for Community Development 2009-2010 Budget and the spending plans of the specific funds.

**6:00 P.M. University of California Irvine Joint Project with the Planning Commission**

Andy Perea Planning Director gave background information on the presentation provided by the Department of Planning, Policy, and Design School of Social Ecology of the University of California Irvine. He stated that the City was contacted by representatives of UCI late last year on our interest for an academic redevelopment and reuses project of the industrial areas along the 405 freeway known as the Fountain Valley Gateway Revitalization Project as developed by the students.

Instructor Mike Ruane gave a short background on the presentation that the students would be presenting to the Council then thanked them for providing the opportunity that was provided to the students by the City's participation in the program. The students provided insightful presentations on their findings including, redevelopment priorities such as increasing a walk-able community within the gateway to reduce auto-dependency, preservation of parkway space, diversification of retail and commercial businesses, and mixed use development as a potential strategy to enhance tax revenues. Comments and questions were directed to the students by the Council Members and Members of the Planning Commission after the conclusion of their presentations.

## **CALL TO ORDER**

Mayor Carrozzo called the Fountain Valley Council meeting to order at 7:06 p.m.

## **INVOCATION**

Rabbi Stephen Einstein gave the invocation.

## **SALUTE TO THE FLAG**

Mayor Guy Carrozzo gave 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, Director of Planning Andy Perea, Senior Civil Engineer Temo Galvez, Public Works Director/City Engineer Mark Lewis, Management Analyst Matt Mogensen, Fire Chief Bill Walker, Personnel Director Jean Hirai, Police Chief Paul Sorrell and Deputy City Clerk Kathy Heard

## **ANNOUNCEMENT OF LATE COMMUNICATIONS**

Deputy City Clerk Kathy Heard stated that late communications were received and distributed to Council and staff and also made available to the public as follows:

- Corrections made to page #3 of the Agenda
- Corrections made to Item #3 Public Hearing staff report (pages 29 through 36)
- Corrections made to the Ordinance associated with Item #3 Public Hearing (page 53)
- Also received were copies of the various PowerPoint presentations given during the meeting.

## **APPROVAL OF MINUTES**

**(Council/Agency)** Consideration of approval of the minutes of the City Council/Agency for Community Development meeting held on May 19, 2009 as distributed.

- Motion by Council Member Collins, second by Council Member Nagel to approve the minutes of the City Council/Agency for Community Development meeting held on May 19, 2009 as distributed.

Ayes: Nagel, Crandall, Collins, Brothers, Carrozzo  
Absent: None

**Motion Carried**

## READING OF ORDINANCES

- **Motion by Mayor Pro Tem Crandall second by Council Member Collins to waive the reading in full of all ordinances under consideration and direct the Mayor to read by titles only.**

Ayes: Nagel, Crandall, Collins, Brothers, Carrozzo  
Absent: None

**Motion Carried**

## PUBLIC HEARINGS

1. (Council) Public Hearing to introduce an ordinance to consider Code Amendment No. 08-02 to allow synthetic turf as an acceptable landscape treatment as specified and passage to a second reading for adoption.

**ORDINANCE NO. \_\_\_\_\_** An Ordinance Of The City Council Of The City Of Fountain Valley Authorizing The Use Of Synthetic Turf As A Landscape Treatment And Making Other Clarifications In The Landscape Standards For The City.

Planning Director Andy Perea gave a brief report on the introduction of synthetic turf as an alternate form of landscaping as summarized in the staff report included in the agenda packet. He introduced Planning Department Intern Doug Dare who gave a PowerPoint presentation addressing synthetic turf standards, esthetics and maintenance, health concerns, and heat considerations. Council Member Brothers stated that if it were to pass she would like to see requirements of the synthetic turf and installation thereof be kept available to the public through water bill mailings and information be kept available to the public on the counters at City Hall.

Mayor Carrozzo opened the public hearing; having no requests to speak on the subject, he then closed the public hearing.

- **Motion by Council Member Collins second by Mayor Pro Tem Crandall to approve the introduction of an ordinance authorizing the use of synthetic turf as an acceptable landscape treatment; making other clarifications in the landscape standards for the City and passage to a second reading for adoption.**

Ayes: Nagel, Crandall, Collins, Brothers, Carrozzo  
Absent: None

**Motion Carried**

2. (Council) Public Hearing for the approval of a substantial amendment to the FY 2008-2009 Action Plan to receive American Recovery and Reinvestment Act Community Development Block Grant-R (CDBG-R) Funds and amend the 2009-2010 Operating Budgets in the amount of \$94,964.

