

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

July 26, 2016
Regular Meeting

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

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

COUNCILMEMBERS

PRESENT: Barnett, Collacott, Fascenelli, Nelson and Mills

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG – Lieutenant Gunzel

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Orange County Sheriff's Department update
- Orange County Fire Authority update
- OC Mosquito & Vector Control District
- Orange County Sanitation District
- Budget and Finance
- Community Development and Public Safety
- Human Resources
- City Schools Advisory
- Law Enforcement Advisory
- Investment Advisory
- VP Community Services Foundation
- Friends of the VP Library

ORAL COMMUNICATIONS

Mayor Mills opened public comments.

Christopher Simpson, Villa Park resident, spoke about an alleged crime that took place on his property. His neighbor reported the incident to the LEAC Committee, who then forwarded the information to Lieutenant Gunzel. Mr. Simpson would like to ensure everyone knows the full story of the incident. The LEAC Committee was told a driver used Mr. Simpson's driveway recklessly and drove into the planters, destroying a sego palm and other plants. Mr. Simpson stated under his direction, his gardener had

already removed the plants and sego palm prior to the incident. A report was not filed with the Sheriff's Department because there was no crime committed. Mr. Simpson stated this was a misunderstanding that could have been prevented.

Tabashi Nylda, Villa Park resident, expressed concern with vehicles making dangerous u-turns on his street.

Councilwoman Fascenelli relayed she received a public comment request to update the City Council on the status of the Villa Park Little League. She read the update provided by the President of the Villa Park Little League. The 12-year old All-Star Major Team won the District 30 Championship. They beat Tustin in the Western Final 11-3. Villa Park went to the Section 5 Tournament and won. This was the first time in 52 years that Villa Park Little League advanced in the tournament. They are 3-0 in the Divisional Tournament and have one more win tomorrow or Thursday to advance. The Little League had over 125 fans that attended their game at Granada Hills last night. The team members have been transported to their games in a luxury bus that was donated by a parent.

Mayor Mills closed public comments.

APPOINTMENTS

1. Appointment to the Investment Advisory Committee.

Councilman Nelson relayed the Investment Advisory Committee has made the recommendation to appoint Mr. Harold Hewitt to serve on the committee. He gave a brief overview of Mr. Hewitt's experience. Councilman Nelson stated Mr. Hewitt is highly qualified for the position. He thanked Dr. Lynne Doty for finding Mr. Hewitt and encouraging him to apply to the committee. Mr. Hewitt will serve a term ending on January 31, 2019.

Mayor Mills opened public comments.

Mr. Hewitt, Villa Park resident, stated he is honored to serve on this committee.

Mayor Mills closed public comments.

A motion was made by Councilman Nelson, seconded by Councilman Collacott, and approved by the following roll call vote to, appoint Mr. Harold Hewitt as a committee member on the Investment Advisory Committee with a term ending on January 31, 2019.

AYES: Barnett, Collacott, Fascenelli, Nelson and Mills

NOES: None

ABSENT: None

ABSTAIN: None

PUBLIC HEARINGS

2. Waive reading in full of all ordinances and resolution on the agenda.

A motion was made by Councilman Nelson, seconded by Mayor Mills, and approved by the following roll call vote, to waive reading in full of the ordinances and resolutions on the agenda.

AYES: Barnett, Collacott, Fascenelli, Nelson and Mills

NOES: None

ABSENT: None

ABSTAIN: None

3. Consideration of No Stopping/Standing restrictions on Featherhill Drive and Dodson Way.

Mayor Mills stated the LEAC Committee brought this item forward due to an incident that was reported to them on this street. This is the same incident that Mr. Simpson spoke about and stated that no criminal activity occurred. Mayor Mills said the main concern is the safety of the children. In addition, City Manager Hildenbrand sent out a letter on July 6th regarding this issue.

Councilwoman Fascenelli stated the City School's Advisory meeting that took place on Tuesday was directly related to this recommendation. Mayor Mills apologized that he could not attend.

Councilwoman Fascenelli commented there were several stories told regarding the incident that took place at Mr. Simpson's home. The entire LEAC Committee and City Council were invited to attend the City School's Advisory meeting but many were out of town. In addition, City Manager Hildenbrand reached out and invited the LEAC Committee to attend. The only member of the LEAC Committee who attended was Richard Murg. Councilman Collacott was also in attendance.

Councilwoman Fascenelli spoke about the importance of knowing where the information regarding the incident came from. The LEAC Committee meetings are not recorded or on TV, so the only form of record is in the written minutes. Councilwoman Fascenelli

was able to obtain the minutes of the LEAC Committee meetings from the last three months.

