

MINUTES OF THE CITY COUNCIL
CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in regular session Tuesday, January 28, 2003, at 7:30 PM in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

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

ROLL CALL:

COUNCILMEMBERS PRESENT:

Bob Bell	Mayor
Patricia Bortle	Mayor Pro Tem
Rich Freschi	Councilmember
Robert McGowan	Councilmember
Bill MacAloney	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:

Taylor Adray, Sarah Balch and Alexandra McDaniel, students from Serrano Elementary School, led the flag salute.

INTRODUCTIONS AND PRESENTATIONS:

Mayor Bell presented a commendation to Brittany Wong, student at Villa Park High School, for outstanding academic achievement.

ORAL COMMUNICATIONS:

Erik Kuli, President, Board of Directors, Villa Park Community Services Foundation, provided an update on the Foundation and the planning of the "kick-off" event.

Regular meetings are held at 12 Noon on the third Monday of each month at the Villa Park Town Hall.

Memberships are available in the Foundation at different levels. Individual memberships are offered for \$50 per year. There are also Business and Corporate level memberships.

For more information on the Foundation, please contact the Foundation Secretary at (714) 998-1500 or visit the City's website at www.villapark.org.

CONSENT AGENDA:

It was moved by Councilmember McGowan, seconded by Councilmember MacAloney, and carried by the following roll call vote to approve Consent Agenda Items 1 through 6, with the deletion of Item 6:

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. Consideration of City Council Minutes of December 17, 2002. Approved Action: That the City Council approve the Minutes of December 17, 2002.
3. Consideration of Fifth Amendment to the Law Enforcement Services Agreement for FY 2002-03. Approved Action: That the City Council approve the Fifth Amendment to the Law Enforcement Services Agreement for FY 2002-03.
4. Consideration of Quarterly Reports for Period Ending December 31, 2002. Approved Action: Receive and file.
5. Consideration of List of Demands for December 31, 2002. Approved Action: That the City Council approve the List of Demands for December 31, 2002, numbered 1 through 39 in the amount of \$60,031.57.
6. Deleted.

Item 6:

Consideration of List of Demands for January 28, 2003.

Councilmember Freschi inquired about the \$1,500 dues to the Orange County Regional Airport Authority for the period January – March 2003. He wanted to know why the City is still contributing money to OCRAA since the El Toro Airport is no longer an issue. Councilmember McGowan responded that the Authority continues to be involved in regional airport issues other than El Toro, and is in need of monetary support.

Following discussion, it was moved by Councilmember MacAloney, seconded by Councilmember McGowan, and carried by the following roll call vote to approve the List of Demands for January 28, 2003, numbered 1 through 35 in the amount of \$236,366.37, and revisit the issue of contributions to OCRAA during the June, 2003 budget study session:

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

MATTERS PRESENTED BY COUNCILMEMBERS: None.

CITY COMMISSION AND COMMITTEE REPORTS OR REFERRALS:

Public Utilities Committee – Councilmember Freschi:

Councilmember Freschi reported on his meetings with Villa Park Disposal and Serrano Water District.

Public Safety Committee – Councilmember McGowan:

Councilmember McGowan reported on the mosquito problem this time of year. He warned residents to be on the lookout for any standing water on and around your property, such as decorative ponds, buckets, pots, etc. Mosquitoes carry the West Nile Virus.

Orange County Fire Authority – Mayor Bell:

Mayor Bell discussed the quick response from the Orange County Fire Authority to the recent fire on Valley Drive.

Orange County Library – Councilmember MacAloney:

Councilmember MacAloney reported on a meeting he attended regarding the Orange County Public Library.

ITEMS FOR CONSIDERATION: None.

PUBLIC HEARINGS:

Consideration of Conditional Use and Variance Permit No. 0518 (Location: 18341 Valley Drive; Applicants: Vinh Le and Tung Ngo) for Construction of the Following:

- a. Two-story single-family residence above 25 feet in height;
- b. Eight garage stalls on the property;
- c. Detached pool cabana;
- d. Increase in the 32% maximum floor area allowed to 40%;
- e. Variance approval for retaining walls in excess of 6' in height.

