

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

APRIL 27, 2010

GENERAL SESSION

7:00 p.m. – City Council Chambers

ROLL CALL Mayor MacAloney called the General Session to order at 7:01 p.m.

COUNCILMEMBERS

PRESENT: Pauly, Rheins, Reese, Ulmer, MacAloney

ABSENT: None

EXCUSED: None

PLEDGE OF ALLEGIANCE TO THE FLAG

Shelley Perkins and Rebecca Villa from Serrano Elementary School

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Academic Achievement Award presented to Haley Lu from Cerro Villa Middle School
- SCE's State of the Utility Presentation – Pat Buttress
- Villa Park Community Services Foundation update – Bob Fauteux
- Orange County Fire Authority update
- Law enforcement update - Chief of Police Services Lt. Bob Wren

ORAL COMMUNICATIONS – None

Councilmember Pauly requested that Item 18 be moved up on the agenda and addressed earlier in the meeting. After consulting with the Council, Mayor MacAloney announced Item 18 would be considered at this time, before Public Hearings.

18. Councilmember reprimand.

Mayor Pro Tem Ulmer expressed his views and stated his purpose for agendaizing the proposed reprimand of Councilmember Pauly, and motioned to reprimand Councilmember Pauly.

Councilmember Rheins expressed his views on the reprimand.

Councilmember Reese expressed his views on the reprimand and seconded Councilmember Ulmer's motion.

The following members of the public spoke in opposition to the reprimand of Councilmember Pauly:

James Allison, 10371 Kenwick Drive
Pat and Don Lamb, 10211 Robinhood Circle
Mark Wayland, City of Orange resident
Mark Lewis, 9771 Center Drive
Sean Black, 180 Clearbrook, Irvine
Patricia Burnes, 10331 Center Drive
Jim Warden, 10021 Sycamore Street
Rosely Gamboa, 10722 Adams Circle
Nancy Steinbergs, 18471 Durfee Circle
Andrew Steinbergs, 18471 Durfee Circle
Rich Murg, 9281 Tritt Circle
Selma Wakeham, 17952 Athens Avenue
Derrick Wakeham, 17952 Athens Avenue
Milt Stamos, 18091 Stratford Circle
Jerry Haight, 10291 Sterling Avenue

Councilmember Pauly expressed her views on the reprimand.

Mayor MacAloney had no comment and called for the vote.

It was moved by Mayor Pro Tem Ulmer, seconded by Councilmember Reese to reprimand Councilmember Pauly:

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

The motion failed.

PUBLIC HEARINGS

- 2. 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.**

Mayor MacAloney opened the public hearing, and with no one in the audience wishing to speak, Mayor MacAloney closed the public hearing.

It was moved by Mayor Pro Tem Ulmer, seconded by Councilmember Rheins and carried by the following roll call vote to approve a second reading, and adopt Ordinance No. 2010-550:

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

3. Ordinance No. 2010-552, An Ordinance of the City Council of the City of Villa Park adding Section 23-3.4 to Chapter XXIII of the Villa Park Municipal Code to prohibit Medical Marijuana Dispensaries as an allowable use in and zoning district and amending Article 23-5 of Chapter XXIII to add a definition for Medical Marijuana Dispensaries.

Mayor MacAloney opened the public hearing.

City Attorney Litfin presented the staff report.

With no one in the audience wishing to speak, Mayor MacAloney closed the public hearing.

It was moved by Councilmember Rheins, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to introduce and approve a first reading of Ordinance No. 2010-552, and schedule a second reading and adoption at the May 25, 2010, City Council Meeting:

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

CONSENT CALENDAR (ITEMS # 4-14)

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

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

4. Warrants and disbursements from March 9, 2010, to April 12, 2010.

ACTION: Approve warrants and disbursements in the amount of \$362,419.10.

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

ACTION: Receive and file.

6. Request approval of City Council Minutes of March 23, 2010.

ACTION: Approve.

