

CITY COUNCIL AND AGENCY FOR COMMUNITY DEVELOPMENT

CITY OF FOUNTAIN VALLEY

REGULAR MEETING MINUTES

DECEMBER 20, 2011

CLOSED SESSION

CALL TO ORDER

5:16 p.m.

1. *(Council)* Conference with City Attorney - Existing Litigation (Gov. Code § 54956.9(a) Name of case: Rainbow Disposal v. CR&R Incorporated OCSC # 30-2008-00108048 Conference with City Attorney - Anticipated Litigation Gov. Code § 54956.9(b) - 1 case (to consider filing a complaint in interpleader in the above matter)

Mayor Collins announced that Council gave direction to the City Attorney on the above-referenced matter.

STUDY SESSION

(Council) PowerPoint Presentation on R-1 Single Family Building Heights.

Planning/Building Director Andy Perea provided a PowerPoint presentation on R-1 Single Family Building Heights. Questions and comments ensued by Council. By unanimous consent, Council directed staff to prepare a code amendment to **consider** increasing building heights for the R-1 Single Family Residential Zone and also directed staff to prepare a code amendment to change other development standards pertaining to the matter at hand.

REGULAR MEETING

CALL TO ORDER

6:11 p.m.

INVOCATION:

Mayor Collins gave the invocation.

SALUTE TO THE FLAG:

Council Member Nagel led the salute to the flag of the United States.

ROLL CALL:

ALL MEMBERS PRESENT

Council/Agency Member Nagel, Council/Agency Member Vo, Council/Agency Member Crandall, Mayor Pro Tem/Agency Vice Chair McCurdy, Mayor/Agency Chair Collins

ANNOUNCEMENT OF LATE COMMUNICATIONS

Announcement of a Red Folder item with regard to the appointments of the Council Members to outside committees on page 475 of the agenda.

APPROVAL OF MINUTES

2. *(Council/Agency)* Minutes of the City Council/Agency for Community Development meeting held on December 6, 2011.

ACTION: Approve the December 6, 2011, Council/Agency minutes as presented.

MOTION: Crandall Second: Vo
AYES: Collins, Crandall, McCurdy, Nagel, Vo
NOES: None

PRESENTATIONS

- Mayor Collins presented a Retirement Proclamation to Fire Captain Larry Hammer.
- Council received a presentation by Orange County Grand Jury representative Patricia Place.

READING OF ORDINANCES

3. Waive the reading in full of all ordinances under consideration and direct the Mayor to read by titles only.

MOTION: McCurdy Second: Vo
AYES: Collins, Crandall, McCurdy, Nagel, Vo
NOES: None

PUBLIC HEARINGS

4. *(Council) (First Reading)* ORDINANCE NO. 1469. An Ordinance of the City Council of the City of Fountain Valley clarifying that activities prohibited by Federal or State Laws are prohibited uses under Title 21.

City Attorney Alan Burns provided a brief review of the proposed ordinance prohibiting zoning uses not permitted or illegal under state or federal law.

Mayor Collins opened the public hearing. Having no speakers on the subject the public hearing was closed.

ACTION: Approve the introduction of Ordinance No. 1469 and passage to a second reading for adoption.

MOTION: Crandall Second: Vo
AYES: Collins, Crandall, McCurdy, Nagel, Vo
NOES: None

ACTION: Adoption of the report of the legislative body on the medical marijuana moratorium.

MOTION: Crandall Second: Nagel
AYES: Collins, Crandall, McCurdy, Nagel, Vo
NOES: None

CONSENT CALENDAR

ACTION: Approval of Consent Calendar Items 5 through 19.

MOTION: Vo Second: Nagel

AYES: Collins, Crandall, McCurdy, Nagel, Vo

NOES: None

5. (Council) Contract with the Orange County Health Care Agency to supply equipment to Fountain Valley's Point of Dispensing site.
6. (Council) Contract with Tyler Technologies for online utility billing services.
7. (Council) A Resolution of the City Council of the City of Fountain Valley for the Chief of Police's employer-paid member contributions to CalPERS.
8. (Council) A Resolution of the City Council of the City of Fountain Valley adopting the annual Measure M2 Expenditure Report.
9. (Council) A Resolution of the City Council of the City of Fountain Valley authorizing the destruction of certain records.
10. (Council) A Resolution of the City Council of the City of Fountain Valley adopting an amendment to the City's 457(b) Deferred Compensation Plan document and Adoption Agreement.
11. (Council) Resolutions of the City Council of the City of Fountain Valley establishing salary schedules for full-time employees and memorializing the terms of agreements reached with the miscellaneous and sworn fire units.
12. (Council/Agency) Fiscal Year 2010-2011 Annual Report for the Fountain Valley Agency for Community Development.
13. (Council) A Resolution of the City Council of the City of Fountain Valley establishing fees related to security, maintenance and registration for properties in foreclosure; and A Resolution of the City Council of the City of Fountain Valley adopting boarding standards for vacant property.
14. (Council) Amendment No. 5 to the Lease Agreement with the Boys and Girls Clubs of Huntington Valley for the use of the former Community Services Building.
15. (Council) Project No. GT150: 1) Final Closeout Agreement and Release of all Claims; and 2) Contract Change Order Nos. 1, 2, 3, 4, and 5 in the increased amount of \$42,210.54, for the rehabilitation and resurfacing of Newland Street from Garfield Avenue to Ellis Avenue.
16. (Council) Acceptance of Proposal and Award of a Contract to AKM Consulting Engineers in an amount not to exceed \$129,598, for the design of the Garfield Sewer Improvement Project, SF624.
17. (Council) A Resolution of the City Council of the City of Fountain Valley relating to the classification, compensation, and terms and conditions of employment of the City Manager and Administrative Officers of the City, and superseding all provisions contained in Resolution No. 9287 that pertain to Administrative Officers.

