

MINUTES OF THE CITY COUNCIL

CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in regular session Tuesday, June 24, 2003, at 7:30 PM in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

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

ROLL CALL:

COUNCILMEMBERS PRESENT:

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

COUNCILMEMBERS ABSENT:

Bob Bell	Mayor
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STAFF PRESENT:

George Rodericks	City Manager
Kathy Adrian	City Clerk/Administrative Assistant
Cristina Sundstrom	Administrative Secretary
Leonard Hampel	City Attorney
Warren Repke	City Engineer

FLAG SALUTE:

City Clerk, Kathy Adrian, led the flag salute.

INTRODUCTIONS AND PRESENTATIONS:

A plaque of recognition was presented to City Clerk Kathy Adrian for her nineteen years of service to the City of Villa Park.

ORAL COMMUNICATIONS:

Linda Scheck, Executive Director of the Alzheimer's Association of Orange County located at 2540 N. Santiago Boulevard, Orange, CA, addressed the Council about the many free services available to the Villa Park community. A seven day a week, 24 hour a day hotline (1-800-660-1993) is available to all residents. The Safe Return program (which is a packet that includes an identification bracelet for the patient) has been made available to the Sheriff's Department and other emergency personnel in the County.

Alan Miller, a resident of Placentia, spoke about the upcoming fundraiser called the 10th Annual Memory Walk, which will take place on Saturday, October 4, 2003 at the Irvine

Spectrum. This is the largest fundraiser for the Association and participants can walk either one or three miles.

Bill Craycraft, the Villa Park representative on the South Coast Air Quality Management District (SCAQMD) Governing Board, gave a PowerPoint presentation to the Council with the assistance of Jim Clouet.

The AQMD was created as a result of SB250. The Governing Board is made up of four county supervisors, five city councilmembers, and three state appointees. Mr. Craycraft discussed the main sources of pollution - diesel and smog.

The AQMD can assist with enforcement of air pollution related issues. The major health initiatives currently being considered by the board are:

1. Clean School Bus Program;
2. Asthma and Outdoor Air Quality Consortium; and
3. Brain Tumor and Air Pollution Foundation.

Pollution can be reported to a 24- hour/7 day a week hotline: 1-800 CUT SMOG.

The public is invited to attend the SCAQMD Governing Board meetings held the first Friday of the month. On June 28, 2003, 7:00 AM, at the Arrowhead Pond, Orange County residents on a first-come first-serve basis can trade in their gasoline powered lawn mowers for a rechargeable electric mower. A usable mower and \$150.00 can be exchanged for a \$450.00 rechargeable electric mower.

Councilmember McGowan noted that gardeners can participate in this lawn mower exchange since it is open to the public.

CONSENT AGENDA:

It was moved by Councilmember McGowan, seconded by Councilmember Freschi, and carried by the following roll call vote to approve Consent Agenda Item 1 and Items 3 through 13:

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

1. Consideration to Waive Reading in Full of All Ordinances on the Agenda. Approved Action: That the City Council waive the reading in full of all ordinances on the Agenda.
2. Consideration of City Council Minutes of May 27, 2003. Approved Action: That the City Council pull this item.
3. Consideration of Town Hall Meeting Minutes of June 3, 2003. Approved Action: That the City Council approve the Town Hall Minutes of June 3, 2003.