Councilwoman Fascenelli relayed 15 to 17 people attended the City School's Advisory meeting. Some of those who attended were leaders in the community and schools, PFSO's, PTA Presidents and teachers. In addition, parent volunteers and board member Kathy Moffat and the Assistant Superintendent attended. At the meeting, the members of the LEAC Committee who were present were asked about this recommendation. She said it took 30 minutes before any of the committee members would reply. According to the LEAC Committee minutes, there have been no crimes reported in the last three months. Issues that have been discussed within the city such as the sego palm, u-turns, people being rude, and other crimes were not included in the LEAC minutes.

Councilwoman Fascenelli stated Neighborhood Watch representative Mr. Silzel had attended this meeting. He invited everyone to attend a LEAC meeting where they could receive information regarding crimes being committed in Villa Park. City Manager Hildenbrand stated the two complaints came from Mary Beth Felcyn and Dan and Laura Treiber. These were the only two complaints documented. Councilwoman Fascenelli said many letters were received regarding this item on the agenda that should have been included in the agenda packet tonight.

Councilwoman Fascenelli inquired where this recommendation came from. None of the issues with rude people have to do with parking. She asked what occurred that would take away the basic right of stopping in front of someone's house and getting out of the car. The City School Advisory meeting was two and a half hours long. Those attending did not want to leave without answers. Councilman Collacott provided some commentary regarding Orange Unified School District (OUSD). The information Councilman Collacott spoke about included OUSD imposing the burden to the city of too many children attending schools which results in the additional usage of city streets from people who are not tax paying residents of the City of Villa Park.

Councilwoman Fascenelli stated the city should welcome everyone who visits. When someone comes into Villa Park, the city has a responsibility to provide a safe environment and basic services. She said without the schools, there would not be a Town Center. There are not enough residents in the city to support these stores.

Councilmember Fascenelli talked about the two incidences reported. One was the sego palm and the other was an incident about a resident who was taking photos of minors because they were upset they were walking down their street and upset that the parents were driving up and down their streets. These incidences were not written in the minutes and a police report was not filed. Her opinion is that the City Council and Mayor Mills were dooped by the LEAC Committee. The Committee has implemented a PSO Program that the City Council has approved and has purchased two vehicles. In the latest agenda, it said the PSO would begin issuing tickets on Featherhill and Dodson.

Councilwoman Fascenelli stated the community has been taken out of Villa Park and needs to be put back in. This has created a division in the city. She spoke about her concern that none of the LEAC Committee members are present at the City Council meeting tonight to explain their position. Councilwoman Fascenelli stated the City Council should be asking for the resignation of the chairman of LEAC due to his absence from these two important meetings. Councilman Collacott replied LEAC's chairman works in law enforcement and is currently working until 10:00 p.m. tonight. He was also working on the day of the City School's Advisory meeting.

Councilman Collacott stated the city has established policy that school traffic is inconsistent with residential streets. The issue of the sego palm was brought forward to the LEAC Committee and turned out to be a misunderstanding. The primary issue of concern is the city adopted a resolution establishing parking by permit only. At the beginning of the school year it was working well. Years ago, the city installed sidewalks along Serrano for students pick-up and drop-off. Featherhill, Dodson and Brynmar are not collector streets but cul-de-sacs. These streets are used daily by students walking to school. During the school year, more parents were driving up the streets and parking and some were sitting in their cars while parked. A couple of residents walked up and talked to the parents. The PFSO had told parents that they could park on the streets as long as they stayed in their cars. Many of the PFSO's and the leadership of the PFSO's are not residents of Villa Park, but Orange. This decision was countermanding what the City Council already adopted. The council adopted parking by permit only to keep school traffic out of our residential cul-de-sac so the streets are safe for pedestrians. At the City School's Advisory on Monday, it was discussed the PFSO had based their recommendation from the School Resources Officers. This was a surprise to hear and would have changed LEAC's recommendation to the city, or if they would have recommended anything at all. This is an issue to be resolved with the Sheriff Department and School Resource Officer so that a city policy is enforced.

Councilman Collacott stated he did make comments about OUSD at the meeting on Monday. The City of Villa Park has done a lot to address student safety over the years. In the 1970's, the city installed sidewalks on Serrano. Currently, none of the residential cul-de-sacs in the city have sidewalks for pedestrians. In response to the two student deaths that occurred in the 1980's, the city installed a traffic signal at Nichols and Taft. Last year, the city painted the curbs and provided some lane striping to improve traffic flow along Serrano to make it easier for parents to pick-up and drop-off students. In just the past couple of weeks, the city added a no U-turn sign east bound on Serrano. In addition, LEAC has also recommended the installation of traffic bollards at the cross-section of Nichols and Serrano. They are also in the process of placing a crossing guard at the corner of Nichols and Taft. Currently, there is an issue of flooding at this intersection during storms. A drainage consultant has been hired to study this issue and give their recommendation on how improve the flooding issue. There is also a current proposal to install a crosswalk at Brynmar and Serrano.

