

MINUTES OF THE CITY COUNCIL

CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in a regular session Tuesday, June 24, 2008 at 6:30 p.m. in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

CALL TO ORDER Mayor Reese Called the meeting to order at 6:35 p.m.

ROLL CALL

COUNCILMEMBERS PRESENT

Brad Reese	Mayor
James Rheins	Mayor Pro Tem
Richard Freschi	Councilmember
Deborah Pauly	Councilmember
W. Richard Ulmer	Councilmember

STAFF PRESENT

Ken Domer	City Manager
Todd Litfin	City Attorney
Joe O'Neil	City Engineer
Michelle Danaher	Finance Manager
Jason Carson	Associate Planner
Jarad Hildenbrand	Assistant to the City Clerk

FLAG SALUTE

Lt. Tom Gallivan led the Flag Salute.

City Attorney Litfin reported that the City Council returned from the prior Closed Session with no reportable action.

INTRODUCTIONS AND PRESENTATIONS

- Introduction and Presentation of Orange County Sheriff-Coroner Sandra Hutchens. Newly appointed Orange County Sheriff Hutchens thanked the City Council for the invitation to appear and pledged to work with the City on issues regarding law enforcement, specifically to restore the Department's image. General comments were made by the Council in welcoming Sheriff Hutchens to include the fact that Villa Park was one of the original contract partners with the Sheriff's Department and we have long enjoyed the relationship.
- Recognition of the Orange County Sheriff Department's Professional Service Responder's serving the City of Villa Park. Mayor Reese introduced Lt. Gallivan, Chief of Police Services, to make presentations on behalf of the City to the many volunteers within the PSR program for helping ensure the City remains a safe community.

- Chief of Police Services Lt. Tom Gallivan – Law Enforcement Issues.
- Presentation to Stephanie Jaw - Disneyland Resort Scholarship Award Recipient.
- Roy Berelowitz from the Villa Park Community Services Foundation, Inc. Mr. Berelowitz gave a general update from the Foundation to include that the History Book was approved and will be sent to the printers soon.
- Jay Scollick from the Friends of the Villa Park Library. Mr. Scollick thanks the Council and many volunteers for their efforts on the recent Villa Park 5K Run/Walk to benefit the library.

ORAL COMMUNICATIONS

Jill Kuli, 9481 Henderson Way, spoke on the Villa Park Elementary School historic buildings noting the County of Orange, through Supervisor Bill Campbell's office, has pledged \$100,000 in matching funds. Additionally, a petition with over 200 signatures was taken to the Orange Unified School District Board of Directors, asking them to consider a school bond measure to help all of our schools, to include restoration funds. Mrs. Kuli also requested that Council consider a Resolution in support of the school bond.

Bruce Gleason, 9782 Santiago Boulevard, spoke in opposition to Measure "In God We Trust" and announced the formation of the Villa Park Skeptics Group.

Jim Worden, 10021 Sycamore Street, spoke in favor of Measure "In God We Trust."

Kathy Moran, 10162 Workman Circle, spoke in opposition to the school bond that was mentioned previously in the meeting.

Teri Brooks Elmendorf, 10291 Camden Circle, spoke in favor of the restoration of the Villa Park Elementary School historic buildings.

Thomas Stabile, 10232 Sycamore Circle, addressed concerns he had regarding the property under construction located at 10231 Sycamore Circle.

Tracy Johnston, 10262 Sycamore Circle, addressed concerns she had regarding the property under construction located at 10231 Sycamore Circle.

Doug Johnston, 10262 Sycamore Circle, addressed concerns he had regarding the property under construction located at 10231 Sycamore Circle.

Lucy MacNamara, 10202 Sycamore Circle, addressed concerns she had regarding the property under construction located at 10231 Sycamore Circle.

City Manager Domer responded to the Council regarding the construction timeline and issues at 10231 Sycamore Circle and informed the Council that a response letter to Mr. Stabile was approved and set to be sent the next day. City Manager Domer stated that it would be hand delivered to Mr. Stabile in-lieu of mailing it tomorrow.

Ron Accornero, on behalf of the Friend's of the Villa Park Library, presented a plaque to Jay Scollick for his hard work, dedication, and assistance in organizing the Villa Park 5K Run/Walk.

