

**CITY OF FOUNTAIN VALLEY**  
**MINUTES**  
**November 16, 2010**  
City of Fountain Valley City Council  
And  
Agency for Community Development  
Regular Meeting

**CALL TO ORDER**

6:00 P.M.

**INVOCATION**

Rabbi Stephen 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**

**STAFF PRESENT**

Planning/Building Director Andy Perea, Public Works Director/City Engineer Mark Lewis, Personnel Manager Jean Hirai, Chief of Police Paul Sorrell, Fire Chief Bill Walker, Community Services Manager Mark Nix, Finance Director Sherri Holman, City Attorney Alan R. Burns, City Manager Ray Kromer, Deputy City Clerk Kathy Heard

**ANNOUNCEMENT OF LATE COMMUNICATIONS**

Kathy Heard, Deputy City Clerk announced the Clerk's office received the following late communications:

- Correction to page 241 on Consent Item #12
- Correction page 141 on Introduction of an Ordinance Item #5

**APPROVAL OF MINUTES**

*(Council/Agency)* Consideration of approval of the minutes of the City Council/Agency for Community Development meeting held on October 19, 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 held on October 19, 2010.*

*Ayes: Nagel, Brothers, Crandall, Carrozzo, Collins*  
*Noes: None*

## PRESENTATIONS

- Mayor/Agency Chair Crandall presented a Certificate of Recognition to Jeremy Tucker for a fundraiser he held for his Bar Mitzvah project.

## READING OF ORDINANCES

**ACTION:** If desired, motion to waive the reading in full of all ordinances under consideration and direct the Mayor to read by titles only.

*Motion by Council/Agency Member Collins, second by Council/Agency Member Carrozzo to waive the reading in full of all ordinances under consideration and direct the Mayor to read by titles only.*

**Ayes:** Nagel, Brothers, Crandall, Carrozzo, Collins  
**Noes:** None

## PUBLIC HEARINGS

1. *(Council)* Public Hearing to consider adoption of Ordinance No. 1452 of the Fountain Valley City Council adopting the 2009 International Fire Code and the 2010 Edition of the California Fire Code including Appendix Chapter 4 and Appendices B, C, E, F, G, J and the provisions set forth in the Fountain Valley Municipal Code Title 17. **(SECOND READING)**

**ORDINANCE NO.1452** An Ordinance Of The Fountain Valley City Council Repealing And Reenacting Title 17 Of The Fountain Valley Municipal Code And Adopting The 2009 International Fire Code And The 2010 Edition Of The California Fire Code Including Appendix Chapter 4 And Appendices B, C, E, F, G, J And The Provisions Set Forth In Fountain Valley Municipal Code Title 17

Mayor/Agency Chair Crandall opened the public hearing. Having no one 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 adopt Ordinance No. 1452.*

**Ayes:** Nagel, Brothers, Crandall, Carrozzo, Collins  
**Noes:** None

2. *(Council)* Public Hearing to consider adoption of Ordinance 1453 of the Fountain Valley City Council repealing and reenacting Chapter 18 of the Fountain Valley Municipal Code and Adopting the State Building Standards Codes as modified. **(SECOND READING)**

**ORDINANCE NO. 1453** An Ordinance of the City Council of the City Of Fountain Valley, California Repealing and Reenacting Chapter 18 of the Fountain Valley Municipal Code and Adopting the State Building Standards Codes As Modified

Mayor/Agency Chair Crandall opened the public hearing. Having no one to speak on the issue, Mayor/Agency Chair Crandall closed the public hearing.

*Motion by Council/Agency Member Carrozzo, second by Mayor Pro Tem/Agency Vice Chair Brothers to adopt Ordinance No. 1453.*

**Ayes:** Nagel, Brothers, Crandall, Carrozzo, Collins  
**Noes:** None

3. *(Council)* Continuance of the Public Hearing to consider adoption of an ordinance of the Fountain Valley City Council amending the Fountain Valley Municipal Code, Title 21, pertaining to tattoo establishments and hydroponic stores to the next scheduled City Council meeting of December 7, 2010.

**INTRODUCTION OF AN ORDINANCE**

4. *(Council)* Approval of a Resolution of Intention and Urgency 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 21353, 2% at 60 formula for newly-hired Miscellaneous Employees and (2) Government Code Section 20475 to establish different levels of benefits.

