

The City of Fountain Valley



AGENDA

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

Tuesday February 3, 2009

7:00 PM

**City Council Chambers
10200 Slater Avenue
Fountain Valley, California**

The City Council acts as the City of Fountain Valley Agency for Community Development

Notice

MEETING ASSISTANCE: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in City Council/Agency for Community Development meetings, please contact the City Clerk's Office at (714) 593-4445. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

AGENDA COMMUNICATIONS: Materials related to an item on this Agenda submitted to the Council/Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 10200 Slater Avenue, Fountain Valley, CA 92708 during normal business hours.

**Guy Carrozzo, Mayor
Larry Crandall, Mayor Pro Tem
John Collins, Council Member
Cheryl Brothers, Council Member
Steve Nagel, Council Member**

**Ray Kromer, City Manager
Alan Burns, City Attorney**

CALL TO ORDER 7:00 p.m.

INVOCATION Chaplain Arvin Gowens of Seabreeze Church

SALUTE TO THE FLAG Council Member Cheryl Brothers

ROLL CALL Nagel, Crandall, Carrozzo, Collins, Brothers

APPROVAL OF MINUTES

(Council) Minute transcript of the November 18, 2008 continuation of the public hearing from October 21, 2008 regarding the revocation of Sam's, Smoke Liquor & Mart Conditional Use Permit 500MD, provided by Green Oak Reporting Services and reviewed by the City Clerk, City Attorney and the City Council.

(Council/Agency) Consideration of approval of the minutes of the regular City Council/Agency for Community Development meeting held on January 20, 2009 as distributed.

PRESENTATIONS

- Presentation to Officer Don Farmer who will be receiving the Deuce Award from Mothers Against Drunk Drivers (MADD)
- Presentation of the annual report regarding the Commission and Fountain Valley by Leticia Mata of the Orange County Human Relations Commission

PUBLIC APPEARANCES -- ORAL COMMUNICATIONS -- (Scheduled Matters Only)

Persons wishing to address the Council/Agency on the following agenda items should identify themselves and the items they wish to speak on at this time by providing a completed blue speaker card to the City Clerk. Speakers must limit remarks to five minutes on all items and will be summoned to speak at the appropriate time. Comments must be related to items that are within the subject matter of the City Council's jurisdiction. When addressing the Council, please address the Council as a body through the Mayor. Comments to individuals or staff are not permitted.

READING OF ORDINANCES

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

ORDINANCES FOR ADOPTION

1. (Council) **ORDINANCE NO. 1426** An Ordinance of the City Council of the City of Fountain Valley Amending Section 21.14.040 of the Fountain Valley Municipal Code in reference to the Fountain Valley Floodplain Area

Council Action: Consideration of a motion to approve the adoption of Ordinance No.1426.

2. (Council) **ORDINANCE NO. 1427** An Ordinance Of The Fountain Valley City Council Approving Code Amendment No. 08-05 Amending The Residential Driveway Provisions Of The Fountain Valley Municipal Code

Council Action: Consideration of a motion to approve the adoption of Ordinance No.1427.

CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the Council/Agency to be routine and will be enacted by one motion by the form listed below. There will be no separate discussion of the items prior to the time the Council/Agency votes on the motion unless members of the Council/Agency, Staff, or the Public request specific items to be discussed and/or removed from the CONSENT CALENDAR for separate action.

Action: *If desired, motion to approve Council/Agency Items 3 through 7.*

3. (Council) Acceptance of easements for street purposes as separate instruments located at 18111 Brookhurst Street (Orange Coast Memorial Medical Center) and 18025 Brookhurst Street (Talbert Dentistry).
4. (Council) Approval of the final closeout agreement and release of all claims for Contract No. 08-27, Premium Construction, for the installation of playground surfacing material and City supplied playground equipment at Westmont Park, Project No. GF403.
5. (Council) Approval to accept Agency Fund allotment from the State 911 Telecommunications Program and authorize the use of these funds to purchase the 911 system equipment from Verizon through the State of California 911 Program contact.
6. (Council/Agency) Approval of:
 - 1) The final closeout agreement and release of all claims (R.J. Noble Company);
 - 2) Contract Change Order No.1 in the decreased amount of (\$137,632.10) and (\$52,321.01); and
 - 3) Acceptance of improvements for the rehabilitation and resurfacing of Ellis Avenue from Bushard Street to I-405 southbound ramps/Euclid Street, Project No. TI363 and Brookhurst Street from Talbert Avenue to Garfield Avenue and Talbert Avenue from Bushard Street to Brookhurst Street, Project No. TI612, Contract No. 08-07.

7. (Council/Agency) Approval of: 1) Contract Change Order No. 12 to Contract No. 07-17 (Valley Crest Landscape) in the decreased amount of (\$117,854.94); and
- 2) Final closeout agreement, and release of all claims for the Recreation Center Master Plan Expansion, Project No. P1790.

ADMINISTRATIVE ITEMS

There are no administrative items scheduled for this meeting.

PRESENTATION OF DEMANDS

- (1) Council Ratification of Payroll: Payroll Checks and Direct Deposit Vouchers as listed in the report.
- (2) Council Consideration of Register of Demands: Checks, ACH Vendor Payments; and Electronic Transfers as listed in the report.
- (3) Agency Register of Demands: Electronic transfers as listed in the report.

APPOINTMENTS:

There are no appointments scheduled for this agenda.

PUBLIC APPEARANCES -- ORAL COMMUNICATIONS (Unscheduled Matters Only)

(Speakers Must Limit Remarks to Five Minutes)

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

ADJOURNMENT

Mayor to adjourn the City of Fountain Valley City Council and Agency for Community Development meeting to the next scheduled meeting of February 17, 2009.

I, Robin Roberts, City Clerk of the City of Fountain Valley, California, do hereby certify under penalty of perjury under the laws of the State of California that I caused the foregoing Agenda for the Regular Council Meeting/Agency for Community Development to be posted on the Bulletin Board in front of City Hall at 10200 Slater Avenue, Fountain Valley, California on January 30, 2009.

Robin Roberts, City Clerk/Agency Secretary