Brent Hoff Housing Coordinator gave a brief report on the materials outlined in the staff report provided in the agenda packet stating the City expects to receive \$94,964 in additional CDBG-R funds and the receipt of those funds would require a substantial amendment to the City's Consolidated 2008-2009 Action Plan to outline the proposed use of the additional funds and that the funds require a different set of regulations regarding citizen participation reporting and the choice of activities to be accomplished.

Mayor Carrozzo opened the public hearing, having nobody to speak on the subject therefore closed the public hearing.

- **Motion by Council Member Collins second by Mayor Pro Tem Crandall to approve the amendment to the FY 2008-2009 Action Plan to receive American Recovery and Reinvestment Act Community Development Block Grant-R funds and amend the 2009-2010 Operating Budgets in the amount of \$94,964.**

Ayes: Nagel, Crandall, Collins, Brothers, Carrozzo

Absent: None

**Motion Carried**

3. (Council) Public Hearing to approve the introduction of an ordinance repealing and reenacting Ordinance No. 1153, Chapter 14.18 of the Fountain Valley Municipal Code pertaining to water conservation, to establish year round water conservation and permanent water conservation requirements and to amend the Fiscal Year 2009-10 Water Enterprise Fund budget in the amount of \$105,000 for water conservation programs and passage to a second reading for adoption.

**ORDINANCE NO. \_\_\_\_\_** An Ordinance of the City Of Fountain Valley City Council repealing and reenacting Chapter 14 .18 of the Fountain Valley Municipal Code pertaining to water conservation.

Bob Kellison Field Services Manager gave an overview of the materials outlined in the staff report provided in the agenda packet. He stated that the Metropolitan Water District of Southern California (Met) developed a model water conservation ordinance to be adapted, modified, and implemented by local agencies to establish water conservation provisions and help respond to water supply conditions and that the City could receive Public Section Program grant funding of approximately \$230,000 from Met to upgrade the irrigation for landscape and medians through the City. Mr. Kellison noted that the ordinance would establish permanent water conservation requirements as well as four stages of response to the increasing urgent declaration of water shortages such as: limits on landscape watering hours, watering duration; no water flow or runoff; no washing of hard surfaces; violations, notices and remedies; limits on washing vehicles; and commercial lodging and restaurant requirements. He also noted that public outreach will be a large component with provisions being made to notify the public through the local paper, brochures, water bill stuffers, and bus shelter posters to encourage water conservation.

Questions and comments from the Council regarding implementation, re-circulation of water, desalination and fines for violations were discussed.

Mayor Carrozzo opened the public hearing.

Jim Fournier a resident of Fountain Valley stated his opinion on ground water replenishment and desalinization.

Mayor Carrozzo closed the public hearing.

**Motion by Mayor Pro Tem Crandall second by Council Member Collins to approve the introduction of the ordinance to repeal and reenact Chapter 14.18 of the Fountain Valley Municipal Code pertaining to water conservation.**

Mayor Carrozzo voiced his objection to the ordinance stating he felt the proposed requirements of the ordinance were draconian in nature.

Ayes: Nagel, Crandall, Collins, Brothers

Noes: Carrozzo

**Motion Carried**

**ORDINANCES FOR ADOPTION**

4. **ORDINANCE NO. 1429** An Ordinance Of The City Council Of The City Of Fountain Valley Repealing Provisions Pertaining To Food Service Establishments Which Have Become Superseded By State Law.

➤ **Motion by Council Member Collins second by Council Member Brothers to approve the adoption of Ordinance No. 1429 repealing provisions pertaining to food service establishments which have become superseded by State law.**

Ayes: Nagel, Crandall, Collins, Brothers, Carrozzo

Absent: None

**CONSENT CALENDAR**

5. (Council) Accept Recovery Act Justice Assistance Grant 2009 Funds for the purchase of covert video cameras, crime mapping software, and upgrade the Emergency Operations Center.

6. (Council) Set a Public Hearing for consideration of the City of Fountain Valley's 2009-2010 and 2010-2011 Two-Year Operating Budgets and Ten-Year Fiscal Forecast; the annual Schedule of Fees and Charges; the annual Appropriations Limit; the annual Agreement with the Fountain Valley Agency for Community Development relating to the Capital Improvement Budget and Financing thereof; and the annual Schedule of Property Rental and Charges for Administrative Services for the Municipal Water Utility.