4. Consideration of List of Demands for May 31, 2003. Approved Action: That the City Council approve the List of Demands for May 31, 2003, numbered 1 through 36 in the amount of \$32,688.41.
5. Consideration of List of Demands for June 24, 2003. Approved Action: That The City Council approve the List of Demands for June 24, 2003, numbered 1 through 35 in the amount of \$185,473.47.
6. Consideration of Five-Year Agreement Between the City of Villa Park and the County of Orange. Approved Action: That the City Council approve the Five-Year Agreement between the City of Villa Park and the County of Orange and authorize the Mayor to execute the Agreement on behalf of the City.
7. Consideration of Resolution No. 2003-2686 Regarding Employment and Salary Rates for all Classes of Employment, Superseding Resolution No. 2002-2608. Approved Action: That the City Council adopt Resolution No. 2003-2686 Regarding Employment and Salary Rates for all Classes of Employment, Superseding Resolution No. 2002-2608.
8. Consideration of Resolution No. 2003-2694 Concerning the Status of the Circulation Element for the City of Villa Park for the Purpose of Requalifying for Participation in Measure M Streets and Roads Programs. Approved Action: That the City Council adopt Resolution No. 2003-2694 Concerning the Status of the Circulation Element for the City of Villa Park for the Purpose of Requalifying for Participation in Measure M Streets and Roads Programs.
9. Consideration of Sweeping Services Agreement – R.F. Dickson Company. Approved Action: That the City Council approve the Sweeping Services Agreement between the City of Villa Park and R.F. Dickson Company and authorize the Mayor to execute the Agreement on behalf of the City.
10. Consideration of Landscape Maintenance Services Agreement – Tropical Plaza Nursery, Inc. Approved Action: That the City Council approve the Landscape Maintenance Services Agreement between the City of Villa Park and Tropical Plaza Nursery, Inc. and authorize the Mayor to execute the Agreement on behalf of the City.
11. Consideration of Sewer Maintenance Services Agreement – Richard L. Walker. Approved Action: That the City Council approve the Sewer Maintenance Services Agreement between the City of Villa Park and Richard L. Walker and authorize the Mayor to execute the Agreement on behalf of the City.
12. Consideration of Historian Services Agreement- Jan Van Emon. Approved Action: That the City Council approve the Historian Services Agreement between the City of Villa Park and City Historian Jan Van Emon and authorize the Mayor to execute the Agreement on behalf of the City.

13. Consideration of Claim Against the City of Villa Park. Claimant: Steven A. Drucker, et al. Approved Action: That the City Council reject subject claim and direct the City Clerk to give proper notice of the rejection.

It was moved by Councilmember McGowan, seconded by Councilmember Freschi, and carried by the following roll call vote to approve Consent Agenda Item 2, the May 27, 2003 Minutes of the City Council Meeting:

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

MATTERS PRESENTED BY COUNCILMEMBERS:

Councilmember MacAloney discussed the Neighborhood Watch Program Meeting, which occurred on June 17, 2003. He encouraged volunteers to come forward by calling City Hall. There are Home Safety Handbooks put out by the California Department of Justice available at City Hall and on the City's website, www.villapark.org.

CITY COMMISSION AND COMMITTEE REPORTS OR REFERRALS: None.

ITEMS FOR CONSIDERATION:

1. Consideration of Resolution No. 2003-2689 Approving the Tenth Amendment to the Exclusive Franchise Agreement with Taormina Industries, Inc. for the Collection, Transportation, Removal and/or Disposal of all Solid Waste Generated Within the City of Villa Park, California.

City Attorney Hampel made a public disclosure to the Council that his firm, Rutan and Tucker, represented Republic Services, Inc. in 1999. It has since been discovered that this company is a parent company of Taormina Industries. He assured the Council that Rutan and Tucker no longer represents the company and there is no conflict of interest.

Resident Bob Fauteux addressed the Council about the audit practices for the recycling credit. Responding to his question was Dave Ault of Taormina Industries, Inc. His response was that the credit or revenue from recycling was established eleven years ago and that the credit is built into the rate system. The revenue is a fixed amount within the rate structure.

Mayor Pro Tem Bortle gave recognition of Taormina's generosity shown to the Villa Park community as exemplified by its generous donation to the Villa Park Community Services Foundation, Inc. this year.

Councilmember Freschi discussed the fact that the rate increase was only 3.13% instead of a maximum allowable rate of 3.5%.

Councilmember McGowan stated he believes Villa Park gets a lot of service for its money.

City Manager Rodericks recommended approval of the rates and charges for solid waste services as stated in the Exclusive Franchise Agreement Rates with Resolution No. 2003-2689.