PUBLIC HEARINGS

1. Consideration of Conditional Use Permit No. 0681, A Request to Exceed the Height Limit of Twelve (12) Feet for Outdoor Living Areas/Patio Covers for a New Height Not to Exceed Fifteen (15) Feet; A Request to Bring the Total Number of Garages Spaces on the Property to Four (4) or More. Location: 9162 El Rito Drive. Applicants: Ronald and Kathleen Drolet.

Mayor Reese opened the public hearing.

Associate Planner Carson presented the staff report and was available for questions

Ron Drolet, applicant, stated he was available for any questions Council might have.

After minimal discussion, Mayor Reese closed the public hearing.

It was moved by Councilmember Ulmer, seconded by Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2008-3010, approving Conditional Use Permit No. 0681 with attached conditions of approval:

AYES:	COUNCILMEMBERS:	Ulmer, Pauly, Freschi, Rheins, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

2. Consideration of Ordinance No. 2008-529, An Ordinance of the City Council of the City of Villa Park Amending Chapter XII of the Villa Park Municipal Code Relating to Floodplain Management.

Mayor Reese opened the public hearing.

City Engineer O'Neil presented the staff report and was available for questions.

Mayor Reese closed the public hearing.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve a first reading of Ordinance No. 2008-529, setting July 22, 2008 as a second reading and adoption:

AYES:	COUNCILMEMBERS:	Freschi, Rheins, Pauly, Ulmer, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

3. Consideration of Ordinance No. 2008-532, An Ordinance of the City Council of the City of Villa Park Amending Chapter VI, Public Nuisances, Adding Article 6-8 Maintenance of Real Property.

Mayor Reese opened the public hearing.

Associate Planner Carson presented the staff report and was available for questions.

Councilmember Ulmer commended Associate Planner Carson for a job well done drafting this Ordinance.

Councilmember Freschi voiced his concerns noting this Ordinance is an infringement on private property rights.

Councilmember Pauly questioned if City staff intended to proactively enforce this Ordinance or will code enforcement remain complaint based.

City Manager Domer replied code enforcement would remain reactive based from complaints except for extraordinary circumstances.

Councilmember Pauly additionally questioned how the Ordinance dealt with rental properties.

City Manager Domer stated this Ordinance sets up processes based from exterior conditions. If a suspected rental property fails certain exterior standards, the City has the ability to seek an inspection of the interior conditions. In cooperation with the Apartment Association of Orange County, standards were incorporated to ensure the high quality of the rental properties.

Mayor Reese closed the public hearing.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Pauly and carried by the following roll call vote to approve a first reading of Ordinance No. 2008-532, setting July 22, 2008 as a second reading and adoption:

AYES:	COUNCILMEMBERS:	Rheins, Pauly, Ulmer, Reese
NOES:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

4. Consideration of Ordinance No 2008-535, An Ordinance of the City Council of the City of Villa Park Adding Article 8-4 to the Villa Park Municipal Code Establishing a Residential Health and Safety Rental Inspection Program.

Mayor Reese opened the public hearing.

City Manger Domer stated that with the incorporation of rental property maintenance standards in the previous considered ordinance dealing with Property Maintenance Standards, this ordinance was no longer required and it was Staff's recommendation to deny the First Reading.

Councilmember Pauly questioned if rental property owners will be required to obtain a business license. City Manager Domer confirmed they would under current processes open to the City.

Mayor Reese closed the public hearing.

It was moved by Councilmember Ulmer, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to not approve a first reading of Ordinance No. 2008-535 thereby eliminating the ordinance:

AYES:	COUNCILMEMBERS:	Ulmer, Rheins, Freschi, Pauly, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

5. Consideration of Sewer Pump Station Maintenance Charges for FY 2008-09 for Tracts 10523 and 13204 and First Reading of Ordinance No. 2008-537.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report stating the City Engineer was available for questions.

Mayor Reese closed the public hearing.

