

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

MAY 25, 2010

CLOSED SESSION

5:00 p.m. – City Council Chambers/Conference Room

ROLL CALL Mayor MacAloney called the Closed Session to order at 5:00 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. One potential case.

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

GENERAL SESSION

7:00 p.m. – City Council Chambers

ROLL CALL Mayor MacAloney called the General Session to order at 7:00 p.m.

COUNCILMEMBERS

PRESENT: Pauly, Rheins, Reese, Ulmer, MacAloney

ABSENT: None

EXCUSED: None

PLEDGE OF ALLEGIANCE TO THE FLAG

Emma Kuli and Kristine Cornejo from Villa Park Elementary School

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Academic Achievement Award - Matthew Kuelpman from Orange Lutheran
- Academic Achievement Award - Diane Marcus from Villa Park High
- HomeAid Orange County – Executive Director Scott Larson
- Huntington Beach Desalination Project – Scott Maloni
- Villa Park Community Services Foundation update – Nic Versteeg
- Orange County Fire Authority update
- Law enforcement update - Chief of Police Services Lt. Bob Wren

ORAL COMMUNICATIONS

Jill Kuli, 18411 Jocotal Avenue, requested that the City Council consider the consequences of denying Villa Park citizens the opportunity to express their opinions before the Council last month. Mrs. Kuli was referring to reorganization of the agenda order, specifically the moving forward of item 18 on the agenda.

Jim Ambroso, area president for Republic Services, addressed the City Council regarding item number 16 on the agenda. If approved, the item directs the City's law firm, Rutan & Tucker, to begin working on the existing franchise agreement, and Mr. Ambroso requested that Council table the item.

PUBLIC HEARINGS

- 2. Resolution No. 2010-3117 establishing a master fee schedule for the services rendered by City departments and rescinding Resolution No. 2009-3082.**

Mayor MacAloney opened the public hearing.

City Manager Sassoon presented the staff report, and suggested, based on initial feedback regarding room rental fees, that this matter to be continued, and that a Council committee review the proposed fees and input from user groups.

No one in the audience wished to speak.

It was moved by Councilmember Rheins, seconded by Councilmember Pauly and carried by a voice vote to continue the Public Hearing and refer the item to the Community Development Committee for review and user feedback.

CONSENT CALENDAR (ITEMS # 3-16)

Mayor MacAloney pulled item 10.

Councilmember Rheins pulled item 15.

Mayor Pro Tem Ulmer pulled item 9.

Councilmember Pauly pulled items 5, 7 and 13.

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

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

3. Warrants and disbursements from April 13, 2010, to May 12, 2010.

ACTION: Approve warrants and disbursements in the amount of \$802,728.19.

4. Financial Treasurer's Report for the month of April.

ACTION: Receive and file.

6. Second Reading of 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.

ACTION: Approve a second reading and adopt Ordinance No. 2010-552.

8. Sewer Pump Station Maintenance Charges for a portion of Tract Number 10523 and Tract Number 13204 (Sycamore Circle) for Fiscal Year 2010-11.

ACTION: Adopt Resolution No. 2010-3118, accepting the report for sewer pump station maintenance charges for a portion of Tract Number 10523 and Tract Number 13204 for Fiscal Year 2010-11, and setting June 22, 2010 as the date for a Public Hearing.

11. Approval of an agreement with RBF Consulting for the preparation of environmental compliance documentation for the Villa Park General Plan update.

ACTION: Approve the agreement with RBF Consulting for the preparation of environmental compliance documentation for the Villa Park General Plan Update, and authorize the Finance Manager to amend the FY 2009/10 Budget as noted in the staff report.

- 12. Approval of FY 2010-11 recommended level of service and second amendment to the five year agreement for law enforcement services with the Orange County Sheriff-Coroner.**

ACTION: Approve the proposed service levels for Fiscal Year 2010-11, and approve the second amendment to the five year agreement for law enforcement services agreement with the Orange County Sheriff-Coroner.

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

ACTION: Continue this matter until the July 27, 2010 Council Meeting.

- 16. Approval of an agreement with Rutan & Tucker LLP for legal services related to the City's solid waste franchise.**

ACTION: Approve the agreement with Rutan & Tucker LLP.

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 10. Agreement with Winzler & Kelly for professional services related to the Valley Storm Drain Reconstruction Project.**

Mayor MacAloney pulled and recused himself from item 10 as he resides within 300 feet of the project.

