

**CITY OF FOUNTAIN VALLEY
REGULAR COUNCIL MEETING**

December 18, 2007

MINUTES

CALL TO ORDER

Mayor Collins called to order the regular City Council meeting of December 18, 2007 at 7:03 p.m.

CLOSED SESSION

Mayor Collins announced that pursuant to Government Code Section 54957.6, the Council held a Closed Session to confer with the negotiation team of Ray Kromer, Jean Hirai and attorneys Alan R. Burns and Steve Filarsky regarding labor negotiations with the Fountain Valley Firefighter's Association, and that no actions were taken to report at this time.

INVOCATION

Police Chaplain Arvin Gowens gave the invocation.

SALUTE TO THE FLAG

Council Member Cheryl Brothers led the salute to the flag of the United States.

ROLL CALL

Council Members Present: Ayer, Carrozzo, Collins, Crandall, Brothers
Council Members Absent: None

Also Present: City Manager Ray Kromer, City Attorney Alan Burns, Community Services Manager Mark Nix, Field Services Manager, Finance Director/City Treasurer Liz Fox, Fire Chief Bill Walker, Housing Coordinator Brent Hoff, Personnel Manager Jean Hirai, Planning Director Andy Perea, Police Chief Paul Sorrell, and City Clerk Robin Roberts.

APPROVAL OF MINUTES

Motion by Council Member Ayer, second by Mayor Pro Tem Carrozzo, to approve the minutes of the regular City Council meeting held on December 4, 2007 as distributed.

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins
Noes: None
Motion Carried

PRESENTATIONS

There were no presentations scheduled for this meeting.

READING OF ORDINANCES:

There were no ordinances for introduction or adoption scheduled for this meeting.

PUBLIC HEARINGS

There were no public hearings scheduled for this meeting.

CONSENT CALENDAR

Item No. 10 was pulled for further discussion by Council Member Crandall.

- 1. Amend The 2007-2008 Budget And Appropriate Fitness Room Sponsorship Funds Of \$3,600 To Fund Community Services Division Fitness Programs And Fitness Equipment Maintenance**

(City Council amendment to the 2007-2008 Budget and appropriate fitness room sponsorship funds of \$3,600 to fund the Community Services Division fitness programs and fitness equipment maintenance.)

- 2. Approval To Waive Bidding Requirements Per Fountain Valley Municipal Code 2.36.110 (PAR 5) And Authorization To Issue A Purchase Order For A New 2008 Ford Crew Cab Dump Bed Truck In The Amount Of \$55,213 Utilizing The Cooperative Contract Held By The County Of San Bernardino Through Pasadena Ford**

(City Council waiver of the bidding requirements pursuant to Fountain Valley Municipal Code 2.36.110 (Par 5) and authorization to issue a purchase order in the amount of \$55,213 for one 2008 Ford F450 crew cab dump bed truck.)

- 3. Adopt A Resolution Entering Into A Memorandum Of Understanding With The City Of Anaheim Authorizing Participation In The "AVOID The 28" Driving Under The Influence Campaign**

Resolution No. 9155 A Resolution Of The City Council Of The City Of Fountain Valley Entering Into A Memorandum Of Understanding With The City Of Anaheim Authorizing Participation In The "Avoid The 28" Driving Under The Influence Campaign

- 4. Enter Into An Agreement With The California State University Long Beach Foundation (CSULB) Tobacco Free Communities Project To Provide Ongoing Tobacco Prevention Education And Cessation Services Until June 20, 2008 And Amend The Fiscal 2007-2008 Budget And Accept Donations From The CSULB Foundation To The Retired Senior Volunteer Donation Account**

(City Council approval to enter into an agreement with the California State University Long Beach Foundation (CSULB) Tobacco Free Communities Project to provide ongoing tobacco prevention education and cessation services.)

- 5. Acceptance Of The Final Map For Tract No. 16608 For Property Located Within The Los Caballeros Sports Complex**

(City Council acceptance of final map for Tract No. 16608 for property located within the Los Caballeros Sports Complex.)

- 6. Approval Of Fiscal Year 2006-2007 Annual Report For The Fountain Valley Agency For Community Development**

(City Council acceptance of the Annual Report and direction to staff to forward a copy of the report to the State of California Controller's office.)

- 7. Rejection of Bids And Authorization To Modify The Specifications And Re-advertise For The Rehabilitation of Well No. 6, Project No. WU 703**

(City Council approval to reject the bids and authorization for staff to modify the specifications and re-advertise for the rehabilitation of Well No. 6, Project No. WU 703.)

- 8. Approval Of Amendment No. 5 To Contract No. 01-61 Willdan Consulting For Additional Professional Engineering Services Required For 17481 Newhope Street For The Widening And Improvement Of The Intersection Of Newhope Street And Slater Avenue, Project No. TI 258**

(City Council approval to Amendment No. 5 to Contract No. 01-61 for additional professional engineering services required as a result of the pending right-of-way acquisition of 17481 Newhope Street.)

- 9. Approval Of Contract Change Order No. 4 To Contract No. 07-17 (Valley Crest Landscape Development) In The Amount Of \$332,539.40 For The Recreation Center Master Plan Expansion, Project No. PI 790**

(City Council approval of Contract Change Order No. 4 to Contract No. 07-17 in the amount of \$332,539.40 for Project No. PI 790.)