Councilman Collacott stated Villa Park cannot provide additional parking for the school district. Even if the city had the land, they have no money to fund it. The total yearly budget for Villa Park is \$4 million. The total budget for OUSD is \$260 million according to Councilman Collacott's research online. In addition, the school district has the land, money and the responsibility to provide adequate parking and safe pick-up and drop-off facility at their campus. Councilman Collacott is willing to work with the PFSO's and go to OUSD and demand they provide adequate parking and safe pick-up and drop-off facilities.

Councilman Collacott said this item was not brought up because of the sego palm incident at the Simpson's house. It was brought up because there is a lack of enforcement. A recommendation was made from Deputy Muir to have no parking or standing on Featherhill and Dodson. He relayed there was a misunderstanding from the comments made by the school resource officers.

Councilwoman Fascenelli stated she does not think there was a misunderstanding. The public wanted to know if they were going to get a ticket. There was no circumvention of the law from the Sheriff or the parents. The school has been there and we have an obligation to allow the public an easy way to get to school. This is making it difficult to allow parents to pick up their children and get them to school. It was wrong to bring attention to this issue during the summer since the majority of the residents are on vacation. She commented the majority of the PFSO's do reside in Villa Park. There have been complaints from residents that Councilman Collacott lives on a street that he is discussing and voting on. Councilwoman Fascenelli stated she understands it is legal for Councilman Collacott to discuss and vote on this issue but believes it to be unethical.

Councilman Collacott has obtained guidance from the FPPC last year regarding the parking by permit issue. City Attorney Todd Liftin stated there is a specific regulation from the FPPC. Under the Political Reform Act, which is the main conflict of interest of law, situations related to neighborhood parks and traffic, people who live within the vicinity can vote on and participate these matters. A written opinion from the FPPC on this was given and signed off.

Councilman Nelson said additional information has come out since LEAC made their recommendation.

Councilman Nelson made a motion to deny the recommendation and send it back to the LEAC Committee for further discussion. Councilman Collacott seconded.

Councilwoman Fascenelli stated the public should be heard first. A motion should not have been made yet. Councilman Nelson replied he could make a motion at any time.

Mayor Mills opened public comments.

Nikki Krup, City of Orange resident, stated she was the PFSO officer who told parents it was ok to park on the street as long as they stayed in their cars. She was told this was true from Deputy Mata, although Deputy Benzie is now the school resource officer. Ms. Krup had checked with Deputy Benzie who said it was legal to park there as long as you remained in the car. She is currently the PFSO President at Serrano Elementary. She has been involved with the parking issues for four years now. Ms. Krup was present at the City School's Advisory meeting last week. She was disappointed only a few City Council members attended.

Ms. Krup spoke about the changes OUSD has done at Serrano Elementary to accommodate the traffic and parking issues. They expanded their parking lot entrance to accommodate a turn lane when headed west from Featherhill. The curb in front of the parking lot was painted red which resulted in losing 10-12 parking spaces. They changed the school start time and pick-up times. The school revamped their cross walks and took out one of the parking spaces to add a cross walk in the middle of the parking lot. They also added a crosswalk at the end of the parking lot. OUSD moved the dumpsters and planters to extend the sidewalk for safety. They changed the gate entrance to the back lot. The school provided four to six parent volunteers in the morning and six to eight teachers every afternoon to help direct traffic.

Ms. Krup stated Serrano Elementary agrees with the LEAC Committee and Villa Park residents. They do believe U-turns on Serrano and children crossing Serrano without a crosswalk is unsafe. She has personally worked traffic at Serrano for five years and said they are the only school that has obliged to changed things to please some residents. The same residents are now asking for more from Serrano Elementary. Ms. Krup relayed Mary Beth Felcyn has personally told her that she will keep fighting until the schools are closed or have moved. If these few residents want to stop parking and standing on their street, they should get together and pay for a private street. She said no other public street has so many privileges. Ms. Krup asked that Councilman Collacot abstain from this item since he resides on Featherhill.

Kathy Moffat, Villa Park resident, is a member of OUSD Board of Education. She said the district understands the responsibilities of the schools are theirs. OUSD does not want to over step their bounds. They have worked with the city on issues of shared concern. She spoke about the meetings held regarding the traffic issues with OUSD, Villa Park and other surrounding cities. The cost of the projects that Serrano Elementary has completed to address the parking, safety and traffic issues are in excess of \$130,000. She spoke about the federal safe route to school grant money that the City of Villa Park received that help fund several traffic calming measures near the school. In addition, Villa Park has participated in the Walk to School Day, Walk to School Week and Principal for the Day.

