



# AGENDA

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

**Study Session 5:00 p.m.**

**Regular Meeting 6:00 p.m.**

Tuesday, October 18, 2022

**Council Chambers**

10200 Slater Avenue

Fountain Valley, CA 92708

<http://www.fountainvalley.org>

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**MEETING ASSISTANCE:** In compliance with the Americans with Disabilities Act, anyone needing special assistance to participate in a meeting of the government bodies listed herein should contact the City Clerk's Office at (714) 593-4445. Notification 72 hours prior to the meeting allows the City to make reasonable arrangements to ensure accessibility to the meeting.

**AGENDA COMMUNICATIONS:** All revised or additional documents and writings related to an item on this agenda provided to all or a majority of the government body members after distribution of the agenda packet, are available for public inspection (1) in the City Clerk's Office at 10200 Slater Avenue, Fountain Valley, CA 92708 during normal business hours; and (2) in the Council Chambers at the time of the meeting. Unless directed otherwise by a government body listed herein all actions shall be based on/memorialized by the latest document submitted as a late communication.

**PUBLIC COMMENTS/PUBLIC HEARINGS:** Persons wishing to address the City Council or other government body listed complete a speaker card and give it to the City Clerk prior to the public comment period. **Requests to speak will not be accepted after the public comment session begins without permission of the Mayor/Chair.** Speakers must limit remarks to a total of (3) three minutes and address the City Council through the Mayor. Comments to individuals or staff are not permitted. **Scheduled Matters, including Public Hearings:** Indicate on the card what item you want to address. **Unscheduled Matters:** Indicate on the card what subject matter you want to address. Comments must be related to issues that are within the jurisdiction of the governing body listed on the agenda. Pursuant to the Brown Act, the governing body may not enter into discussion regarding items not on the agenda.

**CONSENT CALENDAR:** All matters listed under the Consent Calendar are considered by the governing bodies listed herein to be routine and will be enacted on simultaneously with one motion without discussion unless separate action and/or discussion is requested by a governing body member, staff, or a member of the public.

**PUBLIC HEARINGS:** Persons wishing to speak in favor of or in opposition to a proposal are given an opportunity to do so during the public hearing. Those wishing to address a governing body during the hearing are requested to complete the speaker card and submit it to the City

Clerk prior to the hearing. If a proposed action is challenged in court, there may be a limitation to raising only those issues raised during the hearing or in written correspondence received by the governing body at or before the hearing.

***Note: The Fountain Valley City Council serves as the Successor Agency to the Fountain Valley Agency for Community Development (Successor Agency), the Fountain Valley Housing Authority, and the Fountain Valley Finance Authority. The Actions of the Successor Agency are separate and apart from the actions of the City Council.***

### **ZOOM LINK INFORMATION**

- Participants that choose to watch the City Council meeting through zoom are automatically placed in the waiting room and will only be allowed into the Zoom meeting if they request to make a public comment. In order to make a public comment, you will indicate through the chat feature which item you would like to speak on, and click on the “raise hand” icon to let the administrator know you wish to speak.
- All participants are muted unless you are requesting to speak, at which time you will be allowed to unmute and make you comment.
- All public comments are allowed up to 3 minutes to speak.

Topic: City Council Meeting

Time: Oct 18, 2022 06:00 PM Pacific Time (US and Canada)

### **Join Zoom Meeting**

**<https://us02web.zoom.us/j/86159875832?pwd=ck9kbklzV0JrQURYbFVta29VWW9CZz09>**

Meeting ID: 861 5987 5832

Passcode: 481230

One tap mobile

+16694449171,,86159875832#,,,,\*481230# US

+16699006833,,86159875832#,,,,\*481230# US (San Jose)

### **STUDY SESSION**

### **CALL TO ORDER**

5:00 p.m.

### **PUBLIC COMMENTS** (Study Session matters only)

*Persons wishing to speak on a Study Session matter are requested to identify themselves by completing a blue speaker card indicating the item they want to address and to give the card to the City Clerk prior to the public comment period. The City Clerk will call upon those that wish to speak.*

1. Presentation on the Results of the Citizen Satisfaction Survey – Presentation by Rob Frizzelle, Community Services Director-
2. Recap of the 3 Festivals and Community Services Events put on this year – Presentation by Rob Frizzelle, Community Services Director
3. New Revenue and/or Savings Options – Presentation by Sherry Johnson, Interim Finance Director

### **OPEN SESSION**

## **CALL TO ORDER**

6:00 p.m.

## **INVOCATION**

## **SALUTE TO THE FLAG**

Mayor Patrick Harper

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

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

## **ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS**

## **CITY MANAGER / MAYOR UPDATE**

## **PRESENTATIONS**

- Certificate of Kindness Presentation Presented to – Prentice Meeks of Republic Services
- Hyundai Check Presentation – Presented by Rob Frizzelle, Community Services Director and Hyundai Corporate Social Responsibility
- Presentation on the Measure M2 Update by OCTA
- FVHS Football Bell Game presented by Coach David Gutierrez & Principal Paul Lopez

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

(Unscheduled Matters Only)

*The Unscheduled Matters Public Comments portion will last 15 Minutes at the beginning of the meeting. Any requests to speak on unscheduled matters after the initial 15 minutes, will be heard at the end of the meeting, unless the Mayor approves an extension of this time. If an individual speaks during the First unscheduled matters time period, they do not get to speak at the end of the meeting as well. Persons wishing to speak on an unscheduled matter are requested to identify themselves by completing a blue speaker and to give the card to the City Clerk. Each person will have up to 3 minutes to speak. The City Clerk will call upon those that wish to speak.*

