



**MINUTES OF THE CITY COUNCIL/ SUCCESSOR
AGENCY TO THE FOUNTAIN VALLEY AGENCY
FOR COMMUNITY DEVELOPMENT/
FOUNTAIN VALLEY HOUSING
AUTHORITY**

**Study Session 4:30 p.m.
Closed Session 4:58 p.m.
Regular Meeting 6:02 p.m.**

Tuesday, April 03, 2018

STUDY SESSION

CALL TO ORDER

4:30 p.m.

PUBLIC COMMENTS (Study Session matters only)

1. General Plan Needs Assessment

Planning Director Matt Mogensen presented the General Plan Needs Assessment with City Manager Rob Houston and Finance Director Jason Al-Imam

CLOSED SESSION

CALL TO ORDER

4:58 pm

PUBLIC COMMENTS (Closed Session matters only)

2. Conference with Real Property Negotiators under Government Code Section 54956.8
Real Property: 1.95-acre parcel located at 16790 Harbor Blvd., APNs: 144 251-34 and 144-511-01

Housing Authority/City negotiators: Rob Houston, City Manager/Housing Authority Executive Director, Matt Mogensen, Building and Planning Director, Colin Burns, City Legal Counsel, Celeste Brady, Special Counsel

Persons with whom its negotiators may negotiate: authorized representatives of Fountain Valley Affordable Housing LP

Under negotiation are the price and terms of acquisition of real property interests in the subject property.

City Council gave direction to the Attorney for the City.

3. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: (People ex rel Colin Burns, Attorney for Fountain Valley v. TT Therapy & Spa, Inc. et al)

City Council gave direction to the Attorney for the City.

4. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (1 potential case)

City Council gave direction to the Attorney for the City.

OPEN SESSION

CALL TO ORDER

6:02 p.m.

INVOCATION

Council Member John Collins

SALUTE TO THE FLAG

Council Member Larry Crandall

CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY/ ROLL CALL

Council Members: Brothers, Collins, Crandall, Mayor Pro Tem/Vice Chair Nagel, Mayor/Chair Vo
Members Absent: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS

There were two red folder items: one was a corrected version of section 29 of the agreement on item 16 and the second was a correction to the Resolution on item 7.

PRESENTATIONS

- Mayor Vo presented a Proclamation to OneLegacy 2018 Donate Life Run/Walk
- City Council was provided a Presentation on Pickleball in Fountain Valley
- Director Glenn Grandis and FVCF President Prem Balani provided a PowerPoint Presentation on the annual charity poker event

PUBLIC COMMENTS (Scheduled Matters Only)

There were no requests to speak at this time.

READING ORDINANCES

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

ACTION: Move to approve waiving the reading in full of all ordinances under consideration and direct the Mayor to read by titles only.

MOTION: Collins **SECOND:** Brothers

AYES: Brothers, Collins, Crandall, Nagel, Vo

NOES: None

ABSENT: None

ABSTAIN: None

Motion carried: 5-0

PUBLIC HEARINGS

Each person will have up to 3 minutes to speak on each Public Hearing item.

6. (Council) (1) Introduce and Conduct a First Read of an Ordinance Amending the Procedure for Selecting the Mayor and Mayor Pro Tempore (FVMC 2.04.200)
- (2) Adopt a Council Policy on Parliamentary Procedures (Report by Colin Burns, Attorney for the City)

Mayor Vo opened the Public Hearing at 9:48 p.m.

Public Comments: Kim Constantine
Jaye Towne

Having no further public comments, Mayor Vo closed the Public Hearing at 9:52 p.m.

A motion was made by Council Member John Collins to adopt Version 3 of the ordinance. Motion died for lack of a second.

ACTION: Move to a second reading and approve Version No. 2 of the ordinance and adopt a Council Policy on Parliamentary Procedures

MOTION: Brothers **SECOND:** Nagel
AYES: Brothers, Crandall, Nagel, Vo
NOES: Collins
ABSENT: None
ABSTAIN: None

Motion carried: 4-1

CONSENT CALENDAR

Consent Calendar Items 7 – 16 were approved simultaneously.