7. (Agency) Set a Public Hearing for the consideration of the Fountain Valley Agency for Community Development Two-Year Operating Budget for Fiscal Years 2009-2010 and 2010-2011; the Ten-Year Fiscal Forecast and the annual agreement with the City of Fountain Valley relating to the Capital Improvement Budget and financing thereof.

➤ **Motion by Council Member Collins second by Council Member Nagel to approve Consent Calendar Items 5 through 7.**

Ayes: Nagel, Crandall, Collins, Brothers, Carrozzo  
Absent: None

## **ADMINISTRATIVE ITEMS**

8. (Council) Resolution against state seizure of local tax funds and additional unfunded mandates.

**RESOLUTION NO. 9204** A Resolution of the City Council of the City of Fountain Valley Opposing State Seizure of Local Tax Funds and Additional Adoption of Unfunded Mandates

Matt Mogensen Management Analyst gave a brief PowerPoint presentation on the proposed resolution against the state seizure of local tax funds and the additional unfunded mandates by the State reiterating the Cities current fiscal stress and the potential additional seizure of \$1.2 million reduction in declining tax revenue.

➤ **Motion by Council Member Collins second by Mayor Pro Tem Crandall to approve Resolution No. 9204 opposing State seizure of local tax funds and additional adoption of unfunded mandates.**

Ayes: Nagel, Crandall, Collins, Brothers, Carrozzo  
Absent: None

9. (Council) Consideration to reduce the \$500 per Month City Council salary due to current economic conditions.

Ray Kromer City Manager stated that Council Members Brothers and Nagel suggested that the Council Members take a reduction in their monthly stipend due to the current financial conditions within the City and stated that the decision would be at the pleasure of Council.

Council Members each voiced their opinion on the gesture to reduce their monthly stipend, some feeling that the 5% reduction is more of a symbolic gesture to show unity with the employees.

➤ **Motion by Council Member Brothers second by Council Member Nagel to reduce the \$500 per month salary by 5% due to current economic conditions.**

Ayes: Nagel, Crandall, Collins, Brothers, Carrozzo  
Absent: None

## PRESENTATION OF DEMANDS

(Council) Ratification of Payroll: 258712, 264811 – 264818 and Payroll Checks 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, Crandall, Collins, Brothers, Carrozzo  
Absent: None

(Council) Consideration of Register of Demands: 171106 – 171260, Checks, 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, Crandall, Collins, Brothers, Carrozzo  
Absent: None

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

Mayor Pro Tem Crandall spoke of his attendance at the League of California Cities meeting stating he received noteworthy information at the Executive Forum.

Council Member Nagel stated he attended the Orange County Library Advisory Board approving the new budget; his attendance at the Fountain Valley Community Foundation where they awarded \$2,000 to 10 non-profit sports programs to help with their scholarship programs and his attendance at CJPIA Training for Newly Elected Officials.

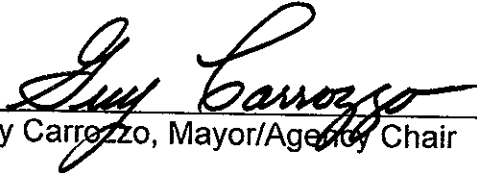
Council Member Brothers noted her attendance at the League of California Cities Mayors and Council Members Conference in San Francisco noting a number of informational sessions that were offered.

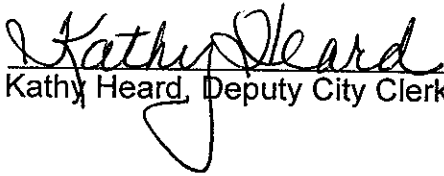
Council Member Collins announced his attendance at the Chamber of Commerce Luncheon where he represented the City; his attendance at the Santa Ana Flood Protection Agency meeting expressing the concerns of the ramifications that the 57 extension would have on the flood plain.

Mayor Carrozzo spoke on his attendance at the Fountain Valley High School Student Achievement Awards noting his positive impression of the student's achievements.

**ADJOURNMENT**

Mayor Carrozzo adjourned the City of Fountain Valley City Council and Agency for Community Development meeting at 8:42 p.m. to the next scheduled meeting of June 16, 2009.

  
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Guy Carrozzo, Mayor/Agency Chair

  
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Kathy Heard, Deputy City Clerk/