

CITY OF FOUNTAIN VALLEY

City of Fountain Valley City Council
And

Agency for Community Development

Minutes

Regular Meeting

May 4, 2010

SPECIAL MEETING PUBLIC HEARING 5:00 P.M.

1. **(Council)** Public hearing regarding the revocation/modification of Conditional Use Permit No. 665M (Aysya Restaurant) Planning Commission Resolution No. 09-19

Patrick Desmond, attorney representing the City regarding the CUP revocation/modification of Conditional Use Permit No. 665M issued to Aysya Restaurant recommended that the City Council continue the public hearing to a date uncertain as the parties are working on a tentative settlement agreement to resolve the matter.

Mayor/Agency Chair Crandall asked the audience if there was anyone who wished to speak on the matter at hand. Two audience members, Marty McCloud and Steven Martinez of Fountain Valley both approached Council as advocates for the revocation of Aysya Restaurant's Conditional Use Permit.

Motion by Mayor Pro Tem/Agency Vice-Chair Brothers, second by Council/Agency Member Collins to continue the public hearing to a date uncertain.

AYES: Nagel, Collins, Carrozzo, Brothers, Crandall

NOES: None

Motion Adopted 5-0

CLOSED SESSION

Mayor/Agency Chair Crandall called Council to Closed Session at 5:04 p.m.

Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiators: Ray Kromer, City Manager; Jean Hirai, Personnel Manager

Employee Organizations: Fountain Valley Firefighters Association (IAFF Local 4530)
Fountain Valley General Employees
Professional and Technical Association
Individually Represented Battalion Chiefs
Fountain Valley POA
Fountain Valley POMA
Fountain Valley Municipal Employees Association

Unrepresented Employees: Administrative Officers

REGULAR MEETING CALL TO ORDER

Mayor/Agency Chair Crandall opened the regular meeting of the Fountain Valley City Council/Agency for Community Development at 7:00 p.m.

INVOCATION

Bishop Glen Farnsworth of Church of Jesus Christ of Latter-day Saints gave the invocation.

SALUTE TO THE FLAG

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

ROLL CALL

Council/Agency Member Nagel, Council/Agency Member Collins, Council/Agency Member Carrozzo, Mayor Pro Tem/Agency Vice Chair Brothers, Mayor/Agency Chair Crandall -All Present

ALSO PRESENT

Police Chief Paul Sorrell, Housing Coordinator Brent Hoff, Fire Chief Bill Walker, Public Works Director Mark Lewis, Finance Director Sherri Holman, Personnel Manager Jean Hirai, Community Services Manager Mark Nix, City Attorney Alan Burns, City Manager Ray Kromer, Deputy City Clerk Kathy Heard

Mayor/Agency Chair Crandall reported no action was taken during Closed Session.

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

Motion by Mayor Pro Tem/ Agency Vice Chair Brothers second by Council/Agency Member Collins to approve the minutes of the City Council/Agency for Community Development meeting held on April 20, 2010 as distributed.

Ayes: Nagel, Collins, Carrozzo, Brothers, Crandall

Noes: None

Motion Adopted 5-0

PRESENTATIONS

- City Council Members presented a proclamation to Fountain Valley VFW Post No. 9557 in support of Buddy Poppy Month
- Mayor/Agency Chair Crandall presented a proclamation to Frank Parker, in honor of *Mormon Helping Hands Day Renewing California Parks*, May 8, 2010 Mile Square Park participation
- Council/Agency Member Nagel presented a proclamation to members of the Relay for Life Committee for the American Cancer Society, *Paint Our Town Purple Day*, May 6, 2010 and *Relay for Life Fountain Valley*, June 5-6, 2010

- Presentation by Mayor/Agency Chair Crandall of the City's donation to Grad Night recipient Marissa Demes representing Fountain Valley High School; Mayor Pro Tem/Agency Vice Chair Brothers presented a check to Kelly Kuster representing Ocean View High School; Council/Agency Member Collins presented a check to Liz Earhardt representing La Quinta High School; and Council/Agency Member Carrozzo presented a check to Robin Patterson representing Los Amigos High School.

PUBLIC HEARING

2. **(Council)** Public hearing to consider the Community Development Block Grant (CDBG) 2010-14 Five-Year Consolidated Plan including FY 2010-11 Action Plan

Housing Coordinator Brent Hoff gave a brief review of the materials presented to Council in their agenda packets. Mr. Hoff stated that the Community Development Block Grant (CDBG) is a five-year planning document designed to guide the creation and implementation of the City's housing and community development programs using funding available through the U.S. Department of Housing and Urban Development. The (CDBG) Consolidated Plan coordinates all elements of the community development including housing, neighborhood improvement economic development and social services into a single unified plan. Mr. Hoff also stated a 30-day public review period commenced on March 18, 2010 and concluded on April 22, 2010 with no public comments received.

