

City Council/Agency for Community Development

June 7, 2011

Special Meeting

Minutes

CLOSED SESSION: 4:30 p.m.

(Council) Conference with City Attorney – Existing Litigation (Government Code 54956.9(a))
Environmental Assessment and Remediation v. City of Fountain Valley, Butier OCSC No. 30-
2010-003 444 62

STUDY SESSION: 5:11 p.m.

PowerPoint Presentations by Sherri Holman, Finance Director/Treasurer, and Temo Galvez,
Senior Civil Engineer, provided an overview of the 2011-2012 Fiscal Year Operating Budget and
Ten-Year Fiscal Forecast

REGULAR MEETING

CALL TO ORDER 6:01 p.m.

INVOCATION Mayor Pro Tem John J. Collins gave the invocation.

SALUTE TO THE FLAG Council Member Mark McCurdy led the salute to the flag of the
United States.

ROLL CALL
Council/Agency Member Crandall
Council/Agency Member McCurdy
Council/Agency Member Vo
Mayor Pro Tem/Agency Vice Chair Collins
Mayor/Agency Chair Nagel

ALL PRESENT

Mayor/Agency Chair Nagel reported that no action was taken on the Closed Session
Council item.

ANNOUNCEMENT OF LATE COMMUNICATIONS

- Industrial/Commercial Trash Rate Survey
- List of the 54 protest letters received on the proposed residential trash rate increase from
Rainbow Disposal

APPROVAL OF MINUTES

(Council/Agency) Minutes of the City Council/Agency for Community Development meeting
held on May 17, 2011

ACTION: Approve May 17, 2011 minutes as distributed

MOVED: Collins SECOND: Vo

MOTION CARRIED BY UNANIMOUS VOTE

PRESENTATIONS None

PUBLIC APPEARANCES (Scheduled Matters Only): None

READING OF ORDINANCES

ACTION: Waive the reading in full of all ordinances under consideration and direct the Mayor to read by titles only.

MOVED: Crandall SECOND: Collins

MOTION CARRIED BY UNANIMOUS VOTE

PUBLIC HEARINGS

1. *(Council)* Public protest hearing regarding Rainbow Disposal's request for a residential trash rate increase in compliance with Proposition 218; and adopt a Resolution establishing the proposed residential trash rate increase.

RESOLUTION NO. 9309 A Resolution of the City Council of the City of Fountain Valley Establishing the Fiscal Year 2011/2012 Residential Trash Collection Rates

Steve Hauerwaas, Environmental Services Manager, reviewed the staff report. Rainbow Disposal is requesting a 1.8% rate increase due to the increase in landfill rates. Rainbow's last rate increase was in 2006.

Mayor Nagel opened the public hearing.

Several speakers from the audience spoke on the proposed trash rate increase.

Mayor Nagel closed the public hearing.

Council members responded to comments from the public speakers and stated that staff had done a good job with delaying the proposed rate increase.

The City Clerk announced that 51 written responses were received by the end of the protest hearing. Fifty (50) were in opposition to the proposed increase, with one (1) neutral response. A majority protest was not received.

ACTION: Approval of Resolution No. 9309
MOVED: Crandall SECOND: Collins
MOTION CARRIED BY UNANIMOUS VOTE

2. *(Council)* A Resolution adopting the 2010 Urban Water Management Plan pursuant to California Water Code 10610 to 10656.

RESOLUTION NO. 9307 A Resolution of the City Council of the City of Fountain Valley Adopting the Urban Water Management Plan Pursuant to California Water Code 10610 to 10656

Michael Hurley, representing Malcolm Pirnie, Inc. the consultant selected to assist with updating the City's Urban Water Management Plan, provided a PowerPoint presentation on the plan.

Mayor Nagel opened the public hearing; hearing no requests, the Mayor closed the public hearing.

ACTION: Approval of Resolution No. 9307
MOVED: Collins SECOND: VO
MOTION CARRIED BY UNANIMOUS VOTE

3. (Council) Code Amendment No. 10-1 - An amendment to the Fountain Valley Municipal Code Section 21.28 regarding wireless communication facilities. First Reading

ORDINANCE NO. 1464 An Ordinance of the Fountain Valley City Council Approving Code Amendment No. 10-01 Amending Fountain Valley Municipal Code Title 2.28 Regarding Wireless Communication Facilities

Andy Perea, Planning/Building Director, reviewed the staff report and provided a PowerPoint presentation.

