

**CITY OF FOUNTAIN VALLEY**  
**REGULAR COUNCIL MEETING**  
**May 20, 2008**  
**A G E N D A**

***In compliance with the Americans with Disabilities Act, if you need special assistance to participate in City Council/Agency for Community Development meetings, please contact the City Clerk's Office at (714) 593-4445. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.***

**Study Session 5:30 p.m.**

Presentation by Finance Director/Treasurer Liz Fox, to provide an Overview of the 2008-2009 Fiscal Year Operating Budget and Ten Year Fiscal Forecast

**CALL TO ORDER 7:00 p.m.**

**INVOCATION**          Reverend Doctor John McFarland

**SALUTE TO THE FLAG**    Council Member Larry Crandall

**ROLL CALL**            Ayer, Carrozzo, Collins, Crandall, Brothers

**APPROVAL OF MINUTES**

Consideration of approval of the minutes of the regular City Council meeting held on May 6, 2008 as distributed.

**PRESENTATIONS**

- Presentation of a proclamation in recognition of Buddy Poppy Month
- Presentation of a proclamation in recognition of National Police Week
- Presentation of a proclamation in recognition of Public Works Week
- Presentation of a Retirement proclamation to Fire Engineer, Steve DeNisi

**AGENDA COMMUNICATIONS:** Materials related to an item on this Agenda submitted to the Council/Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 10200 Slater Avenue, Fountain Valley, CA 92708 during normal business hours.

## PUBLIC APPEARANCES -- ORAL COMMUNICATIONS -- (Scheduled Matters Only)

***Persons wishing to address the Council on the following agenda items should identify themselves and the items they wish to speak on at this time by providing a completed blue speaker card to the City Clerk. Speakers must limit remarks to five minutes on all items and will be summoned to speak at the appropriate time. Comments must be related to items that are within the subject matter of the City Council's jurisdiction. When addressing the Council, please address the Council as a body through the Mayor. Comments to individuals or staff are not permitted.***

### READING OF ORDINANCES

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

### PUBLIC HEARINGS

1. Conduct a Public Hearing and Adoption of a Resolution of Intention to Vacate and Quitclaim Lot "B" and Lot "C" of Tract 4638 Located on Olive Circle and Mulberry Circle

**RESOLUTION NO. 9169** A Resolution of the City Council of the City of Fountain Valley Declaring Its Intention to Vacate and Quitclaim Surplus Public Property Known as Lot "B" and Lot "C," Tract 4638

#### **Report by Senior Civil Engineer, Temo Galvez**

*Staff is recommending City Council conduct the public hearing and adopt Resolution No. 9169 declaring intention to vacate and quitclaim surplus public property known as Lot "B" and Lot "C," Tract 4638.*

2. Conduct the Public Protest Hearing Complaint With Proposition 218, and Adopt a Resolution Establishing the Proposed Water Rate Structure

**RESOLUTION NO. 9170** A Resolution of the City Council of the City of Fountain Valley Establishing the Fiscal Year 2008/2009 Water Rate Structure for the Operation, Maintenance, and Capital Improvement of the City Water Utility Enterprise

#### **Report by City Attorney Alan Burns on the Legal Overview to Proposition 218 Protest Hearing**

#### **Report by MuniFinancial, Water Rate Study Consultant on the appropriateness of the new water rate schedule**

*Staff is recommending City Council conduct the public protest hearing, and adopt Resolution No. 9170 establishing the proposed water rate structure.*

## CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the Council to be routine and will be enacted by one motion by the form listed below. There will be no separate discussion of the items prior to the time the Council votes on the motion unless members of the Council, Staff, or the Public request specific items to be discussed and/or removed from the CONSENT CALENDAR for separate action.

### **ACTION: *If desired, motion to approve Items 3 through 10***

3. Set a Public Hearing to Consider Code Amendment No. 08-01, an Amendment to the Fountain Valley Municipal Code Adding Section 21.08.060 Regarding Reasonable Accommodations to Afford Disabled Persons an Equal Opportunity to Housing

*Staff is recommending City Council set a public hearing to consider Code Amendment No. 08-01 amending the Fountain Valley Municipal code to add Section 21.08.060 regarding Reasonable Accommodations for the City Council meeting of Monday, June 2, 2008.*

4. Set a Public Hearing to Consider An Amendment to the Circulation Element of the Fountain Valley General Plan, General Plan Amendment No. 08-01

