



Ray Kromer
City Manager

Alan R. Burns
City Attorney

AGENDA

CITY COUNCIL AND AGENCY FOR COMMUNITY DEVELOPMENT CITY OF FOUNTAIN VALLEY

Special Meeting

June 7, 2011

4:30 p.m.

Council Chambers

10200 Slater Avenue

Fountain Valley, CA 92708

<http://www.fountainvalley.org>

Mayor and City
Council

Steve A. Nagel
Mayor

John J. Collins
Mayor Pro Tem

Mark McCurdy
Council Member

Michael Vo
Council Member

Larry R. Crandall
Council Member

MEETING ASSISTANCE: In compliance with the Americans with Disabilities Act, anyone needing special assistance to participate in a City Council/Agency for Community Development meeting should contact the City Clerk's Office at (714) 593-4445. Notification 72 hours prior to the meeting allows the City to make reasonable arrangements to ensure accessibility to the meeting.

AGENDA COMMUNICATIONS: All revised or additional documents and writings related to an item on this agenda provided to all or a majority of the City Council/Agency Members after distribution of the agenda packet, are available for public inspection (1) in the City Clerk's Office at 10200 Slater Avenue, Fountain Valley, CA 92708 during normal business hours; and (2) in the Council Chambers at the time of the meeting. Unless directed otherwise by the City Council, all actions shall be based on/memorialized by the latest document submitted as a late communication.

PUBLIC COMMENTS (Scheduled Matters): Persons wishing to address the City Council/Agency regarding an agenda item(s) are requested to identify themselves by completing a blue speaker card indicating the item they want to address and to give the card to the City Clerk prior to the public comment period. Speakers must limit remarks to a total of (5) five minutes and address the City Council through the Mayor/Agency Chair. Comments to individuals or staff are not permitted.

PUBLIC COMMENTS (Unscheduled Matters): Persons wishing to speak on a matter not on the agenda are also requested to identify themselves by completing a blue speaker card indicating the matter they want to speak on, and to give the card to the City Clerk prior to the public comment period. **Requests to speak will not be accepted after the public comment session begins without permission of the Chair.** Comments must be related to issues that are within the subject matter of the City Council/Agency jurisdiction. Speakers must limit remarks to a total of (5) five minutes and address the City Council through the Mayor/Agency Chair. Comments to individuals or staff are not permitted. Pursuant to the Brown Act, the City Council may not enter into discussion regarding items not on the City Council agenda.

CONSENT CALENDAR: All matters listed under the Consent Calendar are considered by the City Council/Agency to be routine and will be enacted on simultaneously with one motion without discussion unless separate action and/or discussion is requested by a Council/Agency Member, staff, or a member of the public.

PUBLIC HEARINGS: Persons in favor of or in opposition to a proposal are given an opportunity to do so during the public hearing. Those wishing to address the City Council during the hearing are requested to complete the blue speaker card and submit it to the City Clerk prior to the hearing. If a proposed action is challenged in court, there may be a limitation to raising only those issues raised during the hearing or in written correspondence received by the City Council at or before the hearing.

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: 5:00 p.m.

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

REGULAR MEETING

CALL TO ORDER 6:00 p.m.

INVOCATION Mayor Pro Tem John J. Collins

SALUTE TO THE FLAG Council Member Mark McCurdy

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

ANNOUNCEMENT OF LATE COMMUNICATIONS

APPROVAL OF MINUTES

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

PRESENTATIONS None

PUBLIC APPEARANCES (Scheduled Matters Only)

READING OF ORDINANCES

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

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. *(Report by Steve Hauerwaas, Environmental Services Administrator)*

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

2. *(Council)* A Resolution adopting the 2010 Urban Water Management Plan pursuant to California Water Code 10610 to 10656. *(Report by Mike Green, Utilities Manager & Consultant)*

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

3. *(Council)* Code Amendment No. 10-1 - An amendment to the Fountain Valley Municipal Code Section 21.28 regarding wireless communication facilities. **First Reading** *(Report by Andy Perea, Planning/Building Director)*

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

CONSENT CALENDAR

Recommendation: Approve Consent Items 4 and 5.

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

ADMINISTRATIVE ITEMS

6. *(Council)* Consideration of Rainbow Disposal's request to increase commercial and industrial trash rates by 3.64. *(Report by Steve Hauerwaas, Environmental Services Administrator)*
7. *(Council)* Consideration of Proposed Fountain Valley Government Access Television Channel Programming Policy. *(Report by Matthew Mogensen, Assistant to the City Manager)*

PRESENTATION OF DEMANDS

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

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

PUBLIC APPEARANCES -- (Unscheduled Matters Only)

COUNCIL/AGENCY COMMENTS (AB1234 Reporting and General Comments)

ADJOURNMENT:

The next Regular Meeting of the Fountain Valley City Council and Agency for Community Development is June 21, 2011, at 6:00 p.m., in the Fountain Valley Council Chambers, 10200 Slater Avenue, Fountain Valley.