

CITY OF FOUNTAIN VALLEY

REGULAR COUNCIL MEETING

May 6, 2008

MINUTES

CALL TO ORDER

Mayor Collins called to order the City Council meeting of May 6, 2008 at 7:05 p.m.

CLOSED SESSION:

Mayor Collins announced that pursuant to Government Code Section 54956.8 a closed session was held for City Council to confer and give direction to the City of Fountain Valley and Fountain Valley Agency for Community Development real property negotiator Ray Kromer about his discussion with Charles Yi concerning real property located at 11360 Warner Avenue, Fountain Valley.

INVOCATION

Mayor Pro Tem Guy Carrozzo gave the invocation.

SALUTE TO THE FLAG

Mayor John J. Collins led the salute to the flag of the United States.

ROLL CALL

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

Also Present: City Manager Ray Kromer, City Attorney Alan Burns, Finance Director Liz Fox, Fire Chief Bill Walker, Housing Coordinator Brent Hoff, Management Analyst Matt Mogensen, Planning Director Andy Perea, Police Chief Paul Sorrell, Public Works Director/City Engineer Mark Lewis 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 April 15, 2008 as distributed.

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

PRESENTATIONS

Mayor John J. Collins presented the checks to assist with local high school graduation night celebrations (Grad Night) to the following: Carmela Sandoval of Los Amigos Grad Nite Committee; Marleen Ruud and Tammy Patrick of Ocean View High School Grad Nite Committee; Drue Trott of Fountain Valley High School Grad Nite Committee; and Vina Vo, Senior Class President of La Quinta High School.

Mayor Collins announced that the Buddy Poppy Month proclamation will be presented at the next City Council meeting.

READING OF ORDINANCES

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

PUBLIC HEARINGS

1. PUBLIC HEARING – Approval of the Proposed FY 2008-2009 Community Development Block Grant (CDBG) Annual Action Plan

Housing Coordinator Brent Hoff summarized information in the staff report as provided in the agenda packet including the preparation, public notification, programs provided in the plan, and purposed funding amounts of the Action Plan. Mr. Hoff concluded with staff's recommendation that the City Council receive public testimony regarding the FY 2008-2009 Action Plan, approve the Plan and authorize the City Manager to execute all documents necessary to submit the final CDBG FY 2008-2009 Action Plan to the U.S. Department of Housing and Urban Development (HUD) as required.

Mayor Collins opened the public hearing.

Having no requests to speak regarding the Community Development Block Grant Annual Action Plan, Mayor Collins closed the public hearing.

- Motion by Council Member Crandall, second by Council Member Ayer to approve the 2008-2009 Community Development Block Grant Annual Action Plan as presented.

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

CONSENT CALENDAR

Mayor Collins referenced amendments to Consent Calendar Items 8 and 9 as provided by the City Clerk's memorandum dated May 6, 2008 titled "Red Folder Items."

- 2. Set a Public Hearing for May 20, 2008, for the 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.** Staff Recommendation: *City Council advise staff to set a public hearing to adopt a resolution of intent to vacate and quitclaim Lot "B" and Lot "C" of Tract 4638 located on Olive Circle and Mulberry Circle.*
- 3. Approval of a Resolution of the City Council of the City of Fountain Valley Authorizing the Destruction of Police Department Records.** Staff Recommendation: *City Council adopt Resolution 9168 authorizing the destruction of Police Department records as set forth in Exhibit A of the resolution.*

RESOLUTION NO. 9168 A Resolution of the City Council of the City of Fountain Valley Authorizing the Destruction of Police Department Records

- 4. Approval to Appropriate Donated Funds and Amend the 2007/2008 Fiscal Year Budget in the Amount of \$8,400 for the City of Fountain Valley's Classic Car and Truck Show.** Staff Recommendation: *City Council authorize the appropriation of donated funds to the Classic Car and Truck Show expenditure account and amend the FY 2007-2008 budget in the amount of \$8,400. Staff is also recommending granting the City Manager authorization to transfer future donations for the Classic Car and Truck Show to the same expenditure account.*
- 5. Approval to Appropriate the City's 50th Anniversary Donated Funds to the Fountain Valley Community Foundation Fund in the Amount of \$20,334.08.** Staff Recommendation: *City Council authorize the appropriation of the donated funds to the Fountain Valley Community Foundation's bank account in the amount of \$20,334.08.*

