

ACTION MINUTES OF THE CITY COUNCIL
CITY OF VILLA PARK, CALIFORNIA

**February 24, 2015
Regular Meeting**

CLOSED SESSION
6:00 p.m. – City Council Chambers

ROLL CALL - Mayor Fascenelli called the Closed Session to order at 6:00 p.m.

COUNCILMEMBERS

PRESENT: Barnett, Collacott, Nelson, Mills and Fascenelli

ABSENT: None

1. Conference with Legal Counsel - Significant exposure to litigation -- Government Code Section 54956.9(d)(2) (1 case)

ADJOURNMENT – at 6:22 p.m.

GENERAL SESSION
6:30 p.m. – City Council Chambers

ROLL CALL - Mayor Fascenelli called the General Session to order at 6:30 p.m.

COUNCILMEMBERS

PRESENT: Barnett, Collacott, Nelson, Mills and Fascenelli

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG – led by Boy Scout Troop 850

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Orange County Fire Authority update
- Orange County Sheriff's Department update



City Attorney Megan Garibaldi stated there are no reportable actions from closed session.

ORAL COMMUNICATIONS

Laurie Journey, Villa Park resident, spoke about parking issues in front of her home. She expressed her concern for safety while exiting and entering her drive way and asked the city for assistance in providing no parking signs and cones to be placed in front of her home.

Vince Rossini, Villa Park resident, asked the city to look at street resurfacing needs throughout the city and expressed concern with the road conditions on Valley Drive. Mr. Rossini would like the city to look at having curbs and gutters installed on Valley Drive. He also spoke about utility lines and suggested the city install them underground due to safety issues and concerns.

Mary Beth Felcyn, gave an update on the Serrano Avenue School Traffic Safety Task Force. Several ideas have been selected and they are looking to implement them by the next school year. The task force will be looking for support from the city at that time.

Mayor Fascenelli closed public comments.

WAIVED READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

APPOINTMENTS

2. Appointments to the Villa Park Community Services Foundation

Councilman Collacott reported there are four vacancies on the foundation. Three of the vacancies were filled with current members and the last seat was suggested to Crystal Miles. The foundation would like the City Council to appoint the seats that are presented.

It was moved by Councilman Nelson, seconded by Councilman Collacott, and carried by the following roll call vote, as the Members of the Foundation, to receive the



recommendation provided by the Board of Directors and appoint Directors as stated in the staff report.

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

PUBLIC HEARINGS

3. Waived reading in full of all ordinances and resolutions on the agenda.

It was moved by Councilman Collacott, seconded by Councilman Nelson, and carried by the following roll call vote, to waive the reading in full of all ordinances, resolutions and meeting minutes on the agenda, and direct the City Clerk to read by title only.

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

4. Conditional Use and Variance permits request at 10521 Potter Circle to construct a new, detached garage.

Planning Manager Jennifer Lilley gave the staff report. She met with the CDC and stated they are in favor of approving the CUP and variance request. Ms. Lilley said there has been no opposition from the public.

Mayor Fascenelli opened public comment.

Barry Rodieck, homeowner, stated he spoke with neighbors in person and that 30 residents that live near his home were notified about his request.

Mayor Fascenelli closed public comments.

It was moved by Mayor Fascenelli, seconded by Mayor Pro Tem Mills, and carried by the following roll call vote, to hold a public hearing and adopt Resolution No. 2015-3315, a Resolution of the City Council of the City of Villa Park approving Conditional Use



Permit No. 0763, Conditional Use Permit 0764 and Conditional Use Permit No. 0765 subject to the conditions of approval and Variance No. 0762.

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

5. **Conditional Use Permit request at 17859 Santiago Boulevard to reinstate the use of a telecommunications facility (previously CUP 0629).**

Planning Manager Jennifer Lilley gave the staff report. She spoke with the CDC and reported they are in favor of the CUP if the applicant ensures the stealthing of the pole meets the requirements.