7. Claim against the City – Michele Davidson.

ACTION: Deny the claim for damages and direct the City Manager or designee to send a standard letter of rejection to the claimant.

8. 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.

ACTION: Approve a second reading and adopt Ordinance No. 2010-549.

9. 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.

ACTION: Approve a second reading and adopt Ordinance No. 2010-551.

10. Resolution No. 2010-3109, Authorizing the Destruction of Certain City Records as Provided by Section 34090 of the Government Code of the State of California.

ACTION: Adopt Resolution No. 2010-3109.

11. Resolution No. 2010-3110 authorizing the City Manager to execute an Agreement with the Orange County Sheriff's Department for Homeland Security Grant Program funds.

ACTION: Adopt Resolution No. 2010-3110.

12. Consideration of an agreement with Mayer Hoffman McCann, P.C., for Financial Audit Services for FY 2009/10 through 2011/12.

ACTION: Approve an Agreement for Services with Mayer Hoffman McCann, P.C., for audit services for Fiscal Years 2009/2010 through 2011/2012, and authorize the City Manager and City Clerk to execute on behalf of the City.

13. Award of Contract – 2009/2010 Street Rehabilitation Project.

ACTION: Authorize the Finance Manager to amend the FY 2009-10 Budget as outlined in this staff report, and award the contract to RJ Noble Company in the amount of \$320,383, for a project total of \$373,708, and authorize the Mayor and City Clerk to execute on behalf of the City.

14. Ratification of Agreement with Eraj Shadaram for Audio Improvements to the Villa Park City Council Chambers.

ACTION: Ratify the City Manager's action to authorize a contract with Eraj Shadaram for the Villa Park Council Chamber Audio Improvements in the amount of \$2,400, and authorize the Finance Manager to amend the FY 09/10 Budget as outlined in the staff report.

OLD BUSINESS

15. Draft Towne Centre Investment Incentive Program.

City Manager Sassoon presented the staff report.

It was moved by Councilmember Rheins, seconded by Councilmember Reese and carried by the following roll call vote to Approve the Towne Centre Investment Incentive Program in concept, and direct staff to bring back a resolution outlining the specific details of the program for potential adoption at the May 25 City Council meeting:

AYES: COUNCILMEMBERS: Rheins, Reese, Pauly, Ulmer, MacAloney

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

NEW BUSINESS

16. Draft Fiscal Year 2010-11 Priorities and Work Plan.

City Manager Sassoon presented the staff report.

No action was requested at this time.

MAYOR AND COUNCILMEMBER MATTERS

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

Councilmember Pauly reported on the Orange County Sheriff's Department Medal of Valor Luncheon, the Groundwater Replenishment System Tour, a Towne Centre Opportunity Study meeting, a Serrano Water District board meeting, a CERT meeting, and announced a meeting on May 3 which John Eastman, candidate for Attorney General, will be attending.

Councilmember Reese reported on the Orange County Sheriff's Department Medal of Valor Luncheon, an Orange County Sanitation District board meeting, and an Orange County Fire Authority board meeting.

Councilmember Rheins reported on the Orange County Sheriff's Department Medal of Valor Luncheon and an Orange County Vector Control District board meeting.

Mayor Pro tem Ulmer reported on a League Advocacy Committee meeting, a Villa Park Community Services Foundation meeting, a Towne Centre Opportunity Study meeting, a CERT meeting, a Neighborhood Watch meeting, and a Budget and Finance Committee meeting.

Mayor MacAloney reported on a Villa Park Community Services Foundation meeting, a Towne Centre Opportunity Study meeting, a CERT meeting, and a Neighborhood Watch meeting.

CITY MANAGER'S REPORT - None

ADJOURNMENT

Adjourn in memory of Sgt. Major Robert J. Cottle, son of Villa Park resident Kenneth Cottle, who was killed during combat operations in Afghanistan, and also in memory of 38 year Villa Park resident Wanda Rickers, who passed away last week, to May 25, 2010, at 7:00 p.m.

W. Bill Mac Aloney, 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.