Mayor Crandall opened the public hearing. Having no one to speak on the matter, the Mayor closed the public hearing.

Motion by Council/Agency Member Collins, second by Council/Agency Member Carrozzo to approve the Community Development Block Grant (CDBG) 2010-14 Five-Year Consolidated Plan including FY 2010-11 Action Plan.

Ayes: Nagel, Collins, Carrozzo, Brothers, Crandall
Noes: None
Motion Adopted 5-0

CONSENT CALENDAR

Mayor Pro-Tem/Agency Vice-Chair Brothers pulled Consent Calendar Item #4 for further discussion.

Council /Agency Member Carrozzo pulled Consent Calendar Item #6 for further discussion.

3. **(Council)** Approval of the Consultant Services Agreement with TRC Solutions, Inc. for the former police station underground storage tank remediation and amendment of the FY 2009/10 General Fund Budget in the amount of \$11,510.
5. **(Council)** 1.) Acceptance of proposal and award of a contract for the citywide speed survey project to Albert Grover and Associates in the amount of \$21,620; and, 2.) Amendment of the Pollution Reduction Fund 26 in the amount \$21,620.

7. **(Council)** Acceptance of a proposal and award of a contract to Anderson-Penna in an amount not to exceed \$175,960 for the planning and design of Year-Two Sewer Capital Improvement Projects, Project No. SF620.

Motion by Council/Agency Member Collins, second by Mayor Pro Tem/Agency Vice-Chair Brothers to approve Consent Calendar Items 3, 5, and 7.

Ayes: Nagel, Collins, Carrozzo, Brothers, Crandall

Noes: None

Motion Adopted 5-0

4. **(Council)** Approval of a Memorandum of Understanding entitled "Amendment to List of Participating Retail Agencies" between Poseidon Resources and the City of Fountain Valley regarding the City's designation as a full participating retail agency regarding Poseidon's Huntington Beach Desalination Project.

Questions ensued concerning the City possibly limiting itself on the amount of potable water to be provided.

Motion by Mayor Pro Tem/Agency Vice-Chair Brothers, second by Council/Agency Member Collins to approve Consent Calendar Item #4.

Ayes: Nagel, Collins, Carrozzo, Brothers, Crandall

Noes: None

Motion Adopted 5-0

6. **(Council)** Approval to waive the bidding requirements in accordance with FVMC 2.36.120 and authorize staff to issue a purchase order to Fortel Traffic Inc., in the amount of \$51,815.29 for the purchase and installation of eighteen (18) V-Calm VMS "Speed Back" solar panels and system upgrades.

Council/Agency Member Carrozzo expressed his concern about the security of the new "speed back signs" since nine of the previously purchased signs were stolen.

Motion by Council/Agency Member Carrozzo, second by Council/Agency Member Nagel to approve Consent Calendar Item #6

Ayes: Nagel, Collins, Carrozzo, 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 Carrozzo, second by Mayor Pro Tem/Agency Vice-Chair to ratify the payroll and direct deposit vouchers as listed in the report by the Finance Department by the following roll call vote:

Ayes: Nagel, Collins, Carrozzo, 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 Nagel, second by Council/Agency Member Carrozzo to approve the Register of Demands listed in the report by the Finance Department by the following roll call vote:

Ayes: Nagel, Collins, Carrozzo, Brothers, Crandall
Noes: None
Motion Adopted 5-0

(Agency) Register of Demands:

Electronic Bank Transfers as listed in the report

Motion by Mayor Pro Tem/Agency Vice-Chair Brothers, second by Council/Agency Member Collins to approve the Agency Register of Demands listed in the report by the Finance Department by the following roll call vote:

Ayes: Nagel, Collins, Carrozzo, Brothers, Crandall
Noes: None
Motion Adopted 5-0

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

- Mayor/Agency Chair Crandall attended an Orange County Sanitary District meeting.
- Council/Agency Member Nagel attended a Public Cable Television Authority (PCTA) meeting.
- Council/Agency Member Collins attended a cell tower coverage meeting.
- Council/Agency Member Carrozzo attended the Orange County Public Library meeting.

ADJOURNMENT

Mayor/Agency Chair Crandall adjourned the City of Fountain Valley City Council and Agency for Community Development meeting at 7:35 p.m. to the next scheduled meeting of May 18, 2010.



Mayor/Agency Chair Larry R. Crandall



Kathleen Heard, Deputy City Clerk/Agency Secretary