

CITY OF FOUNTAIN VALLEY

City of Fountain Valley City Council/Agency for Community Development Minutes of the Regular April 6, 2010 Meeting

STUDY SESSION - 5:30 P.M.

Attendance: Council/Agency Member Nagel, Council/Agency Member Collins, Council/Agency Member Carrozzo, Mayor Pro Tem/Agency Vice Chair Brothers, Mayor/Agency Chair Crandall, City Manager Ray Kromer, City Attorney Alan R. Burns, Deputy City Clerk Kathy Heard and Planning Commissioners: Margie Drilling, Carol Proctor, Michele Jensen, Ronald Walker and Bradley Gaston

Joint Fountain Valley City Council/Planning Commission Study Session on Sign Code Amendments and Freeway Corridor Rezoning

Director of Planning/Building Andy Perea and Assistant Planner Matt Jenkins gave a PowerPoint presentation to the City Council and Planning Commission on the proposed changes to the Fountain Valley Sign Code. Mr. Jenkins reviewed the current Sign Code regulations and the proposed changes adopted by the Planning Commission on May 27, 2009. He stated that staff is proposing to allow additional signage for businesses throughout the city. The first major change proposed would allow more commercial and industrial sites to have a monument sign, specifically in shopping centers. Also proposed is a reduction in frontage a property is required to have along the San Diego Freeway to accommodate a freestanding sign for additional businesses along the freeway. The proposed changes would also address issues related to commercial and non-commercial speech. Also provided were pictures of freeway sign concepts for Mike Thompson and the Vic Boyd concept.

There was discussion regarding the definition of a monument sign, and prohibited signs such as electronic reader boards, streamers, pennants, inflatable signs and balloons, neon signs, portable signs, and roof signs.

Council Members and Planning Commission Members each addressed their concerns and thoughts about the proposed changes to the current Sign Code. Council requested that staff provide conceptual simulations as to what the proposed monument signs might look like as proposed.

Both Frank Degalis, owner of Mike Thompson's RV and Vic Boyd, Developer endorsed the use of electronic signs not only for their businesses but also as a revenue generator for the City.

Also addressed during the study session were the rezoning possibilities for the San Diego Freeway Corridor area. Staff provided an overview of the existing permitted uses, existing development standards and solicited input for changes to enhance the area.

CALL TO ORDER

Mayor/Agency Chair Crandall called the April 6, 2010 City Council/Agency for Community Development meeting to order at 7:00 p.m.

INVOCATION

Rabbi Stephen J. Einstein of the Congregation B’Nai Tzedek gave the invocation.

SALUTE TO THE FLAG

Council/Agency Member Nagel 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

ALSO PRESENT: Community Services Manager Mark Nix, Planning and Building Director Andy Perea, City Planner Steven Ayers, Assistant City Planner Matt Jenkins, Police Chief Paul Sorrell, Senior Civil Engineer Temo Galvez, Finance Director/City Treasurer Sherri Holman, Battalion Chief Randy Anno, Personnel Manager Jean Hirai, Management Analyst Matt Mogensen, City Attorney Alan Burns, City Manager Raymond Kromer, Deputy City Clerk Kathy Heard

ANNOUNCEMENT OF LATE COMMUNICATIONS

Deputy City Clerk Kathy Heard announced the following late communications received by the City Clerk’s office:

- The submittal of a quadrant map referencing the location of the road improvements on Item #7 of the agenda.
- Study Session Report

APPROVAL OF MINUTES

(Council/Agency) Consideration of approval of the minutes of the City Council/Agency for Community Development meeting held on March 2, 2010 and the minutes of the Special City Council meeting held on March 30, 2010 as distributed.

Motion by Council/Agency Member Carrozzo, second by Council/Agency Member Collins to approve the minutes of the City Council/Agency for Community Development meeting held on March 2, 2010 and the minutes of the Special City Council meeting held on March 30, 2010 as distributed.

AYES: Nagel, Collins, Carrozzo, Brothers, Crandall

NOES: None

Motion Passed 5-0

PRESENTATIONS

Mayor Crandall presented a proclamation to Vanessa Nguyen, a representative from the Donate Life California proclaiming April 2010 National DMV/Donate Life California Month.

