

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

**February 26, 2013
Regular Meeting**

<p>GENERAL SESSION 7:00 p.m. – City Council Chambers</p>

ROLL CALL - Mayor Reese called the General Session to order at 7:00 p.m.

COUNCILMEMBERS

PRESENT: Mills, Fascenelli, Reese, Barnett, Pauly

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG – led by Rich Ulmer

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Villa Park Community Services Foundation update
- Orange County Fire Authority update
- Orange County Sheriff's Department update

ORAL COMMUNICATIONS

None.

PUBLIC HEARINGS

1. Consideration of Conditional Use Permit No. 0733: a request to expand the existing two-car garage adding 780 square feet exceeding the maximum three (3) car limitation; and Conditional Use Permit No. 0734: a request to construct a second story addition 28-feet high exceeding the building height limit of 25-feet. Location: 9331 Loma Street. Applicants: Jon and Antoinette Newton.

Planning Intern Tyler Valentine presented the staff report.

Mayor Reese opened the public hearing, and with no one wishing to speak he closed the public hearing.

It was moved by Mayor Reese, seconded by Mayor Pro Tem Barnett and carried by the following roll call vote to adopt Resolution No. 2013-3224, a Resolution of the City Council of the City of Villa Park approving Conditional Use Permit No. 0733 and Conditional Use Permit No. 0734:

AYES: COUNCILMEMBERS: Reese, Barnett, Fascenelli, Mills, Pauly

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

2. Consideration of Variance Permit No. 0735 – a request to replace a wood fence with a new masonry and wrought iron gate and fence above the 42” limitation within the front yard setback. Location; 18922 Santiago Blvd. Applicant: Sam Olson.

Planning Intern Tyler Valentine presented the staff report.

Mayor Reese opened the public hearing, and with no one wishing to speak he closed the public hearing.

It was moved by Mayor Pro Tem Barnett, seconded by Councilmember Fascenelli and carried by the following roll call vote to adopt Resolution No. 2013-3225, a Resolution of the City Council of the City of Villa Park approving Variance Permit No. 0735:

AYES: COUNCILMEMBERS: Barnett, Fascenelli, Mills, Pauly, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

3. First reading of Ordinance No. 2013-574, an Ordinance of the City Council of the City of Villa Park, California, Adding Article 11-2 to Chapter XI of the Villa Park Municipal Code relating to Safe and Sane Fireworks.

City Manager Hildenbrand presented the staff report.

Mayor Reese opened the public hearing.

City Council discussion ensued with regard to some of the language of the Ordinance.

Wayne and Mary Silzel, 18202 Montana Circle, spoke in opposition to the proposed ordinance.

Pete Bonano, Deputy Fire Marshal, spoke in opposition to the proposed ordinance.

With no one else wishing to speak, Mayor Reese closed the public hearing.

It was moved by Councilmember Mills, seconded by Mayor Pro Tem Barnett and carried by the following roll call vote to introduce and approve a first reading of Ordinance No. 2013-574, and schedule a second reading and adoption at the March 26, 2013, City Council Meeting:

AYES: COUNCILMEMBERS: Mills, Barnett, Fascenelli, Reese

NOES: COUNCILMEMBERS: Pauly

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

CONSENT CALENDAR (ITEMS #4-13)

Councilmember Fascenelli pulled items 7 and 10.

Councilmember Mills pulled from item 8.

Councilmember Pauly pulled items 4, 9 and 12.

Mayor Pro Tem Barnett pulled item 11.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Barnett and carried by the following roll call vote to approve the remainder of the Consent Calendar:

AYES: COUNCILMEMBERS: Pauly, Barnett, Fascenelli, Mills, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

5. Financial Treasurer’s Report for the month of January.

ACTION: Receive and file.

6. Request approval of City Council minutes of January 22, 2013.

ACTION: Approve.

13. Mid-year Budget review and Budget adjustments.

ACTION: Authorize the Finance Director to amend the budget based on the amounts summarized in Exhibit 1 of the staff report.

ITEMS PULLED FROM THE CONSENT CALENDAR

4. Warrants and disbursements from January 12 through February 15, 2013.

Councilmember Pauly pulled this item noting the low water bill and commended public works staff for a job well done monitoring water use.

It was moved by Councilmember Pauly, seconded by Mayor Reese and carried by the following roll call vote to approve warrants and disbursements in the amount of \$240,746.13:

AYES: COUNCILMEMBERS: Pauly, Reese, Fascenelli, Mills, Barnett

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

7. Board of Director appointments to the Villa Park Community Services Foundation.

Councilmember Fascenelli pulled this item noting the amount of directors on the Board and still no volunteer(s) to plan the City picnic – one of the City’s largest events.

Councilmember Mills mentioned that he met with Kay Rogers they agreed to find a committee to plan the picnic.

It was moved by Councilmember Fascenelli, seconded by Mayor Pro Tem Barnett and carried by the following roll call vote to re-appoint Rondi Walsh and Nic Versteeg, and appoint Kay Rogers to serve a two year term ending in January 2015.:

AYES: COUNCILMEMBERS: Fascenelli, Barnett, Mills, Pauly, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

8. Villa Park Community Services Foundation bylaw changes as approved by the Board of Directors.

Councilmember Mills pulled this item to abstain from the vote.

