

**CITY OF FOUNTAIN VALLEY  
CITY COUNCIL  
AGENCY FOR COMMUNITY DEVELOPMENT**

**MINUTES  
February 3, 2009**

**STUDY SESSION**

**To discuss goal and objectives to be incorporated into urban design and site planning study to be prepared by University of California Irvine on properties within the Industrial Area Redevelopment Project.**

- Mr. Perea gave a brief introduction stating that graduate students from the University of California, Irvine's Department of Social Ecology, Planning, Policy and Design Department selected the City of Fountain Valley's Industrial Area to conduct a study as part of a 20 week studio to analyze strengths, weaknesses and opportunities for redevelopment and reuse. The students will focus on the industrial area south of the San Diego Freeway, north of Ellis Avenue and east of Ward. Mr. Perea introduced Mr. Mike Ruane and Mr. Chip Clithroue.
- Mr. Mike Ruane and Mr. Chip Clithroue gave background information on the Studio requirement for the Masters program stating the study begins in January and by June the presentation will be ready to present to City Council and the Planning Commission.
- The graduate students presented the City Council and Planning Commission with questions regarding their expectations of the project. Discussion ensued with the City Council and Planning Commission regarding their vision of the area.

**To discuss miscellaneous planning and zoning issues including signage, building heights, conditional use permits, and other related items.**

- Mr. Perea addressed the City Council and Planning Commission; stating that staff has identified sections of the Code that could be updated to better meet the need of the community. Discussion ensued with the City Council and Planning Commission regarding pursuing studies to consider amendment to certain sections of the Fountain Valley Development Code.

Mayor Carrozzo called the Fountain Valley Council meeting to order at 7:07 p.m.

## **INVOCATION**

Chaplain Arvin Gowens gave the invocation.

## **SALUTE TO THE FLAG**

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

## **ROLL CALL**

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

**Also Present:** City Manager Ray Kromer, City Attorney Alan Burns, Deputy City Clerk Kathy Heard, Finance Director/City Treasurer Elizabeth Fox, Fire Chief Bill Walker, Management Analyst Matt Mogensen, Personnel Manager Jean Hirai, Planning Director Andy Perea, Police Chief Paul Sorrell, Public Works Director/City Engineer Mark Lewis and City Clerk Robin Roberts.

## **APPROVAL OF MINUTES**

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

- **Motion by Council Member Brothers, second by Council Member Nagel to approve the minutes of the City Council/Agency for Community Development meeting held on January 20, 2009 as distributed.**

Ayes: Nagel, Crandall, Collins Brothers, Carrozzo

Noes: None

**Motion Carried**

## **PRESENTATIONS**

Gail Butler, Executive Director of the Orange County Chapter of Mothers Against Drunk Drivers (MADD), presented a Deuce Award to Officer Don Farmer.

## **READING OF ORDINANCES**

- **Motion by Council Member Collins, second by Mayor Pro Tem Crandall, to approve the reading in full of all ordinances under consideration and direct the Mayor to read by titles only.**

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

(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

- **Motion by Council Member Collins, second by Council Member Nagel to approve the adoption of Ordinance No.1426.**

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

(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

- **Motion by Council Member Collins, second by Council Member Brothers to approve the adoption of Ordinance No.1427.**

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

## **CONSENT CALENDAR**

Consent Item #3 was pulled by Council Member Crandall for further discussion. Council Member Collins asked that Item #6 of the Consent Calendar be pulled for clarification of a question about an item on page 65 of the agenda.

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.

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.

- **Motion by Council Member Collins, second by Mayor Pro Tem Crandall to approve Consent Calendar Items 4, 5 and 7.**

Ayes: Nagel, Collins, Crandall, Brothers, Carrozzo

Noes: None

**Motion Carried**

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).

Council Member Crandall, having spoken previously with the City Attorney Alan Burns regarding his concerns with this item expressed his wish to defer to the City Attorney for an explanation of the conflict regarding this item. Mr. Burns stated that there might be a conflict of interest about reaching a quorum on this item since the property in question is close to a few members of the City Council's properties. Therefore, since the Director of Public Works, Mark Lewis stated that this was not a critical matter; he suggested that the item be brought back to a future date after a suitable study on the issue was completed.

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. T1363 and Brookhurst Street from Talbert Avenue to Garfield Avenue and Talbert Avenue from Bushard Street to Brookhurst Street, Project No. T1612, Contract No. 08-07.

Council Member Collins questioned a statement made in the staff report regarding the remaining budget amount that did not include an Orange County Sanitation District reimbursement in the estimated amount of \$425,000.00. Director of Public Works, Mark Lewis stated that the item referred to in the staff report was in error and that the amount owed by the Orange County Sanitation District was in fact included in the total budget of \$4.4 million.

- **Motion by Council Member Collins, second by Mayor Carrozzo to approve Consent Calendar Item 6.**

Ayes: Nagel, Collins, Crandall, Brothers, Carrozzo

Noes: None

**Motion Carried**

## PRESENTATION OF DEMANDS

(1) Council Ratification of Payroll: 258705, 258706, 264631 - 264757 and Direct Deposit Vouchers as listed in the report.

- **Motion by Council Member Nagel, second by Council Member Collins to ratify the payroll listed in the report provided by the Finance Director/City Treasurer by the following roll call vote:**

Ayes: Nagel, Collins, Crandall, Brothers, Carrozzo

Noes: None

**Motion Carried**

(2) Council Consideration of Register of Demands: 169445 – 169671, ACH Vendor Payments; and Electronic Transfers as listed in the report.

- **Motion by Mayor Pro Tem Crandall, second by Council Member Nagel to approve the register of demands listed in the report provided by the Finance Director/City Treasurer by the following roll call vote:**

Ayes: Nagel, Collins, Crandall, Brothers, Carrozzo

Noes: None

**Motion Carried**

(3) Agency Register of Demands: Electronic transfers as listed in the report.

- **Motion by Agency Vice Chair Crandall, second by Agency Member Collins to approve the electronic bank transfers as listed in the report by the following Agency roll call vote:**

Ayes: Nagel, Collins, Crandall, Brothers, Carrozzo

Noes: None

**Motion Carried**

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

Council Member Crandall stated that he attended the Orange County Sanitation District CASA Conference and expressed his concerns regarding the State's possible seizure of a portion of the one trillion dollar budget.

Council Member Nagel announced his attendance at the Fountain Valley Foundation Meeting stating that the Foundation received 11 applications for scholarships.

Council Member Brothers announced her attendance at the PCTA meeting stating that the Authority had purchased a vehicle outfitted with recording and editing equipment to film Channel 3 events. She also mentioned her appointment to the California LAFCO Board of Directors.

Council Member Collins affirmed his attendance at the Santa Ana River Flood Protection Agency and discussed funding to make improvements at the two County dams and Santa Ana River. Council Member Collins also confirmed his attendance at the Water Advisory Council Committee of Orange County stating the county will face challenges in accessing water in the coming years.

Mayor Carrozzo adjourned the City of Fountain Valley City Council and Agency for Community Development meeting at 7:31 p.m. to the next scheduled meeting of February 17, 2009.

  
Guy Carrozzo, Mayor/Agency Chair

  
Robin Roberts, City Clerk/Agency Secretary