

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

**MARCH 23, 2010**

**CLOSED SESSION**

6:00 p.m. – City Council Chambers/Conference Room

**ROLL CALL** Mayor MacAloney called the Closed Session to order at 6:04 p.m.

**COUNCILMEMBERS**

PRESENT: Pauly, Rheins, Reese, Ulmer, MacAloney

ABSENT: None

EXCUSED: None

1. **Conference with Legal Counsel – Anticipated Litigation.** Closed Session pursuant to Government Code Section 54956.9 (b)(1): significant exposure to litigation. Two potential cases.
2. **Public Employee Performance Evaluation.** Closed Session pursuant to Government Code Section 54957 (b) relating to appointment, employment, evaluation of performance for public employee: City Manager.

City Attorney Litfin reported the Villa Park City Council returned from Closed Session with no reportable action.

**STUDY SESSION**

6:30 p.m. – City Council Chambers/Conference Room

**ROLL CALL** Mayor MacAloney called the Study Session to order at 6:36 p.m.

**COUNCILMEMBERS**

PRESENT: Pauly, Rheins, Reese, Ulmer, MacAloney

ABSENT: None

EXCUSED: None

3. **Update on Villa Park Towne Centre Opportunity Study.**

City Manager Sassoon and Councilmember Pauly provided an update regarding this project. No action was taken.

**GENERAL SESSION**  
7:00 p.m. – City Council Chambers

**ROLL CALL** Mayor MacAloney called the General Session to order at 7:05 p.m.

**COUNCILMEMBERS**

PRESENT: Pauly, Rheins, Reese, Ulmer, MacAloney

ABSENT: None

EXCUSED: None

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Jordan Garcia and Haiden VanDerlaske from Villa Park Elementary School

**PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS**

- Academic Achievement Award presented to Sahra Mirbabaee from Villa Park High
- Recognition of Eagle Scout Attainment to Villa Park Resident James Tack
- Villa Park Community Services Foundation update
- Orange County Fire Authority update
- Law enforcement update - Chief of Police Services Lt. Bob Wren

**ORAL COMMUNICATIONS** - None

**PUBLIC HEARINGS**

4. **Ordinance No. 2010-549, an Ordinance of the City Council of the City of Villa Park adding Section 9-2.4(r) to the Villa Park Municipal Code relating to the examination of construction documents.**

Mayor MacAloney opened the public hearing.

City Manager Sassoon presented the staff report.

Mayor MacAloney closed the public hearing.

It was moved by Councilmember Rheins, seconded by Councilmember Reese and carried by the following roll call vote to approve a first reading of Ordinance No. 2010-549, and schedule a second reading and adoption at the April 27, 2010, City Council Meeting:

AYES: COUNCILMEMBERS: Rheins, Reese, Pauly, Ulmer, MacAloney  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

**5. Ordinance No. 2010-551, an Ordinance of the City Council of the City of Villa Park amending Chapter 23-6.8(h) of the Villa Park Municipal Code relating to landscape performance and standards.**

Mayor MacAloney opened the public hearing.

City Manager Sassoon presented the staff report.

Councilmember Pauly spoke in favor of this Ordinance noting it went from 9 pages to 1, and will provide some common sense clarification of current landscaping standards.

Mayor MacAloney closed the public hearing.

It was moved by Councilmember Reese, seconded by Councilmember Pauly and carried by the following roll call vote to approve a first reading of Ordinance No. 2010-551, and schedule a second reading and adoption at the April 27, 2010, City Council Meeting:

AYES: COUNCILMEMBERS: Reese, Pauly, Rheins, Ulmer, MacAloney  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

**CONSENT CALENDAR (ITEMS # 6-16)**

Councilmember Rheins pulled item 12.

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

AYES: COUNCILMEMBERS: Ulmer, Reese, Rheins, Pauly, MacAloney  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

The Consent Calendar consisted of the following items:

**6. Warrants and disbursements from February 10, 2010 to March 8, 2010.**

ACTION: Approve warrants and disbursements in the amount of \$178,476.85.

**7. Financial Treasurer's Report for the month of February.**

ACTION: Receive and file.

**8. Request approval of City Council Minutes of January 26, 2010, and February 23, 2010.**

ACTION: Approve.

**9. Update regarding Resolution No. 2009-3100, declaring conditions at 10221 Camden Circle a public nuisance.**

ACTION: Continue this matter until the May 25, 2010 Council Meeting.

**10. Authorization to advertise for construction bids for the 2009/2010 Street Rehabilitation Project.**

ACTION: Authorize the City Engineer and the City Clerk to advertise for construction bids.

**11. Award of Contract – 2009/2010 Sewer Rehabilitation Project.**

ACTION: Award the contract in the amount of \$211,213.90, with a 15% contingency of \$31,682 for a total of \$242,895.90, to Insituform Technologies, Inc. and authorize the Mayor and City Clerk to execute on behalf of the City.

**13. Ordinance No. 2010-550, An Ordinance of the City Council of the City of Villa Park adding Section 9-1.1(k) to the Villa Park Municipal Code adopting by reference the Uniform Swimming Pool, Spa and Hot Tub Code, 2009 Edition.**

ACTION: Introduce and approve a first reading of Ordinance No. 2010-550, and set April 27, 2009, for a Public Hearing, second reading, and adoption of the Ordinance.