Ms. Moffat spoke about the incident that took place on Featherhill June 6th. The principal of Serrano Elementary, Mrs. Pedroza, personally walked the streets of Dodson, Featherhill, the cul-de-sac west of Santiago and other potential sites where

students may be waiting to be picked up and sent the children back to school. She phoned each parent with the same safety message that said children should wait at school to be picked-up. Mrs. Pedroza also sent out a recorded pace phone call to all Serrano parents with that same message. Mrs. Pedroza made that walk every day until the end of school to make sure there were no children in those places.

Ms. Moffat stated the neighborhood watch update on June 8th stated LEAC met on June 6th to discuss an issue in detail, including the lack of OUSD's cooperation in resolving this issue. She said the principal became involved immediately, was active and consistent with this issue. She said to the best of her knowledge, this issue was resolved. Ms. Moffat is not confident all the facts are well known. There has been discussion that enrollment exceeds the capacity, but that is not the case. Serrano has never exceeded its design capacity. She spoke about the City of Orange and the large parking lot that some say OUSD built. This structure was built 20 years ago by the City of Orange, not OUSD, in order to accommodate attendees of little league games held at McPherson Park.

Susan Simpson, Villa Park resident, cited from the Villa Park City Council minutes on March 19, 2002. She spoke about Councilman Freschi's comments regarding the rotary four-way test. The test is looking at truth, if it is fair to all concerned, does it build good will and better friendship and will it be beneficial to all. She is concerned about the amount of misinformation relayed as facts in the community. Mrs. Simpson spoke about comments made by the public and the research she conducted in response. The recommendation from LEAC should not be considered. It was confirmed that only two complaints were made since last July. Mrs. Simpson expressed her concerns in a letter to the City Council regarding the City Schools Advisory meeting. She urged the council to vote no on this item.

Michelle Norman, reread a letter she sent to the City Council regarding the proposed parking restrictions. She spoke about what had transpired with traffic, safety and student drop-off and pick-up. Serrano is the only school in Villa Park that has implemented parking restrictions. She said Mary Beth Felcyn has harassed her and her children. Ms. Norman does not agree that Councilman Collacott should discuss or vote on this item due to a conflict of interest. She said Councilman Collacott has been working with Mary Beth Felcyn for years before he became a City Council member. Ms. Norman said Councilman Collacott should recuse himself and step down as a City Council member.

Karen Goldberg, Villa Park resident, spoke about the City School's Advisory meeting and the lack of facts given to those inquiring information. She said when a home is purchased near a school; it is at a discounted price. Ms. Goldenberg had a conversation with her neighbor who serves on LEAC. He was given the authority to ticket cars on Featherhill. She suggested he give warnings out first. Ms. Goldberg expressed her concern with the misinformation that has been given from LEAC. She suggested a councilmember be responsible for gathering the facts from the LEAC Committee. Ms.

Goldberg said at the City School's meeting Councilman Collacott said the only option Villa Park has is private school. She believes the majority of Villa Park residents embrace public schools.

Christopher Simpson, Villa Park resident, spoke about the possible issues the proposed streets changes will have on delivery trucks. In conducting some research, he found that one mile of red curb in a residential cul-de-sac is being proposed. He urged the council to ask the Sheriff Department if they need more laws to address more parking problems, illegal u turns and unsafe driving behavior. This will impact delivery services, real estate agents and other businesses. He spoke in opposition of this recommendation.

Anastasia Ford, Villa Park resident, has a child that attends Serrano Elementary. She also lives near the schools and deals with the parking situation. She expressed concern that Councilman Collacott has been voting on this item. Ms. Ford stated all Villa Park residents should have received the letter that City Manager Hildenbrand sent out regarding this recommendation. She suggested taking money out of the Little League to build a parking garage and to hold fundraising events. She asked why only two streets are having restrictions placed on them where there are three affected. This would cause issues with the street that does not have restrictions.

Elden Hallstepler, Villa Park resident, commented she lives near the high school, junior high and elementary school and has never made a complaint. He picks up any trash that gets thrown on his property. The City of Villa Park and OUSD should be working together to solve this issue. Mr. Hallstepler had offered in the past for parents to park in his driveway so they can drop-off and pick-up their students from school.

Tim Cronin, Villa Park resident, spoke about the traffic issues on these streets. His wife had served on a committee with OUSD and said they did not work on the issues for the residents. He stated emergency services would not be able to respond promptly on these streets due to the traffic issues.

Mayor Mills closed public comments.