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.*

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, Collins, Carrozzo, Brothers, Crandall

NOES: None

Motion Passed 5-0

PUBLIC HEARING - INTERIM URGENCY ORDINANCE

1. Public Hearing to consider extending the Interim Moratorium on Medical Marijuana Dispensaries. ***(4/5 vote required)***

ORDINANCE NO. 1444 An Interim Ordinance of the City Council of the City of Fountain Valley Extending a Moratorium on Medical Marijuana Dispensaries until a Study Can be Prepared and Declaring the Threat to the Public Health, Safety and Welfare

City Attorney Alan Burns presented a brief summary of the information provided in the staff report submitted to Council in the agenda packet. City Attorney Burns stated that proposed Ordinance No. 1444 would extend a 45-day moratorium on medical marijuana dispensaries for another 10 months and 15 days to allow the City to study how to regulate these uses.

Mayor/Agency Chair Crandall opened the Public Hearing.

Having no public speakers, Mayor/Agency Chair Crandall closed the Public Hearing.

Motion by Council/Agency Member Carrozzo, second by Council/Agency Member Collins to adopt Ordinance No. 1444 an Interim Ordinance of the Fountain Valley City Council extending a moratorium on medical marijuana dispensaries until a study can be prepared and declaring the threat to the public Health, safety and welfare.

AYES: Nagel, Collins, Carrozzo, Brothers, Crandall

NOES: None

Motion Passed 5-0

ORDINANCES FOR ADOPTION

2. ***(Council)*** Adoption of Ordinance 1442 adding Chapter 17.4000 to the Fountain Valley Municipal Code to establish the implementation of a Paramedic Subscription Program for the Fountain Valley Residents.

ORDINANCE NO. 1442 An Ordinance of the Fountain Valley City Council Adding Chapter 17.4000 to the Fountain Valley Municipal Code Establishing a Paramedic Fee and a Paramedic Subscription Program

Motion by Council/Agency Member Collins, second by Council/Agency Member Nagel to adopt Ordinance No. 1442 an ordinance of the Fountain Valley City Council adding Chapter 17.4000 to the Fountain Valley Municipal Code to establish the implementation of a Paramedic Subscription Program for the Fountain Valley residents.

AYES: Nagel, Collins, Carrozzo, Brothers, Crandall

NOES: None

Motion Passed 5-0

CONSENT CALENDAR

3. ***(Council/Agency)*** Adoption of a resolution of the Fountain Valley City Council authorizing the use of OCTA allocated Transportation Development Act (TDA) program funds for construction of sidewalk on Ellis Avenue from Ward Street to the I-405, Project No. GT 962

RESOLUTION NO. 9247 A Resolution of the Fountain Valley City Council Authorizing Application for Funds for the Transportation Development Act (TDA) Article 3 Funds for the Ellis Avenue Sidewalk Project

4. ***(Council)*** Award of a contract to the Planning Center to provide environmental services for the proposed sixteen (16) lot single-family subdivision at 18110 Magnolia Street.
5. ***(Council)*** Award of a contract to the Planning Center to provided planning and environmental services for a proposed twelve (12)-unit condominium development at 16040 Newhope Street and 11520 Edinger Avenue.
6. ***(Council)*** Approval of Amendment No. 4 to the Charles Abbott and Associates Contract No. 04-47 for building consultant services.
7. ***(Council)*** 1.) Acceptance of bids and award of a contract to Palp Inc., DBA Excel Paving in the amount of \$1,627,676.48 for project construction; 2.) Acceptance of a proposal and award of a contract to Group Delta Consultants in the amount of \$37,182 for material testing; and, 3.) Amendment of Gas Tax Fund (FUND 23) Budget for FY 2009/2010 in the amount of \$60,000 for the Residential Roadway Rehabilitation Project, Project No. GT 229B (Quadrants B4, C5, D4, and D5).
8. ***(Council)*** Approval of a resolution of the Fountain Valley City Council implementing permit parking for Saturday, April 24, 2010 and Sunday, April 25, 2010 for the "Green Expo Event" at Mile Square Park.

RESOLUTION NO. 9248 A Resolution of the City Council of the City of Fountain Valley Implementing the City's Designated Parking System Designating the Area Subject to Those Restrictions and Specifying the Dates and Times it will be in Effect

Motion by Council/Agency Member Collins, second by Mayor Pro Tem/Agency Vice Chair Brothers to approve Consent Calendar Items 3 through 8.