## **PUBLIC COMMENTS** (Scheduled Matters Only)

*Persons wishing to speak on Agenda item(s) are requested to identify themselves by completing a blue speaker card indicating the item they want to address and to give the card to the City Clerk prior to the public comment period. Each person will be given up to 3 minutes to speak on the entire Consent Calendar, 3 minutes to speak on each item pulled from the consent calendar, and 3 minutes to speak on any agenda item(s) not appearing on the Consent Calendar.*

## **CONSENT CALENDAR**

*Consent Calendar Items 1 – 5 will be approved simultaneously with one motion, unless separate action/or discussion is requested.*

1. Waive the reading in full of all ordinances under consideration and direct the Mayor to read by titles only.
2. Receive and File the Draft Minutes of the October 18, 2022 Regular City Council Meeting **Page 5**
3. City of Fountain Valley Six Month Strategic Objectives Update For August 23, 2022 through November 1, 2022 **Page 12**

Recommended Action: Staff recommends that the City Council receive and file the Six Month Strategic Objectives matrix for August 23, 2022 through November 1, 2022.

4. Second Reading and Adoption of an Ordinance Declaring Existing Law that Short Term Rentals are Prohibited in the City of Fountain Valley and Increasing Administrative and Criminal Fines for Short-Term Rental and Building Code Violations **Page 20**

Recommended Action: Staff recommends the City Council approve Alternative 1: adopt the attached Ordinance Declaring Existing Law that Short Term Rentals are Prohibited in the City of Fountain Valley and Increasing Administrative and Criminal Fines for Short-Term Rental and Building Code Violations.

5. Termination of the Declaration of Local Emergency Due to the Omni Metals HazMat Fire **Page 31**

Recommended Action: Staff recommends that the City Council approve Alternative No. 1: Adopt a Resolution Terminating the Local Emergency due to the Omni Metals HazMat Fire.

## **COUNCIL MEMBER ITEMS FOR FUTURE CONSIDERATION**

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

(Unscheduled Matters Only)

*Persons wishing to speak on an unscheduled matter are requested to identify themselves by completing a blue speaker and to give the card to the City Clerk. Each person will have up to 3 minutes to speak. The City Clerk will call upon those that wish to speak.*

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

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

The next Regular Meeting of the Fountain Valley City Council is November 1, 2022 at 6:00 p.m., in the Fountain Valley Council Chambers, 10200 Slater Avenue, Fountain Valley.



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

**Closed Session 4:30 p.m.  
Study Session 5:15 p.m.  
Regular Meeting 6:00 p.m.  
Tuesday, October 4, 2022  
Council Chambers**

**CLOSED SESSION**

**CALL TO ORDER**

4:30 p.m.

**PUBLIC COMMENTS**

(Closed Session matters only)

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

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

Names of cases:

- Auster, Randall v. Fountain Valley (30-2020-01158809-CU-PA-CJC)
- Barrett, Stephen v. Fountain Valley, Los Caballeros, et al (30-2021-01226466-CU-PO-CJC)
- Dunne, David v. OC 405 (Fountain Valley) et al (30-2021-001219445-CU-PO-CJC)
- Guirguis, Tahini v. RJ Noble (Fountain Valley) 30-2021-01220821-CU-PO-WJC
- Hill, Stephen et al v. Fountain Valley et al (9<sup>th</sup> Circuit Court of Appeals - 21-55867) (State Court - 30-2021-01215714-CU-CR-CJC)
- Taylor, Devon v. Fountain Valley (30-2020-01155502)
- Sanzaro, Tilden v. Fountain Valley (30-2022-01244065)

There was no reportable action

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

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:

(1 potential case) (threat of litigation by STRs re implementation of ban)

There was no reportable action

**3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: 13871 West Street, Garden Grove, CA

Agency negotiator: City Manager, Community Development Director, Interim Finance Director,  
Attorney for the City

Negotiating parties: Fountain Valley, Garden Grove, Westminster, West Street Investments LLC

Under negotiation: Price and Terms of Payment

There was no reportable action.

**STUDY SESSION**

**CALL TO ORDER**

5:20 p.m.

**PUBLIC COMMENTS**

(Closed Session matters only)

1. Strategic Planning Objective – Diversity in Community Events; presented by Community Services Director Rob Frizzelle

Rob Frizzelle presented the various diversity events that the city has put on and mentioned a few new ones to the City Council.

2. Consideration of North Unincorporated County Island Annexation – Survey Results – Presented by Community Development Director – Omar Dadabhoy

Omar Dadabhoy presented the results of a survey done to see if the County island to our north was interested in being annexed by the city.

**OPEN SESSION**

**CALL TO ORDER**

6:00 p.m.

**INVOCATION**

Mayor Patrick Harper

**SALUTE TO THE FLAG**

Council Member Ted Bui

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

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

All members were present

**CITY MANAGER / MAYOR UPDATES**

City Manager Maggie Le spoke about the Halloween Bash on October 7<sup>th</sup>, the Fire Department Open House on October 15<sup>th</sup> and that the city was recruiting for several positions.

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS**

Item 6 – Updated responses to the Housing Element and an updated resolution were provided.

## **PRESENTATIONS**

1. Advisory Committee for Persons with Disabilities Award Presentation

Board Chairman John Borack presented the awards to the recipients.

2. Frontier Project Update - Presented by HyeJin Lee, Public Works Director and Doug McAllister of Frontier

Frontier presented an update on the progress of the project.

3. ICSC Western Conference Recap - Presentation by Meghan Wishner

Meghan Wishner provided an update on who the city met with at the ICSC event in San Diego.

