



MINUTES OF THE  
CITY COUNCIL/ SUCCESSOR AGENCY TO THE FOUNTAIN  
VALLEY AGENCY  
FOR COMMUNITY DEVELOPMENT/ FOUNTAIN VALLEY  
HOUSING AUTHORITY  
Closed Session 4:45 p.m.  
Regular Meeting 6:00 p.m.  
Tuesday, May 2, 2023  
Council Chambers

**CLOSED SESSION**

**CALL TO ORDER**

4:45 p.m.

**PUBLIC COMMENTS**

(Closed Session matters only)

There were no public comments

**1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

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

Name of case: WISP v. City of Fountain Valley (Federal Communications Commission)

There was no reportable action

**2. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**

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

Name of case: In re Admin Cite C5000108 - Linh Do

There was no reportable action

**3. CONFERENCE WITH LEGAL COUNSEL**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1potential case

The City Council voted by a 5-0 vote to authorize the City Attorney to obtain an inspection warrant.

**OPEN SESSION**

**CALL TO ORDER**

6:01 p.m.

**INVOCATION**

Pastor Glen Haworth from The Fount Church

**SALUTE TO THE FLAG**

Council Member Patrick Harper

**CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY/ ROLL CALL**

Council Members Present: Bui, Cunneen, Harper, Mayor Pro Tem/Vice Chair Grandis, Mayor/Chair Constantine

Council Members Absent: None

## ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS

The Staff Reports for items 3 and 10 on the agenda were updated.

## CITY MANAGER / MAYOR UPDATES

City Manager Maggie Le provided her update.

Mayor Kim Constantine provided her update.

## FIRST CITY COUNCIL/ SUCCESSOR AGENCY/ HOUSING AUTHORITY/ PUBLIC COMMENTS

(Unscheduled Matters Only)

Katy Wright, Brian Edwards, Tracy Cameron

## CONSENT CALENDAR

*Consent Calendar Items 1 – 5 and 7 – 8 were approved simultaneously. Item number 6 was pulled from the Consent Calendar and heard as a separate item under the Administrative Items portion of the agenda.*

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

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

**MOTION:** Harper      **SECOND:** Bui

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

2. Receive and File the Draft Minutes of the April 18, 2023 Regular City Council Meeting

**ACTION:** Move to Receive and File the Draft Minutes of the April 18, 2023 Regular City Council Meeting

**MOTION:** Harper      **SECOND:** Bui

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

3. Approve the Water Loss Control Shared Services Election Form for FY 23-24 with the Municipal Water District of Orange County

**ACTION:** Move to Approve the Water Loss Control Shared Services Election Form for FY 23- 24 with the Municipal Water District of Orange County

**MOTION:** Harper      **SECOND:** Bui

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

4. Approve Exhibit A – CY 2023 of the Cost Sharing Agreement (CON-16-08) with the Municipal Water District of Orange County for Water Loss Control Technical Assistance in the amount of \$10,120

**ACTION:** Move to Approve Exhibit A – CY 2023 of the Cost Sharing Agreement (CON-16-08) with the Municipal Water District of Orange County for Water Loss Control Technical Assistance in the amount of \$10,120

**MOTION:** Harper      **SECOND:** Bui

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

5. Approve Budget Transfer from Traffic Improvement Fund-Streets to Traffic Improvement Fund-Signals & Lights for \$20,000. Authorize Staff to execute change order to Traffic Signal Timing Monitoring PO with AGA Engineers, Inc. to increase PO by \$20,000

**ACTION:** Move to Approve Budget Transfer from Traffic Improvement Fund-Streets to Traffic Improvement Fund-Signals & Lights for \$20,000. Authorize Staff to execute change order to Traffic Signal Timing Monitoring PO with AGA Engineers, Inc. to increase PO by \$20,000

**MOTION:** Harper      **SECOND:** Bui

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

6. **Item Pulled by Attorney for the City Colin Burns and Heard as an Administrative Items for Consideration.**

City Manager Maggie Le left the dais at 6:26 p.m.

Adopt a Resolution to Establish a Retiree Health Savings ("RHS") Plan Agreement No. 800414 with Retirement Health Savings (RHS) Account for the City Manager

**ACTION:** Move to Adopt a Resolution to Establish a Retiree Health Savings ("RHS") Plan Agreement No. 800414 with Retirement Health Savings (RHS) Account for the City Manager

**MOTION:** Grandis      **SECOND:** Constantine

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

City Manager Maggie Le returned to the dais at 6:29 p.m.