It was moved by Councilmember MacAloney, seconded by Councilmember McGowan, and carried by the following roll call vote to adopt Resolution No. 2003-2689 Approving the Tenth Amendment to the Exclusive Franchise Agreement with Taormina Industries, Inc. for the Collection, Transportation, Removal and/or Disposal of all Solid Waste Generated Within the City of Villa Park, California:

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

2. Consideration of Resolution No. 2003-2687 Endorsing Policies to Encourage Investment in Local Communities and Increased Employment Opportunities.

John Stratman, Director of External Affairs for SBC, addressed Council regarding SBC's strong support of community and employees. He asked that the City of Villa Park join other cities (Santa Ana and currently decision is pending in Garden Grove and Placentia) in showing the Public Utilities Commission their support of Resolution No. 2003-2687. Mr. Stratman reported that the PUC has passed a similar resolution as an Assembly Bill because it wants to increase employment opportunities in California.

Councilmember MacAloney asked Mr. Stratman how many other cities in Orange County have passed such a resolution. He responded that Santa Ana has adopted a resolution and that the City of Anaheim is drafting a similar resolution.

City Attorney Hampel was asked by Councilmember MacAloney to comment on the matter. The City Attorney indicated that the matter was within the discretion of the Council.

City Manager Rodericks indicated that the resolution showed City support of SBC and others in their pursuit of investing in local communities and staying in California.

It was moved by Councilmember Freschi, seconded by Councilmember McGowan, and carried by the following roll call vote to adopt Resolution No. 2003-2687 Endorsing Policies to Encourage Investment in Local Communities and Increased Employment Opportunities:

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

PUBLIC HEARINGS:

1. Consideration of Resolution No. 2003-2685 Adopting the Budget, Appropriating Revenue and Establishing the Appropriations Limit for Fiscal Year 2003-04.

Mayor Pro Tem Bortle opened the Public Hearing.

City Manager Rodericks recommended that the Council adopt Resolution No. 2003-2685.

Councilmember Freschi asked City Manager Rodericks to confirm that this is the same budget, inclusive of any changes, that was studied at the Town Hall Meeting June 3, 2003. Rodericks answered affirmatively.

Following no public testimony, Mayor Pro Tem Bortle closed the Public Hearing.

It was moved by Councilmember MacAloney, seconded by Councilmember McGowan, and carried by the following roll call vote to adopt Resolution No. 2003-2685 Adopting the Budget, Appropriating Revenue and Establishing the Appropriations Limit for Fiscal Year 2003-04:

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

2. Consideration of First Reading of Ordinance No. 2003-496 Prescribing and Levying Charges for Maintenance of a Sewage Pump Station for Fiscal Year 2003-04, Approving and Adopting Report and Providing for Collection of Charges on the Tax Roll- Tracts 10523 and 13204.

Mayor Pro Tem Bortle opened the Public Hearing.

City Manager Rodericks explained to Council that staff erred by not sending notices to the homeowners of Tracts 10523 and 13204 in a timely manner. The City complied with two of the three notice requirements. Rodericks suggested that the Council set a new date for the Public Hearing in the second week of July.

City Attorney Hampel concurred. He noted that ten (10) days notice prior to the First Reading of Ordinance No. 2003-496 must be given to the homeowners by law and that the Public Hearing date should reflect that time period.

City Engineer Repke reported that the per parcel rate would be \$950 in Fiscal Year 2003-04.

Hearing no public testimony, it was moved by Councilmember Freschi, seconded by Councilmember McGowan, and carried by the following roll call vote to continue this item to a Public Hearing Tuesday, July 8, 2003 at 9 a.m.:

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

3. Continued Consideration of Variance Application No. 0540 - (Location: 18812 Smoketree Circle; Applicant: Frank Apeldoorn) for Construction of Walls Over 6 Feet in Height.

Mayor Pro Tem Bortle opened the Public Hearing.

The applicant is requesting a Variance to construct a retaining wall and adjacent block wall, with combined height over 6 feet, on their property at 18812 Smoketree Circle.

Current zoning restricts perimeter side and rear fencing/walls to 6 feet in height.