Personnel Manager Jean Hirai provided Council with a brief explanation of the materials provided to Council in the agenda packets.

**RESOLUTION NO. 9285** A Resolution of Intention to Approve an Amendment to the Contract between the Board of Administration of the California Public Employees Retirement System and the Fountain Valley City Council

*Motion by Council/Agency Member Collins, second by Mayor Pro Tem/Agency Vice Chair Brothers to approve Resolution No. 9285.*

**Ayes:** Nagel, Brothers, Crandall, Carrozzo, Collins  
**Noes:** None

**ORDINANCE NO. 1455** An Urgency Ordinance Of The City Council Of The City Of Fountain Valley Approving The Amendment To The Contract Between The Board Of Administration For The California Public Employees' Retirement System And The City To Provide 1) Section 21353, 2% At 60 Formula For Miscellaneous Employees Hired After The Effective Date Of The Amendment To The Contract With CalPERS And 2)

**Government Code Section 20475 To Establish Different Levels Of Benefits.  
(4/5 vote of the City Council required)**

***Motion by Council/Agency Member Collins, second by Council/Agency Member Nagel to adopt Urgency Ordinance No. 1455.***

***Ayes: Nagel, Brothers, Crandall, Carrozzo, Collins  
Noes: None***

5. ***(Council)*** Introduction of a proposed ordinance amending the Special Events Chapter of the Fountain Valley Municipal Code, Chapter 8.50 and passage to a second reading for adoption.

**ORDINANCE NO. 1457 An Ordinance of the Fountain Valley City Council Repealing and Reenacting the Special Events Chapter of the Fountain Valley Municipal Code and Amending the Parks Chapter**

City Attorney Alan R. Burns presented a brief summation of the materials submitted to Council in the agenda packet.

Council Member Nagel requested that a correction be made on page 139 relating to the width of the fire access lane to coincide with the current code of twenty-five feet.

***Motion by Council/Agency Member Collins, second by Council/Agency Member Nagel to approve Ordinance No. 1457 as modified and passage to a second reading for adoption.***

***Ayes: Nagel, Brothers, Crandall, Carrozzo, Collins  
Noes: None***

**ORDINANCE FOR ADOPTION**

6. **ORDINANCE NO. 1454** An Ordinance of the Fountain Valley City Council Amending the Fountain Valley Municipal Code Changing the Starting Time for City Council Meetings (SECOND READING)

***Motion by Council/Agency Member Collins, second by Council/Agency Member Nagel to adopt Ordinance No. 1454***

***Ayes: Nagel, Brothers, Crandall, Carrozzo, Collins  
Noes: None***

## CONSENT CALENDAR

Action: *If desired, motion to approve Items 7 through 15.*

7. *(Council)* Approval of the Fountain Valley City Council of a one-year extension to the Memorandum of Understanding with the Fountain Valley Police Officers' Management Unit.

8. *(Council)* Adoption of a resolution authorizing participation in the Public Agency Retirement Services (PARS) Post-Retirement Health Care Plan Trust

**Resolution No. 9280** A Fountain Valley City Council Resolution Establishing an OPEB Trust Agreement with PARS Public Agencies Post-Retirement Health Care Plan

9. *(Council)* Approval of a resolution of the Fountain Valley City Council to accept grant monies from the California Office of Traffic Safety in the amount of \$2,196.52 in support of the "Click It or Ticket" Campaign.

**Resolution No. 9282** A Resolution of the Fountain Valley City Council to Accept California Office of Traffic Safety Grant Monies in the Amount of \$2,195.52 in Support of the "Click It or Ticket" Campaign

10. *(Council)* Approval to adopt a resolution of the Fountain Valley City Council to enter into a contract with the California Highway Patrol authorizing acceptance of reimbursement funds up to \$9,999.99 for the "Every 15 Minutes" Program.

**Resolution No. 9283** A Resolution of the Fountain Valley City Council Entering into a Contract with the California Highway Patrol Authorizing Acceptance of Reimbursement Funds up to \$9,999.99 for the "Every 15 Minutes" Program

11. *(Council)* Adoption of a resolution of the Fountain Valley City Council concerning the adoption of a Measure M2 Local Signal Synchronization Plan for the City of Fountain Valley.