Mayor Bell opened the Public Hearing.

City Manager Rodericks advised that the applicants have requested a continuance of this item to the February City Council Meeting.

It was moved by Councilmember McGowan, seconded by Mayor Pro Tem Bortle, and carried by the following roll call vote to continue consideration of Conditional Use and Variance Permit No. 0518 to the February 25, 2003 City Council Meeting:

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

Consideration of Conditional Use Permit No. 0519 for Construction of a Garage Addition Creating Four Garage Spaces on the Property - Location: 9342 Hazel Circle; Applicant: William Sallenbach.

Councilmember MacAloney stated that he would abstain from voting on this matter due to a potential conflict of interest.

City Manager Rodericks reported that the applicant is requesting permission to construct a garage addition of 310.5 feet bringing the total garage spaces to four. The structure complies with the setback, floor area, lot coverage, and height restrictions.

Mayor Bell opened the Public Hearing.

With no testimony forthcoming, Mayor Bell closed the Public Hearing.

It was moved by Mayor Pro Tem Bortle, seconded by Councilmember McGowan, and carried by the following roll call vote to adopt Resolution No. 2003-2655 Approving Conditional Use Permit No. 0519 for construction of a Garage Addition Creating Four Garage Spaces on the Property, With Conditions - Location: 9342 Hazel Circle; Applicant: William Sallenbach:

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

Consideration of Variance Permit No. 0520 for Construction of an Addition Encroaching into the Rear Yard Setback Area – Location: 18221 James Road; Applicant: Mark Winn.

City Manager Rodericks stated that the property owner is proposing an addition of 720 s.f. at the rear of his property that would encroach into the rear yard setback. In November 2002, the property owner requested a Variance to encroach into the required rear yard setback of 25 feet by 15 feet thereby leaving a setback of 10 feet. The Variance request was denied by the City Council at the November Meeting.

The applicant is before the City Council again tonight to request a Variance to allow the rear addition to encroach into the required rear yard setback of 25 feet by 6.25 feet, or 25%, thereby leaving a setback of 18.75 feet. The addition complies with all lot coverage and height restrictions.

The applicant is also requesting a waiver of fees for submittal of this second variance request.

Mayor Bell opened the Public Hearing.

Councilmember McGowan stated he could support a 20% reduction in the setback area but not a 25% reduction.

With no testimony forthcoming, Mayor Bell closed the Public Hearing.

Following discussion, it was moved by Councilmember Freschi, seconded by Mayor Pro Tem Bortle, and carried by the following roll call vote to adopt Resolution No. 2003-2656 Approving Variance Permit No. 0520 for Construction of an Addition Encroaching into the Rear Yard Setback Area, With Conditions – Location: 18221 James Road; Applicant: Mark Winn:

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

With regard to the waiver of fees, it was moved by Councilmember Freschi, seconded by Mayor Pro Tem Bortle, and carried by the following roll call vote to not waive the variance submittal fee:

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

Consideration of Conditional Use and Variance Permit No. 0521 for Construction of an Addition Above 25'; 4 or More Garage Stalls; Recreational Court Lighting, and a Variance From the Fence Height Requirement – Location: 9251 Rama Street; Applicants: Karl and Lori Kreutziger.

City Manager Rodericks reported that the applicants are proposing to add a two-story addition, additional garage spaces, a lighted recreational court, and a front yard fence and gate. The two-story addition to the property consists of 3,426 square feet. The garage addition, to include a RV garage, consists of 1,080 square feet. Total floor area of the new home, including porches and balconies, is 9,818 – total lot coverage is 6,362 square feet. The addition is proposed at a maximum height of 27'3". The structure complies with all lot coverage, setback, floor area, and height restrictions.