Mayor Pro Tem Barnett stated the city has been dealing with this issue for four years. He became concern with safety issues and spoke with the superintendent about them. The solution they came up with was to install a sidewalk or a pathway/walking trail on at least one side of the street. This would solve the majority of the legitimate issues although when Mayor Pro Tem Barnett brought this suggested forward, he received a lot of objection. He does not believe it is a safety concern now but that a small group does not want to deal with the traffic issues that they have to deal with due to the location of their home. If residents are concerned with safety, he suggested installing a sidewalk or trail on at least one side of the street.

Mayor Pro Tem Barnett stated he is not in support of this item and is not sure if the current restrictions are appropriate. The recommendation came from LEAC as well as other recommendation that have resulted in some issues. He was in support of LEAC and their focus of safety within the city. LEAC has now expanded their scope of work that should be done by the elected members of the City Council. LEAC no longer reflects the community interest. He would like to agendaize the discussion of limiting the LEAC Committee to criminal activity and out of neighborhood affairs.

Councilwoman Fascenelli spoke about the variety of residents in Villa Park. She talked about the importance of schools, parents and visitors.

A substitute motion was made by Councilwoman Fascenelli, seconded by Mayor Pro Tem Barnett, and approved by the following roll call vote to, deny the recommendation in its entirety and initiate a review of the LEAC Committee.

AYES: Barnett, Collacott, Fascenelli, Nelson and Mills

NOES: None

ABSENT: None

ABSTAIN: None

Councilman Nelson removed his original motion.

Mayor Mills appreciates the time LEAC members have put into the committee.

Councilwoman Fascenelli said she is thankful for all the volunteers. She spoke about the importance of checking the facts before bringing items forward to the City Council. Items should not be continuously brought forward. She hopes in the future the city can correct this matter.

4. [2013-2021 Housing Element Status Update.](#)

City Manager Hildenbrand invited John Douglas, AICP, Consultant, to present the report. Mr. Douglas gave a PowerPoint presentation of the Housing Element.

Mr. Douglas said the City Council would be authorizing this draft to be sent to the HCD. The draft Housing Element does identify the Town Center as the most appropriate location.

Councilman Nelson asked about the current zoning and what zone changes will be made to make the Housing Element in compliance. Mr. Douglas replied the most specific conflict with the zoning on the property today is specific density. The density is not identified that allows mixed use or multi-family within this commercial professional

zone today. It is open ended. State law requires the city to establish numerical density standards. For small Orange County cities, the range is from 20 to 24 units per acre.

Councilman Nelson asked if it is zoned correctly, then all that is needed is the density. Mr. Douglas replied yes.

Councilman Nelson inquired about the low and very low-income units. Mr. Douglas replied State legislature recognizes that City Council's often do not have the money or power to ensure what is built on the property. They hold the cities responsible for something they can have control over, which is zoning. State law says, if the property is zoned to allow density for multi-family housing, it would be left up to other individuals such as property owners, non-profit organizations and lenders to work with the city to make it happen.

Councilman Nelson cannot image building low-income apartments in Villa Park. Mayor Mills asked about the square footage.

Mr. Douglas replied it would be unlikely to see affordable housing projects built in Villa Park due to the cost of land. Most of these projects are facilitated through a donation of land from previous redevelopment agencies or a surplus of public property. The State has a one-size fits all rule. If it does not happen, cities are not punished.

Councilman Nelson asked if existing land with buildings could be rezoned. Mr. Douglas replied it is allowable on either vacant land or developed land as long as the developed land has some opportunity to be redeveloped for a different use.

Mayor Pro Tem Barnett asked if residential land could be rezoned. Mr. Douglas replied yes. It is called upzone.

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

A motion was made by Councilman Nelson, seconded by Mayor Pro Tem Barnett, and approved by the following roll call vote to, review the revised draft Housing Element and direct staff to submit the HCD for preliminary review.

AYES: Barnett, Collacott, Fascenelli, Nelson and Mills

NOES: None

ABSENT: None

ABSTAIN: None

5. [Pavement Management Program Update.](#)

City Manager Hildenbrand introduced City Engineer Akram Hindiyeh. Mr. Hindiyeh gave a PowerPoint presentation on this item.

Mr. Hindiyeh stated overall, many of the streets are in good shape.

Mayor Pro Tem Barnett commented pavement management and sewers are the most important things to do for the city.

Mr. Hindiyeh spoke about what is needed to budget in order to maintain the streets. To keep them in their current condition, the city will need to spend approximately \$1 million per year. This amount would include money from the city, grants and the State.