7. **Hoy Civil Engineering As Needed Professional Engineering Services.**

1. Approve a Budget Transfer of \$20,000 from the FY22/23 General Fund Engineering Budget to the General Fund Traffic Budget.

2. Approve Amendment No. 1 to the Hoy Civil Engineering CON-126

**ACTION:** Move to Approve Hoy Civil Engineering As Needed Professional Engineering Services. Approve a Budget Transfer of \$20,000 from the FY22/23 General Fund Engineering Budget to the General Fund Traffic Budget.  
Approve Amendment No. 1 to the Hoy Civil Engineering CON-126

**MOTION:** Harper      **SECOND:** Bui

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

8. **Lease Amendments to Contracts 11-50 and 06-02 with the Boys and Girls Clubs of Huntington Valley**

1. Approval of Amendment #5 to Contract 11-50 between the Boys and Girls Clubs of Huntington Valley and the City of Fountain Valley for the use of the Child

**ACTION:** Move to Approve Lease Amendments to Contracts 11-50 and 06-02 with the Boys and Girls Clubs of Huntington Valley  
Approval of Amendment #5 to Contract 11-50 between the Boys and Girls Clubs of Huntington Valley and the City of Fountain Valley for the use of the Child

**MOTION:** Harper      **SECOND:** Bui

**AYES:** Bui, Cunneen, Harper, Constantine  
**NOES:** None  
**ABSENT:** None  
**RECUSE:** Grandis

**PUBLIC HEARING**

9. Public Hearing - Approval of the FY 23-24 Community Development Block Grant (CDBG) Annual Action Plan – Presentation by Ashlyn Newman, Housing Coordinator

Public Hearing Opened: 6:24 p.m.  
No Public Comments  
Public Hearing Closed: 6:25 p.m.

**ACTION:** Move to Approve the FY 23-24 Community Development Block Grant (CDBG) Annual Action Plan

**MOTION:** Grandis      **SECOND:** Constantine

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**ADMINISTRATIVE ITEMS**

10. The City of Fountain Valley Police Department Locker Room Improvement Project
1. Accept the bids and award a construction contract for \$3,546,539.59 to JR Universal Construction Inc for the City of Fountain Valley Police Department Locker Room Improvement Project

**ACTION:** Move to Approve and Accept the bids and award a construction contract for \$3,546,539.59 to JR Universal Construction Inc. for the City of Fountain Valley Police Department Locker Room Improvement Project

**MOTION:** Cunneen      **SECOND:** Constantine

**AYES:** Bui, Cunneen, Harper, Constantine  
**NOES:** None  
**ABSENT:** None  
**RECUSED:** Grandis

11. Report from the Measure HH Essential City Services Advisory Oversight Committee on FY2021-22 Audited Measure HH Revenues and Expenditures

**ACTION:** Move to Receive and File the Report

**MOTION:** Bui    **SECOND:** Constantine

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

12. Approve a Memorandum of Understanding between the City of Fountain Valley and the Fountain Valley Community Foundation to Support the Annual Summerfest Event

**ACTION:** Move to Approve a Memorandum of Understanding between the City of Fountain Valley and the Fountain Valley Community Foundation to Support the Annual Summerfest Event

**MOTION:** Grandis    **SECOND:** Constantine

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

13. A Resolution of the City Council of the City of Fountain Valley ending the Level 2 Water Supply Shortage declaration and returning to Level 0 Normal Water Supply Conditions requiring public compliance with permanent water conservation practices and the State's ban on using potable water to irrigate non-functional turf at commercial, industrial and institutional sites

**ACTION:** Move to Approve A Resolution of the City Council of the City of Fountain Valley ending the Level 2 Water Supply Shortage declaration and returning to Level 0 Normal Water Supply Conditions requiring public compliance with permanent water conservation practices and the State's ban on using potable water to irrigate non-functional turf at commercial, industrial and institutional sites

**MOTION:** Harper    **SECOND:** Bui

**AYES:** Bui, Cunneen, Harper, Grandis, Constantine

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

## COUNCIL MEMBER ITEMS FOR FUTURE CONSIDERATION

Council Member Bui requested a study be conducted on costs paid to consultants. The item was seconded by Mayor Pro Tem Grandis

## CITY COUNCIL/ SUCCESSOR AGENCY/ HOUSING AUTHORITY/ PUBLIC COMMENTS

(Unscheduled Matters Only)