It was moved by Councilmember Freschi, seconded by Councilmember Pauly and carried by the following roll call vote to approve the report for Sewer Pump Station Maintenance Charges for a portion of Tract Nos. 10523 and 13204 for FY 2008-09 and the first reading of Ordinance No. 2008-537, setting July 22, 2008 as a second reading and adoption:

AYES:	COUNCILMEMBERS:	Freschi, Pauly, Ulmer, Rheins, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

FISCAL YEAR 2008-09 BUDGET CONSIDERATION

6. Consideration of City Manager Employment Agreement.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report, stating that the agreement was proposed in a continual effort to update and professionalize the procedures and methods within the City. He stated that an employment agreement, by definition, should be beneficial to both the City and contracted party and that the current agreement contained few modifications beyond what was currently stated in the offer letter and municipal code. After serving as City Manager for three years, it was his request to have an agreement to solidify his intentions to remain with the City for several more years, pending continued Council desire. It was noted that at any time the City Council could, by majority vote, terminate the City Manager with or without an agreement.

Mayor Pro Tem Rheins mentioned he liked the agreement on the whole; however, there are minor details that need to be worked out.

Councilmember Ulmer mentioned it would be nice to have a series of goals that were mutually agreed upon to measure the City Manager's performance against.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Ulmer and carried by the following roll call vote to continue this item to the July 22, 2008, City Council meeting:

AYES:	COUNCILMEMBERS:	Rheins, Ulmer, Reese
NOES:	COUNCILMEMBERS:	Freschi, Pauly
ABSTAIN:	COUNCILMEMBERS:	None

Mayor Reese continued the item to the July 22, 2008 meeting.

7. Consideration of the Fiscal Year 2008-09 Operating Budget and Seven Year Capital Improvement Program, Adopting CEQA Determination, Appropriation Limits, Appropriating Revenue and Employee Compensation.

Mayor Reese opened the public hearing.

City Manager Domer and Finance Manager Danaher presented the staff report and were available for questions.

Councilmember Freschi voiced his concerns relating to each City Councilmember's budget for expenditures and asked that Council consider eliminating it. He addressed several reasons for eliminating the budget to include the material presented at most seminars does not relate to cities our size.

Councilmember Pauly questioned the amount budgeted for each Councilmember. Finance Manager Danaher stated it is \$1,100.

Councilmember Pauly disagreed with Councilmember Freschi's opinion stating Council agreed members could go to League of Cities and any other meeting pertinent to committee assignments, without going over the \$1,100.

City Council discussion ensued relating to various meetings and seminars and the benefit they provide to the City.

Mayor Reese stated the Human Resources Committee spent many hours discussing the personnel and salary resolution in detail and are pleased with the outcome.

Councilmember Ulmer mentioned \$468,000 will cover salary and employee benefits for everyone at City Hall. This number equates to a rather low percent based on history of our total budget for FY 2008-09. These numbers, compared to previous years, makes sense.

Councilmember Freschi stated we are in difficult times from the point of view of the State. The State budget is \$17 billion in debt and they will find some way to take money from the cities. Because of the times we are facing, Councilmember Freschi recommended a cost of living increase of 4% for each employee.

City Manager Domer opined that Councilman Freschi's recommendation usurps management prerogative regarding staff salaries. The City Manager's recommendation is based on a staff member's performance over the prior year and a recognition of the duties to be assumed over the upcoming year. These were items discussed with the Human Resources Committee and generally agreed to by that Committee. City Manager Domer suggested that, regardless of performance, the Council could enact a cost of living increase only for his position and that his recommendations for staff be honored.

Further discussion occurred after which, City Manager Domer requested a recess to allow Finance Manager Danaher time to look at numbers with the 4% increase.

RECESS

During the break Mayor Reese stated he reviewed the numbers and City Manager Domer's original recommendation for staff and felt it pretty much equated to Councilmember Freschi's recommendation of a 4% COLA increase overall. Councilman Freschi stated that he understood the City Manager's position of setting salaries for his staff and did not intent to usurp that authority – he was simply looking at giving the City Manager a 'pot' of money in which the City Manager could then disburse as he saw necessary. Mayor Reese agreed that when it came down to it, all of the numbers were pretty close to what would be a 4% general increase in salary expenditures and for that reason, to include only a cost a living increase for the City Manager, he agreed with the direction.

Mayor Reese closed the public hearing.