The subject property consists of approximately 21,000 square feet and is located in the 100-E4- 20,000 zoning district. Surrounding uses are residential.

Cross section A consists of a retaining wall at four (4) feet immediately adjacent (one foot) from another larger retaining wall eight (8) feet seven (7) inches. Because the walls are proposed within three (3) feet from each other, they are treated as one wall with respect to their height. As a result, the total height of the wall is twelve (12) feet seven (7) inches from the low side and five (5) feet from the high side. The wall is also proposed at the ultimate right-of-way – five (5) feet from the curb. Under the guidelines of the new fence and wall ordinance, such a wall is limited in height to six (6) feet. Therefore, cross section A requires Variance approval.

Based on a review of the property, the sloped side yard creates a unique situation that requires the development of retaining walls to facilitate use of the side yard area.

Staff recommends approval of this application.

Mayor Pro Tem Bortle commented that the neighbor who had asked for this continuance said he had no objection to this Variance Application.

Mayor Pro Tem closed the Public Hearing.

It was moved by Councilmember MacAloney, seconded by Councilmember Freschi, and carried by the following roll call vote to adopt Resolution No. 2003-2682 approving Variance Application No. 0540 for the Construction of Walls Over 6 Feet in Height, with conditions - (Location: 18812 Smoketree Circle; Applicant: Frank Apeldoorn):

AYES:	COUNCILMEMBERS:	MacAloney, Freschi, Bortle
NOES:	COUNCILMEMBERS:	McGowan
ABSENT:	COUNCILMEMBERS:	Bell

4. Consideration of Conditional Use Permit and Variance Application No. 0536 and Mitigated Negative Declaration – (Location: 18922 Santiago Boulevard; Applicant: Carl Beckmann) for Construction of the Following:

- Two-story single-family residence over 25 feet in height;
- Four garage stalls on the property;
- Second dwelling unit;
- Increase in the maximum floor area allowed;
- Reduction in the front yard setback for the second dwelling unit;
- Separate driveway access to the second dwelling unit; and
- Increase in the maximum lot coverage allowed.

Mayor Pro Tem Bortle opened the Public Hearing.

City Manager Rodericks reported that this property is listed on the National Historic Register for Historic Places. Approval of any development of this property must comply with the California Environmental Quality Act (CEQA) in order to assess the potential environmental impacts of the proposed project.

The mitigation measures that the applicant has incorporated into the project plan are incorporated into the mitigated negative declaration.

He recommended the following modifications to the mitigation measures:

1. Change mitigation measure #1 to: "The property owner must keep and rehabilitate the historic structure (main residence located at 18922 Santiago Boulevard) in conformance with the Secretary of Interior's Standards and Guidelines for the Treatment of Historic Properties";
2. Change mitigation measure #4 to: "Prior to issuance of a Certificate of Occupancy for the new main residence, the applicant shall either 1) complete the rehabilitation of the historic preservation on the property to include rehabilitation of the historic structure and associated landscaping as depicted on the plans; or 2) provide a cash bond in an amount sufficient to complete the rehabilitation. The estimate and bond amount shall be approved by the City in advance of its posting. If the applicant posts a bond, the rehabilitation shall be completed within 18 months of issuance of the Certificate of Occupancy for the main residence. Failure to complete the rehabilitation will result in the City taking action against the bond to complete the work"; and
3. Change mitigation measure #8 to: "The applicant shall protect in place the existing California Live Oak and plant historic period landscaping of a citrus orchard, rose garden and vineyard as depicted on the plans in an area around the historic structure. The plantings shall be appropriately maintained so long as the property continues as a historic structure."

Applicant Carl Beckmann, 10002 Briley Way, addressed the Council about his plans for the proposed project. He reported that this property was listed on the National Historic Landmark List in 1982. He expressed his desire to develop a design within keeping of the original design constructed in 1881 by James Smith.

Mr. Beckmann told Council that the homeowner to the west of his property, Mr. Ed Loritz, has been satisfied with his landscape and light-screening proposal. A letter to this effect has been signed and sent to City Manager Rodericks.