18. (Council) Cooperative Agreement No. C-1-3022 with the Cities of Huntington Beach and Santa Ana, the Orange County Transportation Authority (OCTA), and the State of California Department of Transportation (Caltrans) regarding MacArthur Boulevard/Talbert Avenue Measure M2 Regional Traffic Signal Synchronization Program.
19. (Council) Cooperative Agreement No. C-1-3023 with the Cities of Huntington Beach, Santa Ana, and Tustin, the Orange County Transportation Authority (OCTA), and the State of California Department of Transportation (Caltrans) regarding Warner Avenue Measure M2 Regional Traffic Signal Synchronization Program.

APPOINTMENTS

20. (Council) Appointments of Council Members and staff to outside committees.

<u>Committee</u>	<u>Delegate</u>	<u>Alternate</u>
Advisory Committee for the Disabled	Collins	Vo
Public Cable Television Authority (PCTA)*	Nagel/Vo	None
Santa Ana River Flood Protection Agency	Collins	Lewis
League of California Cities	Collins	Mayoral Rotation
Southern California Joint Powers Insurance Authority	Collins	Kromer
Legislative Committee	Collins/McCurdy	None
Orange County Sanitation District*	Crandall	Nagel
Orange County Library Advisory Board	McCurdy	None
OCTA I-405 Policy Working Group	Collins	Crandall
Fountain Valley Community Foundation**	Nagel	None

ACTION: Approval of All Committee Appointments with the exception of the Public Cable Television Authority (PCTA) and the Orange County Sanitation District.

MOTION: Crandall Second: Vo
AYES: Collins, Crandall, McCurdy, Nagel, Vo
NOES: None

Council Members Nagel and Vo recused themselves from the appointment process to the Public Cable Television Authority.

ACTION: Approval of the appointment of Council Member Nagel and Council Member Vo to the Public Cable Television Authority (PCTA).

MOTION: Crandall Second: McCurdy
AYES: Collins, Crandall, McCurdy,
NOES: None

Council Members Nagel and Crandall recused themselves from the appointment process to the Orange County Sanitation District.

ACTION: Approval of the appointment of Council Member Crandall (delegate) and Council Member Nagel (alternate) to the Orange County Sanitation District.

MOTION: Vo Second: McCurdy
AYES: Collins, Vo, McCurdy
NOES: None

21. PRESENTATION OF DEMANDS

(Council) Ratification of Payroll: Checks and Direct Deposit Vouchers

MOTION: Crandall Second: Vo
AYES: Collins, Crandall, McCurdy, Nagel, Vo
NOES: None
Motion Passed By Unanimous Roll Call Vote

(Council) Register of Demands: Checks, ACH Vendor Payment, and Electronic transfers

MOTION: Crandall Second: McCurdy
AYES: Collins, Crandall, McCurdy, Nagel, Vo
NOES: None
Motion Passed By Unanimous Roll Call Vote

PUBLIC COMMENTS (Unscheduled Matters Only)

Emily Janio, Meghan Haney and Lucy Park addressed the council as part of a school project by thanking the Council Members for their diligent work.

COUNCIL/AGENCY COMMENTS - (AB1234 Reporting and General Comments)

Council Member Vo announced his intention to attend the next PCTA meeting and also wished everyone a Merry Christmas.

Council Member Crandall mentioned his attendance at the Orange County Transportation Authority meeting.

Mayor Collins announced his attendance at a Manufacturing Housing Education Trust Breakfast on 12/7; Water Advisory Committee on 12/9; Police Luncheon on 12/12; Chamber Luncheon 12/14; meeting with Janet Nguyen on 12/14; Employee Recognition Luncheon on 12/14.

ADJOURNMENT

Mayor Collins adjourned the meeting at 6:45 in memory of Lillian Margaret Buckman to the next Regular Meeting of the Fountain Valley City Council and Agency for Community Development meeting on January 17, 2012, at 6:00 p.m., in the Fountain Valley Council Chambers, 10200 Slater Avenue, Fountain Valley.

John J. Collins, Mayor

Kathleen Heard, Deputy City Clerk