City Attorney Megan Garibaldi spoke about federal laws regarding zoning and wireless facilities.

Mayor Fascenelli questioned why the structure is reported as structurally sound today and it was not last January. Planning Manager Jennifer Lilley replied the applicants structural engineer provided reports and it was determined that what they are presenting today is appropriate for the existing structure.

Mayor Fascenelli opened public comments.

Albert Sandoval, applicant, relayed AT&T would like to make the existing structure aesthetically pleasing. In addition, no other carriers will be able to use the pole they are proposing to the City Council. Mr. Sandoval said with the new design of the structure, the existing antennas will be removed and new ones will be installed. He stated the change in weight of the panel and equipment technological upgrade will make the pole esthetically pleasing and lighter.

Mayor Fascenelli asked if AT&T would consider installing a 75-foot pole in another location in Villa Park to allow more networks to use. Mr. Sandoval said the current pole is already installed and unfortunately, there is not enough room to install a larger pole at the existing location.

Jack Stevens, Featherhill Drive, spoke about the marginal cell phone service coverage in the area. He suggested having a requirement that AT&T increase the signal strength and raise the height of the pole.

Mayor Fascenelli closed public comments.



Mayor Fascenelli suggested continuing this item so city staff can do additional research and review the engineering documents.

It was moved by Councilman Collacott, seconded by Councilman Barnett, and carried by the following roll call vote, to continue this item to the March 17, 2015 City Council meeting.

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

6. Consideration of Ordinance No. 2015-592 amending the zoning map classification for specific parcels.

Planning Manager Jennifer Lilley gave the staff report. This item will bring properties into compliance according to the zoning code. Ms. Lilley said this would affect the properties designated E4. She stated it will clean up the ambiguity and interpretation on the map and that the zonings will not change. Staff is recommending a change to identifying the properties under 20,000 square feet on the map by putting an E4, followed by the number of square feet of their property after. (An example, a 15,000 square foot lot would be designated E4, 15)

Ms. Lilley talked about homes that are well under the 20,000 square foot size and how they would still need to comply with the requirements of an E4 zone. She relayed there are 200 houses that fall under the proposed map change. The changes being requested will only affect their designation on the map so there will be no issues down the road if a homeowner would like to build on their property. She relayed the CDC suggested only designating those properties 17,000 square feet and larger.

Mayor Fascenelli opened public comments

Carol Stevens, on Center Drive, asked several questions about the proposed adjustments to the map and the affect it will have on her property.

Jack Stevens, on Center Drive, spoke in support of approving the changes to the map.

Mayor Fascenelli closed public comments.

Mayor Fascenelli reopened public comments.

Carol Stevens, on Center Drive, expressed concern if the proposed changes to the map will affect any new construction on her property in the future.



Mayor Fascenelli closed public comments.

Mayor Fascenelli asked how staff chose the first 46 homes brought forward tonight. Ms. Lilley replied they chose homes that were spread throughout the city. She said the remaining homes would be brought back at the next council meeting.

It was moved by Mayor Fascenelli, seconded by Mayor Pro Tem Mills, and carried by the following roll call vote to, hold a Public Hearing, introduce and approve the first reading of Ordinance No. 2015-592, and schedule a second reading and adoption at the March 17, 2015, City Council meeting.

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

7. Front Yard Architectural Features.

Planning Manager Jennifer Lilley gave the staff report. Currently, the city code restricts anything within the first 20 feet of a structure to be over 42 inches in height. The points being considered are to remove landscaping limitations, to adopt an alternative development standards based on neighborhood conditions, and take direction to allow architectural features (arbors, trellis, mailboxes, columns and lighting) which are not intended to be solid block walls.

Ms. Lilley said the alternative development standard process is the most fluid option. It will allow the community to prove their case to the City Manager. She would like to move forward on the City Council's direction to bring back a draft ordinance to include language to remove the landscape limitation and have an alternative development standard process and exemption for architecture features.