It was moved by Mayor Reese, seconded by Councilmember Freschi and carried by the following roll call vote to adopt Resolution No. 2008-3016, approving the City Manager's salary recommendations for employees and providing the City Manager a cost of living adjustment rounded up to 4%:

AYES:	COUNCILMEMBERS:	Reese, Freschi, Pauly, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

It was moved by Councilmember Freschi, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2008-3015, adopting the Budget, approving a negative declaration, appropriating revenue and establishing the Appropriations Limit for FY 2008-09:

AYES:	COUNCILMEMBERS:	Freschi, Ulmer, Pauly, Rheins, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

CONSENT CALENDAR

Councilmember Pauly pulled item 14 for further discussion.

Councilmember Freschi pulled item 11 for further discussion.

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

AYES:	COUNCILMEMBERS:	Pauly, Ulmer, Freschi, Rheins, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

The Consent calendar consisted of the following items:

8. Consideration to Waive Reading in Full of all Ordinances, Resolutions and Meeting Minutes on the Agenda. Approved Action: That the City Council Waive Reading in Full of all Ordinances, Resolutions and Meeting Minutes on the Agenda.
9. Consideration of City Council Minutes of May 27, 2008. Approved Action: That the City Council Approve the Minutes of May 27, 2008.
10. Consideration of City Council Study Session Minutes of June 10, 2008. Approved Action: That the City Council Approve the Study Session Minutes of June 10, 2008.
12. Consideration of Treasurer's Report for the Month of May. Approved Action: That the City Council Receive and File the Treasurer's Report for the Month of May.
13. Consideration of Waiver of Monthly Fees for Lease Agreement GA 621-2 for the Villa Park Branch Library. Approved Action: That the City Council Authorize Staff to Waive the Monthly Payments of "Rent, Janitorial, Utility, Maintenance, and Repair" under Section 4 of the Lease Agreement GA 621-2 for the County of Orange's Villa Park Branch Library.
15. Notice of Completion – Villa Park Road Improvements. Approved Action: That the City Council Accept the Project and Authorize the City Clerk to File the Notice of Completion.

Councilmember Freschi mentioned he did not intend to pull item 11.

11. Consideration of the List of Demands from May 13, 2008 to June 9, 2008.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve the List of Demands in the amount of \$359,466.03:

AYES:	COUNCILMEMBERS:	Freschi, Rheins, Pauly, Ulmer, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

14. Consideration of Resolution No. 2008-3014, A Resolution of the City Council of the City of Villa Park Approving Lot Line Adjustment No. 2008-01.

Councilmember Pauly pulled item 14 for further clarification. Looking at the map, the parcels are neatly divided into two. Now the applicant is requesting to bow into parcel two in an odd configuration and she does not understand why Council would approve this configuration.

City Engineer O'Neil stated this is what the property owner wanted. The City Attorney stated that as long as the applicant does not create additional lots and the resulting lots stay within the zoning requirements, per the Map Act, Council does not have the authority to deny the adjustment. The adjustment was requested to allow the current improved driveway stay fully within the portion of the property that the owners will retain while the remaining will be sold as a separate lot.

It was moved by Councilmember Pauly, seconded by Mayor Reese and carried by the following roll call vote to adopt Resolution No. 2008-3014, approving Lot Line Adjustment No. 2008-01:

AYES:	COUNCILMEMBERS:	Pauly, Reese, Freschi, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ITEMS FOR CONSIDERATION

16. Consideration of Amendments to the City's Statement of Investment Policy.

Finance Manager Danaher presented the staff report and was available for questions.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve the proposed amendments to the City's Statement of Investment Policy:

AYES:	COUNCILMEMBERS:	Freschi, Rheins, Pauly, Ulmer, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

17. Consideration of Award of Contract for Landscape Maintenance Services.

Assistant to the City Clerk Hildenbrand presented the staff report and was available for questions.

Councilmember Ulmer questioned who holds the current contract. City Manager Domer confirmed it was Tropical Plaza Nursery.

Councilmember Pauly requested that Staff speak with Tropical Plaza Nursery to have them better maintain the corner at Wanda Road and Collins Avenue. The current condition is sub-standard to Villa Park.

Because of the low proposal, Councilmember Pauly questioned what guarantee the City has that all employees are legally here in the United States. City Attorney Litfin stated it was a requirement per the bid package and contract.

It was moved by Councilmember Freschi, seconded by Councilmember Ulmer and carried by the following roll call vote to authorize an award of contract to Tropical Plaza Nursery to provide Landscape Maintenance Services for the City of Villa Park:

AYES:	COUNCILMEMBERS:	Freschi, Ulmer, Pauly, Rheins, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

18. Consideration of Required Response to Orange County Grand Jury Regarding “No County for Old Boomers” Report.

City Manager Domer presented the staff report and was available for questions.