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

(Unscheduled Matters Only)

Katy Wright, Tracy Cameron

## **CONSENT CALENDAR**

*Consent Calendar Items 1 – 8 & 10 were approved simultaneously.*

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:** Vo    **SECOND:** Grandis

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

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

2. Second Reading and Adoption of an Ordinance of the City Council of the City of Fountain Valley adding Section 12.08.105 to the Fountain Valley Municipal Code to prohibit feeding, disturbing, or having physical contact with wildlife on City property to reduce the presence of coyotes

**ACTION:** Move to Approve the Second Reading and Adoption of an Ordinance of the City Council of the City of Fountain Valley adding Section 12.08.105 to the Fountain Valley Municipal Code to prohibit feeding, disturbing, or having physical contact



with wildlife on City property to reduce the presence of coyotes

**MOTION:** Vo    **SECOND:** Grandis

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

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**3. Receive and File the Draft Minutes of the September 20, 2022 Regular City Council Meeting**

**ACTION:** Move to Receive and File the Draft Minutes of the September 20, 2022 Regular City Council Meeting

**MOTION:** Vo    **SECOND:** Grandis

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

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**4. Item Pulled by Council Member Bui**

Determination of Public Convenience or Necessity for the Issuance of a Type 20 Off-Sale Beer and Wine Liquor License Extra Mile Market Located at 17980 Magnolia Street

**ACTION:** Move to Approve the Determination of Public Convenience or Necessity for the Issuance of a Type 20 Off-Sale Beer and Wine Liquor License Extra Mile Market Located at 17980 Magnolia Street

**MOTION:** Harper    **SECOND:** Constantine

**AYES:** Grandis, Vo, Constantine, Harper

**NOES:** Bui

**ABSENT:** None

**ABSTAIN:** None

**5. Item 5 was removed for consideration from the Consent Calendar at staff's request**

Review Need for Continuing Local Emergency Due to the Omni Metals HazMat Fire – Fourth Review

No Action Taken



**PUBLIC HEARINGS**

**6. General Plan Amendment 22-02 - Adoption of the 2021-2029 Housing Element Update**

Public Hearing Opened: 7:34 p.m.

Adam Wood, Rudy Huebner, Chuong Vu and Eitel Braunschweig

Public Hearing Closed: 7:47 p.m.

**ACTION:** Move to Approve the General Plan Amendment 22-02 - Adoption of the 2021-2029 Housing Element Update

**MOTION:** Vo     **SECOND:** Grandis

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

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**7. Introduction and First Read of an Ordinance Declaring Existing Law that Short Term Rentals are Prohibited in the City of Fountain Valley and Increasing Administrative and Criminal Fines for Short-Term Rental and Building Code Violations**

Public Hearing Opened: 7:53 p.m.

Adam Palermo, Katy Wright, Janet Duouette, Sandy Strech, Lisa Sanders, Darrel Mymon Brown, Eileen Asahi, Linh Do, Thi Pham, Jaye Towne, Rudy Huebner, Pam Van Laningham, Jenny Tran, Angela Nguyen, Stephen Schwarz, Peter Hanna, Edwin Sanchez, Evan Jorgensen, Richard Stowman, Andy Tai, Binh Le

Via Zoom: Audirs Nguyen, Lee T, Anne Bettinger, Khang Do, Bryan Cimo, Michiyo Leho, Anthony Vo, Denise Lobianco

Public Hearing Closed: 8:53 p.m.

**ACTION:** Move to Approve the Introduction and First Read of an Ordinance Declaring Existing Law that Short Term Rentals are Prohibited in the City of Fountain Valley and Increasing Administrative and Criminal Fines for Short-Term Rental and Building Code Violations

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

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

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**ADMINISTRATIVE ITEMS**

**8. Adopt Salary Resolution Providing Increase in Compensation for the City Manager**

## **COUNCIL MEMBER ITEMS FOR FUTURE CONSIDERATION**

There were no requests

## **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**

September 14      Attended the Planning Commission meeting via Zoom  
September 15      Attended the OC Human Relations Commission  
September 17      Attended the Ed Arnold Event hosted by the Rotary Club  
September 24      Attended the Kiwanis installation dinner  
September 28      Attended the OC San District meeting  
September 29      Attended the ICSC Event in San Diego

### **Council Member Vo**

September 29      Attended the Miss Fountain valley Scholarship fundraiser

### **Council Member Grandis**

September 21      Attended the PCTA Board Meeting  
September 22      Attended the FVRH Governing Board Meeting  
September 25      Attended the FV Hyundai 5k fun-run, the FV Kiwanis Banquet and the Celebration  
to remember Robert Mayer  
September 27      Attended the FV Chamber Candidates Forum  
September 28-29      Attended the ICSC Conference in San Diego  
October 2-3      Attended the MISAC Conference in Monterey, CA  
October 4      Attended the PCTA Sub Committee Meeting

### **Mayor Pro Tem Constantine**

September 22      Attended the FV Mayor's Breakfast at the FV Regional Hospital in which CA, then  
watched the SARFPA Executive Committee Meeting on Zoom.  
September 23      volunteered a 3-hour shift in the Friends of the Library Bookstore.  
September 24      Attended the Hyundai Hope on Wheels 5K and Color Fun Run at the FV Sports  
Park, then stopped in at the Historical Society Luncheon at Heritage Park.  
September 27      Watched the Orange County Board of Supervisors Meeting on Zoom, then attended  
the FV (City Council) Candidates Forum hosted by the Chamber of Commerce in

- October 3 FV Council Chambers.  
Volunteered in the Friends of the Library Bookstore pulling books for the next book sale event.
- October 4 Watched the Orange County Board of Supervisors Meeting on Zoom.

**Mayor Harper**

- September 22 Attended the Mayors Breakfast  
September 25 Attended the Hyundai 5k event  
September 26 Attended the OCTA Board Meeting  
September 27 Attended the Candidate Forum  
September 29 Attended ICSC in San Diego  
October 3 Attended the OCTA Emergency Board Meeting

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

Mayor Harper adjourned the meeting at 9:20 pm to the next Meeting of the Fountain Valley City Council on October 18, 2022 at 6:00 p.m., in the Fountain Valley Council Chambers, 10200 Slater Avenue, Fountain Valley.