Councilman Barnett suggested adding some standards for open view and fencing.

Councilman Nelson spoke in favor of staff's recommendation and expressed concern with the alternative development standards. He suggested removing the landscaping restriction. Councilman Nelson recommended fences should be 50% visible or more.

Mayor Fascenelli opened and closed public comments since there were none.

Ms. Lilley introduced the new Planning Manager Ray Pasqua. He will be replacing Ms. Lilley.



Mayor Fascenelli stated a request was made to move Item 19 up on the Agenda.

19. Letter in Support regarding the transfer of Orange County Sanitation District Local Sewer Area #7 to East Orange County Water District.

City Manager Hildenbrand gave the staff report.

East Orange County Water District General Manager Lisa Ohlund stated her agency submitted the application to LAFCO last year. LAFCO is waiting to receive an application from Irvine Ranch Water District before going forward and conducting a competitive analysis. She relayed LAFCO is looking for an agency that is competent and has the best service at the best price.

Ms. Ohlund said although East Orange County Water District is much smaller than Irvine Ranch, she believes they have a better understanding of their customers, since 95% of those affected by the proposed transfer of the sewer area are their current customers.

It was moved by Councilman Nelson, seconded by Mayor Fascenelli, and carried by the following roll call vote to, approve the attached letter of support and authorize the Mayor to sign on behalf of the City.

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

CONSENT CALENDAR (ITEMS #8,9,12,13,15,17)

It was moved by Councilman Collacott, seconded by Mayor Pro Tem Mills, and carried by the following roll call vote, to approve Items 8, 9, 12, 13, 15, and 17 of the Consent Calendar.

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None



8. Warrants and disbursements from January 14 through February 11, 2015.

ACTION: Approved total warrants and disbursements of \$999,459.08.

9. Financial Treasurer's Report for month of January, 2015.

ACTION: Received and filed.

12. Request approval of City Council minutes of December 16, 2014.

ACTION: Approved.

13. Villa Park Crime Analysis Report – January, 2015.

ACTION: Received and filed.

15. Formal authorization of City Council Committees – Human Resources, Law Enforcement Advisory and Community Development and Public Safety.

ACTION: Adopted Resolution Nos. 2015-3306, 2015-3309 and 2015-3313.

17. 800 MHz CCCS Next Generation Project Joint Agreement Amendment.

ACTION: Authorized the City Manager to sign the Amendment to Joint Agreement of the Orange County 800 MHz Countywide Coordinated Communications System on behalf of the City, and authorized the budget adjustments necessary to fund Villa Park's portion of the project.

ITEMS REMOVED FROM CONSENT CALENDAR

10. Monthly Financial and Capital Project Status Report.

Finance Director Michelle Danaher gave an update on the changes made to the monthly financial and capital projects reports.

Mayor Fascenelli stated she appreciated the format of the report, but based on the amount of time required to generate, would like to see it on a quarterly basis. She suggested the Budget and Finance Committee review this report.

Councilman Nelson said it is important for the City Council to manage the City's budget and would prefer to see the report monthly.

Ms. Danaher spoke about the amount of time it took to create the report. She relayed some additional time was needed to adjust the formatting of the spreadsheet.



It was moved by Mayor Fascenelli, seconded by Councilman Barnett, to have staff present the financial and capital project status reports quarterly.

An amended motion was made by Councilman Collacott, seconded by Councilman Nelson, and carried by the following roll call vote, to have staff present the financial and capital project status reports bi-monthly.

AYES: Collacott, Nelson, and Mills

NOES: Barnett and Fascenelli

ABSENT: None

ABSTAIN: None

11. Request approval of City Council minutes of December 9, 2014.

Mayor Fascenelli asked to make a change to page 3, the fourth paragraph from the bottom to read, "two years", not "eight years".

