

# **CITY OF FOUNTAIN VALLEY**

## **Minutes**

**City of Fountain Valley City Council/ Agency for Community Development  
Regular Meeting  
December 15, 2009**

### **CALL TO ORDER**

Mayor/Agency Chair Crandall called the meeting to order at 7:00 p.m.

### **INVOCATION**

Pastor Carl Vaters 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 Members Present: Nagel, Brothers, Carrozzo, Collins, Crandall  
Council/Agency Members Absent: None

### **ALSO PRESENT**

Management Analyst Matt Mogensen, Community Services Manager Mark Nix, Planning and Building Director Andy Perea, Fire Chief Bill Walker, Police Chief Paul Sorrell, Acting Finance Director/City Treasurer Sherri Holman, Public Works Director/City Engineer Mark Lewis, Personnel Manager Jean Hirai, Housing Coordinator Brent Hoff, City Planner Steven Ayers, City Attorney Alan Burns, City Manager Raymond Kromer, Deputy City Clerk Kathy Heard

### **ANNOUNCEMENT OF LATE COMMUNICATIONS**

Deputy City Clerk Kathy Heard confirmed the following late communications were received and distributed to Council, staff and made available to the public.

- Changes made to page 5 of the Agenda
- Changes made to Public Hearing Item 1, page 6 of Resolution 9238 and receipt of a comment letter from the California Department of Transportation with reference to the 2009 Housing Element of the General Plan
- Changes made to Consent Calendar Item 5, page 200, and Consent Calendar Item 12, page 493

## APPROVAL OF MINUTES

**(Council/Agency)** Consideration of approval of the minutes of the City Council/Agency for Community Development meeting held on December 1, 2009 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 December 1, 2009 as distributed*

AYES: Nagel, Brothers, Carrozzo, Collins, Crandall  
NOES: None

***Motion Passes 5-0***

## PUBLIC HEARING

1. **(Council)** Public hearing to consider the adoption of a resolution of the City of Fountain Valley City Council approving the City of Fountain Valley 2009 Housing Element and Mitigated Negative Declaration.

**RESOLUTION NO. 9238** A Resolution of the City of Fountain Valley City Council Adopting the 2009 Housing Element of the Fountain Valley General Plan

Planning/Building Director Andy Perea gave a brief PowerPoint presentation on the City's Housing Element, one of nine elements of the City's General Plan. Mr. Perea stated that as required by the State Housing and Community Development Department the City has updated its Housing Element that identifies its programs and resources required for the preservation, improvement and development of housing to meet the existing and projected needs of its population through the year 2014.

Mayor/Agency Chair Crandall opened the public hearing.

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

- *Motion by Council/Agency Member Collins, second by Council/Agency Member Carrozzo to adopt Resolution 9238 a resolution of the City of Fountain City Council adopting the 2009 Housing Element of the Fountain Valley General Plan.*

AYES: Nagel, Brothers, Carrozzo, Collins, Crandall  
NOES: None

***Motion Passes 5-0***

## 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, Brothers, Carrozzo, Collins, Crandall  
NOES: None

**Motion Passes 5-0**

## ORDINANCES FOR ADOPTION

2. **Ordinance No. 1440** An Ordinance of the City Council of the City of Fountain Valley Repealing and Reenacting Chapter 21.20 of the Fountain Valley Municipal Code Pertaining to Landscaping

- *Motion by Council/Agency Chair Crandall, second by Council/Agency Member Brothers to adopt Ordinance 1440 an ordinance of the City Council of the City of Fountain Valley repealing and reenacting Chapter 21.20 of the Fountain Valley Municipal Code pertaining to landscaping.*

AYES: Nagel, Brothers, Carrozzo, Collins, Crandall  
NOES: None

**Motion Passes 5-0**

3. **Ordinance No. 1441** An Ordinance of the Fountain Valley City Council Approving Zone Change No. 422 Pre-zoning the Unincorporated South County Island to M-1 Manufacturing

- *Motion by Council/Agency Member Collins, second by Council/Agency Member Nagel to adopt Ordinance 1441 an ordinance of the Fountain Valley City Council approving Zone Change No. 422 pre-zoning the unincorporated South County Island to M-1 manufacturing.*

AYES: Nagel, Brothers, Carrozzo, Collins, Crandall  
NOES: None

**Motion Passes 5-0**

## CONSENT CALENDAR

**Action:** *If desired, motion to approve Council Items 4 through 15.*

4. **(Council)** Adoption of a resolution memorializing the City Council's approval of Conditional Use Permit No. 1678 filed by T-Mobile West Corporation to construct a wireless telecommunication facility at 8675 Bluebird Avenue.

**RESOLUTION NO. 9236** A Resolution of the City of Fountain Valley City Council Approving the Appeal of T-Mobile West Corporation Regarding Conditional Use Permit No. 1678

*Consent Calendar Item #4 was pulled for further discussion by Council/Agency Member Carrozzo who stated his previous objection to the construction of the T-Mobile wireless telecommunication facility at 8675 Bluebird Avenue during the November 3, 2009 City Council/Agency meeting in which he voted not to approve the appeal of the Planning Commission's denial of Conditional Use Permit 1678.*

- *Motion by Council/Agency Chair Crandall, second by Council/Agency Member Collins to approve Resolution 9236, Consent Calendar Item 4.*

AYES: Brothers, Collins, Crandall  
NOES: Nagel, Carrozzo

### **Motion Passes 3-2**

5. **(Council)** Agreement to jointly deliver the 2010-2013 Orange County Cities Energy Efficiency Partnership Program between the City of Fountain Valley and Southern California Edison Company.