Mayor Mills inquired why the streets are getting worn out. Mr. Hindiyeh replied it is due to the age of the streets as well as regular wear and tear. Most of the streets are designed to last 30 years, but to maintain this, the city would need to have a continuous maintenance program with cycles ranging every seven years. This should include slurry sealing the streets every 15 years in addition to an overlay. He said budget constraints have prevented the city from doing this on a regular basis. Heavy truck usage on the streets, such as trash trucks, has a big impact on the pavement. Mr. Hindiyeh stated when the streets were built 30 years ago; the city did not take into consideration the amount of heavy truck usage.

Councilman Nelson asked about the \$6.5 million backlog. Mr. Hindiyeh replied with the \$350,000 budgeted, it shows there is a backlog of \$6.5 million.

Mayor Pro Tem Barnett asked how much of the budget is coming from the County and the State. Finance Director Michelle Danaher replied the city budgeted \$350,000 for maintenance. This amount is the city's portion of the Taft project. \$350,000 is coming from other funding sources.

Mr. Hindiyeh stated the city budget is \$350,000. This amount is what the city has budgeted for streets. The Taft project is a special project with separate funds.

Mayor Pro Tem Barnett asked what is the net total out of pocket annual budget for streets. City Manager Hildenbrand replied the total amount is \$350,000. \$70,000 is from Measure M and \$280,000 comes directly from the city's budget.

Councilwoman Fascenelli relayed the city just added another \$350,000 this year for the Taft project. The total cash from Villa Park is \$350,000.

Mayor Pro Tem Barnett asked if the \$70,000 is total the city receives from outside funding sources. Ms. Danaher replied no. The city also receives gas tax money and funds from Measure M. These are the two outside annual funding sources used for street projects. The remainder is from the general fund.

Mayor Pro Tem Barnett inquired that as long as the city maintains an acceptable quality of the street, it would receive the money from Measure M. Ms. Danaher replied Measure M does a calculation of their own that states the city would need a maintenance of effort. Villa Park needs to maintain a \$283,000 contribution. This means \$283,000 of the city's general funds would need to be spent on street maintenance in order to receive the \$70,000 from Measure M. The city's goal is to spend \$283,000 every year in order to receive Measure M funds.

Mayor Pro Tem Barnett stated he was looking at the budget surplus, which shows the city is in a \$600,000 budget surplus. He asked how much can the city spend without depleting the reserves. Ms. Danaher replied the reserves cannot be used unless four members of the City Council vote in favor. The council can spend about \$600,000 but can try to keep it at \$400,000 and not below. In addition, the city will have to spend \$350,000 on general maintenance this year. The council can add an additional \$200,000 to \$300,000 to the maintenance.

Councilman Nelson said there is \$700,000 left over after going over the budget. The Council wanted to keep a cushion of \$400,000. Based on the budget, the city can afford to spend the \$1 million for maintenance. He is not recommending the city spend this amount but that it is possible. Councilman Nelson suggested staff look at the numbers and come back with a plan. Staff can conduct a five-year cash flow and determine how much money is left over and why type of grants that could be expected. City Manager Hildenbrand replied staff would like to determine a funding source to have a base line.

Mayor Mills commented on the storm drain study that will be brought forward soon. He asked about the likelihood of receiving additional funding sources. Ms. Danaher replied staff would have to pursue grants. The process take six to eight months and a project will need to be already established. City Manager Hildenbrand stated many grants are for highway safety improvements. Villa Park does not have the traffic or the accident data to obtain these grants. The city could receive between \$40,000 to \$100,000 in grants for the rubberized concrete installation. The larger grants are not possible for Villa Park.

Councilwoman Fascenelli asked staff to gather a comparison from other cities on the status of their streets. Mr. HindiyeH replied the City of Orange might have worse street conditions than Villa Park but that they have a much larger budget and more streets. There are limitations due to Villa Park being a small city and having a limited mph on its streets. One of the grants with the State and OCTA is that the street will have to be a major arterial. This would limit the grant applications qualifications for Villa Park. In regards to the Taft project, staff obtained a grant, which included the installation of curb and gutters. Mr. HindiyeH said a grant for local streets could be obtained if they agree to use rubberized asphalt. This specific grant amount rewarded decreases each year. The first year is 100%, second year 75% and the third year is 50%. The grant will pay the different between the cost of standard asphalt installation and rubberized asphalt.

Mayor Pro Tem Barnett asked if rubberized concrete is a better material. Mr. Hindiyeh replied yes.

Mayor Pro Tem Barnett inquired what percentage is the city at currently with the grant. Ms. Danaher replied 70%. Mr. Hindiyeh stated if the city applies now, it would be at a lower rate.

Mayor Pro Tem Barnett asked how long the rubberized asphalt lasts. Mr. Hindiyeh replied one inch of rubberized asphalt is the equivalent to 1 ½ to two inches of regular asphalt.