It was moved by Mayor Pro Tem Barnett, seconded by Councilmember Fascenelli and carried by the following roll call vote to, acting as the Members of the Villa Park Community Services Foundation, approve the bylaw changes as recommended by the Board of Directors:

AYES: COUNCILMEMBERS: Barnett, Fascenelli, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Mills, Pauly

9. An update on progress related to Ordinance No. 2012-573, extending Ordinance No. 2012-572, an urgency interim ordinance approving the temporary prohibition on non-restaurant, non-retail uses in the Towne Centre with the exception of the properties located at 17859 and 17871 Santiago Boulevard.

Councilmember Pauly pulled this item requesting that Planning Manager Jennifer Lilley provide a report.

Planning Manager Lilley provided a report, and it carried by a voice vote of City Council to receive and file.

10. Amendment to Master Parking and Traffic Resolution regarding parking restrictions on Sycamore Street.

Councilmember Fascenelli pulled this item to note Serrano Water District will cover the cost of sign installation and requested that the City invoice accordingly once the work is completed.

It was moved by Mayor Pro Tem Barnett, seconded by Councilmember Fascenelli and carried by the following roll call vote to adopt Resolution No. 2013-3219:

AYES: COUNCILMEMBERS: Barnett, Fascenelli, Mills, Pauly, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

11. Award of Contract – Catch Basin Debris Screen Installation Project.

Mayor Pro Tem Barnett mistakenly pulled this item.

It was moved by Mayor Pro Tem Barnett, seconded by Mayor Reese and carried by the following roll call vote to award the contract to BIO Clean Environmental Services Inc. in the amount of \$97,000 and authorize the Mayor and City Clerk to execute on behalf of the City:

AYES: COUNCILMEMBERS: Barnett, Reese, Fascenelli, Mills, Pauly

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

12. Resolutions appointing the City's designated representatives to the Orange County Fire Authority Board of Directors.

Councilmember Pauly pulled this item questioning why Council has to adopt these resolutions appointing directors.

City Attorney Litfin responded that OCFA requires it now.

Councilmember Pauly then noted her opposition to the appointments based on the action taken regarding safe and sane fireworks.

It was moved by Councilmember Fascenelli, seconded by Councilmember Mills and carried by the following roll call vote to adopt Resolution No. 2013-3221 appointing its Director, Mayor Pro Tem Rick Barnett, to the Orange County Fire Authority Board; and adopt Resolution No. 2013-3222 appointing its Alternate, Mayor Brad Reese, to the Orange County Fire Authority Board:

AYES: COUNCILMEMBERS: Fascenelli, Mills, Barnett, Reese

NOES: COUNCILMEMBERS: Pauly

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

OLD BUSINESS

14. Award of Contract – Comprehensive Citywide Fees and Charges Rate Study.

City Manager Hildenbrand presented the staff report.

Ani Saldana, BPR Concepts, was available for a short question and answer session with Council regarding the proposed study.

It was moved by Mayor Pro Tem Barnett, seconded by Mayor Reese and carried by the following roll call vote to approve the attached Consultant Services Agreement with BPR Concepts for the preparation of a User Fee Study in the amount of \$8,200:

AYES: COUNCILMEMBERS: Barnett, Reese, Fascenelli, Mills, Pauly

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

15. Lemon Street Right of Way status update, Resolution authorizing acceptance of property, Resolution finding consistency with General Plan, and proposed License Agreement.

City Attorney Litfin presented the staff report.

Councilmember Pauly opposed noting she was in opposition of the project from the beginning.

It was moved by Mayor Pro Tem Barnett, seconded by Councilmember Mills and carried by the following roll call vote to adopt Resolution No. 2013-3223, Resolution No. 2013-3226, and the License Agreements, and authorize the Finance Director to amend the budget in the amount of \$32,500:

AYES: COUNCILMEMBERS: Barnett, Mills, Fascenelli, Pauly Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

NEW BUSINESS

16. Request approval for Neighborhood Identification Sign at Villa Park Road and Wanda Road.

City Manager Hildenbrand presented the report.

City Council discussion ensued.

Rich Ulmer, 18550 Martinique Court, spoke in opposition to the proposed sign and wanted it to be more exquisite.

It was moved by Councilmember Pauly, seconded by Councilmember Mills and carried by a voice vote to continue the item directing staff to prepare additional rendering to include a "Welcome" message, anti-graffiti sealant, and LED light strip rather than solar feature.

MAYOR AND COUNCILMEMBER MATTERS

17. Councilmember requested matter (Barnett): Consent Calendar.

Mayor Pro Tem Barnett suggested that Councilmembers contact staff prior to the meeting with regard to any questions they may have on items on the Consent Calendar.

18. Councilmember requested matter (Pauly): Public Employees' Pension Reform Act (PEPRA) Update.

Given the late hour, Councilmember Pauly wished to continue this item to March 26, 2013.

19. Councilmember requested matter (Pauly): No Solicitation Program Update.

Assistant to the City Manager Ryan Smoot provided an update.

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

Councilmember Pauly reported on the Serrano Water District Town Hall meeting, ACC-OC Elected Officials Academy, and requested that the City Council consider terminating its membership with the League to join ACC-OC.

Mayor Reese reported on the OCFA Best and Bravest Dinner and ACC-OC Meet and Greet with Supervisor Nelson.

Mayor Pro Tem Barnett reported on the OCFA Board meeting.

Councilmember Fascenelli reported on the Public Utilities Committee meeting with SWD, City/Schools Committee meeting and tour of Villa Park Disposal.

VILLA PARK TEAM REPORT

None.

ADJOURNMENT

The City Council adjourned at 9:47 p.m. The next Regular meeting will be held on Tuesday, March 26, 2013 at 7:00 p.m.

Brad Reese, 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.