Councilmember McGowan indicated that the Villa Park Elementary School is also now on the National Historic Register.

Councilmember McGowan questioned Beckmann about his plan for trees and the landscaping in general on the property. Mr. Beckmann indicated that the house was moved forward to avoid the root structure of the 200 year-old oak tree.

Councilmember MacAloney expressed his concern about the length of time it would take to build the second dwelling. He expressed his desire that this be done in conjunction with completion of the new home. Mr. Beckmann said that he would like to work with the buyer

to take advantage of a potential tax credit. He estimated it would require about \$120,000.00 to rehabilitate the property.

City Attorney Hampel explained that the site itself is historic. Moving the house does not impair its historic significance. The new owner must respect the historic designation. Once a Mitigated Negative Declaration is adopted, it applies to the new building as well as the old (to the site itself).

City Manager Rodericks confirmed that the site itself would retain its historic significance.

Mayor Pro Tem Bortle expressed her satisfaction at having this opportunity for preserving the historic site.

City Historian Jan Van Emon addressed Council about the historical background of the Smith Ranch.

Teri Elmendorf addressed the Council to express her support and gratitude for the proposed project.

Mayor Pro Tem Bortle closed the Public Hearing.

It was moved by Councilmember Freschi, seconded by Councilmember McGowan, and carried by the following roll call vote to approve Resolution No. 2003-2696 Approving the Mitigated Negative Declaration – (Location: 18922 Santiago Boulevard; Applicant: Carl Beckmann):

AYES:	COUNCILMEMBERS:	McGowan, Freschi, Bortle
NOES:	COUNCILMEMBERS:	MacAloney
ABSENT:	COUNCILMEMBERS:	Bell

It was moved by Councilmember Freschi, seconded by Councilmember McGowan, and carried by the following roll call vote to approve Resolution No. 2003-2695 Approving Conditional Use Permit and Variance Application No. 0536, with conditions – Location: 18922 Santiago Boulevard; Applicant: Carl Beckmann:

AYES:	COUNCILMEMBERS:	McGowan, Freschi, Bortle
NOES:	COUNCILMEMBERS:	MacAloney
ABSENT:	COUNCILMEMBERS:	Bell

5. Consideration of Conditional Use Permit No. 0542 – (Location: 19382 Mesa Drive; Applicant: Sepulveda Builders) for the following:

- Construction of a new single-family residence above 25 feet in height; and
- Four or more garage stalls on the property.

Mayor Pro Tem Bortle opened the Public Hearing.

City Manager Rodericks reported that the total floor area of the new home, including porches and balconies, is 10,381 square feet – total lot coverage is 7,151 square feet, and that the addition is proposed at a maximum height of 31' 6". He noted that the structure

complies with all lot coverage, setback, floor area, and height restrictions. Staff recommended approval of the application.

The applicant's designer, Brian Osland of Huntington Beach, addressed the Council in support of the project. Councilmember Freschi remarked that this project will enhance the community.

It was moved by Councilmember Freschi, seconded by Councilmember MacAloney, and carried by the following roll call vote to adopt Resolution No. 2003-2690 approving Conditional Use Permit No. 0542, with conditions – (Location: 19382 Mesa Drive; Applicant: Sepulveda Builders):

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

6. Consideration of Conditional Use Permit No. 0543 for Construction of a Freestanding Fireplace – (Location: 10111 Briley Way; Applicant: John Sarkaria) for a Freestanding Fireplace on the property.

Mayor Pro Tem Bortle opened the Public Hearing.

City Manager Rodericks reported that the applicant is requesting a Conditional Use Permit to allow the construction of a 24 x 36" fireplace that would be 9' in height. The structure would comply with all lot coverage, gross floor area, and setback requirements for detached structures. Staff recommended approval of the application.

Applicant John Sarkaria, 10111 Briley Way, addressed the Council. He said that all his neighbors are in favor of the project. He asked that the Council approve his application.

