

CITY OF FOUNTAIN VALLEY

REGULAR COUNCIL MEETING October 21, 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: 6:30 p.m.

Pursuant to Government Code Section 54956.8, a closed session will be held for City Council to confer with the City of Fountain Valley, and Fountain Valley Agency for Community Development real property negotiator Ray Kromer concerning his discussion with Charles Brumbaugh of Corporation for Better Housing regarding real property located at 11360 Warner Avenue, Fountain Valley.

CALL TO ORDER 7:00 p.m.

INVOCATION Arvin Gowens of Seabreeze Church

SALUTE TO THE FLAG Council Member Gus Ayer

ROLL CALL Ayer, Carrozzo, Collins, Crandall, Brothers

APPROVAL OF MINUTES

Consideration of approval of the minutes of the regular City Council meeting held on October 7, 2008 as distributed.

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.*

PRESENTATIONS

- Presentation of Red Ribbon Week Proclamation to Police Chief, Paul Sorrell

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

ACTION: If desired, motion to waive the reading in full of all the ordinances under consideration and direct the Mayor to read by title only.

PUBLIC HEARING

1. Public Hearing Regarding a Notice of Intention of the City Council of the City of Fountain Valley to Revoke/Modify Conditional Use Permit Number 500MD (Sam's Smoke, Liquor & Mart Located at 17951 and 17955 Magnolia Street) Planning Commission Resolution No. 01-64

Resolution No. 9187 A Resolution of the City Council of the City of Fountain Valley Revoking conditional Use Permit No. 500MD Planning Commission Resolution No. 01-64 (Sam's Smoke Liquor and Mart) on Property Located at 17951 Magnolia Street, Fountain Valley

Report by Police Chief Paul Sorrell

2. Public Hearing and Introduction of an Ordinance to Consider Code Amendment No. 08-02 to Allow Artificial Turf as an Acceptable Landscape Treatment as Specified and Passage to a Second Reading for Adoption

Ordinance No.1424 An Ordinance of the City Council of the City of Fountain Valley Authorizing the Use of Artificial Turf as a Landscape Treatment and making other Clarifications in the Landscape Standards for the City

Report by Planning Director Andy Perea

INTRODUCTION OF ORDINANCES

3. Introduction of a Shopping Cart Ordinance and a Resolution Establishing an Appeal Fee For Denied or Revocated Cart Containment Plans and Passage to a Second Reading for Adoption

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

Resolution No. 9188 A Resolution of the City Council of the City of Fountain Valley Establishing an Appeal Fee for Denied or Revocated Cart Containment Plans

Report by Management Analyst Matt Mogensen

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 4 through 11.

4. A Resolution of the City Council of the City of Fountain Valley Concerning an Agreement Between Fountain Valley and the California Integrated Waste Management Board (CIWMB) for the Utilization of CIWMB Grants for Rubberized Asphalt Concrete (RAC) to be Used in Roadway Paving Projects

Resolution No. 9189 A Resolution of the City Council of the City of Fountain Valley Concerning an Agreement Between Fountain Valley and the California Integrated Waste Management Board (CIWMB) for the Utilization of CIWMB Grants for Rubberized Asphalt Concrete to be Used in Roadway Paving Projects

5. 1) Acceptance of Bids and Award of Contract to RJ Nobel Company for Construction; 2) Acceptance of Proposal and Award of a Professional Services Contract to Civil Source for Inspection Services; and 3) Amendment of the Fountain Valley Agency for Community Development (FVACD) Budget for FY 2008-2009 in the Amount of \$625,000 for the Industrial Street Rehabilitation Project, Project No. TI 159
6. Annual Report of the Fountain Valley Planning Commission and the Planning Department Activities for Fiscal Year 2007-2008
7. Approval to Waive Bidding Requirements Per FVMC 2.36.120 par (5) and Issue a Purchase Order to Golf Ventures West in the Amount of \$74,331 for the Purchase of a Jacobsen Rotary Mower Through an Existing Contract with the State of California Held by Golf Ventures West and Authorization to Amend the 10 Year Replacement Schedule to Include the Increased Cost for this Equipment

8. Approval to Accept Agency Fund Allotment From State 911 Telecommunications Program and Authorize the Use of These Funds to Purchase the 911 Pallas System, PYXIS Audio Recorder and Netclock From Verizon, Inc. and Waive Bidding Requirements per FVMC 2.36.120
9. Approval to Award a Purchase Order to D'Angelo Co. in the Amount of \$206,557 for the Purchase of 270 Fire Hydrants
10. Approval to Issue a Purchase Order to Environmental Specialty Products in the Amount of \$56,574.61 for the Purchase of Waste Receptacles and Benches for the Fountain Valley Recreation Center
11. Award of Contract to Chris Ketz to Provide Environmental Services for the Warner/Newhope Specific Plan Amendment for an Amount not to Exceed \$50,700

ADMINISTRATIVE ITEMS

There are no administrative items scheduled for this meeting.

PRESENTATION OF DEMANDS

- (1) Ratification of Payroll: 264467 – 264473 and Direct Deposit Vouchers as listed in the reports
- (2) Consideration of Register of Demands: 167871 – 168121 and ACH Vendor Payments, and electronic transfers as listed in the report

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

RECONVENE TO THE MEETING OF THE FOUNTAIN VALLEY CITY COUNCIL

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 Collins to adjourn the City of Fountain Valley City Council meeting to the next scheduled meeting on Tuesday, November 4, 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 October 17, 2008.



Robin Roberts, CMC
City Clerk