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

August 25, 2015
Regular Meeting

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 Vincent Sanchez

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

Mayor Fascenelli announced Item 16, Reconsideration of the Villa Park Community Services Foundation's recommendation to become independent from the City of Villa Park (Requested by Mayor Fascenelli and VPCSF Chair Bender), would be removed from the agenda.

- City Treasurer Dennis Kuli 15th Year of Service
- VPHS Endowment Presentation (Requested by Councilman Collacott)
- Law Enforcement Advisory Committee update
- Orange County Fire Authority update
- Orange County Sheriff's Department update

ORAL COMMUNICATIONS

Mayor Fascenelli opened public comments.

Donna Buxton, Villa Park resident, talked about traffic along Serrano and spoke on behalf of Villa Park resident Laurie Trieber regarding biased reporting taking place in *The Sentry* from an author who is married to a City Council member.

Donna Buxton, Villa Park resident, thanked the City Council for making the changes to the permit parking restrictions on Dotson and Featherhill. She spoke about the need to have OUSD provide adequate drop-off and pick-up areas for their students. Ms. Buxton said there is still a need to make Serrano Avenue safer.

Mayor Fascenelli closed public comments.

PUBLIC HEARINGS

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

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

AYES: Barnett, Collacott, Mills, Nelson and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

2. Consideration of Variance NO. 0767 at 9991 Briley Way, Applicants: Lisa and David Bodourian.

Planning Manager Ray Pascua gave the staff report.

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

A motion was made by Mayor Fascenelli, seconded by Mayor Pro Tem Mills, and approved by the following roll call vote to approve Variance No. 0767, subject to the conditions of approval contained in Resolution No. 2015-3342.

AYES: Barnett, Collacott, Mills, Nelson and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

3. Consideration of Conditional Use Permit No. 2015-04 at 9642 Santiago Boulevard, Applicant: Tropical Plaza Nursery.

City Planner Ray Pascua gave the staff report.

Mayor Fascenelli opened public comments.

Dr. Bryan Alters, Villa Park resident, lives across the street from the applicant, and spoke highly about the business.

Mayor Fascenelli closed public comments.

Mayor Fascenelli announced Tropical Plaza Nursery received an award regarding their business in the City of Villa Park.

Les Fields, Owner, spoke about the CLCA and the award they received for drought tolerant landscaping. In addition, they won the Presidential Award, which was presented by Rancho Water District, on a design they made and built for the water district's display garden.

City Manager Hildenbrand said if there are any issues that occur within the CUP, it could be brought back to council at any time.

A motion was made by Mayor Pro Tem Mills, seconded by Mayor Fascenelli and approved by the following roll call vote to approve the Conditional Use Permit No. 2015-04 with the attached conditions of approval.

AYES: Barnett, Collacott, Mills, Nelson and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

4. Consideration of Conditional Use Permit No. 2015-03 at 17672 and 17711 Meats Avenue. Applicant Osumi Farm.

City Planner Ray Pascua gave the staff report.

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

Mayor Pro Tem Mills inquired about the separate parcels.

A motion was made by Mayor Fascenelli, seconded by Mayor Pro Tem Mills, and approved by the following roll call vote to approve Conditional Use Permit No. 2015-03, subject to the conditions of approval contained in Resolution No. 2015-3341.

AYES: Barnett, Collacott, Mills, Nelson and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

5. Ordinance of the City Council of the City of Villa Park Adding Section 23-6.29 of Article 23-6 of Chapter 23 of the Villa Park Municipal Code Relating to Expedited Permitting Procedures for Small Residential Rooftop Solar Systems

City Attorney Todd Litfin stated this item is a state law and is required for every city.

Mayor Fascenelli inquired about the electronic application. City Attorney Litfin replied Villa Park would be processing applications via email.

Mayor Pro Tem Mills spoke about the issues of the limited lifetime of the product and where it is manufactured. City Attorney Litfin replied it is the duty and requirement of the property owner to look into this when making the purchase. He stated unless there is a health and safety issue, the City does not have much discretion.

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

Councilman Barnett spoke about a possible typo in Paragraph F3 and suggested staff looks into it.

A motion was made by Councilman Nelson, seconded by Mayor Pro Tem Mills and approved by the following roll call vote to:

1. Hold a Public Hearing, introduce and approve the first reading of Ordinance No. 2015-594, and schedule a second reading and adoption at the September 22, 2015 City Council meeting; and
2. Adopt Resolution No. 2015-3339, adopting a Checklist of Requirements for Small Residential Rooftop Solar Energy Systems.

AYES: Barnett, Collacott, Mills, Nelson and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

CONSENT CALENDAR (ITEMS #6-15)

Councilman Barnett pulled Item 7, Financial Treasurer's Report for the month of July, 2015.

Mayor Fascenelli pulled Item 15, Authorization to Purchase a Used Police Vehicle.

A motion was made by Councilman Barnett, seconded by Councilman Collacott, and approved by the following roll call vote to approve Consent Calendar Items 6, & 8-14.

AYES: Barnett, Collacott, Mills, Nelson and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

6. Warrants and disbursements from July 13, 2015 through August 12, 2015.

Action: Approved warrants and disbursements in the amount of $884,564.47.

8. Request approval of City Council Special Meeting Minutes of July 6, 2015.

Action: Approved.

9. Request approval of City Council Minutes of July 28, 2015.

Action: Approved.

10. Monthly Financial and Capital Project Status reports

Action: Received and filed.

11. Villa Park Crime Analysis Report for the month of July, 2015.

Action: Received and filed.