It was moved by Councilmember Freschi, seconded by Mayor Reese and carried by a unanimous voice vote to approve of the response to the Orange County Grand Jury and authorize the Mayor to sign the attached letter.

18s. Consideration of Sheriff Budget Adjustments for Fiscal Year 2007-08 Operating Budget, Increasing Budgeted Expenditures by \$64,820.

Finance Manager Danaher presented the staff report and was available for questions.

It was moved by Councilmember Freschi, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2008-3021, authorizing a Third Amendment to the Budget for Fiscal Year 2007/2008:

AYES:	COUNCILMEMBERS:	Freschi, Ulmer, Pauly, Rheins, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

COUNCILMEMBER COMMUNICATIONS

Councilmember Freschi reported on the Orange County Vector Control and the Orange County Sanitation District.

Mayor Pro Tem Rheins reported on the Orange County Public Libraries Advisory Board meeting.

Mayor Reese reported on the Orange County Fire Authority Board meeting and the Human Resources Committee meeting.

19. Travel and Meetings.

Mayor Pro Tem Rheins reported on the Mayor’s and Councilmember’s Executive Forum held in Lake Tahoe, CA.

Each City Councilmember offered their personal opinion regarding the reimbursement and discussion ensued relating to the City’s reimbursement policy.

It was moved by Councilmember Freschi, seconded by Councilmember Pauly and carried by the following roll call vote to deny the expense reimbursement for Mayor Pro Tem Jim Rheins in the amount of \$2,099.18:

AYES:	COUNCILMEMBERS:	Freschi, Pauly, Reese
NOES:	COUNCILMEMBERS:	Ulmer, Rheins
ABSTAIN:	COUNCILMEMBERS:	None

20. Individual Councilmember Items.

Recently winning the June 3, 2008, election for the Serrano Water District Board of Directors, Councilmember Freschi tendered his resignation effective July 8, 2008 to fill his new position.

21. Consideration of City Council Committee Reappointments for 2008.

Councilmember Freschi strongly suggested that Council consider a two year appointment for the City's representative on the Orange County Sanitation District. He also suggested that the alternate be appointed for two years and that the alternate should be strongly considered to fill the appointed individual position upon the appointed leaving. The reason being the Sanitation District is a huge and complicated endeavor and it takes six months to get up to speed to understand the issues. Councilmember Freschi additionally suggested that Councilmember Pauly be appointed to the Vector Control District.

Councilmember Pauly noted she was not recommended for any of the four positions, though she is currently the Public Utilities chair.

Mayor Reese's recommendations are as follows:

Orange County Vector Control District: Mayor Pro Tem Rheins
Orange County Sanitation District: Mayor Reese; Councilmember Ulmer (alternate)
Public Utilities and Transportation Committee: Mayor Pro Tem Rheins
VPCATV Designee: Mayor Reese.

It was moved by Mayor Reese, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve the Mayor's recommendations to the appropriate positions:

AYES:	COUNCILMEMBERS:	Reese, Rheins, Freschi, Ulmer
NOES:	COUNCILMEMBERS:	Pauly
ABSTAIN:	COUNCILMEMBERS:	None

STAFF REPORTS

City Manager/City Clerk

Regarding the National Motto, Assistant to the City Clerk Hildenbrand reported the City now estimates placing the measure on the ballot will cost upwards of \$3,000. This figure is based from the Registrar of Voters estimated cost of printing Candidate Statement's which nearly

doubled from \$757 in 2006 to \$1,337 in 2008. However, the actual cost will remain unknown until the conclusion of the election when the Registrar of Voters office has calculated their costs.

Finance Department

No report.

City Attorney

No report.

City Engineer

City Engineer O'Neil reported the City received a letter from the Orange County Transportation Authority in which they awarded us a grant in the amount of \$60,000 for the Towne Centre Realignment Project.

Planning Department

No report.

ORDINANCES

22. Consideration of Second Reading and Adoption of Ordinance No. 2008-531, An Ordinance of the City Council of the City of Villa Park Adding Section 23-16.7 to the Villa Park Municipal Code Regarding Temporary Signs in Residential and Commercial Zones.