\_\_\_\_\_  
Patrick Harper, Mayor

Attest:

\_\_\_\_\_  
Rick Miller, City Clerk



**CITY OF FOUNTAIN VALLEY  
CITY COUNCIL  
COUNCIL ACTION REQUEST**

To: Honorable Mayor and  
Members of the City Council

Agenda Date: October 18, 2022

SUBJECT: City of Fountain Valley Six Month Strategic Objectives Update for  
August 23, 2022 through November 1, 2022

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**Three-Year Strategic Goals**

- Enhance the culture and environment of “A Nice Place to Live”
- Attract and retain revenue producing businesses
- Achieve fiscal stability in accordance with the 20-Year Financial Plan
- Attract and retain quality staff
- Not applicable

**EXECUTIVE SUMMARY:**

On August 23, 2022, the City Council approved the attached strategic plan objectives matrix for August 23, 2022 through November 1, 2022. The attached objectives have been updated to give the City Council a current status of the objectives to date.

**DISCUSSION:**

During the city’s strategic planning session on June 9, 2022, the City Council, management and staff in attendance reviewed the previously established mission statement, three-year goals and six-month strategic planning objectives. The strategic plan has and will continue to serve as a guideline for both the council and staff as we work to achieve our goals over the next few years.

Our strategic planning efforts reconfirmed the existing city mission statement that states; “The City of Fountain Valley delivers cost-effective quality public services to provide a safe and desirable community that enriches its residents and businesses.” The three-year goals established by the City Council in 2020 were reviewed and discussion occurred to determine what the next three-year goals should be.

The recommended 2020 - 2023 goals are:

- Enhance the culture and environment of “A Nice Place to Live”
- Attract and retain revenue producing businesses
- Achieve fiscal stability in accordance with the 20-Year Financial Plan
- Attract and retain quality staff

At the July 19, 2022 City Council Study Session, Staff presented a draft of the six-month objectives and Staff received feedback to bring back to City Council for adoption. The City Council approved the strategic plan objectives matrix for August 23, 2022 through November 1, 2022 at the August 23 City Council Meeting. Attachment No. 1 is the strategic objectives and staff’s progress toward achieving it.

**FISCAL REVIEW:**

The current adopted budget includes sufficient funding for the professional services required. It will be expensed to the 10010103-53003 - PROFESSIONAL SERVICES.

**PUBLIC NOTIFICATION:**

Not applicable.

**ENVIRONMENTAL IMPACT REVIEW:**

Not applicable.

**ATTORNEY REVIEW:**

City Attorney review was not necessary for this item.

**ALTERNATIVES:**

**Alternative No. 1:** Receive and File the updated Six-Month Strategic Objectives Matrix for August 23, 2022 through November 1, 2022.

**Alternative No. 2:** Direct staff to take an alternate action.

**RECOMMENDATION:**

Staff recommends that City Council approve Alternative No. 1 to receive and file the updated Six-Month Strategic Objectives Matrix for August 23, 2022 through November 1, 2022.

Prepared by: Rick Miller, City Clerk

Approved by: Maggie Le, City Manager

Attachment:

1. Updated Six Month Strategic Objectives Matrix for August 23, 2022 through November 1, 2022

CITY OF FOUNTAIN VALLEY  
**SIX-MONTH STRATEGIC OBJECTIVES**  
 August 23, 2022 – November 1, 2022

THREE-YEAR GOAL: <b>ENHANCE THE CULTURE AND ENVIRONMENT OF “A NICE PLACE TO LIVE”</b>						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. At the September 20, 2022 City Council Meeting	City Attorney-lead, Community Development Director, Finance Director	Present to the City Council for consideration, options to address short-term rentals in the city.	X			Presented a STRs ordinance on 9/20/22 and 10/3/22 presented an ordinance to prohibit STRs. 10/18/22 presented the second reading to prohibit STRs.
2. By Sept. 1, 2022	Community Services Director with assistance from all directors	Reinstate and enhance outreach/engagement opportunities related to city-wide community services and present to the City Manager.	X			Presented results of reinstated community outreach programs and opportunities for future engagement at City-wide community events to CM.
3. At October 4, 2022 City Council Meeting	City Clerk-lead, Community Development Director, and Community Services Director	Present to the City Council the results of a customer service survey from residents and businesses.		X		Results will be presented at the October 18, 2022 City Council meeting.
4. At the Oct 4, 2022 City Council meeting	Community Development Director lead, working with the Finance Director, Fire Chief, Police Chief, Public Works Director	Present to the CC the completed survey results of residents and business owners in the North Island.	X			Survey results were presented, however, additional efforts to increase participation are being taken
5. At the October 4, 2022 City Council meeting	Community Services Director	Identify one proposed community event and one proposed concert in the park to embrace diversity.	X			Opportunities for diversity in community events presented to City Council on 10/4/2022.



6. By November 1, 2022	Public Works Director, Community Services Director and IT Manager	Present improved WiFi options at the Sport Park to the City Council.		X		Spectrum, Frontier, and SiFi Smart City options were explored. SiFi is working with WISP as ISP to provide WiFi at Sports Park. A summary will be presented on November 1.
7. By October 15, 2022	Community Development Director	Present the Housing Element Update to the Planning Commission and City Council for adoption.	X			The City Council adopted the Housing Element Update on October 4, 2022.
8. By October 18, 2022	Police Chief	Provide an update on homelessness strategy.			X	Rescheduled presentation to the November 1 Council Meeting. This provides an opportunity to include proposed Navigation Center into the presentation.
8. At the November 1, 2022 City Council Meeting	Public Works Director	Present an update on Frontier fiber optic project to the City Council.	X			Frontier provided an update to City Council on October 4.