12. Designation of voting delegate and alternate League of California Cities Annual Conference – September 30 – October 2, San Jose.

Action: Appointed Mayor Fascenelli as voting delegate and Councilman Collacott as voting alternate for the 2015 League of California Cities Annual Conference.

13. Ordinance No. 2015-593 of the City of Villa Park, California, amending the zoning map relating to certain e-4 properties for the purpose of clarifying their zoning designations.

Action: Approved the second reading and adopted Ordinance No. 2015-593.

14. FY 14/15 and FY 15/16 Street Rehabilitation Project

Action: 1. Approved the street rehabilitation project list; and

2. Authorized the Mayor to execute a contract with Civil Source in the amount of $33,805 for preparing the plans and specifications for the FY 14/15 and FY 15/16 Street Rehabilitation project.

PULLED ITEMS

7. Financial Treasurer's Report for the month of July, 2015.

Councilman Barnett inquired on one of the items having a 4% return. Finance Director Michelle Danaher replied the item was purchased at a discount and that is why it is reflecting a high return.

A motion was made by Councilman Barnett, seconded by Mayor Pro Tem Mills, and approved by the following roll call vote to receive and file the report.

AYES: Barnett, Collacott, Mills, Nelson and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

15. Authorize to Purchase a Used Police Vehicle

Mayor Fascenelli stated this item was removed from the Consent Calendar since a donation was made to make the purchase.

NEW BUSINESS

17. Award of contract to CNC Engineering for design engineering services for improvements on Mesa Drive, Valley Drive and Loma Street.

City Manager Hildenbrand gave the staff report. He stated a request for proposals were sent to ten (10) businesses, with the lowest bidder CNC Engineering being selected. The streets and improvements bond account will fund this contract.

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

Mayor Pro Tem Mills asked if CNC Engineering had contracted with the city before.

Sean Nazarie, CNC Engineering represented, replied they had a contract with the city in 2011 to survey speeding and conduct a traffic count. Mr. Nazarie spoke about the three options that they gave the city in the current proposal.

A motion was made by Councilman Nelson, seconded by Mayor Pro Tem Mills, and approved by the following roll call vote to award the design services contract to CNC Engineering, in an amount not to exceed $72,805, and authorize the City Clerk to execute the Professional Services Agreement.

AYES: Barnett, Collacott, Mills, Nelson and Fascenelli

NOES: None

ABSENT: None

ABSTAIN: None

MAYOR AND COUNCIL MEMBER MATTERS

18. Law Enforcement Advisory Committee (Requested by Councilman Barnett).

Councilman Barnett spoke about the amount of discussion made during City Council meetings regarding this committee and items discussed among it. He asked there be a written report given to the City Council to save time during the meeting.

Mayor Fascenelli stated the committee was formed to help with safety in Villa Park. She would like the committee to focus on what they were created to do.

Councilman Collacott said last December, the City Council voted to have the Law Enforcement Advisory Committee look at not only law enforcement, but traffic control as well. He spoke about the importance of having the experience of law enforcement professionals available to the City Council.

Mayor Pro Tem Mills spoke about the work the Law Enforcement Advisory Committee has done and thanked them.

Councilman Nelson said safety is the number one issue in Villa Park. He would like to hear more about what the Law Enforcement Advisory Committee is doing, not less.

Mayor Pro Tem Mills would like to see the information the Law Enforcement Advisory Committee presents to the City Council in the agenda packet.

Councilman Barnett would like them to focus on new material and items where there is a suggestion. He would also like their findings in writing.

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

Mayor Pro Tem Mills attended a Vector Control meeting on August 20th, which was also Mosquito Day. He said they are currently looking for a new General Manager. Mayor

Pro Tem Mills spoke about Vector Control reaching out to the public during National Night Out and Concert in the Park events. He reported the sanitation district has a new chairman and they are opening another part of their ground water replenish system. Currently, the sanitation district donates all their water they reclaim to the water district.

Councilman Collacott requested tonight's meeting be adjourned in memory of Villa Park Resident Roland Wedemeyer who passed away.

Councilman Barnett spoke about the OCFA negotiation on the primary firefighter union contract. He stated the union has announced publicly that they intend to continue with Assembly Bill 1217, to remove the city from participating with the fire authority.

Councilman Nelson inquired about the filling station property and the Condition of Variance. He asked to agendize reviewing the municipal code for any discrepancies with it in regards to the variance. City Attorney Litfin said the issues are under the California Building Code that there are some inconsistencies.

Councilman Nelson asked to agendize looking into section 2.3.8, Rules of Debate, and the limit of how many times an item can be brought back for discussion. City Attorney Litfin said the motion for reconsideration is within Roberts Rules of Order. It is a common problem when someone is on the losing side of an item that they would like to bring it back. He said as long as no one's due process rights are affected, it can be brought back.

Councilman Barnett stated Division Chief Kris Concepcion will be leaving his position and thanked him for his work with the city.

Mayor Fascenelli spoke about the additional parking lot the school has provided. She talked about trash in town center and suggested contacting the property owners to provide trashcans outside their businesses. Mayor Fascenelli stated the gas station would be pulling their permit tomorrow to build a drive-thru. Currently, they are looking for tenants. Mayor Fascenelli announced Villa Park did not receive a penalty for going over their water usage in July and August, saying usage has been reduced by 48%.

ADJOURNMENT IN MEMORY OF ROLAND WEDEMEYER

The City Council adjourned at 8:21 p.m. The next regular meeting will be held on Tuesday, September 22, 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.