

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

The City Council of the City of Villa Park convened Tuesday, August 25, 2009 at 6:30 p.m. in a regular meeting in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

CALL TO ORDER Mayor Rheins called the meeting to order at 6:32 p.m.

ROLL CALL

COUNCILMEMBERS PRESENT

James Rheins	Mayor
Bill Mac Aloney	Mayor Pro Tem
Deborah Pauly	Councilmember
Brad Reese	Councilmember
W. Richard Ulmer	Councilmember

STAFF PRESENT

Lori Sassoon	City Manager
Jarad Hildenbrand	Assistant City Manager / City Clerk
Todd Litfin	City Attorney
Michelle Danaher	Finance Manager
Jason Carson	Associate Planner
Jorge Garcia	Management Assistant

CLOSED SESSION

1. **Conference with Legal Counsel – Anticipated Litigation.** Closed Session Per Govt. Code Section 54956.9 (c) relating to initiation of litigation: one potential case.

City Attorney Litfin reported the Villa Park City Council returned from Closed Session with the following reportable action. The City Council voted 5-0 to authorize initiation of litigation if necessary in a certain matter.

PLEDGE OF ALLEGIANCE TO THE FLAG - Led by Councilmember Reese

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Villa Park Community Services Foundation Update – Mrs. Jill Kuli
- Law Enforcement Issues - Chief of Police Services Lt. Tom Gallivan

ORAL COMMUNICATIONS

Patricia Buttress, Southern California Edison, announced that Edison is planning a free information session on the California Solar Initiative program and incentives for homeowners who decide to go solar. The session is scheduled for Saturday, September 26, 2009 from 10:00 – 11:30 a.m. at the Edison Service Center in Fullerton.

Teri Elmendorf, 10291 Camden Circle, announced the release of the new Villa Park Magazine assembled by the community groups.

Don Ebrite, 18131 Lincoln Street, addressed his concerns regarding USPS facility closures. Mr. Ebrite requested that the City Council draft a letter in support of the Villa Park Branch Office and distribute it to our regional electeds. Mr. Ebrite also asked that Council, or the Villa Park Women's League, consider beautifying the south/east corner of Center and Lincoln.

Rich Murg, 9281 Tritt Circle, spoke on the Orange County Sheriff's Department. Mr. Murg had two positive encounters with OUSD last month and thanked them for their hard work and dedication.

PUBLIC HEARINGS

2. Resolution No. 2009-3081, declaring conditions at 9491 Lemon Street, Villa Park, California a public nuisance, ordering the correction of said Nuisance and authorizing abatement. (Continued from June 23, 2009, and July 14, 2009)

Mayor Rheins opened the public hearing.

Bangalore Subbarao, property owner, addressed the City Council. In response to questions from Council, he stated he will order the columns by Friday and will have to wait 4 to 5 weeks for delivery as they are coming from the east coast. As for the trees, Mr. Subbarao stated he will plant them as soon as the area is cleaned up, if that is the desire of Council.

Janet Dante, 9511 Lemon Street, addressed Council mentioning her and her husband have planted trees on the northern portion of their property. Therefore, the planting requirement on Mr. Subbarao's property can be removed if Council so chooses.

Mayor Rheins closed the public hearing.

It was moved by Councilmember Reese, seconded by Mayor Pro Tem Mac Aloney and carried by the following roll call vote to remove the planting requirement on the southern portion of the property and continue the item to the September 22, 2009 City Council meeting:

AYES:	COUNCILMEMBERS:	Reese, Mac Aloney, Pauly, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

CONSENT CALENDAR (ITEMS # 3-12)

Councilmember Ulmer pulled item 12. Councilmember Pauly pulled items 7 and 8.

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

AYES:	COUNCILMEMBERS:	Mac Aloney, Pauly, Reese, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

The approved Consent Calendar consisted of the following items:

3. Financial activity from July 2, 2009 through August 12, 2009.

ACTION: Approve warrants and disbursements in the amount of \$263,808.50.

4. Request approval of City Council Minutes of July 14, 2009.

ACTION: Approve.

5. Financial Treasurer's Report for the month of June.

ACTION: Receive and file.

6. Financial Treasurer's Report for the month of July.

ACTION: Receive and file.

9. Ordinance No. 2009-543, amending Section 2-5 of the Villa Park Municipal Code regarding the posting of notices.

ACTION: Approve a second reading and adopt Ordinance No. 2009-543.

10. Ordinance No. 2009-545, amending Article 23 Section 6.11(e) and Article 23 Section 25.6(b) of the Villa Park Municipal Code concerning the maximum height of walls and fences adjacent to certain thoroughfares.

ACTION:

- 1) Introduce and approve a first reading of Ordinance No. 2009-545; and
- 2) Set September 22, 2009, as a second reading and adoption.

11. FY 2009/10 COPS Supplemental Law Enforcement funding for School Resource Officer and Budget amendment.

ACTION:

- 1) Restore the School Resource Officer program;
- 2) Authorize the FY 2009/10 budget be amended as outlined in this staff report; and
- 3) Establish a new fund for the California Law Enforcement Equipment Program (CLEEP).

ITEMS REMOVED FROM THE CONSENT CALENDAR

12. Consideration of 2009-2010 Town Hall Meeting schedule.

Councilmember Ulmer pulled this item requesting the January Town Hall Meeting be moved to February.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Reese and carried by a unanimous voice vote to approve the 2009-2010 Town Hall Meeting schedule as amended by Councilmember Ulmer.