Councilman Collacott inquired if rubberized asphalt is more resistant to heavy trucks. Mr. Hindiyeh replied it is more flexible and less noisy than standard asphalt.

Mayor Pro Tem Barnett asked if there is a limit on how rubberized asphalt could be purchased. City Manager Hildenbrand replied he does not know the amount. Mr. Hindiyeh said the grant would only pay for the difference in cost of material. The city has received \$75,000 for this project. He commented the cost of materials is more, not the labor for installing.

Mayor Pro Tem Barnett suggested making a larger purchase if the percentage of the grant is lowering. Staff would need to look at the numbers to see what would be spent and what would be saved.

Mr. Hindiyeh said over the last four to five years the city has been trying to combine projects to get a competitive price.

Mayor Pro Tem Barnett agrees with the rubberized asphalt option. He would like staff to look into how much the city needs to be able to get the rubberized asphalt at a discounted price.

Mayor Mills asked if there is any drawback using rubberized asphalt. Mr. Hindiyeh replied there could be problems with trenching and grinding. The maintenance is a little higher than regular asphalt too. It is cost effective since the streets last 1 ½ times longer than regular asphalt.

Councilwoman Fascenelli relayed OCTA put out a report on countywide assessment of existing and future pavement needs. She urged staff to contact OCTA to gather the information from surrounding cities. Mayor Mills stated a comparison from surrounding cities is crucial. City Manager Hildenbrand replied he would gather this information and bring it back to the City Council next month.

Councilman Nelson suggested staff bring forward a seven-year forecast. Mr. Hindiyeh replied in order to apply for Measure M with the OCTA; the city needs to provide a seven-year analysis.

Councilman Nelson would like to see a forecast of how much the city has left over then the council can determine how much to allocate to the streets. The council will also needs to look into the sewer and storm drain infrastructure.

Councilman Collacott stated the city has an assessment placed on just sanitary sewers. He said prior to the formal assessment with the firm, Mr. Hindiyeh performed the pavement evaluations with a windshield survey.

Mayor Mills spoke about combining some of the projects. Mr. Hindiyeh replied yes. Storm, sewer and street can be combined.

Mayor Pro Tem Barnett asked when the storm drain report would be complete. City Manager Hildenbrand replied in October.

Mayor Pro Tem Barnett asked about the sewer report. City Manager Hildenbrand replied it has already come out. There is a capital report every seven years. The city conducts a video of the system every other year. Mayor Pro Tem Barnett asked if there are any funding issues with sewer. City Manager Hildenbrand replied no, there is a funding source for the sewer.

Mayor Pro Tem Barnett commented if there is enough money, an assessment might be needed. Councilwoman Fascenelli said the city is not at the point. Councilman Collacott replied he would like to avoid an assessment.

Mayor Pro Tem Barnett stated the council needs to know how much money the city has and how much to budget for street maintenance. He spoke about the importance of looking at the longevity of the product and the amortization of the cost over the life of the product.

City Manager Hildenbrand stated staff would be bringing a forecast of the funding over the next five to seven years and conduct a survey of surrounding cities.

CONSENT CALENDAR (ITEMS #6-11)

Councilwoman Fascenelli removed Item 9, Request approval of City Council Minutes of June 28, 2016; and Item 10, Resolution No. 2016-3367 confirming nuisance abatement and special assessment amounts against 18011 Wellington Circle from the Consent Calendar.

A motion was made by Councilman Nelson, seconded by Mayor Mills, and approved by the following roll call vote, to approve Consent Calendar Items 6-8 & 11.

AYES: Barnett, Collacott, Fascenelli, Nelson and Mills

NOES: None

ABSENT: None

ABSTAIN: None

6. Warrants and disbursements from June 13, 2016 through July 13, 2016.

Action: Approved warrants and disbursements in the amount of \$238,052.04.

7. June's Treasurer's Report, Cash and Investment Transparency.

Action: Received and filed.

8. June's Financial and Capital Project Status reports.

Action: Received and filed.

11. Resolution No. 2016-3369 authorizing the destruction of certain City records as provided by Section 34090 of the Government Code of the State of California.

RECOMMENDATION: Adopt Resolution No. 2016-3369.

PULLED ITEMS

9. Request approval of City Council Minutes of June 28, 2016.

Councilwoman Fascenelli relayed on page 8, the second motion included an allocation of \$30,000. It should only reflect Councilwoman Fascenelli's abstention from voting on this item, not an additional \$30,000.

A motion was made by Councilwoman Fascenelli, seconded by Mayor Mills, and approved by the follow roll call vote to, approve the City Council Minutes of June 28, 2016 with the amended changes.