None

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

### Council Member Bui

April 19 Attended the volunteer recognition lunch  
April 21 Attended Senator Janet Nguyen's Women of Distinction awards  
April 21 Attended the Business and Leadership Awards presented by the Chamber of Commerce  
April 22 Attended the Community Service Day  
April 25 Attended the Garden Grove State of the City  
April 27 Attended the Pizza D'z Anniversary ribbon cutting  
April 30 Attended the Amuse Foundation – A Day of Wonder  
May 1 Attended the API Heritage event  
May 2 Attended the Rotary Teachers of the year Awards

### Council Member Cunneen

May 2 Attended the Annual Teacher of the Year Awards provided by the Fountain Valley Rotary Club

### Mayor Pro Tem Grandis

April 19 Attended the PCTA Board Meeting  
April 20 Attended the Community Foundation Board Meeting and Volunteer meeting  
April 21 Attended the Chamber Business and leadership Awards  
April 22 Attended the Community Service Day  
April 25 Attended the Boys and Girls Club of Huntington Valley Board Meeting  
April 26 Attended the OC San District Board of Directors meeting  
April 27 Attended the Pizza D'z Anniversary ribbon cutting and the FV Regional Hospital Governing Board of Directors meeting  
April 28 Attended the Dance for Persons with Disabilities  
April 29 Attended the Bolsa Chica Conservancy 5k Walk for the birds  
April 30 Attended the Amuse Foundation – A Day of Wonder  
May 1 Attended the FV Schools Foundation Board Meeting  
May 2 Attended the Rotary Teachers of the year Awards

### Mayor Constantine

April 18 Stopped by the How to: Apps Workshop at the FV Community and Senior Center, then headed over to the FV School District Art Show at the FV School District.

- April 19 Participated in the PCTA (Public Cable Television Authority) Meeting on Zoom, attended the OC Supervisor Do Community Round Table at the Fountain Valley Library, then attended the Community and Senior Center Volunteer Recognition at the FV Community and Senior Center.
- April 21 Participated in the Fountain Valley Chamber of Commerce Annual Business Awards by awarding the business recipients plaques, certificates from other electeds, and certificates on behalf of the the City of Fountain Valley.
- April 22 Participated in the Annual Community Service Day sponsored by The Greater Huntington Beach Interfaith Council at the FV Community and Senior Center.
- April 24 Attended a meeting with and at the FV Chamber of Commerce regarding the upcoming FV Mayor's Ball, then watched the Measure HH Advisory Oversight Meeting on Zoom.
- April 25 Watched the Orange County Board of Supervisors Meeting on the County's website, then attended the Garden Grove State of the City Luncheon at the Hyatt in Garden Grove.
- April 26 Did an all-day ride along in Fountain Valley with Pubudu of Orange County Mosquito and Vector Control. I am the Fountain Valley Board Trustee and attend monthly meetings, etc.
- April 27 Attended the Kennedy Commission Awards Breakfast at the Orange Hill Restaurant. Related was a recipient of an award. They did our Prado affordable residential community, then attended the OC Connect FV Chamber of Commerce Luncheon at Coastline College. Late in the day, I presented a certificate on behalf of the City of Fountain Valley at the grand reopening ribbon cutting at Pizza D'z.
- April 28 Attended the Kei Concepts "Hello World" event at the Grand Saigon Theater, then stopped by the "Fabelman's" movie for senior citizens at the FV Community and Senior Center, and in the evening attended the FV Advisory Committee for Persons with Disabilities Spring Dance.
- April 29 Assisted the Friends of the Fountain Valley Library with setting up the Spring Plant Sale at the Fountain Valley Library.
- April 30 Attended the "A Day of Wonder" the Amuse Foundation's 3rd Annual Autism Inclusion Celebration Event at the FV Recreation Center.
- May 1 Volunteered with the Friends of the FV Library by pulling dotted books and packing them in boxes for an upcoming book sale at the FV Library.
- May 2 Attended the FV Rotary "Teacher of the Year" Breakfast. There were 10 certificates to the teacher honorees, representing our district's elementary and middle schools, on behalf of the City of Fountain Valley.

**Council Member Harper**



April 20 Attended the Mobile Source Air Pollution Reduction Committee Meeting  
April 24 Attended the OCTA Board meeting  
April 26 Attended the OCTA Finance Committee  
April 28 Attended the Dance for Persons with Disabilities  
May 1 Attended the OCTA Regional Transportation Planning Committee Meeting

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

Mayor Constantine adjourned the meeting at 8:28 pm to the next Meeting of the Fountain Valley City Council on May 16, 2023 at 6:00 p.m., in the Fountain Valley Council Chambers, 10200 Slater Avenue, Fountain Valley.

  
Kim Constantine, Mayor

Attest:

  
Rick Miller, City Clerk