7. (Council) Approval of a Resolution of the City Council of the City of Fountain Valley relating to the classification and compensation of City employees, and superseding all provisions contained in Resolution No. 9650 which pertain to the classification and compensation of City employees.

ACTION: Move to approve a resolution relating to the classification and compensation of the city employees superseding all provisions contained in Resolution No. 9650 which pertain to the classification and compensation of city employees

MOTION: Brothers **SECOND:** Collins
AYES: Brothers, Collins, Crandall, Nagel, Vo
NOES: None
ABSENT: None
ABSTAIN: None

Motion carried: 5-0

8. (Council/Successor Agency/Housing Authority) Receive and File the Minutes of the Regular

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Meeting held March 20, 2018

ACTION: Move to receive and file the minutes of the Regular City Council meeting of March 20, 2018.

MOTION: Brothers **SECOND:** Collins

AYES: Brothers, Collins, Crandall, Nagel, Vo

NOES: None

ABSENT: None

ABSTAIN: None

Motion carried: 5-0

9. (Council) Receive and File the Strategic Plan Update.

ACTION: Move to receive and file the Strategic Plan update.

MOTION: Brothers **SECOND:** Collins

AYES: Brothers, Collins, Crandall, Nagel, Vo

NOES: None

ABSENT: None

ABSTAIN: None

Motion carried: 5-0

10. (Council) Approval of a Resolution of the City Council of the City of Fountain Valley Vacating the Easement for waterline purposes on the property at 16142 Harbor Boulevard

ACTION: Move to approve a resolution vacating the easement for waterline purposes on the property at 16142 Harbor Boulevard

MOTION: Brothers **SECOND:** Collins

AYES: Brothers, Collins, Crandall, Nagel, Vo

NOES: None

ABSENT: None

ABSTAIN: None

Motion carried: 5-0

11. (Council) Approval of a Resolution of the City Council of the City of Fountain Valley approving of the Fiscal Year 2018/19 Project List for SB-1 Funds in the Estimated Amount of \$1 Million toward the Residential Roadway Rehabilitation and Resurfacing Project, Quadrant H2

ACTION: Move to approve a resolution approving the Fiscal Year 2018/19 Project list for SB-1 funds in the estimated amount of \$1 million dollars toward the Residential Roadway Rehabilitation and Resurfacing Project, Quadrant H2

MOTION: Brothers **SECOND:** Collins

AYES: Brothers, Collins, Crandall, Nagel, Vo

NOES: None

ABSENT: None

ABSTAIN: None

Motion carried: 5-0

12. (Council/Successor Agency/Housing Authority) Second Read and Adoption of an Ordinance of the City Council of the City of Fountain Valley Amending the Definition of "Single-family dwellings" In Section 21.90.020(19) of the Fountain Valley Municipal Code

ACTION: Move to approve and adopt an ordinance of the City Council amending the definition of "Single-family dwellings" in Section 21.90.020(19) of the Fountain Valley Municipal Code.

MOTION: Brothers **SECOND:** Collins
AYES: Brothers, Collins, Crandall, Nagel, Vo
NOES: None
ABSENT: None
ABSTAIN: None

Motion carried: 5-0

13. (Council) Approval to Waive the Bidding Requirements Pursuant to FVMC 2.36.070 Par 4 and Issue a Purchase Order to Coastline Equipment Company in the Amount of \$245,966.31 for the Purchase of a John Deere 210L Tractor Loader and a John Deere 710L Backhoe Loader Through the Existing Cooperative Contract with National Joint Powers Alliance (NJPA); and Authorize Staff to Dispose of the Existing Tractor Loader and Backhoe by Means that Best Meet the City's Needs

ACTION: Move to approve and waive the bidding requirements pursuant to FVMC 2.36.070 Par 4 and issue a purchase order to Coastline Equipment Company in the amount of \$245,966.31 for the purchase of a John Deere 210L Tractor Loader and a John Deere 710L Backhoe Loader through the existing cooperative contract with National Joint Powers Alliance (NJPA); and authorize staff to dispose of the existing tractor loader and backhoe by means that best meet the city's needs.