7. **Acceptance of Proposal and Award of a Contract to Willdan, Inc. in the amount of \$80,575 for Construction Inspection Services for the Rehabilitation and Resurfacing of Talbert Avenue, Brookhurst Street, and Ellis Avenue, Project No. TI 612 and No. TI 363.** Staff Recommendation: *City Council accept the proposal and award a contract for Project No. TI 612 and TI 363 to Willdan, Inc.*
8. **Approval of Contract Change Order No. 1 and Final Closeout Agreement and Release of All Claims on Contract No. 07-54 (Silvia Construction, Inc.) for the Asphalt Concrete Resurfacing on Various Residential Streets Throughout the City, Project No. GT 229-B.** Staff Recommendation: *City Council approve Contract Change Order No. 1 and the Final Closeout Agreement and Release of all Claims on Contract No. 07-54.*
9. **Approval of Contract Change Order No. 2 and Final Closeout Agreement and Release of All Claims for the Rehabilitation of the Police Department Building Project No. 62.9.71416.4.4822, Contract No. 07-20 (Thomco Construction).** Staff Recommendation: *City Council approve Contract Change Order No. 2 and Final Closeout Agreement and Release of All Claims for the Rehabilitation of the Police Department Building Project No. 62.9.71416.4.4822, CON 07-20.*
10. **Approval of the Plans and Specifications and Authorization to Advertise for Bids for the Drilling, Construction, Development, and Testing of Well No. 9, Project No. WU 832.** Staff Recommendation: *City Council approve the plans and specifications and authorize staff to advertise for bids for Well No. 9, Project No. WU 832.*
11. **Review of the Current Status of the Emergency Repairs to the Well Casing for Well No. 4 in Accordance with the Public Projects.** Staff Recommendation: *City Council authorize staff to continue with the emergency repairs to Well No. 4 well casing in accordance with the Public Projects – Exception, Section 2.36.115 of the Fountain Valley Municipal Code.*
12. **Approval To:** (1) **Waive Bidding Requirements in Accordance with Fountain Valley Municipal code 2.36.110 (5); (2) Issue a Purchase Order in the Amount of \$17,959.09 for the Purchase and Installation of Carpeting Through Existing Cooperative Contracts Through the State of California Held by Shaw Industries Inc. for the Rehabilitation of Fire Station No. 1 Project No. 62.9.61002.4.4822; and (3) Amend the FY 2007-08 Government Building Fund Budget in the Amount of \$17,959.09.** Staff Recommendation: *City Council approve item 1) to waive the bidding requirements in accordance with Fountain Valley Municipal Code 2.36.110 (5); 2) authorize staff to issue a purchase order in the amount of \$17,959.09 for the purchase and installation of carpet through existing cooperative contracts through the State of California held by Shaw Industries, Inc., for the Rehabilitation of Fire Station No. 1 Project No. 62.9.61002.4.4822; and 3) amend the FY 2007-08 Government Building Fund Budget in the amount of \$17,959.09.*

13. **Approval To:** 1) Waive the Bidding Requirements in Accordance with Fountain Valley Municipal Code 2.36.110 (5); 2) Issue a Purchase Order in the Amount of \$32,002.76 for the Purchase of Playground Equipment Through an Existing Contract with California Multiple Award Schedule (CMAS) Held by Miracle Recreation Equipment Company for Westmont Park Project No. GF 403; 3) Approve the Specifications and Authorization to Advertise for Bids for the Installation of Playground Surfacing Material and City Supplied Playground Equipment at Westmont Park, Project No. GF 403 and; 4) Amend the FY 2007-08 General Fund budget in the Amount of \$39,300. Staff Recommendation: *City Council 1) waive the bidding requirements in accordance with Fountain Valley Municipal Code 2.36.110 (5); 2) issue a purchase order in the amount of \$32,002.76 for the purchase of playground equipment through an existing contract with California Multiple Award Schedule (CMAS) held by Miracle Recreation Equipment Company for Westmont Park Project No. GF 403; 3) approve the specifications and authorize staff to advertise for bids for the installation of playground surfacing material and City supplied playground equipment at Westmont Park, Project No. GF 403 and; 4) amend the FY 2007-08 General Fund budget in the amount of \$39,300.*

- Motion by Council Member Crandall, second by Council Member Brothers to pull Item 8 from the Consent Calendar and move the remaining items.