Mayor Nagel opened the public hearing; hearing no requests, the Mayor closed the public hearing.

ACTION: Passage of Ordinance No. 1464 to the second reading for adoption
MOVED: Collins SECOND: Crandall
MOTION CARRIED BY UNANIMOUS VOTE

CONSENT CALENDAR

4. (Council/Agency) Set a public hearing to consider the City of Fountain Valley's and the Fountain Valley Agency for Community Redevelopment 2011-2012 Fiscal Year Operating Budgets and the Ten-Year Fiscal Forecast; the annual Schedule of Fees and Charges; the annual Appropriations Limit; the annual agreement with the Fountain Valley Agency for Community Development relating to the Agency Program and Capital Improvement Budget and financing thereof; and the annual Schedule of Property Rental and charges for administrative services for the Municipal Water Utility.

5. (Council) A Resolution concerning the status of the Circulation Element for the City.

RESOLUTION NO. 9308 A Resolution of the City Council of the City of Fountain Valley Concerning the Status of the Circulation Element for the City of Fountain Valley

ACTION: Approve Consent Calendar Items 4 and 5.
MOVED: Collins SECOND: Crandall
MOTION CARRIED BY UNANIMOUS VOTE

ADMINISTRATIVE ITEMS

6. (Council) Consideration of Rainbow Disposal's request to increase commercial and industrial trash rates by 3.64%.

Steve Hauerwaas, Environmental Services Administrator, reviewed the staff report.

ACTION: Approve Administrative Item 6
MOVED: Crandall SECOND: Collins
MOTION CARRIED BY UNANIMOUS VOTE

7. (Council) Consideration of Proposed Fountain Valley Government Access Television Channel Programming Policy.

Matt Mogensen, Assistant to the City Manager, reviewed the staff report.

ACTION: Approve Administrative Item 7
MOVED: Crandall SECOND: Collins
MOTION CARRIED BY UNANIMOUS VOTE

PRESENTATION OF DEMANDS

(Council) Ratification of Payroll: Checks and Direct Deposit Vouchers.

MOVED: Crandall SECOND: Collins
MOTION CARRIED BY UNANIMOUS VOTE

(Council) Register of Demands: Checks, ACH Vendor Payment, and Electronic transfers.

MOVED: Crandall SECOND: Vo
MOTION CARRIED BY UNANIMOUS VOTE

PUBLIC APPEARANCES -- (Unscheduled Matters Only): None

COUNCIL/AGENCY COMMENTS (AB1234 Reporting and General Comments)

Mayor Pro Tem Collins

- Attended Santa Ana River Flood Protection Agency Executive Board meeting
- Attended the Orange County Government Leader's Prayer Breakfast
- Attended Memorial Day Ceremony held by the city
- Attended Disabled Dance

Council Member Vo

- Attended the Public Cable Television Authority meeting
- Attended Memorial Day Ceremony held by the city
- Attended the Ribbon Cutting Ceremony for Italian Express and McDonalds

Council Member Crandall

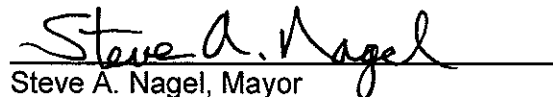
- Attended the Ribbon Cutting Ceremony for the new McDonalds
- Announced that Orange County Sanitation District won first place for Plant of the Year
- Announced his upcoming trip to Washington D.C. and a scheduled lunch date with Senator Feinstein
- Mentioned his opposition to a Bill by Senator Correa that is now in the Assembly

Mayor Nagel

- Attended the Public Cable Television Authority meeting
- Attended an Eagle Scout Ceremony

ADJOURNMENT: 7:07 P.M.

Mayor Nagel adjourned the Fountain Valley City Council and the Agency for Community Development meeting to the next schedule meeting of June 21, 2011, at 6:00 p.m.


Steve A. Nagel, Mayor


Kathleen Heard, Deputy City Clerk