7. Update report regarding Ordinance No. 2008-534 regulating solicitation and literature distribution.

Councilmember Pauly pulled this item for further clarification and requested that Assistant City Manager Hildenbrand give a verbal update.

It was moved by Councilmember Pauly, seconded by Councilmember Ulmer and carried by a unanimous voice vote to receive and file the report regarding Ordinance No. 2008-534.

8. Orange County Council of Governments Amended and Restated Joint Powers Agreement.

Councilmember Pauly pulled this item on principle. OCCOG was formed as part of the League of Cities and then became an offshoot of it, and was not a cost to Villa Park in any fashion. Now the City is going to incur approximately \$2,000 in dues payable to this once-free entity. Councilmember Pauly stated she could not support this item, on principle alone.

It was moved by Mayor Rheins, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2009-3092, authorizing the Mayor to execute an Amended and Restated Orange County Council of Governments (OCCOG) Joint Powers Agreement; and transmit the signed OCCOG Joint Powers Agreement to the OCCOG Interim Executive Director:

AYES:	COUNCILMEMBERS:	Rheins, Ulmer, Reese, Mac Aloney
NOES:	COUNCILMEMBERS:	Pauly
ABSENT:	COUNCILMEMBERS:	None

NEW BUSINESS

13. Discussion regarding potential restructuring of the Villa Park Community Access Television Corporation (VPCATV).

Mayor Rheins opened the item for public comment.

Dr. Robert Helton, 10051 Briley Way, commented he recently switched to AT&T U-verse from Time Warner Cable and could not locate the VPCATV channel. City Manager Sassoon informed Dr. Helton VPCATV is on channel 99 on the AT&T U-verse network.

Teri Elmendorf, President of VPCATV, expressed opposition to the restructuring of VPCATV and read a letter she received from William Baker, former VPCATV Board Member.

Don Ebrite, 18131 Lincoln Street, expressed opposition to the restructuring of VPCATV.

Carl Odium, Technical Consultant for VPCATV, addressed Council in response to its questions regarding streaming. He commented that meetings are already streamed on the internet pro-bono from streamingmediapedia. In addition, Mr. Odium said he would resign from VPCATV if it was restructured and absorbed by the City.

With no one else wishing to speak, Mayor Rheins closed the item for public comment.

City Council discussion in relation to the restructuring ensued.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Reese and carried by the following roll call vote to direct staff to pursue the restructuring of VPCATV, and to prepare the transition plan:

AYES:	COUNCILMEMBERS:	Mac Aloney, Reese, Pauly, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

OTHER ORDINANCES AND RESOLUTIONS

14. Ordinance No. 2009-541, adding Section 23-24 to the Villa Park Municipal Code relating to landscape standards. (Note new staff report and modified ordinance)

City Manager Sassoon presented the staff report, noting some community concerns to date.

City Manager Sassoon stated the City Council may either approve second reading of the ordinance as originally presented, approve first reading of the modified ordinance, or send the matter back to staff for further revisions.

Mayor Rheins opened the item for public comment.

Teri Elmendorf, 10291 Camden Circle, spoke on the code enforcement actions currently against her property regarding landscape maintenance.

Tom Dodge, 18221 Montana Circle, spoke in opposition to the landscape standards ordinance.

With no one else wishing to speak, Mayor Rheins closed the item for public comment.

Council discussed in relation to the ordinance ensued.

It was moved by Councilmember Pauly, seconded by Councilmember Reese and carried by the following roll call vote to direct staff to table Ordinance No. 2009-541 (original) indefinitely; send Ordinance No. 2009-541 (modified) to staff for revisions; and bring back for public review at a future Town Hall Meeting:

AYES:	COUNCILMEMBERS:	Pauly, Reese, Ulmer, Mac Aloney, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

15. Ordinance No. 2009-544, amending Article 4-4 of the Villa Park Municipal Code regarding the purchasing system.

Mayor Rheins opened the item for public comment. With no one in attendance wishing to speak, Mayor Rheins closed the item for public comment.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Ulmer and carried by the following roll call vote to introduce and approve a first reading of Ordinance No. 2009-544; and set September 22, 2009, as a second reading and adoption:

AYES:	COUNCILMEMBERS:	Mac Aloney, Ulmer, Reese, Rheins
NOES:	COUNCILMEMBERS:	Pauly
ABSENT:	COUNCILMEMBERS:	None

MAYOR AND COUNCILMEMBER MATTERS

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

Councilmember Ulmer reported on the League of California Cities, Advocacy Committee meeting.

Mayor Pro Tem Mac Aloney reported on the Budget and Finance Committee meeting, the Villa Park Community Access Television Board meeting, the Villa Park Community Service Foundation Board meeting, as well as the Public Utilities Committee meeting with Board Members from the Orange County Transportation Authority.

Mayor Rheins reported on the Orange County Vector Control Board meeting.

Councilmember Reese reported on the Orange County Sanitation District Board meeting as well as the Orange County Fire Authority Board meeting.

Councilmember Pauly reported on the Technology Committee meeting, the Public Utilities Committee meeting with Board Members from the Orange County Transportation Authority, as well as the Serrano Water District Board meeting.

CITY MANAGER'S REPORT

ADJOURNMENT – The City Council adjourned at 9:36 p.m.

The next regular City Council Meeting is scheduled for September 22, 2009 at 7:00 p.m.

James Rheins, Mayor
City of Villa Park

ATTEST:

Jarad L. Hildenbrand, City Clerk
City of Villa Park

Note: The above minutes are a summary of actions. A DVD recording of this meeting additionally serves as an official record and is available upon request from City Hall.