

MINUTES OF THE CITY COUNCIL

CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in adjourned regular session on Tuesday, June 15, 2004 at 7:30 PM in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

CALL TO ORDER: Mayor Pro Tem MacAloney called the meeting to order.

ROLL CALL:

COUNCILMEMBERS PRESENT:

Bill MacAloney	Mayor Pro Tem
Bob Bell	Councilmember
Bob Fauteux	Councilmember
Rich Freschi	Councilmember

COUNCILMEMBERS ABSENT:

Patricia L. Bortle	Mayor
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STAFF PRESENT:

George Rodericks	City Manager/City Clerk
Nancy Desai	City Accountant
Cristina Sundstrom	Deputy City Clerk
Leonard Hampel	City Attorney
Warren Repke	City Engineer

FLAG SALUTE:

After a moment of silence in recognition of Mayor Bortle's mother, Martha E. Dawn, who passed away June 13, 2004, three visiting Boy Scouts led the flag salute.

ORAL COMMUNICATIONS:

PUBLIC HEARINGS:

- 1./2. Joint Consideration of Introduction and First Readings of Ordinances No. 2004-503 and 2004-504, Ordinances of the City Council of the City of Villa Park, Amending Section 23-6.7 of Chapter XXIII of the Villa Park Zoning Ordinance Relating to Building Site Coverage.

Mayor Pro Tem MacAloney opened the Public Hearing.

City Manager Rodericks reported that "Building Site Coverage" is defined as the relationship between the gross building areas of the building or buildings, including the area of courtyards enclosed on all sides, and the net area of the site. Site coverage includes the greater perimeter of all stories in a building. Swimming pools and lattice

patio covers which are at least fifty (50%) percent open, do not exceed twelve (12) feet in height, and are open on all sides, except where attached to the main structure are not included as lot coverage.

Site coverage for a single-story structure in the R-1 Zone is 40%. If any portion of any structure on the lot exceeds single-story, the lot coverage is reduced to 30%. In the E-4 Zone the ratios are 32% and 24%, respectively.

On the typical 20,000 square foot E-4 lot, a property owner can develop up to 6,400 square feet of single-story structures. If a property owner developed 6,400 square feet of site coverage, and then requested to add a second floor to the main structure, the property owner would be required to obtain a Variance to exceed the maximum allowable ratio of 24%. This property owner would also be at the maximum allowable floor area ratio of 32%. This is a separate ratio that governs the maximum allowable floor area within the respective zone and is 32% and 40% within the E-4 and R-1 Zones, respectively.

If that property owner had developed 4,800 square feet of single-story structures, that property owner would be able to add 1,600 square feet of second floor to the main structure without the requirement of a Variance from the site coverage ratio.

The effect of the City's current Ordinance is to deny the addition of second stories to structures that have covered more than 24% of their lot with single-story structures, unless there are extraordinary circumstances that apply to the property that justify the granting of a Variance.

Detached structures, solid patio covers, second dwelling units, and sheds all count as site coverage.

Staff has prepared two Ordinances for consideration by the City Council. While the Ordinances may seem similar, they accomplish the same task through different means.

Ordinance No. 2004-504 would modify the ratios for site coverage so that they are identical to that required for single-story structures. The maximum allowable ratio for two-story structures would increase to 32% in the E-4 Zone and 40% in the R-1 Zone. This would allow an existing homeowner to modify their home with a second-story without the requirement of a Variance or the requirement that the City Council make any findings in support of the project. This Ordinance would also dictate that for a new construction project, the maximum ratios would be 32% and 40%. With a vacant lot of 20,000 square feet and the maximum allowable ratio of 32%, a new landowner could construct a two-story home with a 3,200 square foot first floor and a 3,200 square foot second floor. Under the current ratios, a similar situation would yield a 2,400 square foot first floor and a 2,400 square foot second floor. Under both of these scenarios, the landowner would be prohibited from adding any detached structures on the property – doing so would increase the maximum allowable site and floor area coverage and would require a Variance to exceed the maximum allowable site coverage and Conditional Use Permit to exceed the maximum allowable site coverage and Conditional Use permit to exceed the maximum allowable floor area.

Ordinance No. 2004-503 would maintain the existing ratios, but would replace the requirement of a Variance to exceed the maximum floor area ratio with that of a

Conditional Use Permit. The findings required for a Variance are substantially more restrictive than that of a Conditional Use Permit. A Variance requires findings of special circumstance or hardship inapplicable to other properties in the same zone. Findings under a Conditional Use Permit are merely that a) the project is in accordance with the objectives of the Code and purposes within the zone; b) that the use complies with the provisions of the Code. This alternative allows for a Public Hearing process and allows the Council to find that the proposed development is either compatible or incompatible with the surrounding properties. For example, a project proposing to add a second-story to a home within an area where the entire neighborhood is single-story, may be found to be incompatible and be denied. Alternatively, proposing that same second-story in a two-story neighborhood or where the Council determines there may be a future trend to do so may be deemed compatible and be approved.

