

MINUTES OF THE CITY COUNCIL
CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in adjourned regular session Tuesday, November 19, 2002, at 7:30 PM in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

CALL TO ORDER: Mayor MacAloney called the meeting to order.

ROLL CALL:

COUNCILMEMBERS PRESENT:

Bill MacAloney	Mayor
Bob Bell	Mayor Pro Tem
Rich Freschi	Councilmember
Robert McGowan	Councilmember
Russell Patterson	Councilmember

COUNCILMEMBERS ABSENT:

None.

STAFF PRESENT:

George Rodericks	City Manager
Kathy Adrian	City Clerk/Administrative Assistant
Leonard Hampel	City Attorney
Warren Repke	City Engineer

FLAG SALUTE:

Villa Park resident Paula Burton led the flag salute. Members of Celebration USA performed patriotic songs for the audience.

Councilmember Freschi presented a certificate of appreciation to Paula Burton in recognition of her outstanding achievements nationwide and to the City of Villa Park.

On behalf of the Holiday Celebration and Boat Parade Committee, Councilmember Freschi announced that Paula has been selected Grand Marshall of the 2002 "Here We Glow Again" Holiday Celebration and Boat Parade.

Oath of Allegiance for New Councilmembers.

City Clerk Kathy Adrian administered the Oath of Allegiance to the new Members of the City Council – Bob Bell, Patricia Bortle and Robert McGowan. The newly appointed Councilmembers assumed a seat at the Council dais.

Election of Mayor and Mayor Pro Tem by the City Council.

Mayor MacAloney declared the Offices of Mayor and Mayor Pro Tem vacant and turned the meeting over to City Clerk Kathy Adrian for the election of Mayor. The City Clerk stated that

nominations were open for the office of Mayor. Councilmember McGowan nominated Bob Bell. There being no further nominations, the City Clerk declared Bob Bell Mayor.

Mayor Bell announced the office of Mayor Pro Tem to be vacant and asked for nominations. Councilmember MacAloney nominated Patricia Bortle. There being no further nominations, Patricia Bortle was elected Mayor Pro Tem.

Councilmember MacAloney presented a plaque to outgoing Councilmember Russell Patterson on behalf of the City of Villa Park.

Mr. Patterson stated that it was a pleasure serving on the City Council for the past four years. He thanked everyone for their support during this time.

INTRODUCTIONS AND PRESENTATIONS:

Mayor Bell presented a Commendation to Stephanie Ng, 8th grader from Cerro Villa Middle School, for Outstanding Academic Achievement.

ORAL COMMUNICATIONS:

Ken Henderson, Member, Board of Directors, Serrano Water District, announced that the District will be holding a special meeting of the Board on Monday, November 25th at 7:00 p.m. at the Serrano Water District's office on Lincoln Street. The purpose of the meeting is to discuss the proposed water rate increase.

Villa Park resident Bill Nelson, Member of the Orange County Grand Jury for 2002/2003, stated that the month of November is "Grand Jury Recruiting Month". Requirements include: You must be 18 years of age, or older; sufficiently fluent in written and spoken English, resident of Orange County for one year; cannot be an elected official, nor presently serving on a trial jury. Grand Jury service is a one year commitment – July 1 to June 30, with a 4-5 day per week commitment. The pay is \$50 per day, plus mileage. Applications to be a member of the 2003/2004 Orange County Grand Jury are available at the City Hall. Applications will be accepted at the Orange County Superior Court until January 17, 2003.

Karen Holthe, Erik Kuli and Teri Elmendorf provided an update on the Holiday Celebration and Boat Parade to be held on December 8, 2002.

CONSENT AGENDA:

It was moved by Councilmember Freschi, seconded by Councilmember MacAloney, and carried by the following roll call vote to approve Consent Agenda Items 1 through 7, with the deletion of Item 2:

AYES:	COUNCILMEMBERS:	MacAloney, McGowan, Freschi, Bortle, Bell
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

1. Consideration to Waive Reading in Full of All Ordinances on the Agenda. Approved Action: That the City Council waive reading in full of all ordinances on the Agenda.
2. Deleted.

3. Consideration of California Law Enforcement Equipment Program High Tech Grant – Use of Funds. Approved Action: That the City Council authorize the use of California Law Enforcement Equipment Grant funds for the use of high-tech equipment to be used by the City's Public Safety Team.
4. Consideration of Lot Line Adjustment 2002-01. Approved Action: That the City Council approve Lot Line Adjustment 2002-01, accept the Easement Deed for Valley Drive, and authorize the City Clerk to record same.
5. Street Dedication – Loma Street Improvement. Approved Action: That the City Council approve the offer letter and temporary construction easements at 19162 Mesa (AP 372-461-16); and accept the street easement dedication for AP 372-461-16 and authorize the City Clerk to record same.
6. Consideration of List of Demands for October 31, 2002. Approved Action: That the City Council approve the List of Demands for October 31, 2002, numbered 1 through 45 in the amount of \$27,559.61.
7. Consideration of List of Demands for November 19, 2002. Approved Action: That the City Council approve the List of Demands for November 19, 2002, numbered 1 through 22 in the amount of \$153,123.78.

