

**CITY OF FOUNTAIN VALLEY  
REGULAR COUNCIL MEETING**

**November 18, 2008**

**Minutes**

**CALL TO ORDER**

Mayor Collins called the City Council Meeting of November 18, 2008 at 7:32 p.m.

**INVOCATION**

Mayor Collins gave the invocation.

**SALUTE TO THE FLAG**

Mayor Pro Tem Carrozzo led the salute to the flag of the United States of America.

**ROLL CALL**

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

**Also Present:** City Manager Raymond Kromer, City Attorney Alan Burns, Community Services Manager Mark Nix, Community Services Supervisor William Palmer, Deputy City Clerk Kathy Heard, Fire Chief Bill Walker, 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 Mayor Pro Tem Carrozzo, second by Council Member Crandall, to approve the minutes of the City Council meeting held on October 21, 2008 as distributed.**

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins

Noes: None

**Motion Carried**

**PRESENTATIONS**

- Mayor Collins and Police Chief Paul Sorrell presented Police Sergeant Sara Long with a Retirement Proclamation.

## READING OF ORDINANCES

- **Motion by Mayor Pro Tem Carrozzo, second by Council Member Crandall, to direct the Mayor to waive the reading in full of all ordinances under consideration and direct the Mayor to read by title only**

Ayes: Ayer, Carrozzo, Brothers, Crandall, Collins

Noes: None

**Motion Carried**

## ORDINANCE FOR ADOPTION

1. **Ordinance No. 1425** An Ordinance of the City Council of the City of Fountain Valley Adding Chapter 8.51 to the Fountain Valley Municipal Code Relating to the Regulation and Containment of Shopping Carts.
  - **Motion by Council Member Crandall, second by Council Member Ayer, to approve the adoption of Ordinance 1425 related to the regulation of shopping cart containment.**

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins

Noes: None

**Motion Carried**

## CONSENT CALENDAR

2. Authorize the Acceptance and Appropriation of Grant Funds From the Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) 2008 Assistance to Firefighters Grant Program and Amend the General Fund by \$49,300.
3. Approval of an Agreement with D & B Umpires to Provide Officiating Services for the City's Adult Softball Program.
4. Approval of Resolution No. 9192 of the City Council of the City of Fountain Valley Authorizing the Destruction of Certain City Records.
5. Acceptance of Bids and Award a Contract to Pacific Coast Refrigeration for \$33,110 for the Removal and Replacement of the HVAC Boilers at City Hall, Project No. 62-9-92722-4-4822 and the Police Department, Project No. 62-9-71419-4-4822.
6. Acceptance of Parcel Map No. 2008-127 for the Property Located At 10456 Calle Madero.
7. Approval to Award a Purchase Order to Huntington Beach Honda in the Amount of \$52,765 for the Purchase of Two Police Equipped Honda Motorcycles and

Authorization to Dispose of Surplus Motorcycles in a Manner That Best Meets the City's Needs.

8. Approval to Purchase 20 Mobile Data Terminals and Upgrade the Communication Medium to a Cellular Wireless Communication System; Approval for an Appropriation of \$49,447 from Existing Federal Asset Forfeiture Funds; and Amend the Information Processing Budget.

➤ **Motion by Council Member Crandall, second by Council Member Ayer to approve all Consent matters.**

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins

Noes: None

**Motion Carried**

## **ADMINISTRATIVE ITEMS**

9. Council Direction Regarding Recreation Center Park Expansion Project Shade Elements at Mile Square Park.

City Manager Ray Kromer summarized the matter related to the Shade Structure Element at Mile Square Park as part of the Recreation Center Park Expansion project. He outlined to prior Council discussion at the January 15, 2008 City Council meeting regarding potential options for the project, including the shade elements at perimeter walking trails, softball complex and bleachers and amphitheater area. Mr. Kromer discussed the timeframe for park completion is estimated to be four to six weeks.