It is recommended that the City Council conduct a Public Hearing and introduce for first reading either Ordinance No. 2004-503 or 2004-504, both which would amend Section 23-6.7 of Chapter XXIII of the Villa Park Zoning Ordinance Relating to Lot Coverage.

Councilmember Bell commented that either Ordinance would address the problem. He pointed out that allowing up to 32% lot coverage would be conducive to all property owners. The key is not to penalize those who wish to build second stories by holding them to 24% lot coverage.

Councilmember Fauteux concurs with Councilmember Bell. He stated that both Ordinances are representative of what Villa Park should allow, enabling the City to maintain control.

Councilmember Freschi stated that he favors Ordinance No. 2004-503 so that a Conditional Use Permit is issued.

Councilmember Freschi stated that if Villa Park allows two-story homes to be built at 32% lot coverage, then we will be contributing to the "mansionization" of the City.

Councilmember Fauteux questioned City Manager Rodericks as to how many times he had to confront the lot coverage issue with residents in the last year.

City Manager Rodericks stated that five or six times in the last year he has had to discourage residents who wanted to exceed the 24% lot coverage limit.

Mayor Pro Tem MacAloney closed the Public Hearing.

It was moved by Councilmember Freschi, seconded by Councilmember Bell, and carried by the following roll call vote to introduce for first reading Ordinance No. 2004-503, an Ordinance of the City Council of the City of Villa, Amending Section 23-6.7 of Chapter XXIII of the Villa Park Zoning Ordinance Relating to Building Site Coverage:

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

3. Consideration of Introduction and First Reading of Ordinance No. 2004-505, an Ordinance of the City of Villa Park Repealing and Replacing Chapter XV of the Villa Park Municipal Code and Establishing New General Operating Procedures and Standards for Ambulance Transportation Services Within the City.

Mayor Pro Tem MacAloney opened the Public Hearing.

City Manager Rodericks reported that in 1998, the Orange County Fire Authority (OCFA) entered into 3-year Agreements for ambulance services provided to the cities of Irvine, La Palma, Laguna Hills, Los Alamitos, Seal Beach, Stanton, and Villa Park. These Agreements had the option to extend the contracts up to an additional 3 years. In 2001, action was taken to extend the original contracts to add a contract for Laguna Woods.

Each of the cities served under the contracts adopt an Ordinance prepared by the OCFA establishing general operating procedures and standards for medical transportation services operating within the jurisdiction. Chapter XV of the Villa Park Municipal Code contains this Ordinance.

Ordinance No. 2004-505 repeals and replaces Chapter XV in its entirety with regard to ambulance service. The new Ordinance addresses new terminology regarding service areas, reorganizes the Ordinance, provides standards for ambulance service, and outlines a selection process followed by the OCFA in selecting an ambulance service provider.

For each of the 8 cities listed above, the OCFA selects and administers ambulance services provider contracts. Existing Agreements between the OCFA and ambulance service providers expire on June 30, 2004. Due to unforeseen delays in the administration and completion of the RFP, the final section and award of the new ambulance Agreements will not be completed in time for successful bidders to take over and commence services on July 1, 2004. Therefore, the OCFA Board of Directors extended the 8 existing Agreements, under the same terms and conditions, through August 2004.

The City's current provider for ambulance service is Medix. It is recommended that contact by any of the potential providers be referred to OCFA as part of the formal bid process.

It is recommended that the City Council introduce for first reading Ordinance No. 2004-505, an Ordinance of the City Council of the City of Villa Park, repealing and replacing Chapter XV of the Villa Park Municipal Code in its entirety regarding ambulance service.

Councilmember Bell stated that it just does not make sense for a city as small as our's to negotiate a contract such as this one on our own.

Mayor Pro Tem MacAloney closed the Public Hearing.

It was moved by Councilmember Fauteux, seconded by Councilmember Bell, and carried by the following roll call vote to introduce for first reading Ordinance No. 2004-505, an Ordinance of the City Council of the City of Villa Park, Repealing and Replacing Chapter XV of the Villa Park Municipal Code and Establishing New General Operating Procedures and Standards for Ambulance Transportation Services Within the City:

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

STUDY SESSION:

1. Villa Park Elementary School Restoration, Inc.

Jill Kuli, VPESR, Inc. fundraising Chair, addressed the Council about the continuing efforts for their organization to raise \$100,000 by the end of 2004.

The Game of Villa Park, pictures, donations from the community and raffles have kept the project afloat. Little by little they have been accruing money, however, now it is time to raise larger sums of money. They have raised \$42,000 so far.