Item 2:

Consideration of City Council Minutes of October 22, 2002.

Mayor Pro Tem Bortle was not a Member of Council at the October 22nd Council meeting, therefore, she will abstain from voting on this item.

It was moved by Councilmember Freschi, seconded by Councilmember McGowan, and carried by the following roll call vote to approve the City Council Minutes of October 22, 2002:

AYES:	COUNCILMEMBERS:	MacAloney, McGowan, Freschi, Bell
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	Bortle

MATTERS PRESENTED BY COUNCILMEMBERS: None.

CITY COMMISSION AND COMMITTEE REPORTS OR REFERRALS:

The following items were discussed by Councilmember Freschi:

- ® Councilmember Freschi announced that the City's first Halloween Fest held in the Town Center on October 30th was a tremendous success.
- ® Councilmember Freschi discussed the Orange County Library Advisory Board meeting he attended.

City Historian Jan Van Emon.

City Historian Jan Van Emon gave a presentation on a recent meeting attended by members of the Villa Park Elementary School Restoration Corporation where the California Historic Researchers

Commission voted unanimously to have buildings at the Villa Park Elementary School placed on the National Register of Historic Places .

ITEMS FOR CONSIDERATION:

Villa Park Community Services Foundation Appointments.

The Foundation Board of Directors consists of seven members. One is the Mayor of Villa Park, one is the City Manager of Villa Park, and the remaining five members are to be designated by the Villa Park City Council.

In September, the City Council selected a Review Committee for the applicants to the Foundation's Board of Directors. The City received ten applications for the five available positions.

Councilmember Freschi introduced the following candidates for appointment to the Board of Directors of the Villa Park Community Services Foundation:

Vito Canuso	Two-year term
John Fader	One-year term
Karen Holthe	Two-year term
Robert Hunter	One-year term
Erik Kuli	Two-year term

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Bortle, and carried by the following roll call vote to approve the recommendation of the Review Committee to appoint the following individuals to the Board of Directors of the Villa Park Community Services Foundation: Vito Canuso, John Fader, Karen Holthe, Robert Hunter and Erik Kuli:

AYES:	COUNCILMEMBERS:	MacAloney, McGowan, Freschi, Bortle, Bell
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

PUBLIC HEARINGS:

Consideration of Conditional Use and Variance Permit No. 0515 for a Second Dwelling Unit and a Variance From the Maximum Lot Coverage Allowed – Location: 9602 Dodson Way; Applicant: John and Debbie Crawford.

City Manager Rodericks reported that the applicants are requesting a conditional use permit for the following:

- ® Construction of a new detached garage and workshop;
- ® Second dwelling unit within the workshop; and
- ® An increase in the number of garage spaces on the property to four.

The applicants are also requesting a variance from the maximum allowable total lot coverage ratio of 24% to 25.4%.

The proposed construction includes an addition to the existing residence and a detached garage and workshop building, also serving as a potential second dwelling unit. The proposed additions meet required setbacks and are within the maximum allowable floor area. However, because the existing garage is a two-story structure, the maximum allowable lot coverage is reduced from 32%

of lot area to 24%. As a result, the total lot coverage would be 25.4%, exceeding the maximum permitted for a two-story development by 304 square feet.

Mayor Bell opened the public hearing.

With no testimony forthcoming, Mayor Bell closed the public hearing.

Following discussion, it was moved by Councilmember Freschi, seconded by Councilmember MacAloney, and carried by the following roll call vote to adopt Resolution No. 2002-2651 Approving Conditional Use Permit No. 0515, with conditions – Location: 9602 Dodson Way – Applicant: John and Debbie Crawford.

AYES:	COUNCILMEMBERS:	MacAloney, McGowan, Freschi, Bortle, Bell
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

Consideration of Conditional Use Permit No. 0516 for a Detached Garage – Location: 18291 Fernando Circle; Applicant: Joy and Steve Stanowicz.

City Manager Rodericks stated that the applicants are requesting permission to construct a new detached 3-car garage and workshop. A portion of the proposed structure will be used for hobbies.

The applicants are also requesting permission to allow a total of 6 garage stalls on the property.

The proposed garage and hobby area would contain 1,092 square feet and would comply with the lot coverage, gross floor area and building setback and height requirements.

In August of 1977, the applicants were granted permission to install a rear yard gate on the northeast corner of their property and limited access rights to Center Drive at that location.

Mayor Bell opened the public hearing.

The following residents on Center Drive voiced their concerns about the ingress and egress on Center Drive:

Orril and Wanda Compton
Mark Douglas

Mr. and Mrs. Stanowicz spoke in support of their request.

Mayor Bell closed the public hearing.

Following discussion, it was moved by Councilmember MacAloney, seconded by Councilmember Freschi, and carried by the following roll call vote to adopt Resolution No. 2002-2652 Approving Conditional Use Permit #0516 for a detached garage, with conditions; Location: 18291 Fernando Circle – Applicants: Joy and Steve Stanowicz. The following additional conditions shall be added:

1. The access gate at Center Drive shall have screening material or be a solid structure;
2. Ingress and egress on Center Drive shall be limited to not more than one (1) round trip per day.