AYES: Nagel, Collins, Carrozzo, Brothers, Crandall

NOES: None

Motion Passed 5-0

ADMINISTRATIVE ITEM

9. ***(Council)*** Determination of public convenience or necessity for the issuance of a Type 21 Off-Sale General Liquor License for TAWA Supermarket, Inc. (DBA 99 Ranch Market) located at 18081 Magnolia Street.

City Planner Steven Ayers presented a brief PowerPoint summary of the material submitted to Council in the agenda packet. Mr. Ayers stated that in order for 99 Ranch Market to acquire a Type 21 off-sale general liquor license, the City Council must make a finding that based on public convenience or necessary, the maximum number of permitted off-sale licenses in census Tract No. 992.31, as determined by the Department of Alcohol Beverage Control can be exceeded to increase the number of licenses from four (4) to five (5) off-sale licenses; and that the determination would be at the pleasure of City Council.

Motion by Council/Agency Member Collins, second by Council/Agency Member Nagel to approve the issuance of a Type 21 Off-Sale General Liquor License for TAWA Supermarket, Inc. (DBA 99 Ranch Market) located at 18081 Magnolia Street.

AYES: Nagel, Collins, Brothers, Crandall

NOES: Carrozzo

Motion Passed 4-1

PRESENTATION OF DEMANDS

(Council) Ratification of Payroll:

Payroll Checks and Direct Deposit Vouchers as listed in the report.

Motion by Council/Agency Member Collins second by Council/Agency Member Carrozzo to approve the ratification of payroll and direct deposit vouchers as listed in the report provided by the Finance Department by the following roll call vote:

AYES: Nagel, Collins, Carrozzo, Brothers, Crandall

NOES: None

Motion Passed 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 Mayor Pro Tem/Agency Vice Chair Brothers to approve the register of demands as listed in the report provided by the Finance Department by the following roll call vote:

AYES: Nagel, Collins, Carrozzo, Brothers, Crandall

NOES: None

Motion Passed 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 Carrozzo to approve the Agency register of demands as listed in the report provided by the Finance Department by the following roll call vote:

AYES: Nagel, Collins, Carrozzo, Brothers, Crandall

NOES: None

Motion Passed 5-0

**PUBLIC APPEARANCES -- ORAL COMMUNICATIONS (Unscheduled Matters Only)
(Speakers Must Limit Remarks to Five Minutes)**

Lisa Ball a representative of the South Coast Air Quality Management District thanked the City of Fountain Valley for airing their "State Of The Air" video.

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

Mayor/Agency Chair Crandall announced his intention of attending the Orange County Sanitation District meeting the next day, his attendance at the Ground Water Replenishment Web-Site meeting, the "Every Fifteen Minute" program at Fountain Valley High School, the City's Easter Egg Hunt and the California Elwyn Bowling Fundraiser.

Mayor Pro Tem/Agency Vice Chair Brothers announced Vector Control's intention of hiring a new Director; on April 23rd the League of California Cities will be hosting a cell tower workshop at City Hall; and on May 1st Historical Society Event

Council/Agency Member Nagel announced his attendance at the Water Education Event hosted at the Nixon Library, the City sponsored Easter Egg Hunt, and his attendance at a division of the League of California Cities Administrative Services Committee meeting.

Council/Agency Member Collins announced his attendance at the Welcoming for the Thomas House Walk-a-Thon, the Santa Ana Flood Control Protection Authority meeting, the Legislative Reception at the F.V. Senior/Community Center, the Eagle Scout presentation on March 30, the "Every Fifteen Minutes" program, the F.V. Easter Egg Hunt, and the Elwyn Bowling Fundraiser.

Council/Agency Member Carrozzo announced his attendance at the F.V. Easter Egg Hunt, the Jasmine Senior Apartment Appreciation Luncheon, the Legislative Reception, the "Every Fifteen Minute" program and his April 7 attendance at the Executive Committee of the Orange County Library Board.

ADJOURNMENT

Mayor/Agency Chair Crandall adjourned the City of Fountain Valley City Council/Agency for Community Development meeting at 7:42 p.m. in memory of Beverly Burnett, to the next scheduled meeting of April 20, 2010.

Mayor/Agency Chair Larry R. Crandall

Kathleen Heard, Deputy City Clerk/Agency Secretary