AYES: Barnett, Collacott, Fascenelli, Nelson and Mills

NOES: None

ABSENT: None

ABSTAIN: None

10. Resolution No. 2016-3367 confirming nuisance abatement and special assessment amounts against 18011 Wellington Circle.

Councilwoman Fascenelli requested to take a separate vote on this item. She did not vote in favor of this item when it was brought forward at the previous City Council meeting. This resolution is targeting people because they left trashcans out which has led to a couple thousand-dollar assessment.

City Manager Hildenbrand stated this is the first time the City Council is voting on this resolution. City Attorney Liftin replied in order to have an assessed cost to be pulled out of property tax, a separate action is needed.

Councilwoman Fascenelli would like residents to know this dollar amount is for keeping trash cans out. She is trying to put aside the issues the city has with the property owner and council for the benefit for future complaints. City Manager Hildenbrand replied half the dollar amount of the assessment is for the trashcans; the other is for the gate.

Mayor Pro Tem Barnett does not recall approving the trashcan fines, but just the gate. City Manager Hildenbrand replied the council approved the fines on the gate. In the municipal code, the City Manager has the authority to implement fines against properties that are in violation of the code. This has been done in the past with several properties.

Mayor Pro Tem Barnett asked if the council is voting to impose the trash can and gate fines. City Manager Hildenbrand replied yes. The council is voting to impose the fines on the tax role so the city can collect payment. The city started to fine the property owner in February and has issued three additional citations and six late penalty notifications. The property owner has failed to pay the fines. In order to recover the cost, the City Manager had to place these fees on the tax role.

Mayor Mills stated this item and the fees being accrued have been discussed at several meetings. City Manager Hildenbrand said the property owner did not show up to the first public hearing regarding the trashcan violation.

Councilwoman Fascenelli said she understands the violation. If the issue had started and ended with the trash can issue, she would have approved it. But it did not. It started because of two parties, which is no longer an issue. The council had jumped on this issue from a committee to form ordinances and fines because there was no other way to fine the property owner. Now it looks like the city is going after the property owner because he left the trash cans out. She understands the owner should have come forward sooner about addressing the gate issue. City Manager Hildenbrand said it is common for people who are issued a noticed of correction to voluntarily fix the problem. This issue is about leaving trashcans visible for public view in the streets for over 24

hours. The code says they can be left in the street for 24 hours, but this property had been leaving them out on the street for weeks.

A motion was made by Mayor Mills, seconded by Councilman Collacott, and approved by the follow roll call vote to, adopt Resolution No. 2016-3367.

AYES: Collacott, Nelson and Mills

NOES: Barnett and Fascenelli

ABSENT: None

ABSTAIN: None

MAYOR AND COUNCILMEMBER MATTERS

12. [Councilmember Requested Matter \(Fascenelli\) – Consideration of Fraud Hotline.](#)

Councilwoman Fascenelli announced she attended a symposium last week that the County of Orange hosted about fraud in public places. There were many City Council members from other cities in attendance. The biggest issue from all six people who spoke about is the importance of a fraud hotline. Many time residents do not want to complain in person because they are afraid of retaliation. The County has a hotline that residents can call where the complaint can be reported anonymously. The cost for the hotline would run the City of Villa Park around \$4,000. She would like to see if any of the councilmembers might be interested in having the City Manager conduct further research.

Mayor Pro Tem Barnett asked what type of fraud is reported. Councilwoman Fascenelli replied fraud on the city.

Mayor Pro Tem Barnett inquired once a complaint is made, who follows up with it. Councilwoman Fascenelli replied that would be a policy the City Council would determine.

Councilwoman Fascenelli stated the average cost is \$3,000 to \$4,000. The County of Orange receives around 600 calls per year.

Councilman Collacott made a motion to direct staff to conduct further research and bring back a report to City Council. This would include the cost and what it would take to implement policy and procedures.

Mayor Pro Tem Barnett spoke in support of having a staff report presented.

Councilman Nelson spoke against the motion. He does not think Villa Park would receive many, if any calls.

Mayor Pro Tem Barnett is unsure that Villa Park would receive enough calls but would still like staff to look into it.

Councilman Nelson prefers to spend money on the city's infrastructure.

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

Mayor Mills will be attending an Orange County Sanitation District meeting. The National Night out event will be taking place next week. Orange County Animal Care will have a groundbreaking ceremony for its new shelter this Friday. August 3rd is Villa Park Day at the Orange County Fair. All City Council members stated they would be attending this event.

ADJOURNMENT

The City Council adjourned at 10:00 p.m. The next regular meeting will be held on Tuesday, August 23, 2016 at 6:30 p.m.

Greg Mills, 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.