With no further discussion, it was moved by Councilmember MacAloney, seconded by Councilmember McGowan, and carried by the following roll call vote to approve Conditional Use Permit No. 0543 for Construction of a Freestanding Fireplace with conditions - (Location: 10111 Briley Way; Applicant: John Sarkaria):

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

7. Consideration of Conditional Use Permit and Variance Application No. 0544 for an Addition Creating 4 Garage Stalls; a Variance from the Rear Yard Setback Area; and an Increase in the Floor Area Coverage Allowed – (Location: 18552 Alice Lane; Applicant: Christopher J. Felix) for the Following:

- Construction of an additional garage creating 4 or more garage stalls;
- A Variance from the 25-foot rear yard setback requirement to 10 feet for the proposed addition; and
- A Variance from the maximum allowable total floor area coverage ratio of 32% to 33.64% for the garage addition.

Mayor Pro Tem Bortle opened the Public Hearing.

City Manager Rodericks reported that the applicant wished to address the Council.

Applicant Christopher Felix addressed Council with a request for continuance of his application until July 22, 2003.

It was moved by Councilmember Freschi, seconded by Councilmember MacAloney, and carried by the following roll call vote to continue the Public Hearing to the City Council Meeting on July 22, 2003:

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

8. Consideration of Conditional Use Permit No. 0545 for a Detached 3-Car Garage to Allow a Total of 5 Garage Stalls on the Property – (Location: 18482 Valley Drive; Applicant: Bruce Burton).

Mayor Pro Tem Bortle opened the Public Hearing.

City Manager Rodericks reported that the applicant is requesting permission to construct a new detached 3-car garage on his property. The property is presently improved with a 2,689 square foot two-story, single-family residence and a 576 square foot garage. The proposed garage would contain 1,080 square feet and would comply with the lot coverage, gross floor area and building setback and height requirements.

Staff recommended approval of the application.

Hearing no public testimony, Mayor Pro Tem Bortle closed the Public Hearing.

Councilmember McGowan clarified the Conditional Use Permit requirement for detached garages.

City Manager Rodericks stated that screening of the structure has not been requested by any of the neighbors.

With no public testimony, Mayor Pro Tem Bortle closed the Public Hearing.

It was moved by Councilmember McGowan, seconded by Councilmember MacAloney, and carried by the following roll call vote to adopt Resolution No. 2003-2692 Approving Conditional Use Permit No. 0545 for a Detached 3-Car Garage, with conditions – (Location: 18482 Valley Drive; Applicant: Bruce Burton):

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

STAFF REPORTS:

City Manager None.

City Attorney

Concerning the Adelphia Bankruptcy issue, City Attorney Hampel reported that the bankruptcy period has been extended to October 2003 and that the reorganization plan should be confirmed by October 2004.

Councilmember McGowan reported that service continued and that Adelphia is performing as contractually obligated.

Councilmember McGowan also indicated that residents now have access to the redundant line for the internet and digital.

City Manager Rodericks stated that we continue to receive both franchise fees and the Public Access Grant. He confirmed that the Public Access Grant (PEG) is now going to be passed on to the customers as allowed under the franchise.

City Clerk None.

City Engineer

1. Authorization to Advertise Valley Drive/Aubrey Circle Storm Drain Project.

City Engineer Repke stated that the proposed Valley Drive/Aubrey Circle Storm Drain Project is included in the 2002-03 Fiscal Year Capital Improvement Fund budget. The project will intercept water runoff that is currently being carried in a private open channel concrete ditch located along the west side of the properties on Aubrey Circle. The runoff currently discharges to the ground surface and flows westerly across several properties towards Loma Street.

The project will intercept the flows in the ditch prior to the ground discharge and convey the flow to an existing city storm drain on the south side of Valley Drive.

He reported that temporary construction easements and permanent operation and maintenance easements are required from three properties. The plans and specifications have been prepared and are ready for advertising for construction bids. The impacted property owners have been contacted and are supportive of the project. Easement documents have been prepared and forwarded to the property owners.