**THREE-YEAR GOAL: ATTRACT AND RETAIN REVENUE PRODUCING BUSINESSES**

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. At the November 15, 2022 City Council meeting	Community Development Director and Public Works Director	Present to the City Council for direction branding the FV Crossings Business Area with signage, beautification and marketing.		X		Staff completed RFP process and will review proposals.
2. By the October 18, 2022 City Council Meeting	Community Development Director	Enter into a contract to update the City's Economic Development Plan.		X		A preferred consultant has been identified and the contract has been distributed for signature.
3. By the October 18, 2022 City Council Meeting	Community Development Director	Participate in the San Diego ICSC Conference to increase outreach efforts with businesses and brokers and present results to City Council.	X			Staff provided a recap on October 4.

**THREE-YEAR GOAL: ACHIEVE FISCAL STABILITY IN ACCORDANCE WITH  
THE 20-YEAR FINANCIAL PLAN**

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By the Sept. 20, 2022 City Council meeting	HR Director - lead, Finance Director, City Manager	Present to the City Council the findings and impacts of the Employee Compensation Study for miscellaneous groups.	X			9/20/2022 Council Meeting will conclude the compensation study findings and staff reports.
2. At the November 1, 2022 City Council meeting	Finance Director, working with all Directors	Identify and present to the City Council areas for savings to the city, and new revenue opportunities that do not impact residents.		X		Suggestions to be presented at the October 18 Council Meeting with request for direction.
3. By November 1, 2022 City Council meeting	Finance Director – lead and Public Works Director	Present to the City Council the creation of a Facilities Replacement Fund.			X	Pending new Finance Director.
4. By November 1, 2022 City Council Meeting	Interim Finance Director	Hire an independent consultant to reconcile the current budget with previous forecasts and present to the City Council.			X	Results to be presented at November 15 Council Meeting. Moved out one meeting to accommodate GovInvest November 1 presentation on CalPERS unfunded liability.
5. By August 23, 2022 City Council Meeting	City Clerk	Present to the City Council the process for establishing an Ad-Hoc Finance Sub Committee.	X			8/23/22 City Council approved Mayor Pro Tem Constantine and Councilmember Glenn Grandis to be on the Ad-Hoc Finance Sub Committee through end of fiscal year.

**THREE-YEAR GOAL: ATTRACT AND RETAIN QUALITY STAFF**

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By the October 4, 2022 Council Meeting	Cross City Committee with oversight/assistance from Fire Chief and HR Director	Present results from Engagement Team – Increase Engagement of staff for teambuilding, equity, inclusion, retention and morale.			X	Committee will provide an update in the Council Communicator on 10-14-22.
2. By October 4, 2022 City Council Meeting	PW Director, Community Services Director, HR Director, Police Chief and IT Manager	Present to City Council on hiring process/on boarding improvements.			X	ERP HRIS/Payroll has been moved to January 1/1/2023 to begin implementation.



## CITY OF FOUNTAIN VALLEY CITY COUNCIL

### COUNCIL ACTION REQUEST

To: Honorable Mayor and  
Members of the City Council

Agenda Date: October 18, 2022

SUBJECT: Second Reading and Adoption of an Ordinance Declaring Existing Law that Short Term Rentals are Prohibited in the City of Fountain Valley and Increasing Administrative and Criminal Fines for Short-Term Rental and Building Code Violations

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#### **Three-Year Strategic Goals**

- Enhance the culture and environment of “A Nice Place to Live”
- Attract and retain revenue producing businesses
- Achieve fiscal stability in accordance with the 20-Year Financial Plan
- Attract and retain quality staff
- Not applicable

#### **EXECUTIVE SUMMARY**

At its meeting on October 4, 2022, the City Council introduced for first reading an Ordinance Declaring Existing Law that Short Term Rentals are Prohibited in the City of Fountain Valley and Increasing Administrative and Criminal Fines for Short-Term Rental and Building Code Violations. The Ordinance was approved during the first reading without amendment.

The Ordinance is now presented to the City Council for second reading and adoption.

#### **RECOMMENDED ACTION**

Staff recommends that the City Council adopt the attached Ordinance.

#### **ENVIRONMENTAL ANALYSIS**

This action is exempt from CEQA per the sections noticed in the Ordinance.

#### **FINANCIAL ANALYSIS**

If prohibited, the amount of revenue realized by the City from STRs would be limited to fines for violations, which would help partially offset the costs of the compliance and enforcement. City would also receive revenue from collection of back TOT.

City Council Request

Second Reading of an Ordinance Declaring Existing Law that Short Term Rentals are Prohibited in the City of Fountain Valley and Increasing Administrative and Criminal Fines for Short-Term Rental and Building Code Violations

October 18, 2022

Page 2

**ATTORNEY REVIEW:**

The Attorney for the City prepared the Ordinance and staff report.

**PUBLIC NOTIFICATION**

Public notice was published in the newspaper a minimum of 10 days prior to the public hearing on the first read of the ordinance. This second read has been agendized in compliance with the Ralph M. Brown Act.

**ALTERNATIVES**

1. Adopt the attached Ordinance Declaring Existing Law that Short Term Rentals are Prohibited in the City of Fountain Valley and Increasing Administrative and Criminal Fines for Short-Term Rental and Building Code Violations.
2. Do not adopt the attached Ordinance.
3. Continue the item for further consideration.

**RECOMMENDED ACTION**

Staff recommends the City Council approve Alternative 1: adopt the attached Ordinance Declaring Existing Law that Short Term Rentals are Prohibited in the City of Fountain Valley and Increasing Administrative and Criminal Fines for Short-Term Rental and Building Code Violations.