**RESOLUTION NO. 9237** A Resolution of the City of Fountain Valley City Council Approving an Agreement to Jointly Deliver the 2010-2013 Orange County Cities Energy Efficiency Partnership Program Between the City of Fountain Valley and Southern California Edison Company

6. **(Council)** Approval to amend the City of Fountain Valley Fiscal Year 2009/2010 Statement of Investment Policy.
7. **(Council)** Authorization to submit an application to the Department of Energy for their Energy Efficiency And Conservation Block Grant Program in the amount of \$533,100 for the modernization of heating and air conditioning equipment at city facilities.
8. **(Council)** Acceptance of the final invoice for emergency repair of the Police Department heating, ventilation, and air conditioning system; and amendment of the General Fund and the Government Building Fund (Fund 62) in the amount of \$17,555.
9. **(Council)** Approval of Amendment No. 3 to the lease agreement between the Boys and Girls Clubs of Huntington Valley and the City of Fountain Valley for the use of the former Community Services building located at 10200 Slater Ave., Fountain Valley, California.

10. **(Council)** Approval of Amendment No. 2 in an amount not to exceed \$38,608 to AKM Consulting Engineers, Contract No. 07-61 for construction management services and engineering services related to the construction of Well No. 9, Project No. WU832.
11. **(Council)** 1) Acceptance of the bid and award of a contract in the amount of \$711,856.53 to R.J. Noble Company for project construction; and 2) Acceptance of proposals and award of contracts in the amount of \$41,184 to Caltrop Corporation for construction inspection and \$15,896 to Group Delta Consultants for material testing; for the rehabilitation and resurfacing of Bushard Street from Ellis Avenue to Talbert Avenue and Warner Avenue from Magnolia Street to Bushard Street, Project No. TI556.
12. **(Council)** Approval of Amendment No. 3 to the Charles Abbott Associates Contract for Building Consultant Services.
13. **(Council)** Acceptance of a proposal and award of a contract to Bucknam and Associates in the amount of \$173,000 to update the City's Infrastructure Management Programs.
14. **(Council)** Approval of a lease agreement between T-Mobile and the City for a cellular telephone site within Harper Park, west of the Southern California Edison easement.
15. **(Council)** Authorization to waive the bidding requirements per FVMC 2.36.120(3) and issue a purchase order to Quetel in the amount of \$25,830 to update the Quetel Evidence Traq System utilizing a combination of General Fund and Asset Forfeiture monies.

- *Motion by Council/Agency Member Collins, second by Council/Agency Member Brothers to approve Consent Calendar Items 5 through 15.*

AYES: Nagel, Brothers, Carrozzo, Collins, Crandall  
 NOES: None

***Motion Passes 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 Nagel, second by Council/Agency Member Collins to ratify the payroll listed in the report provided by the Finance Department by the following roll call vote:*

AYES: Nagel, Brothers, Carrozzo, Collins, Crandall  
 NOES: None

***Motion Passes 5-0***

(Council) Consideration of Register of Demands:

Checks, ACH Vendor Payment, and Electronic Transfers as listed in the report.

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

AYES: Nagel, Brothers, Carrozzo, Collins, Crandall  
 NOES: None

**Motion Passes 5-0**

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

Dr. Sharon Gertsenzang, 10478 Sioux River Circle spoke against the sale of the fairgrounds located in Costa Mesa.

Mayor/Agency Chair Crandall announced the recommended appointments to the following committees noting an addition of a second appointed member to the Fountain Valley Community Foundation.

**APPOINTMENTS**

- Advisory Committee for the Disabled
- Orange County Vector Control (4 year term)
- Fountain Valley Community Foundation
- Public Cable Television Authority (PCTA)
- Santa Ana River Flood Protection Agency
- League of California Cities
- Southern California Joint Powers Authority
- Legislative Committee
- Orange County Sanitation District
- Interjurisdictional Planning Forum (GMA 2)
- Interjurisdictional Planning Forum (GMA 6)
- Orange County Library Advisory Board
- OCTA I-405 Policy Working Group (PWG)
- OCTA Central County Corridor MIS Policy Advisory Committee
- Orange County Council of Governments (OCCOG)

<u>Delegate</u>	<u>Alternate</u>
Collins	Nagel
Brothers	None
Nagel/Carrozzo	None
Brothers/Nagel	None
Collins	Lewis
Crandall	Mayoral Rotation
Collins	Kromer
Brothers/Carrozzo	None
Crandall	Nagel
Crandall	Lewis
Crandall	Lewis
Carrozzo	None
Crandall	Collins
Crandall	Collins
Brothers	

- Motion by Council/Agency Member Collins, second by Council/Agency Member Carrozzo to approve the recommended appointments to the various committees and commissions.

AYES: Nagel, Brothers, Carrozzo, Collins, Crandall  
 NOES: None

**Motion Passes 5-0**

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

Council/Agency Member Brothers shared an announcement made at the WACO meeting on the previous Friday stating Orange County LAFCO and six other Southern California LAFCO groups would not be rejoining CALAFCO in July of 2010.

Council/Agency Member Collins mentioned his attendance at the WACO meeting, the volunteer luncheon at the Senior Center and his previous attendance at the Manufactured Housing Education Trust breakfast.

Council/Agency Member Carrozzo announced his attendance at the volunteer luncheon at the Senior Center.

Council/Agency Chair announced his intention of attending the O.C. Sanitary District operations and administrative meeting the next evening.

**ADJOURNMENT**

Mayor/Agency Chair Crandall adjourned the City of Fountain Valley City Council and Agency for Community Development meeting in memory of Wes Bannister and Marty Blitz at 7:25 p.m. to the next scheduled meeting of January 19, 2010.

  
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Mayor/Agency Chair Larry Crandall

  
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Kathleen Heard, Deputy City Clerk/Agency Secretary