**Resolution No. 9284** A Resolution of the Fountain Valley city Council Concerning the Adoption of a Measure M2 Local Signal Synchronization Plan for the City of Fountain Valley

12. **(Council)** Renewal of data processing equipment and service agreement with the City of West Covina for police records management, computer aided dispatch and mobile data computers in the amount of \$93,860.
13. **(Council)** Approval Of A Resolution Of The City Council Of The City Of Fountain Valley Relating To The Classification, Compensation, And Terms And Conditions Of Employment Of Administrative Officers Of The City And Superseding All Provisions Contained In Resolution No. 9102 Pertaining To Administrative Officers.

**Resolution No. 9287** A Resolution Of The City Council Of The City Of Fountain Valley Relating To The Classification, Compensation, And Terms And Conditions Of Employment Of Administrative Officers Of The City, And Superseding All Provisions Contained In Resolution No. 9102 Which Pertain To Administrative Officers.

14. **(Council)** 1) Amendment No. 1 to Contract No. 09-67 Bucknam and Associates, in the amount of \$62,460 for the City's Infrastructure Management Program, Project GT005; and 2) Amendment of the following Fiscal Year 2010-2011 Budgets: General Fund in the amount of \$33,090; and the Fountain Valley Agency for Community Development in the amount of \$13,320.
15. **(Council)** Approval of the assignment of city cell site leases from T-Mobile to Mobilite Investments II, LLC for lease sites at Harper Park and Well No. 8.

***Motion by Council/Agency Member Collins, second by Council/Agency Member Nagel to approve Consent Calendar Items 7 through 15.***

***Ayes: Nagel, Brothers, Crandall, Carrozzo, Collins***  
***Noes: None***

#### **ADMINISTRATIVE ITEM**

16. **(Council)** Proposed Association of California Cities, Orange County Division.

City Manager Ray Kromer gave a brief outline of the staff report presented to Council relating to the proposed formation of a new organization called the Association of California Cities, Orange County Division.

Commentary ensued by Council regarding the benefits and concerns of the formation of the new organization.

*Motion by Mayor Pro Tem Brothers, second by Mayor/Agency Chair Crandall to direct staff to join the Orange County Association of California Cities if the organization comes to fruition.*

**Ayes:** Nagel, Brothers, Crandall, Carrozzo, Collins  
**Noes:** None

**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 Council/Agency Member Collins to approve the ratification of payroll, payroll checks and direct deposit vouchers as listed in the report by the following roll call vote:*

**Ayes:** Nagel, Brothers, Crandall, Carrozzo, Collins  
**Noes:** None

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

*Motion by Council/Agency Member Nagel, second by Mayor Pro Tem/Agency Vice Chair Brothers to approve the register of demands, checks, ACH vendor payments and electronic transfers as listed in the report by the following roll call vote:*

**Ayes:** Nagel, Brothers, Crandall, Carrozzo, Collins  
**Noes:** None

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

*Motion by Council/Agency Member Carrozzo, second by Mayor Pro Tem/Agency Vice Chair Brothers to approve the register of demands, and electronic bank transfers as listed in the report by the following roll call vote:*

**Ayes:** Nagel, Brothers, Crandall, Carrozzo, Collins  
**Noes:** None

**PUBLIC APPEARANCES -- ORAL COMMUNICATIONS (Unscheduled Matters Only)**  
**Speakers Must Limit Remarks to Five Minutes. Comments must be related to items that are within the subject matter of the City Council/Agency jurisdiction.**

Fountain Valley resident Barbara Montz thanked Council/Agency Member Carrozzo and Mayor Pro Tem/Agency Vice Chair Brothers for their service to the City of Fountain Valley.

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


Council/Agency Member Nagel reported his attendance at the WACO meeting on November 5, 2010.

Council/Agency Member Collins reported his attendance at the Orange County Division of the League of California Cities on October 21, 2010, the WACO meeting on November 5, and the O.C. League of California Cities on November 11, where Mayor Crandall was selected to be the District #2 representative to the Orange County Transportation Authority Board.

Mayor/Agency Chair Crandall reported his attendance at the Orange County Sanitation District planning meeting.

**ADJOURNMENT**

Mayor/Agency Chair Crandall adjourned the City of Fountain Valley City Council / Agency for Community Development meeting in memory of Jean Moss and Gary Watson at 6:50 p.m. to the next scheduled meeting of December 7, 2010 at 6:00 p.m.

  
Larry R. Crandall, Mayor/Agency Chair

  
Kathleen Heard, Deputy City Clerk/Agency Secretary