**14. Villa Park Community Services Foundation Appointment.**

ACTION: Approve the Board's recommendation and appoint Mr. Bill Nelson to the Villa Park Community Services Foundation Board of Directors for a term ending in January 2012.

**15. Approve a progression of voting delegates for City representation at Orange County League of Cities Meetings.**

ACTION: Approve the progression of voting alternates as stated in the staff report and authorize the City Clerk to prepare a letter to the Orange County Division of the League of California Cities reflecting this action.

**16. Resolution No. 2010-3108, in support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010.**

ACTION: Adopt the Resolution No. 2010-3108, in support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010.

**ITEM(S) PULLED FROM THE CONSENT CALENDAR**

**12. Award of Contract – Towne Centre Entrance Improvement Project.**

Councilmember Rheins pulled this item noting how close the low bid amounts were, and questioned if Council could choose to whom the contract is awarded based on references or other factors. In response, City Attorney Litfin informed Council they could not choose who to award the contract to based on any other factors besides price. The Government Code requires that it be awarded to the lowest responsive and reasonable bid.

It was moved by Councilmember Rheins, seconded by Councilmember Pauly and carried by the following roll call vote to 1) Award the contract to Imperial Paving Company in the amount of \$216,965, with a contingency of \$10,000 for a total of \$226,965, 2) Authorize the Mayor and City Clerk to execute the contract on behalf of the City, 3) Authorize the Finance Manager to amend the FY 2009/10 budget as stated in the staff report, and 4) Authorize the City Manager and City Clerk to execute the Rights of Entry and Access Agreements on behalf of the City:

AYES:	COUNCILMEMBERS:	Rheins, Pauly, Reese, Ulmer, MacAloney
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

**NEW BUSINESS**

**17. Request to permit operative gates at the entrance to Larson Circle/Parker Circle.**

City Manager Sassoon presented the staff report.

Mike Herms, 19212 Parker Circle, spoke in favor of the gate closures.

After some discussion, it was moved by Councilmember Reese, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to authorize staff to proceed with actions necessary to make the gates operative at the entrance to Larson Circle, with the full cost of capital improvements, ongoing maintenance, and legal fees to be borne by the property owners on Larson and Parker Circles:

AYES:	COUNCILMEMBERS:	Reese, Ulmer, Pauly, Rheins, MacAloney
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

**18. Operations and Personnel Procedures Manual and City Council Policy Manual.**

City Manager Sassoon presented the staff report.

Councilmember Pauly questioned if there were mechanisms written into the policy manuals to bring them back for a review at regular intervals, either annually or bi-annually. In response, City Manager Sassoon stated there was not, but language could be added to the Resolution requiring bi-annual reviews of the City Council Policy Manual, and recommended January after election years. At the same time, the Operations and Personnel Policy will be brought back as an informational item.

It was moved by Mayor Pro Tem Ulmer, seconded by Councilmember Reese and carried by the following roll call vote to adopt Resolution No. 2010-3107, with language added requiring bi-annual reviews, giving the City Manager the specific authority to create, revise and approve policies and/or procedures for the Operations and Personnel Procedures Manual as needed, and adopting the proposed City Council Policy Manual:

AYES:	COUNCILMEMBERS:	Ulmer, Reese, Pauly, Rheins, MacAloney
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

**19. Consideration of salary adjustment for the City Manager.**

City Attorney Litfin presented the staff report.

It was moved by Mayor MacAloney, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to increase the City Manager's salary by 5%:

AYES:	COUNCILMEMBERS:	MacAloney, Ulmer, Pauly, Reese, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

**MAYOR AND COUNCILMEMBER MATTERS**

**20. Discussion Regarding Waiver of Fees for Banners/Signs and Development-Related Services in Villa Park Towne Centre.**

Councilmember Pauly presented the report.

After some discussion, it was the consensus of the Council to direct the City Manager to develop a concept waiving building related fees for Towne Centre property owners and businesses that are proposing improvements to their properties.

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

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

Mayor Pro Tem Ulmer reported on the Orange County Division of the league of California Cities Advocacy Committee meeting and questioned city counsel the process to censure a

Councilmember. In response, City Attorney Litfin informed Council of the process to censure a Councilmember.

Councilmember Reese reported on the Orange County Sanitation District Board meeting.

Councilmember Pauly announced the upcoming Towne Centre Opportunity Study meetings, the upcoming CERT meeting, and upcoming Ground Water Replenishment Tour in partnership with the Serrano Water District.

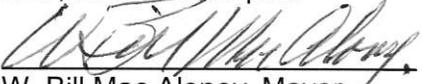
Mayor MacAloney reported on the Community Development Committee meeting, the March edition of Meet the Mayor, and the Villa Park Community Services Foundation meeting.

### **CITY MANAGER'S REPORT**

City Manager Sassoon announced the upcoming CERT meeting to be held April 12, at 7: p.m., the upcoming Serrano Water District meeting on April 13, and the City's newest intern, Abraham Han.

**ADJOURNMENT** - The City Council adjourned at 8:54 p.m. to a Town Hall meeting on Monday, April 12, 2010 at 7:00 p.m.

The next City Council Regular Meeting is scheduled for April 27, 2010 at 7:00 p.m.

  
W. Bill Mac Aloney, Mayor  
City of Villa Park

**ATTEST:**

  
Jafad 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.