It was moved by Councilmember Rheins, seconded by Councilmember Reese and carried by the following roll call vote to authorize the City Manager to execute the Agreement for Consulting Services for the Valley Storm Drain Project, and that the Finance Manager be authorized to amend the FY 2009/10 Budget as noted in the staff report:

AYES: COUNCILMEMBERS: Rheins, Reese, Pauly, Ulmer

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: MacAloney

- 15. Resolution No. 2010-3119, adopting revised Sanitary Sewer Regulations and certifying the completed Villa Park Sewer System Management Plan (SSMP) and Implementation Program, as required by State Water Resources Control Board Order 2006-003-DWQ.**

Councilmember Rheins pulled item 15 noting he felt the item was an indication of the challenge that the City has with being a small City, yet still having to comply with all of the requirements of various federal, state and local regulations.

It was moved by Councilmember Rheins, seconded by Councilmember Reese and carried by the following roll call vote to adopt Resolution No. 2010-3119:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

9. Restructuring of the Investment Advisory Committee (IAC) and reappointment of two committee members.

Mayor Pro Tem Ulmer pulled item 9 because he felt that the item needed clarification to preserve the position of two alternate committee members in addition to the seven committee members.

It was moved by Mayor Pro Tem Ulmer, seconded by Councilmember Rheins and carried by the following roll call vote to approve the expanded structure of the Investment Advisory Committee as stated in the staff report, thereby granting regular voting power to all committee members, with a modification that the two alternate committee member spots be retained; and reappoint Dan Carlberg and William Nelson to the Investment Advisory Committee, for terms both ending January 2012:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

7. Calling, giving notice and requesting consolidation and certain other resolutions necessary for the General Municipal Election on November 2, 2010.

Councilmember Pauly pulled item 7 for the benefit of the public and announced the upcoming general municipal election.

It was moved by Councilmember Pauly, seconded by Councilmember Reese and carried by the following roll call vote to adopt the resolutions as presented in the staff report pertaining to the November 2, 2010, General Municipal Election:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

13. Fiscal Year 2010-11 Priorities and Work Plan.

Councilmember Pauly pulled item 13 to note that she had requested the addition of one item that has to deal with the under grounding of power lines along Santiago Boulevard pursuant to Rule 20A Funds, specifically the utility pole near Wayne's Liquor. She also requested that the work plan include a visual recap of where the City is in its 7 year plan sewer improvement plan.

It was moved by Councilmember Pauly, seconded by Councilmember Reese and carried by the following roll call vote to approve the Fiscal Year 2010-11 Priorities and Work Plan; including the two amendments as requested by Councilmember Pauly:

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

5. Request approval of City Council Minutes of April 27, 2010.

Councilmember Pauly pulled item 5 and noted corrections she would like made in the minutes.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to authorize the City Manager approve the City Council Minutes of April 27, 2010:

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

OLD BUSINESS

17. Resolution 2010-3120, creating a Towne Centre Investment Incentive Program.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to adopt the resolution approving the Towne Centre Investment Incentive Program:

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

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

NEW BUSINESS

18. Consideration of an agreement with Arakelian Enterprises, Inc. dba Athens Services for Street Sweeping Services for FY 2010/11 through 2012/13.

It was moved by Mayor Pro Tem Ulmer, seconded by Councilmember Pauly and carried by the following roll call vote to execute an agreement for street sweeping services with Arakelian Enterprises, Inc. dba Athens Services, in an annual amount not-to-exceed \$35,417.16, for an initial three year term with two additional three year extensions at the discretion of the City Manager, and authorize the Mayor and City Clerk to execute on behalf of the City:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

MAYOR AND COUNCILMEMBER MATTERS

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

Councilmember Pauly reported that the Towne Centre Opportunity Study meeting on June 10th may be postponed due to the consultant's health issue and informed people to stay tuned. She also reported on the Serrano Water District meeting and informed Council that the District is organizing a tour in July for all of the City Council members.

Councilmember Reese reported on the April 28th Sanitation District meeting and the May 13th City/Schools Committee meeting.

Councilmember Rheins reported on the water summit meeting, the League of California Cities meeting, the infrastructure summit, and the Vector Control meeting.

Mayor Pro Tem Ulmer reported on the Finance Committee regarding the FY 2010-2011 Budget.

Mayor MacAloney reported on the Budget and Finance Committee meeting, the Towne Centre Opportunity Study meeting, Meet the Mayor, Chinese banquet for students graduating at the top of their class, the VPHS Car Show, the girl scout meeting in the City of Orange, and the VP Annual Picnic.

20. Resolution in Support of Arizona Senate Bill 1070.

Councilmember Pauly had agendized a discussion regarding this issue. After discussion among the Council and input from Villa Park residents, the City Council took no action on this matter.

CITY MANAGER'S REPORT - None

ADJOURNMENT

The City Council adjourned at 9:23 p.m. to a Budget Study Session on Monday, June 7, 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.