Council Member Ayer provided a PowerPoint presentation giving details of the need for shade structures including increase risk of skin cancer. He presented the preferred type of structure known as the "sail" shade structure that allowed for 80% light filtering and 90% ultra violet ray filtering, while allowing air to pass through the mesh type material. General cost information was provided along with preferred areas to receive a shade element.

➤ **Motion by Council Member Crandall, second by Council Member Brothers, to approve the City Manager's recommendation which is to direct staff to secure updated costs for the various shade elements and hold in abeyance the final decision regarding the funding of any shade elements until the final project closeout and accounting is complete.**

There was Council discussion regarding sponsor recognition to assist in shade element funding; that the anticipated life of similar shade structures is 15 to 20 years, and the need for mature trees as a shade element.

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins

Noes: None

**Motion Carried**

## PRESENTATION OF DEMANDS

- (1) Ratification of Payroll: 258697, 264474 – 264489 and Direct Deposit Vouchers as listed in the reports

- **Motion by Council Member Crandall, second by Mayor Pro Tem Carrozzo, to ratify the payroll including the vouchers as listed in the reports by the following roll call vote:**

Ayes: Ayer, Carrozzo, Crandall, Brothers, Collins

Noes: None

**Motion Carried**

- (2) Consideration of Register of Demands: 258697, 264474 – 264489, ACH Vendor Payments and electronic transfers as listed in the report

- **Motion by Council Member Crandall, second by Mayor Pro Tem Carrozzo, 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 8:05 p.m. to a meeting of the Fountain Valley Agency for Community Development.

## RECONVENE

Mayor Collins reconvened the regular Council meeting at 8:06 p.m. with all Council Members present.

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

Stephanie Pacheco, a Fountain Valley resident, thanked Council Member Ayer for his diligent service to the City of Fountain Valley, listing certain accomplishments. She then related that many other residents and council members in surrounding cities requested that she pass along their similar sentiments of Council Member Ayers. Ms. Pacheco expressed concerns regarding documents distributed during the election regarding Council Member Ayer that she felt were misleading or untrue.

Debbie Cook, Mayor of the City of Huntington Beach, expressed her opinion of Council Member Ayer, relating that he was one of the best council members she has known. She thanked him for his service and contributions, including his work as a member of the Public Cable Television Authority.

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

Council Member Ayer spoke regarding the November 2008 General Election, including his ability to be one of the Electoral College and his confidence in President Elect Barack Obama. He then expressed disappointment regarding occurrences during the City election process, including matters brought forth by Council that he considered divisive.

Mayor Pro Tem Carrozzo spoke regarding his attendance as a member of the Santa Ana River Flood Protection Agency meeting. He further spoke regarding his experience in the November 13, 2008 Golden Guardian exercise and thanked City of Fountain Valley staff for participating with a high level of professionalism.

Council Member Brothers spoke regarding the adoption of Ordinance 1425 known as the Shopping Cart Ordinance, suggesting local storeowners sell collapsible carts to customers to promote their use, which may lower the amount of shopping carts leaving the store premises. She then requested that she and other interested members of the Council receive records listed for destruction in advance of the agenda process. Council Member Brothers thanked Council Member Ayer expressing that he would be missed as a member of the Fountain Valley City Council.

Council Member Crandall reported on his speaking engagement regarding the Orange County Sanitation Districts' Ground Water Replenishment Program at a national conference in Chicago, Illinois. He then provided a copy of the District's Five-Year Strategic Plan, noting that such a comprehensive plan should be created for the City.

Mayor Collins thanked Council Member Ayer for his years of service to the City noting his accomplishments related to the Fountain Valley Community Foundation and his efforts as Mayor during the City's 50<sup>th</sup> Anniversary. He then expressed his appreciation for Council Member Ayer's business thought process and that he has respected his votes regardless of differing opinions.

**ADJOURNMENT**

Mayor Collins adjourned the City of Fountain Valley City Council meeting to the next scheduled meeting on Tuesday, December 2, 2008.

---

John J. Collins, Mayor  
City of Fountain Valley

ATTEST:

---

Robin Roberts, City Clerk