11. Acceptance Of The Proposal And Award Of A Contract To Buckman And Associates, Inc., In the Amount of \$45,482 For The Bi-Annual Pavement Management System Update, Project No. GT 005

(City Council acceptance of the proposal and award a contract to Buckman and Associates, Inc., in the amount of \$45,482 for the bi-annual update of the City's Pavement Management System, Project No. GT 005.)

Motion by Council Member Crandall, second by Council Member Brothers, to approve Consent Calendar Items No.'s 1 through 9, and 11.

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins
Noes: None
Motion Carried

10. Acceptance Of Bids And Award Of A Contract To Calmex Engineering, Inc. For The Rehabilitation And Resurfacing Of Talbert Avenue From Newland Street To Magnolia Street And Brookhurst Street From Warner Avenue To Heil Avenue, Project No. TI 606

(City Council acceptance of the bids and award of a contract to low bidder, Calmex Engineering Inc., in the amount of \$887,211.37 for Rehabilitation Project No. TI 606.)

At the request of Council Member Crandall, Field Services Manager Bob Kellison described the process of qualifying a responsive low bid contractor including prior performance reference checks.

City Attorney Alan Burns then provided information on the process that would be required, should Council not accept the responsive low bidder for this project.

Motion by Council Member Crandall, second by Council Member Brothers, to approve Consent Calendar Item No. 10.

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins
Noes: None
Motion Carried

ADMINISTRATIVE ITEM

There were no administrative items scheduled for this meeting.

PRESENTATION OF DEMANDS

- (1) Ratification of Payroll: 258669, 263962 – 264961, 264962 – 264966 and Direct Deposit Vouchers as listed in reports

Motion by Council Member Crandall, second by Mayor Pro Tem Carrozzo, to ratify the payroll including the vouchers as listed in the report by the following roll call vote:

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins
Noes: None
Motion Carried

- (2) Consideration of Register of Demands: 163128 – 163328, ACH Vendor Payments; and electronic transfers as listed in the report

Motion by Council Member Crandall, second by Mayor Pro Tem Carrozzo, to approve the Register of Demands as listed in the report, including ACH Vendor payments and electronic bank transfers, by the following roll call vote:

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins
Noes: None
Motion Carried

RECESS

Mayor Collins recessed the regular Council meeting at 7:11 p.m. to an Agency for Community Development meeting.

RECONVENE

Mayor Collins reconvened the regular Council meeting at 7:19 p.m. with all Council Members present.

WRITTEN COMMUNICATIONS

City Manager Ray Kromer announced that there were no written communications.

PUBLIC APPEARANCES -- ORAL COMMUNICATIONS (Unscheduled Matters Only)

Perry Goldstein, a Fountain Valley resident, spoke about his concerns on the City's practice regarding holiday displays; specifically, the Freedom Tree which he feels includes only the Christmas celebration. He further stated that he is in favor of the City celebrating Christmas, yet would like Hanukkah acknowledged also so that all of the community could celebrate together. In conclusion he requested that the City establish a citizen's committee to review the holiday display issue.

APPOINTMENTS

Mayor Collins read the following proposed Council appointments to outside advisory boards and committees listed and referenced in the City Clerk memorandum related to Red Folder items for this meeting:

<u>Committee:</u>	<u>Delegate</u>	<u>Alternate</u>
Advisory Committee for the Disabled	Collins	Ayer
Public Cable Television Authority (PCTA)	Brothers/Ayer	-----
Santa Ana River Flood Protection Agency	Carrozzo	Lewis
League of California Cities	Collins	Mayoral Rotation of Council
Southern California Joint Powers Insurance Authority	Collins	Kromer
Legislative Committee	Brothers/Carrozzo	-----
Orange County Sanitation District	Crandall	Ayer
Interjurisdictional Planning Forum (GMA 2)	Crandall	-----
Interjurisdictional Planning Forum (GMA 6)	Ayer	-----
Orange County Library Advisory Board	Carrozzo	-----
OCTA 405 Major Investment Study Policy	Ayer/Crandall	-----
Orange County/City Hazardous Material Emergency Response Authority	Brothers	Paesani
Orange County Council of Governments	Brothers	Ayer

Motion by Mayor Pro Tem Carrozzo, second by Council Member Crandall, to approve the Council appointments as listed.

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins
Noes: None
Motion Carried

COUNCIL COMMENTS (Outside Committee, AB1234 Disclosure, General)

Council Member Ayer thanked Mr. Goldstein for taking the time to attend this meeting, then noted that as the Tree Lighting event becomes larger, there will be a need to look into more activities and abilities to display symbols of religious freedoms.

Mayor Pro Tem Carrozzo asked for prayers for the troops serving in Iraq and Afghanistan.

Council Member Brothers spoke about the Green Exchange Conference in Los Angeles of which her attendance was sponsored by the League of California Cities.

Council Member Crandall reported the Ground Water Replenishment Program ground breaking ceremony will be January 25th, at 11:00 a.m., and that the next Orange County Sanitation District meeting is tomorrow evening. He then discussed the agenda subject titled "Written Communication" and requested that this item be removed from the calendar as no such documents have been received.

After inquiry by Council Member Crandall, City Attorney Alan Burns and City Manager Ray Kromer concurred that there is no need for this subject on the agenda

ADJOURNMENT

Mayor Collins adjourned the meeting in memoriam of Charles Arthur Henry at 7:32 p.m. to the scheduled meeting on January 15, 2008, noting that the January 1, 2008 meeting is canceled due to the holiday.



John J. Collins, Mayor
City of Fountain Valley

ATTEST:



Robin Roberts, City Clerk