Prepared by: Colin Burns, Attorney for the City

Fiscal Review by: Sherry Johnson, Interim Finance Director

Approved By: Maggie Le, City Manager

Attachment No 1: Ordinance Declaring Existing Law that Short Term Rentals are Prohibited in the City of Fountain Valley and Increasing Administrative and Criminal Fines for Short-Term Rental and Building Code Violations

**ORDINANCE NO. 22-\_\_**

**SHORT-TERM RENTAL ORDINANCE**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY (1) APPROVING A CATEGORICAL EXEMPTION PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; (2) ADDING CHAPTER 4.95 TO THE MUNICIPAL CODE PROHIBITING SHORT TERM RENTALS; (3) AMENDING SECTION 1.13.070 OF THE MUNICIPAL CODE TO INCREASE ADMINISTRATIVE FINES FOR SHORT-TERM RENTAL PROPERTY AND BUILDING CODE VIOLATIONS; AND (4) AMENDING SECTION 1.16.010 OF THE MUNICIPAL CODE TO INCREASE CRIMINAL FINES FOR SHORT-TERM RENTAL PROPERTY AND BUILDING CODE VIOLATIONS**

**WHEREAS**, the City of Fountain Valley desires to preserve the residential character of neighborhoods that enhance the quality of life for our residents and visitors; and

**WHEREAS**, short-term rentals are not, and have never been, a permitted use under the City's zoning code and, therefore, short-term rentals are currently, and have always been, prohibited in the City; and

**WHEREAS**, the City has a legitimate governmental interest in expressly prohibiting the transitory use of residential properties in order to declare existing law and further preserve the long-term residential character of its residential neighborhoods; and

**WHEREAS**, the City's primary objective is to protect the health, safety, and welfare of residents and visitors and ensure the collection of legally due and owing Transient Occupancy Taxes; and

**WHEREAS**, the proposed Code Amendment No. 22-\_\_ has been publicly noticed for a public hearing in accordance with State Law and the Fountain Valley Municipal Code.

**NOW, THEREFORE**, the City Council of the City of Fountain Valley does ORDAIN as follows:

**Section 1.**

The City Council determines that Code Amendment No. 22-\_\_ is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2)(the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3)(there is no possibility the activity in question may have a significant effect on the environment). This Code Amendment will prevent negative secondary effects caused by short-term rentals.

**Section 2.**



The City Council finds that due notice of the public hearing on October 4, 2022, conducted in the City Council Chambers, 10200 Slater Avenue, Fountain Valley, was given as required by the Fountain Valley Municipal Code, Title 21, and the State of California. Public notice of this hearing was posted at City Hall, Recreation Center, and the Fountain Valley Library and public notice was published in a newspaper of general circulation at least 10 days before the public hearing.

**Section 3.**

Chapter 4.95 “Short-Term Rentals” is added to the Fountain Valley Municipal Code expressly banning short-term rental properties as shown in Attachment A. This is declaratory of existing law.

**Section 4.**

Section 1.13.070 of the Fountain Valley Municipal Code is amended to provide increased administrative fines for short-term rental property and building code violations as shown in Attachment B.

**Section 5.**

Section 1.16.010 of the Fountain Valley Municipal Code is amended to provide increased criminal fines for short-term rental property and building code violations as shown in Attachment C.

**Section 6.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would subsequently be declared invalid or unconstitutional.

**Section 7.**

The City Clerk shall certify to the adoption of this ordinance and cause it to be published as required by law. This ordinance shall become effective thirty (30) days after the date of its adoption.

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PASSED, APPROVED, AND ADOPTED THIS \_\_ DAY OF \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM

**HARPER & BURNS LLP**



\_\_\_\_\_  
Attorneys for the City

## EXHIBIT A

### CHAPTER 4.95 Short-Term Rentals

#### Section 4.95.010. Purpose

The purposes of this chapter are to:

- (a) Prohibit short-term rentals in the City.
- (b) Ensure the collection and payment of Transient Occupancy Taxes.
- (d) Safeguard the residents of the City of Fountain Valley by preserving the residential character of residential neighborhoods.

Because short-term rentals have never been listed as a permitted use under the City's zoning regulations, this chapter is declaratory of existing law.

#### Section 4.95.020. Definitions

For purposes of this chapter, the following words and phrases are defined as follows:

- (a) "Hosting platform" means a person or entity who participates in home-sharing or short-term rentals by collecting or receiving a fee, directly or indirectly through an agent or intermediary, for conducting a booking transaction using any medium of facilitation. Examples include, but are not limited to, VRBO.com, Airbnb.com, homestay.com and other internet and non-internet based services that facilitate bookings for a fee.
- (b) "Hosted short-term rental" means a short-term rental where the owner of the short-term rental property is present and living in the unit.
- (c) "Owner" means a person, firm, corporation, or other entity that holds record fee title to the property.
- (d) "Unhosted short-term rental" means a short-term rental where the owner of the short-term rental property resides off-site during the guest's stay.
- (e) "Residential dwelling" means a private structure that is designed for use and occupancy by one or more individuals. "Residential dwelling" does not include a commercially operated hotel, motel, bed and breakfast inn, or a time-share property as defined by subdivision (aa) of Section 11212 of the Business and Professions Code.
- (f) "Short-term rental" or "short-term-rental property" means a residential dwelling, or any portion of a residential dwelling, that is rented to a person or persons for 30

consecutive days or less. "Short-term rental" and "short-term-rental property" include both hosted short-term rentals and unhosted short-term rentals.

**Section 4.95.030. Short-term rentals and advertisement of short-term rentals prohibited**

- (a) No owner, person, firm, corporation, hosting platform, or other entity shall offer or make available a short-term rental property located in the City of Fountain Valley.
- (b) No owner, person, firm, corporation, hosting platform, or other entity shall operate a short-term rental property located in the City of Fountain Valley.
- (c) No owner, person, firm, corporation, hosting platform, or other entity shall post, publish, circulate, broadcast, maintain, or advertise a short-term rental property located in the City of Fountain Valley.