He stated that if approved, it is anticipated that the construction contract will be awarded at the August 26, 2003 City Council Meeting and that construction would begin approximately in September and be completed in October 2003.

Estimated costs for the project are \$116,000, including plans and specifications preparation, construction, construction management, inspection and testing. He stated that sufficient funds are included in the 2002-03 and 2003-04 Capital Improvement Budget.

Hearing no public testimony, it was moved by Councilmember McGowan, seconded by Councilmember Freschi, and carried by the following roll call vote to approve the plans and specifications and contract documents entitled, "Storm Drain Improvement for Valley

Drive West of Aubrey Circle” and to authorize the City Engineer and City Clerk to advertise for construction bids:

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

2. Award of Construction Contract to Slurry Seal Various Streets.

City Engineer Repke reported that a total of three bids were received for Type I and Type II Rubberized Emulsion-Aggregate Slurry. The prior conventional slurry seal projects completed by the City were Type II. He reported that the lowest responsible and responsive bid for the Type II Alternative was received on June 17, 2003 from American Asphalt South, Inc. in the amount of \$164,415.20. The Engineer's estimate was \$184,977 for the Type I Slurry and \$198,168 for Type II Slurry. The total cost is estimated to be \$218,257.

He stated that staff recommends: 1) Awarding a construction contract to American Asphalt South, Inc. in the amount of \$164,415.20 authorizing the Mayor and City Clerk to execute the Contract Agreement and; 2) Authorizing staff to add additional priority streets to the contract subject to budget amount limitations.

Councilmember McGowan asked how much money would be left over in the budget to fund other streets.

City Engineer Repke responded that it would cost about \$50,000 to fund additional streets in the project.

It was moved by Councilmember Freschi, seconded by Councilmember McGowan, and carried by the following roll call vote to award a construction contract to American Asphalt South, Inc. in the amount of \$164,415.20 and authorize the Mayor and City Clerk to execute the Contract Agreement and Authorize staff to add additional priority streets to the contract subject to budget amount limitations:

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

3. Report on National Pollution Discharge Elimination System (NPDES)

City Engineer Repke provided the Council with background information and an update on City activities regarding the National Pollution Discharge Elimination System (NPDES) Program.

Councilmember MacAloney questioned City Engineer Repke about the recent sewer evaluation made of the City's sewers.

City Engineer Repke stated that the recent sewer evaluation consisted of analyzing the inflow/infiltration system and closed circuit television monitoring of approximately 8 miles of the sewer trunk system. A consultant's report was based on the results of the evaluation of the three storms of last season. Good results were yielded.

It is anticipated that this study will be completed and a list of improvement areas compiled within the next three months. Special attention will be given to easement sewers due to problems with root structures. A report to Council will be made at that time.

Councilmember MacAloney requested a full report when available.

OTHER BUSINESS: None.

ORAL COMMUNICATIONS: None.

ORDINANCES: None.

RESOLUTIONS:

1. Consideration of Resolution No. 2003-2688 Appointing the City Treasurer of the City of Villa Park and Rescinding Resolution No. 2002-2611.

Mayor Pro Tem Bortle requested that the City Treasurer, Dennis Kuli, address the Council and make himself known to the television audience.

Councilmembers MacAloney and Freschi complimented Mr. Kuli for his dedication and fine volunteer work. On the same note, Councilmember MacAloney acknowledged Bob Fauteux, Chairman of the City's Investment Advisory Committee, for all his hard work and dedication.

It was moved by Councilmember MacAloney, seconded by Councilmember McGowan, and carried by the following roll call vote to adopt Resolution No. 2003-2688 Appointing the City Treasurer of the City of Villa Park and Rescinding Resolution No. 2002-2611:

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

ADJOURNMENT:

It was moved by Councilmember McGowan and carried unanimously to adjourn the meeting at 9:40 p.m. to July 8, 2003 at 9:00 a.m. for the purpose of a Public Hearing on the Sewer Pump Station Assessment.

Patricia L. Bortle, Mayor Pro Tem
City of Villa Park

ATTEST:

George J. Rodericks, City Clerk
City of Villa Park