The Villa Park Rotary donated \$1,000 and the Villa Park Women's League donated \$500 this week. The City has been most supportive of their efforts and put \$5,000 in this year's budget. The organization is requesting this money at this time to help them pay for architectural plans to satisfy the State of California's request.

Councilmember Fauteux asked Mrs. Kuli for a timeline for raising the \$100,000. She stated that they are looking at grants and a 5-year process to complete all State requirements. The valuation of the total project is estimated to be about 1.5 million dollars.

He stated, further, that he believes it would be appropriate in the future that the donation come from the Community Services Foundation, Inc.

Councilmember Bell concurred with this suggestion concerning the Community Services Foundation, Inc.

It was moved by Councilmember Freschi, seconded by Councilmember Bell, and carried by the following roll call vote to approve a donation in the amount of \$5,000 to the Villa Park Elementary School Restoration, Inc. to assist in their efforts to raise \$100,000 by December, 2004 for the cost of architectural plans for the restoration of Villa Park Elementary School:

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

Mayor Pro Tem MacAloney encouraged the public to return the questionnaires that were sent out in the May/June 2004 edition of the City Newsletter as soon as possible so that they can be read and tallied.

2. Presentation of 2004-05 Proposed City Budget.

City Manager Rodericks made a PowerPoint presentation of the proposed 2004-05 City Budget.

In a discussion regarding the Christmas lighting fund, (\$5,750 in 2003/04 Budget) Mayor Pro Tem MacAloney stated that he would like for the merchants to pick up some of the lighting costs.

Councilmember Fauteux stated that he would be in favor of the Community Services Foundation, Inc. board members encouraging the merchants to help pay for the lighting and running the contribution through the Foundation.

Councilmember Bell suggested that the merchants pay an additional amount when renewing their annual business license.

Councilmember Freschi stated that some of the merchants would be hard pressed to pay for the lighting themselves. He suggested finding out whether the property owner would be willing to pass the expense on to the leasee (merchant).

The Council came to a consensus that the total of \$14,650 listed in the budget under Community Services Foundation, Inc. should not be decreased.

City Manager Rodericks suggested that the \$5,000 donation to the VPESR, Inc. be added to the \$14,650 Foundation budget in 2004/05.

Councilmember Fauteux suggested that the Orange Unified School District be asked in the future to help fund the restoration project.

City Manager Rodericks indicated that VPESR, Inc. may eventually not need to approach the City for a donation.

City Manager Rodericks reported to the Council that a request from residents on Patrician (at Sterling) has come in for median island improvement at an estimated cost of \$4,000. The residents are willing to participate physically and financially.

Councilmember Bell raised a concern about the ongoing maintenance cost of such a proposed project.

The direction of the Council was to not help pay for this proposed project and perhaps revisit the issue at a future City Council meeting.

A lengthy discussion ensued between Council and the City Manager regarding future funding of the City's sewer system.

Councilmember Freschi thanked City Attorney Hampel for keeping his fee the same as it was in the 2003-04 budget.

ORAL COMMUNICATIONS:

Deborah Pauly, 18122 Gloria Circle, addressed Council with some positive comments about the City Manager's presentation of the budget. She added that if the City is giving \$5,000 to VPESR, Inc. then it should seek to transfer that responsibility to the Community Services Foundation, Inc.

William Nelson, 18151 Charter Road, addressed Council about the “user-friendly” budget that City Manager Rodericks produced and how this fosters open government.

Bill Zakowicz, 18601 Amate Circle, spoke to the Council about the fact that the budget was easily accessible on the internet and how nice it was to be able to read all the details in the convenience of his own home.

Rich Ulmer, 18550 Martinique Court, addressed the Council about the customer service orientation as reflected by the questionnaire in the May/June City Newsletter. He also commented on the impressive budget presentation and he remarked that it is always impressive to see a budget surplus.

Don Coppersmith, financial officer of VPTV, addressed the Council about their recent purchase of nice new professional cameras. He acknowledged the camera kids and the other volunteers.

Three Boy Scouts addressed the Council about their work on a merit badge for Citizenship and Community.

RESOLUTIONS: None.

CLOSED SESSION:

Pursuant to Government Code Section 54957.6: Conference with Labor Negotiator – Negotiator: George J. Rodericks: Unrepresented Employee: All City Employees.

Councilmembers exited Closed Session at 9:20 PM. It was reported that any financial recommendations will be incorporated into the 2004-05 Budget adoption on June 22, 2004.

ADJOURNMENT:

It was moved by Mayor Pro Tem MacAloney and carried unanimously to adjourn the meeting at 9:20 PM. to the regular adjourned session on Tuesday, June 22, 2004 at 7:30 PM.

Patricia L. Bortle, Mayor
City of Villa Park

ATTEST:

George J. Rodericks, City Clerk
City of Villa Park