**Section 4.95.040. Violations**

- (a) Any short-term rental operated, conducted, or maintained contrary to the provisions of this chapter shall be, and the same is declared to be, unlawful and a public nuisance.
- (b) It is unlawful and a public nuisance for any owner, person, firm, corporation, hosting platform, or other entity to violate any provision of this chapter.

## EXHIBIT B

### 1.13.070 Administrative fine.

- (a) Amount. Fines for administrative citations shall be assessed in the amounts set forth in this section.
- (b) Administrative citations are subject to:
  - (1) A fine not exceeding one hundred dollars (\$100) for a first violation.
  - (2) A fine not exceeding two hundred dollars (\$200) for a second violation of the same ordinance within one year.
  - (3) A fine not exceeding five hundred dollars (\$500) for each additional violation of the same ordinance within one year.
- (c) Notwithstanding any other law, an administrative citation for a violation of local building and safety codes is punishable by the following:
  - (1) A fine not exceeding one hundred thirty dollars (\$130) for a first violation.
  - (2) A fine not exceeding seven hundred dollars (\$700) for a second violation of the same ordinance within one year.
  - (3)
    - (A) A fine not exceeding one thousand three hundred dollars (\$1,300) for each additional violation of the same ordinance within one year of the first violation.
    - (B) A fine not exceeding two thousand five hundred dollars (\$2,500) for each additional violation of the same ordinance within two years of the first violation if the property is a commercial property that has an existing building at the time of the violation and the violation is due to failure by the owner to remove visible refuse or failure to prohibit unauthorized use of the property.
- (d)
  - (1) Notwithstanding any other law, including subdivisions (b) and (c), an administrative citation for the violation of a short-term rental ordinance is punishable by the following:
    - (A) A fine not exceeding one thousand five hundred dollars (\$1,500) for a first violation.
    - (B) A fine not exceeding three thousand dollars (\$3,000) for a second violation of the same ordinance within one year.
    - (C) A fine not exceeding five thousand dollars (\$5,000) for each additional violation of the same ordinance within one year of the first violation.
- (e) Fines levied pursuant to paragraphs (2) and (3) of subdivisions (b) and (c), and paragraph (1) of subdivision (d), shall be subject to a hardship waiver to reduce the amount of the fine upon a showing by the responsible party to the City Manager no later than 30 days after the fine is imposed that the responsible party

has made a bona fide effort to comply after the first violation and that payment of the full amount of the fine would impose an undue financial burden on the responsible party.

- (f) Continuing Violation. Each and every day during any portion of which any violation is committed, continued, maintained or permitted shall constitute a separate offense.
- (g) Payments. If the responsible party does not make a timely request for a hearing, he, she or it must pay the administrative fine directly to the city of Fountain Valley within fifteen calendar days from the date the administrative citation is served. Payment of a fine shall not excuse or discharge the failure to correct the violation(s) nor shall it bar further enforcement action by the city.
- (h) No Waiver. The payment of the administrative fine shall not constitute a waiver of the responsible party's right to a hearing. A responsible party may pay the administrative fine within the fifteen calendar-day period and also obtain a hearing to protest the imposition of the administrative fine, provided that the responsible party makes a timely request for a hearing.
- (i) Obligation to Correct Violation. Nothing in this chapter shall be interpreted to mean that because a responsible party has paid the administrative fine he, she, or it is excused from correcting the violation. If the responsible party fails to correct the violation(s), subsequent administrative citations may be issued for the same violation(s). The amount of the fine for failure to correct the violation shall increase at a rate specified in this chapter.

## EXHIBIT C

### 1.16.010 Violations—Penalty.

- (a) It is unlawful for any person, firm or corporation to violate any provision or to fail to comply with any of the requirements of this code. A violation of this code shall constitute a misdemeanor; except that notwithstanding any other requirement of the code, any violation constituting a misdemeanor under this code may, in the discretion of the city attorney or other prosecutor, be charged and prosecuted as an infraction. Notwithstanding any other provision of this code to the contrary, any person convicted of a misdemeanor shall be punishable by a fine of not more than one thousand dollars or by imprisonment in the County Jail for a period of not more than six months or by both such fine and imprisonment. Each day such violation continues shall be regarded as a new and separate offense.
  
- (b) Any person charged and convicted of an infraction under the provisions of this code is punishable by:
  - (1) A fine not exceeding one hundred dollars (\$100) for a first violation.
  - (2) A fine not exceeding two hundred dollars (\$200) for a second violation of the same ordinance within one year.
  - (3) A fine not exceeding five hundred dollars (\$500) for each additional violation of the same ordinance within one year.
  
- (c) Notwithstanding any other law, a violation of local building and safety codes determined to be an infraction is punishable by the following:
  - (1) A fine not exceeding one hundred thirty dollars (\$130) for a first violation.
  - (2) A fine not exceeding seven hundred dollars (\$700) for a second violation of the same ordinance within one year.
  - (3)
    - (A) A fine not exceeding one thousand three hundred dollars (\$1,300) for each additional violation of the same ordinance within one year of the first violation.
    - (B) A fine not exceeding two thousand five hundred dollars (\$2,500) for each additional violation of the same ordinance within two years of the first violation if the property is a commercial property that has an existing building at the time of the violation and the violation is due to failure by the owner to remove visible refuse or failure to prohibit unauthorized use of the property.
  
- (d)
  - (1) Notwithstanding any other law, including subdivisions (b) and (c), the violation of a short-term rental ordinance that is an infraction is punishable by the following:
    - (A) A fine not exceeding one thousand five hundred dollars (\$1,500) for a first violation.
    - (B) A fine not exceeding three thousand dollars (\$3,000) for a second violation of the same ordinance within one year.



- (C) A fine not exceeding five thousand dollars (\$5,000) for each additional violation of the same ordinance within one year of the first violation.
  