The property owner is also proposing the addition of recreational court lighting at the rear of the property. The proposed lighting and design complies with the City's recreational court lighting standards.

Further, the property owner is requesting a Variance to construct a proposed 5-foot fence across the property frontage within the required 20-foot front yard setback for fences and walls in excess of 42 inches. The proposed fence covers the entire frontage of the property and includes a pedestrian gate, second driveway gate, and main drive entry gate in excess of 6 feet in height.

Mayor Bell opened the Public Hearing.

Mr. Kreutziger addressed Council in support of his project.

With no further testimony forthcoming, Mayor Bell closed the Public Hearing.

Following discussion, it was moved by Councilmember MacAloney, seconded by Mayor Pro Tem Bortle, and carried by the following roll call vote to adopt Resolution No. 2003-2657 Approving Conditional Use and Variance Permit No. 0521 for Construction of an Addition Above 25'; 4 or More Garage Stalls, Including an RV Garage Space; and Recreational Court Lighting; and a Variance From the Fence Height Requirement, With Conditions – Location: 9251 Rama Street; Applicants: Karl and Lori Kreutziger:

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

Consideration of Conditional Use Permit No. 0522 for Construction of Two Accessory Structures on the Property - Location: 18575 Martinique Court; Applicants: Larry and Amy Gates.

City Manager Rodericks stated that the applicants are requesting permission to allow the construction of a 150 s.f. gazebo and barbecue area and a 75 s.f. outdoor fireplace. All structures comply with the setback, floor area, lot coverage, and height restrictions under the Conditional Use permit.

Mayor Bell opened the Public Hearing.

With no testimony forthcoming, Mayor Bell closed the Public Hearing.

It was moved by Councilmember Freschi, seconded by Councilmember McGowan, and carried by the following roll call vote to adopt Resolution No. 2003-2658 Approving Conditional Use Permit No. 0522 for Construction of Two Accessory Structures on the Property, With Conditions - Location: 18575 Martinique Court; Applicants: Larry and Amy Gates:

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

STAFF REPORTS:

City Manager:

Drum Line Show – February 15, 2003 Parking Request.

City Manager Rodericks reported that the Villa Park High School Drum Line is hosting an event at Villa Park High School on Saturday, February 15th. Approximately 30 schools will be performing, and approximately 30-40 buses and equipment trucks are expected for student drop off and equipment. In addition, there will be parents, teachers, and family in attendance at the event.

Villa Park High School is requesting permission for a one day parking variance to allow parking on the north and south sides of Taft Avenue between Santiago Boulevard and Center Drive.

Staff recommends that the City Council authorize the City Traffic Engineer to review the parking restrictions on Taft Avenue and authorize the placement of temporary signs and/or bagging of existing signs where appropriate to accommodate the event.

Following discussion, it was moved by Councilmember McGowan, seconded by Councilmember Freschi, and carried by the following roll call vote to approve the request of Villa Park High School to permit a one-day parking variance to allow parking on the north and south sides of Taft Avenue between Santiago Boulevard and Center Drive on Saturday, February 15, 2003:

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

Mayor Pro Tem Bortle expressed concerns about the heavy volume of cars on Taft Avenue on February 15th and the need for additional police enforcement.

Following discussion, Council directed the City Manager to look into additional police enforcement.

Report on Speed Limit Survey Information.

City Manager Rodericks stated that in accordance with California Law, the City conducts Traffic Survey studies for selected streets in the City as the basis for the establishment and enforcement of speed limits. Every five years, California Law requires that cities have speed surveys performed with the use of radar or other approved electronic devices. If such a survey is not performed within five years of the date of the preceding survey, then the new data and its use will constitute a speed trap.

Certain other speed limits are automatically established by law, including a 25-mph limit in residential districts.

In addition to the five year Traffic Survey Study, the City uses a mobile speed survey trailer with an onboard computer to track and monitor speeds at various locations throughout the City. The trailer is placed in a conspicuous location and tracks traffic volume and speeds. Because the trailer is a visible deterrent, it cannot be used as a device for validation of speed limits for the Traffic Survey Study. A properly conducted Survey must still be completed.