AYES: COUNCILMEMBERS: MacAloney, McGowan, Freschi, Bortle, Bell
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

Consideration of Variance Permit No. 0517 for Construction of an Addition Encroaching into the Rear Yard Setback Area – Location: 18221 James Road; Applicant: Mark Winn.

City Manager Rodericks reported that the applicant is requesting a variance to construct a 720 s.f. addition to his single-family residence that would encroach 15 feet into the 25-foot rear yard setback requirement.

Staff is of the opinion that there are no physical conditions present that justify an exception to the building setback requirements established by the Zoning Code.

Mayor Bell opened the public hearing.

Don Winn, Jr. spoke in support of the project on behalf of his brother.

There being no further testimony, Mayor Bell closed the public hearing.

Following discussion, it was moved by Councilmember Freschi and seconded by Mayor Pro Tem Bortle to adopt Resolution No. 2002-2653 Approving Variance Permit No. 0517 for Construction of an Addition Encroaching Ten (10) Feet into the Rear Yard Setback Area – Location: 18221 James Road; Applicant: Mark Winn. Motion failed by the following roll call vote:

AYES: COUNCILMEMBERS: Freschi, Bortle
NOES: COUNCILMEMBERS: MacAloney, McGowan, Bell
ABSENT: COUNCILMEMBERS: None

It was moved by Councilmember McGowan, seconded by Councilmember MacAloney, and carried by the following roll call vote to adopt Resolution No. 2002-253 Denying Variance Permit No. 0517 for Construction of an Addition Encroaching in the Rear Yard Setback Area – Location: 18221 James Road; Applicant: Mark Winn:

AYES: COUNCILMEMBERS: MacAloney, McGowan, Bell
NOES: COUNCILMEMBERS: Freschi, Bortle
ABSENT: COUNCILMEMBERS: None

STAFF REPORTS:

City Manager: No report.

City Attorney: No report.

City Clerk: No report.

City Engineer:

Fats, Oils and Grease Source Control Program – Orange County Sanitation District Cooperative Agreement.

City Engineer Repke stated that the California Regional Water Quality Control Board has adopted Order No. R8-2002-0014, General Waste Discharge Requirements, requiring Orange County cities

and wastewater agencies (co-permittees) to monitor and control sanitary sewer overflows. The City of Villa Park is a co-permittee per the Order. As part of the Order, the co-permittees are required to develop a Fats, Oil and Grease Source Control Program (FOG Control Program) by December 30, 2004.

As part of Phase I, the Orange County Sanitation District will conduct a countywide comprehensive study to evaluate the available FOG control technologies, practices, and programs that can be used to establish the technical, administrative and ordinance building blocks that each Orange County city and wastewater agency will need to develop FOG Control Programs suited to their particular needs. Phase 2 will consist of actual field tests to measure the performance and effectiveness of technologies, practices and programs identified in Phase 1 as lacking such data as well as determine their suitability in Orange County.

The cost of Phase 1 is approximately \$300,000. Each city and water agency has been asked to contribute \$3,000 toward their study with the remaining cost of approximately \$200,000 being shared by the County and the Sanitation District.

It was moved by Councilmember MacAloney, seconded by Councilmember McGowan, and carried by the following roll call vote to approve the Cooperative Agreement with the Orange County Sanitation District to complete Phase 1 of a Fats, Oil and Grease Source Control Program study; and authorize the City Manager and City Clerk to execute the Agreement:

AYES:	COUNCILMEMBERS:	MacAloney, McGowan, Freschi, Bortle, Bell
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

Orange County Sanitation District Cooperative Projects Program – Amendment No. 1 to Contract 113 and 114.

City Engineer Repke reported that in 2001, the City entered into two Cooperative Project Program Contracts with the Orange County Sanitation District to perform CCTV and a condition assessment of the sewer mains, and to perform flow monitoring and an infiltration/inflow study.

However, due to the lack of rainfall during the 2001-02 rain season, only dry weather flow data was obtained. Because of this, the OCSO was requested to expend the original grant by an additional \$50,000 to provide for additional monitoring and completion of the I/I study. These funds will need to be matched by the City.

It is also necessary to extend the completion dates of the original contracts to June 30, 2003.

It was moved by Councilmember McGowan, seconded by Councilmember Freschi, and carried by the following roll call vote to approve Amendment No. 1 to the Orange County Sanitation District Cooperative Projects Program Contract No. 113 and 114; and authorize the Mayor and City Clerk to execute the contracts:

AYES:	COUNCILMEMBERS:	MacAloney, McGowan, Freschi, Bortle, Bell
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

OTHER BUSINESS: None.

ORAL COMMUNICATIONS: None.

ORDINANCES: None.

RESOLUTIONS: None.

CLOSED SESSION: None.

ADJOURNMENT:

It was moved by Mayor Bell, and carried unanimously to adjourn the meeting at 10:00 p.m.

Bob Bell, Mayor
City of Villa Park

ATTEST:

Kathy Adrian, City Clerk
City of Villa Park