*Staff is recommending the City Council set a public hearing to consider General Plan Amendment No. 08-01, amending the Circulation Element of the Fountain Valley General Plan for the City Council meeting of Monday, June 2, 2008.*

5. Authorization to Purchase Fuel From Cardlock/SC Fuels for Fiscal Year 2007-08 in an Amount Not to Exceed \$325,000, and Authorization for an Amount Not to Exceed \$400,000 for Fiscal Year 2008-09 for Fuel and Fueling Services

*Staff is recommending City Council approve the authorization to increase spending in the current budget year to \$325,000 and approve a not to exceed amount of \$400,000 for fiscal year 2008-09.*

6. (1) Acceptance of Bids and Award of a Contract to Valley Slurry Seal in the Amount of \$317,089.63 for Construction of Type II Quickset Emulsion-Aggregate Slurry Seal on Various Streets Throughout the City, Project No.GT299A, (2) Acceptance of Proposal and Authorization to Issue a Purchase Order to W.R.G. and Associates in the Amount of \$13,650 for Material Testing for Project No.GT299A, (3) Amendment of the FY 2007-08 Gas Tax Budget in the Amount of \$280,000

*Staff is recommending the City Council (1) accept the bids and award a contract to Valley Slurry Seal in the amount of \$317,089.63 for construction of Type II quickset emulsion-aggregate slurry on various streets throughout the City, Project No.GT299A, (2) accept the proposal and authorize staff to issue a purchase order to W.R.G. and Associates in the amount of \$13,650 for material testing on Project No.GT229A, and (3) amend the FY 2007-08 Gas Tax Budget in the amount of \$280,000.*

7. Approval of Contract Change Order No. 9 to Contract No. 07-17 (*Valley Crest Landscape Development*) in the Decreased Amount of (\$46,472.74) for the Recreation Center Master Plan Expansion, Project No.PI790

*Staff is recommending City Council approve Contract Change Order No. 9 to Contract No. 07-17 in the decreased amount of (\$46,472.74) for the Recreation Center Master Plan Expansion, Project No.PI790.*

8. Approval of Amendment No. 1 in the Amount of \$370,396.74 to Contract No. 07-18 Willdan Construction for Period Services on the Recreation Center Master Plan Expansion, Project No.PI790

*Staff is recommending the City Council approve Amendment No. 1 in the amount of \$370,396.74 to Contract No. 07-18, Willdan Construction for period services on the Recreation Center Master Plan Expansion, Project No.PI790.*

9. Review of the Current Status of the Emergency Repairs to the Well Casing for Well No. 4

*Staff is recommending City Council authorize staff to continue with the emergency repairs to the well casing on Well No. 4 in accordance with Public Projects – Exception, Section 2.36.115 of the Fountain Valley Municipal Code.*

10. Final Report and Acceptance of the Emergency Installation of a Universal Power Supply Unit for the City's Data Center in the Amount of \$23,648, Pursuant to Fountain Valley Municipal Code, Section 2.36.115

*Staff is recommending City Council accept the improvements and the final installation of a universal power supply unit for the City's Data Center in the amount of \$23,648, pursuant to Fountain Valley Municipal Code, Section 2.36.115.*

## **ADMINISTRATIVE ITEMS**

There are no administrative items scheduled for this meeting.

## **PRESENTATION OF DEMANDS**

- (1) Ratification of Payroll: 258682, 264286 – 264292 and Direct Deposit Vouchers as listed in the reports
  
- (2) Consideration of Register of Demands: 165521 – 165733, ACH Vendor Payments; and electronic transfers as listed in the report

## **RECESS TO A MEETING OF THE FOUNTAIN VALLEY AGENCY FOR COMMUNITY DEVELOPMENT**

**RECONVENE MEETING OF THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY**

**PUBLIC APPEARANCES -- ORAL COMMUNICATIONS (Unscheduled Matters Only)**

**(Speakers Must Limit Remarks to Five Minutes)**

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

**ADJOURNMENT**

Mayor to adjourn the City of Fountain Valley City Council meeting to the next scheduled meeting of June 2, 2008.

I, Robin Roberts, City Clerk of the City of Fountain Valley, California, do hereby certify under penalty of perjury under the laws of the State of California that I caused the foregoing Agenda for the Regular Council Meeting to be posted on the Bulletin Board in front of City Hall at 10200 Slater Avenue, Fountain Valley, California on May 16, 2008.

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Robin Roberts, CMC  
City Clerk