Councilman Barnett requested to have a redaction made to page 3, second to the last paragraph, in the first sentence, "Mayor Barnett spoke about Councilwoman Pauly's honesty".

It was moved by Mayor Fascenelli, seconded by Mayor Pro Tem Mills, and carried by the following roll call vote, to approve the City Council minutes of December 9, 2014, as amended to staff.

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

14. Second reading of Ordinance No. 2015-591 amending the rules of order for City Council meetings.

Mayor Fascenelli sought clarification on item 2-3 pertaining to the rules.

It was moved by Mayor Fascenelli, seconded by Mayor Pro Tem Mills, and carried by the following roll call vote, to approve a second reading and adopt Ordinance No. 2015-591, as amended to staff.



AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

16. Award of Contract – FY 14/15 Sewer Rehabilitation Project.

Mayor Pro Tem Mills asked about the company who was awarded the contract, Ramona, Inc.

City Engineer Akram Hindiyeh stated Ramona Inc.'s bid was 20% lower than the second bidder. He checked their references and was told that they completed the work on time and that it was done correctly. The project will take 45 working days and an inspector and project manager will be on site the entire time.

Councilman Nelson stated in the future, he would like to see the contracts attached to the staff report that is presented to the City Council before the meeting. City Manager Hildenbrand replied they would do this in the future.

It was moved by Mayor Pro Tem Mills, seconded by Councilman Barnett, and carried by the following roll call vote, to: 1) Approve the plans and specifications for the "FY 14/15 Sewer Rehabilitation project", 2) Authorize the Mayor to execute a contract with Ramona Inc., in the amount of \$323,436 for the "FY 14/15 Sewer Rehabilitation Project", and 3) Authorize the Mayor to execute a contract with CivilSource, Inc., in the amount of \$39,290 to provide construction management for the "FY 14/15 Sewer Rehabilitation Project."

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

NEW BUSINESS

18. CalPERS preliminary termination valuation.

Finance Director Michelle Danaher gave the staff report. The payout to terminate CalPERS would cost the city \$3.6 million. The Budget and Finance Committee recommended reviewing this item every couple of years.



It was moved by Mayor Fascenelli, seconded by Mayor Pro Tem Mills, and carried by the following roll call vote, to not terminate CalPERS based on the information provided by staff and requested to bring this item back every two years.

AYES: Barnett, Collacott, Nelson, Mills and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

MAYOR AND COUNCIL MEMBER MATTERS

20. Individual councilmember information items and/or required meeting attendance reports.

Councilman Collacott attended the State Water Project Tour. He also attended the first meeting of the Law Enforcement Advisory Committee and gave an update on the Community Services Foundation.

Councilman Nelson expressed concern with the cost of labor and material in preparing and distributing the agenda packets to the City Council. He asked city staff look into the cost of providing the City Council the agenda packet on an I-Pad or laptop. Mayor Fascenelli requested staff come back in 60 days with several options.

Councilman Barnett attended a fire authority meeting.

Mayor Pro Tem Mills attended several sanitation district meetings.

Mayor Fascenelli attended the Brave and Bravest Event. She, along with Mayor Pro Tem Mills, attended the Water Policy and Forum Dinner. Mayor Fascenelli also participated in a Budget and Finance Committee meeting and a Serrano Water Board meeting. In addition, the City Council had a special study session. She spoke about the compost seminar and the blood drive, which both were held at City Hall. Mayor Fascenelli reported she would be principal for the day at Serrano Elementary School.

ADJOURNMENT

The City Council adjourned at 9:41 p.m. to an Adjourned Regular Meeting on Tuesday, March 17, 2015 at 6:30 p.m.





Diana Fascenelli, Mayor
City of Villa Park

ATTEST:


Jarad L. Hildenbrand, City Clerk
City of Villa Park

Note: The above minutes are a summary of actions. A DVD recording of this meeting additionally serves as an official record and is available upon request from City Hall.