- (e) Fines levied pursuant to paragraphs (2) and (3) of subdivisions (b) and (c), and paragraph (1) of subdivision (d), shall be subject to a hardship waiver to reduce the amount of the fine upon a showing by the responsible party to the Court no later than 30 days after the fine is imposed that the responsible party has made a bona fide effort to comply after the first violation and that payment of the full amount of the fine would impose an undue financial burden on the responsible party.
  
- (f) In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of any of the provisions of this code is a public nuisance and may be, by this city, abated as such by any lawful means, including injunctive relief. Each day such condition continues shall be regarded as a new and separate offense.
  
- (g) In addition to the penalties and remedies provided in this section, any condition caused or permitted to exist in violation of any of the provisions of this code is also subject to a civil penalty of up to one thousand dollars per day for each and every day such condition continues.



## CITY OF FOUNTAIN VALLEY CITY COUNCIL

### COUNCIL ACTION REQUEST

To: Honorable Mayor and  
Members of the City Council

Agenda Date: October 18, 2022

SUBJECT: Termination of the Declaration of Local Emergency Due to the Omni Metals  
HazMat Fire

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#### **Three-Year Strategic Goals**

- Enhance the culture and environment of “A Nice Place to Live”
- Attract and retain revenue producing businesses
- Achieve fiscal stability in accordance with the 20-Year Financial Plan
- Attract and retain quality staff
- Not applicable

#### **EXECUTIVE SUMMARY:**

The fire at Omni Metals, located at 11665 Coley River Circle, resulted in water runoff that included hazardous materials on Coley River Circle. On May 3, 2022, the City Council, at the recommendation of Staff, declared the existence of a Local Emergency. The Council was updated on the status of the local emergency and determined to continue the local emergency on May 25, 2022, July 19, 2022, and August 23, 2022. This item recommends that Council declare an end to the local emergency.

#### **LEGAL BACKGROUND:**

The California Emergency Services Act provides that a local emergency may be proclaimed by the City Council. (Gov Code 8630.) Whenever a local emergency has been proclaimed, the City Council reviews the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency. (Gov Code 8630.) The City Council proclaims the termination of the local emergency at the earliest possible date that conditions warrant. (Gov Code 8630.)

#### **OMNI METALS HAZMAT FIRE:**

The fire at Omni Metals, located at 11665 Coley River Circle, occurred on April 20, 2022. The fire resulted in water runoff that included hazardous materials on Coley River Circle.

The Fire Department remains in active communication with the owners of Omni Metals as well as the Environmental Protection Agency (EPA) and Orange County Health (OCH)

to oversee property and building cleanup. The FVFD Fire Marshal remains the liaison to the owners as it relates to the building clean up. Additionally, the Fire Marshal is in regular communication with FV Public Works. Progress to this point has been acceptable. A private vendor has made substantial progress on remediation and clean up. The immediate threat to the public has been abated. A point has now been reached where staff recommends that the City Council declare an end of the local emergency.

**ATTORNEY REVIEW:**

The Attorney for the City, Fire Chief, and Director of Public Works prepared this Staff Report.

**ALTERNATIVES:**

**Alternative No. 1:** Adopt a Resolution Terminating the Local Emergency due to the Omni Metals HazMat Fire.

**Alternative No. 2:** Do not adopted the attached Resolution and, instead, continue the Local Emergency.

**RECOMMENDATION:**

Staff recommends that the City Council approve Alternative No. 1: Adopt a Resolution Terminating the Local Emergency due to the Omni Metals HazMat Fire.

Prepared by: Colin Burns, Attorney for the City

Prepared by: Ron Cookston, Fire Chief

Prepared by: HyeJin Lee, Director of Public Works

Approved by: Maggie Le, City Manager

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
FOUNTAIN VALLEY TERMINATING THE DECLARATION  
OF A LOCAL EMERGENCY DUE TO THE “OMNI METALS  
HAZMAT FIRE”**

**WHEREAS**, California Government Code Section 8630 and Fountain Valley Municipal Code Section 2.57.050 empowers the City Council to proclaim the existence of a local emergency to protect and preserve public welfare when the City is affected or likely to be affected by a public calamity; and

**WHEREAS**, on May 3, 2022, the City Council found that the Omni Metals HazMat Fire resulted in the release of chemical substances that are, or may be, harmful when released into the environment; and

**WHEREAS**, the need to contain and remediate the release of such chemicals required immediate and coordinated emergency response action; and

**WHEREAS**, on May 3, 2022, the City Council declared a local emergency to facilitate immediate response to the Omni Metals HazMat Fire; and

**WHEREAS**, the conditions causing the need for a declaration of local emergency have now abated; and

**WHEREAS**, pursuant to Government Code Section 8630, a City Council proclaims the termination of a local emergency at the earliest possible date conditions warrant.

**NOW, THEREFORE**, the City Council of the City of Fountain Valley hereby **RESOLVES**:

**Section 1.** Pursuant to California Government Code Section 8630, the City Council finds and proclaims that the need for continuing the local emergency has ended and the declaration of local emergency is hereby terminated.

**Section 2.** The Fountain Valley City Clerk shall certify to the passage of this Resolution. This Resolution shall take effect immediately upon its adoption by the City Council.

**Section 3.** The City Clerk shall forward a copy of this Resolution to the Orange County Operational Area.

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Passed, approved, resolved, and adopted at a regular City Council meeting this 18th day of October 2022 by the following vote:

- Mayor Harper:
- Mayor Pro Tempore Constantine:
- Council Member Bui:
- Council Member Grandis:
- Council Member Vo:

ATTEST:

\_\_\_\_\_  
City Clerk, Rick Miller

\_\_\_\_\_  
Mayor, Patrick Harper

APPROVED AS TO FORM:



\_\_\_\_\_  
Colin Burns  
Attorneys for the City