The City has been using the trailer continuously for a period of 10 months. The data collected has been provided to the City Council, Public Safety, Public Works, and Engineering staff upon its collection on a routine basis.

The only street that has been above 25 mph that is solely a residential street is Serrano Avenue east and west bound, which shows that the speed limits are lower than the 85th percentile guideline.

If the City Council desires to reduce the speed limit on Serrano Avenue to its "prima facie" limit of 25 mph, an Ordinance would be necessary to modify the Villa Park Municipal Code.

Councilmember Freschi mentioned that more accurate data might be obtained if the speed trailer were put out earlier in the day and left out longer during the hours when traffic is heavier.

Following discussion, it was moved by Councilmember Freschi, seconded by Mayor Pro Tem Bortle, and carried by the following roll call vote to prepare an ordinance modifying the Villa Park Municipal Code to reduce the speed limit on Serrano Avenue to 25 mph:

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

City Alternative Workweek – Resolution No. 2003-2659.

City Manager Rodericks reported that in 1995 in response to the Orange County bankruptcy, the City Council reduced the sick leave benefit provided to City employees from 12 days per year to 8 days per year. While a cost saving measure at the time, this reduction placed Villa Park in a position of providing a greatly reduced benefit to staff in relation to the other communities in Orange County.

Staff conducted an analysis of the viability of closing the City Hall offices on Fridays at 12 Noon as a benefit in lieu of returning the sick leave benefit to 12 days per year. Staff reviewed the number of telephone communications with residents, counter activity, and general public service needs on Fridays after 12 Noon. Counter hours and telephone communication is extremely busy up until 11 a.m. at which time the City's Building & Planning counter hours close.

Based on a recent survey, staff feels that the reduction of City Hall operating hours on Fridays can provide an equal benefit enhancement, offsetting the return of 4 days of sick leave to each staff member.

If Resolution No. 2003-2659 were adopted, City Hall operating hours would change to Monday through Thursday from 8 a.m. to 5 p.m. and Friday from 8 a.m. to 12 Noon.

In addition to adopting the Alternative Workweek Schedule, the Resolution memorializes the City Manager's use of the City vehicle.

Councilmember Freschi stated that he could support adoption of the resolution provided references to the reduced sick leave benefit in 1995 were eliminated.

Following discussion, it was the consensus of Council to have the Personnel Committee look into this matter.

It was moved by Councilmember MacAloney, seconded by Mayor Pro Tem Bortle, and carried by the following roll call vote to table consideration of Resolution No. 2003-2659 regarding wages, hours, and working conditions until the Personnel Committee has had the opportunity to study the issue:

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

February/March City Newsletter.

City Manager Rodericks requested authorization to produce the February/March edition of the City Newsletter.

It was moved by Councilmember MacAloney, seconded by Councilmember Freschi, and carried by the following roll call vote to authorize production of the February/March edition of the City Newsletter:

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

State Budget Update – Oral Report.

City Manager Rodericks provided a brief update on the California State Budget, and possible cuts to the cities.

City Attorney: No report.

City Clerk: No report.

City Engineer: No report.

OTHER BUSINESS: None.

ORAL COMMUNICATIONS:

Teri Elmendorf, Camden Circle, advised that if anyone has a problem with mosquitoes, they can obtain a bag of mosquito-eater fish from Orange County Vector Control, free of charge.

ORDINANCES: None.

RESOLUTIONS: None.

CLOSED SESSION: None.

ADJOURNMENT:

It was moved by Councilmember MacAloney, seconded by Councilmember McGowan, and carried unanimously to adjourn the meeting at 9:25 p.m. to a Town Hall Meeting on February 11, 2003 at 7:30 P.M.

Bob Bell, Mayor
City of Villa Park

ATTEST:

Kathy Adrian, City Clerk
City of Villa Park