MOTION: Brothers **SECOND:** Collins
AYES: Brothers, Collins, Crandall, Nagel, Vo
NOES: None
ABSENT: None
ABSTAIN: None

Motion carried: 5-0

14. (Council) Approval to Waive the Bidding Requirements Pursuant to FVMC 2.36.070 Par 4 and Issue a Purchase Order to National Auto Fleet Group in the Amount of \$43,445.04 for the Purchase of Two (2) 2018 Ford Escape Vehicles Through the Existing Cooperative Contract with National Joint Powers Alliance (NJPA); and Authorize Staff to Dispose of the Existing Vehicles by Means that Best Meet the City's Needs

ACTION: Move to approve and waive the bidding requirements pursuant to FVMC 2.36.070 Par 4 and issue a purchase order to National Auto Fleet Group in the amount of \$43,445.04 for the purchase of two (2) 2018 Ford Escape vehicles through the existing cooperative contract with National Joint Powers Alliance (NJPA); and authorize staff to dispose of the existing vehicles by means that best meet the

city's needs

MOTION: Brothers **SECOND:** Collins

AYES: Brothers, Collins, Crandall, Nagel, Vo

NOES: None

ABSENT: None

ABSTAIN: None

Motion carried: 5-0

15. (Council/Successor Agency/Housing Authority) Request the City Council Approval for the Appropriation of Grant Funds from the 2017 Emergency Management Performance Grant (EMPG) Program.

ACTION: Move to approve the appropriation of grant funds from the 2017 Emergency Management Performance Grant (EMPG) Program

MOTION: Brothers **SECOND:** Collins

AYES: Brothers, Collins, Crandall, Nagel, Vo

NOES: None

ABSENT: None

ABSTAIN: None

Motion carried: 5-0

16. (Council) Approval of a Proposal and Award of a Contract to Psomas in an amount not to exceed \$643,452 for Project Management, Design Review, and Field Observation of Improvements Related to the I-405 Improvement Project

ACTION: Move to approve the proposal and award a contract to Psomas in the amount not to exceed \$643,452 for project management, design review, and field observation of improvements related to the 1-405 Improvement Project

MOTION: Brothers **SECOND:** Collins

AYES: Brothers, Collins, Crandall, Nagel, Vo

NOES: None

ABSENT: None

ABSTAIN: None

Motion carried: 5-0

ADMINISTRATIVE ITEMS – (Item was heard out of order)

17. (Council) Provide Direction to Staff Regarding the California Values Act (also referred to as the Sanctuary State Law)

Public Speakers: Les Marski, Kim Sorgente, Ryan Stegink-Sinnes, Rachel Kraus-Lee, Cathy Ellis, Nicole Soltero, Lyna Runfola, Jerald Thomas, Genevieve Peters, Arely Posey, Gay Depero, Jennifer Martinez, Dominic Mcafe, Sara Holland, Eva Weisz, Rabbi Stephen Einstein, Chris Hilger, Elliott Bubis, Jessica Runfola, Mark Mobley, Julie Vo, Tracy La, Tung Nguyen, Tery Patseh, Libby Folichman, Sheryl Martinez, Beverly Welch, Skye Wagoner, Karen Stoyakoff, Caroline

Nguyen, Steve Dahlberg, Jaye Towne, Bill Schuman, Louise Schuman, Christy Ly, Melisa Wong, Matt Taylor, Olivia Judish, Dura Young, Justin Samson, Fred Macintosh, Jeff Bensen, Justin Samson, Gay DePerio, Lael Sunny Meagher, Bonnie Lelesch, Katelyn Brazer, Valentina Bankhead, Ursaula Yager, Pamela Pauline, Cheryl Beckerman, Arthur Schaper. Fred Denny, Crystal Jades, Jo Reitkopp, Jaye Towne, David Schlup Kim Sorgenie, Ron Pengra, Joseph Runfola, Ian LaFontaine, Kelly Kraus-Lee, Rep. Dana Rohrabacher, Briana Valadao

ACTION: Move to take no action on the item presented.