There was discussion regarding the consent calendar items relative to the above motion and the intent for Council Member Crandall to pull Item 8.

- Revised motion by Council Member Crandall, second by Council Member Brothers to pull Item 6, related to the Park Expansion Project, and approve Consent Calendar Items 2 through 7 and 9 through 13.

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins

Noes: None

Motion Carried

6. **Approval of Contract Change Order No. 8 to Contract No. 07-17 (Valley Crest Landscape Development) in the Amount of \$89,639.86 for the Recreation Center Master Plan Expansion, Project No. PI 790.** Staff Recommendation: *City Council approve Contract Change Order No. 8 to Contract No. 07-17, in the amount of \$89,639.86 for the Recreation Center Master Plan Expansion.*

Council Member Crandall inquired about Item No. 4 *Grading at Basketball Parking Lot to Improve Drainage*, listed in Contract Change Order No. 8.

City Manager Ray Kromer reiterated information provided in an email from Public Works Director Mark Lewis, and distributed to Council (and included in the Red Item Folder) regarding the additional grading required to reduce future potential ponding of water.

- Motion by Council Member Crandall, second by Mayor Pro Tem Carrozzo to approve Consent Calendar Item 6.

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

ADMINISTRATIVE ITEMS

There were no administrative items scheduled for this meeting.

PRESENTATION OF DEMANDS

- (1) Ratification of Payroll: 258679 – 258681, 264280 – 264285 and Direct Deposit Vouchers as listed in the reports

- Motion by Mayor Pro Tem Carrozzo, second by Council Member Crandall, 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: 165161 – 165520, ACH Vendor Payments, and electronic transfers as listed in the report

- Motion by Mayor Pro Tem Carrozzo, second by Council Member Crandall, to approve payment of the Register of Demands, ACH vendor payments, and electronic transfers as listed in the report, 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 7:21 p.m. to an Agency for Community Development meeting.

RECONVENE

Mayor Collins reconvened the regular Council meeting at 7:23 p.m. with all Council Members present.

PUBLIC APPEARANCES -- ORAL COMMUNICATIONS (Unscheduled Matters Only)

There were no requests to speak publically at this meeting.

APPOINTMENTS

There were no appointments scheduled for this meeting.

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

Council Member Ayer spoke regarding the progress of the Fountain Valley Community Foundation noting that they continue to meet, and are awaiting for documents from various government organizations to proceed with raising funds.


Mayor Pro Tem Carozzo requested that, at the next City Council meeting, City Council consider the placement of the words "In God We Trust" or the words "One Nation Under God" on the Council Chambers wall, near the City Seal. He then read from a prepared statement (provided to the City Clerk following the Council meeting) regarding this matter.

Council Member Brothers provided information regarding her participation in a committee that met once for the "92708 Zip On Over" celebration to occur September 27, 2008. She then discussed how this celebration seeks to involve youth groups, service groups, and the historical society, with potential grant funding from the Gas Company, with innovations in conservation being a large part of the theme.

Council Member Crandall spoke regarding his representation of the City of Fountain Valley and the Orange County Sanitation District when receiving the 2007 Top Compost User Award presented to the City of Fountain Valley by the Orange County Sanitation District and an award to the Orange County Sanitation District from the Orange County League of Conservation Voters for the Ground Water Replenishment Program.

ADJOURNMENT

Mayor Collins adjourned the City Council meeting in memory of Robert Mc Mahan at 7:30 p.m. to the next regularly scheduled meeting on May 20, 2008.



John J. Collins, Mayor
City of Fountain Valley

ATTEST:



Robin Roberts, City Clerk