Associate Planner Carson presented the staff report and was available for questions.

It was moved by Councilmember Pauly, seconded by Councilmember Ulmer and carried by the following roll call vote to approve the second reading and adopt Ordinance No. 2008-531:

AYES:	COUNCILMEMBERS:	Pauly, Ulmer, Rheins, Reese
NOES:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

23. Consideration of Second Reading and Adoption of Ordinance No 2008-534, An Ordinance of the City Council of the City of Villa Park Amending Chapter VIII, Article 8-3 of the Villa Park Municipal Code Concerning Solicitation and Literature Distribution.

City Manager Domer presented the staff report and was available for questions.

It was moved by Councilmember Pauly, seconded by Councilmember Ulmer and carried by the following roll call vote to approve the second reading and adopt Ordinance No. 2008-534:

AYES:	COUNCILMEMBERS:	Pauly, Ulmer, Freschi, Rheins, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

24. Consideration of Second Reading and Adoption of Ordinance No. 2008-536, An Ordinance of the City Council of the City of Villa Park Amending Article 19-3 Limited Parking, Amending Sections 19-3.1 and 19-3.4 Setting Parking Restrictions as Posted or Marked.

City Manager Domer presented the staff report and was available for questions.

It was moved by Councilmember Freschi, seconded by Councilmember Ulmer and carried by the following roll call vote to approve the second reading and adopt Ordinance No. 2008-536:

AYES:	COUNCILMEMBERS:	Freschi, Ulmer, Pauly, Rheins, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

RESOLUTIONS

25. Consideration of Resolution No. 2008-3017, A Resolution of the City Council of the City of Villa Park Declaring its Intent to Conduct a Public Hearing on Conditions Present at 17832 Morrow Circle, Villa Park, California to Determine Whether Such Conditions Constitute a Public Nuisance.

Associate Planner Carson presented the staff report and was available for questions.

Councilmember Ulmer questioned the City's obligation in securing the property with respect to the unobstructed access to the pool.

City Attorney Litfin stated the City does not have a legal obligation because it is private property; however, emergency conditions legally authorize the City to do so.

Councilmember Pauly questioned why this property was not red tagged. City Manager Domer stated it could be, however, no evidence shows that people were making entry. Whereas the Hillcrest property to be considered next was red tagged as direct evidence showed people were going in and out of the property. It was a consensus of the City Council to have City Staff properly secure the pool area of the property from unauthorized entry.

It was moved by Councilmember Pauly, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2008-3017 and schedule a Public Hearing for July 22, 2008 to review evidence for declaring 17832 Morrow Circle a Public Nuisance:

AYES:	COUNCILMEMBERS:	Pauly, Ulmer, Freschi, Rheins, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

26. Consideration of Resolution No. 2008-3018, A Resolution of the City Council of the City of Villa Park Declaring its Intent to Conduct a Public Hearing on Conditions Present at 18252 Hillcrest Circle, Villa Park, California to Determine Whether Such Conditions Constitute a Public Nuisance.

Associate Planner Carson presented the staff report and was available for questions.

It was moved by Councilmember Ulmer, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to adopt Resolution No. 2008-3018 and schedule a Public Hearing for July 22, 2008 to review evidence for declaring 18252 Hillcrest Circle a Public Nuisance:

AYES:	COUNCILMEMBERS:	Ulmer, Rheins, Freschi, Pauly, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

27. Consideration of Resolution No. 2008-3020, A Resolution of the City Council of the City of Villa Park Concerning the Status of the Circulation Element for the City of Villa Park.

City Engineer O'Neil presented the staff report and was available for questions.

It was moved by Councilmember Freschi, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2008-3020 and authorize the Mayor to Execute on behalf of the City:

AYES:	COUNCILMEMBERS:	Freschi, Ulmer, Pauly, Rheins, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ORAL COMMUNICATIONS

None.

CLOSED SESSION

None.

ADJOURNMENT

It was moved by Mayor Reese and carried unanimously to adjourn at 10:15 p.m. in memory of Mr. Arthur Joseph Salerno, a long-time friend of the community, who passed away on June 3, 2008.

Brad Reese, Mayor
City of Villa Park

ATTEST:

Kenneth A. Domer, City Clerk
City of Villa Park