MOTION: Brothers **SECOND:** Vo

AYES: Brothers, Vo

NOES: Collins, Crandall, Nagel

ABSENT: None

ABSTAIN: None

The motion was defeated 3-2 and an alternate motion was presented.

ACTION: Move to have the city accept money from those that have stated they will pay for the city to file the Amicus Brief and to have the Amicus Brief filed by Friday April 6th, 2018.

MOTION: Crandall **SECOND:** Collins

AYES: Collins, Crandall, Nagel

NOES: Brothers

ABSENT: None

ABSTAIN: Vo

Motion carried: 3-1

COUNCIL MEMBER ITEMS FOR FUTURE CONSIDERATION

CITY COUNCIL/ SUCCESSOR AGENCY/ HOUSING AUTHORITY/ PUBLIC COMMENTS

Kim Constantine
Jaye Towne

CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY AB 1234/GENERAL COMMENTS

COUNCIL MEMBER COLLINS

March 21 Attended the F.V. Police Department Badge Ceremony
March 22 Attended the SARFPA Executive Board Meeting
March 24 Attended the Fountain Valley Women's Club Play
March 27 Attended the SARFPA Tour of the Prado Dam
March 31 Attended the Easter Egg Hunt at the Sports Park

COUNCIL MEMBER CRANDALL

- March 22 Attended the Every 15 Minutes Accident Recreation
- March 31 Attended the Easter Egg Hunt at the Sports Park
- March 21 Attended the F.V. Police Department Badge Ceremony

COUNCIL MEMBER BROTHERS

- March 21 Attended a Public Cable Television Authority meeting
- March 21 Attended the F.V. Police Department Badge Ceremony
- March 22 Attended the 2018 OCCOG General Assembly
- March 23 Attended the O.C. Division of the League of California Cities General Membership Mtg.
- March 27 Attended the F.V. Chamber Luncheon
- March 27 Attended the City Website Focus Group Meeting
- March 31 Attended the Easter Egg Hunt at the Sports Park
- April 3 Attended the Car Show fundraiser breakfast at Applebee's

MAYOR PRO TEM NAGEL

- March 21 Attended FV. Police Department Badge Ceremony
- March 22 Attended 2018 OCCOG General Assembly
- March 23 Attended the Every 15 Minutes Assembly at Fountain Valley High School
- March 23 Attended the O.C. Division of the League of CA Cities General Membership Mtg.
- March 27 Attended and chaired the Boys and Girls Club Board Meeting
- March 28 Attended the OCSD Board Meeting
- March 30 Played Pickle ball at F.V. Rec. Center
- March 31 Cooked at the Kiwanis Club Pancake Breakfast for the Easter Egg Hunt at Sports Park
- April 3 Attended Judge David Carter's Homeless Meeting at the Federal Court House in Santa Ana

MAYOR VO

- March 21 Attended a PCTA Mtg.
- March 21 Visit to Memorial Care with City Manager and Assistant to the City Manager
- March 21 Attended Police Department Badge Ceremony
- March 28 Attended SeniorServe helped serve lunch to seniors
- March 28 Visit to Pedego Bikes with City Manager and Assistant to the City Manager
- March 31 Attended the Easter Egg Hunt at the Sports Park

ADJOURN THE MEETING OF THE CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY

Mayor Vo adjourned the meeting at 10:00 p.m. in the memory of Genevieve G. Mello

The next Regular Meeting of the Fountain Valley City Council is April 17, 2018 at 6:00 p.m., in the Fountain Valley Council Chambers, 10200 Slater Avenue, Fountain Valley



Michael Vo, Mayor



Rick Miller, City Clerk