

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

JULY 27, 2010

GENERAL SESSION

7:00 p.m. – City Council Chambers and through teleconference at:
18241 Pamela Place, Villa Park, California.

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 – Led by Villa Park Daisy Girl Scouts Troop 1312

Mayor MacAloney started the meeting by announcing that Mayor Pro Tem Ulmer has withdrawn Item 15 from consideration, and that he wants to keep tonight's meeting focused in a positive direction.

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Villa Park Daisy Girl Scouts Troop 1312
- Friends of the Villa Park Library update – Yatri Shukla
- Villa Park Community Services Foundation update – Jill Kuli
- Orange County Fire Authority update
- Law enforcement update - Chief of Police Services Lt. Bob Wren

ORAL COMMUNICATIONS

Jim Warden, 10021 Sycamore Street, commended the Council for removing Item 15 from the agenda. Further, Mr. Warden spoke on Council's recent decision to not take a stance on Arizona's Immigration Law SB 1070.

Janice Bjorklund, 9342 Hunting Circle, spoke on the recent controversy over the salaries of several city officials in the City of Bell, and requested that the salaries of Villa

Park employees who make over \$100,000 and the salaries of Councilmembers be made clear to the residents of Villa Park.

Teri Elmendorf, 10291 Camden Circle, spoke in opposition to Item 9.

Steve Stern, 18231 Sharon Lane, announced that the Villa Park Rotary set up a program in January 2009 that offers property maintenance assistance to homeowners in need and requested that the Council identify properties in need of assistance.

Mark Lewis, 9771 Center Drive, stated that in the future he hopes that Councilmembers will be able to speak their opinions without fear of retribution.

John Anderson, Mayor of the City of Yorba Linda, thanked Councilmember Pauly for attending Yorba Linda's Council meeting in which they considered the proclamation in support of Arizona's Immigration Law SB 1070.

Patricia Buttress, Southern California Edison, presented an update on SCE's Villa Park Substation Landscape Project.

PUBLIC HEARINGS

- 1. Resolution No. 2010-3117 establishing a master fee schedule for the services rendered by City departments and rescinding Resolution No. 2009-3082 and consideration of liability insurance for community room use (continued from May 25, 2010).**

City Manager Sassoon presented the staff report.

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

Councilmember Pauly expressed a couple concerns with the resolution and insurance requirements. She stated the Women's League and Foundation often host events in which alcohol will be served and wanted to make sure these requirements will not burden them.

In response, City Manager Sassoon stated requiring insurance would impose a minor burden on these groups, but the insurance could simply be purchased through the City's broker at the counter. As for the Foundation, they would be covered under their current policy the City recently purchased for them.

Under Section 2 of the Resolution, Councilmember Pauly expressed concern with the \$25 per hour research fee.

In response, City Manager Sassoon mentioned this language pre-dates her and that she was unclear what the fee was. However, this research fee would not be charged for documents relating to the Public Records Act.

Councilmember Pauly recommended that the resolution be amended and that the \$25 research fee be removed.

It was moved by Councilmember Rheins, seconded by Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2010-3117 as amended by Councilmember Pauly:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

CONSENT CALENDAR (ITEMS # 2-11)

Mayor Pro Tem Ulmer pulled item 9.

Councilmember Pauly pulled items 2, 6, 8, and 10.

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, Pauly, Rheins, MacAloney

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

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

ACTION: Receive and file.

4. Request approval of City Council Minutes of June 22, 2010, and June 29, 2010.

ACTION: Approve.

- 5. Ordinance No. 2010-553, an Ordinance of the City Council of the City of Villa Park approving and adopting the report for sewer pump station maintenance charges for a portion of tract number 10523 and tract number 13204 for Fiscal Year 2010-2011, prescribing and levying charges, and providing for collection of charges on the Tax Roll.**

ACTION: Approve a second reading and adopt Ordinance No. 2010-553.

7. Notices of Completion.

- a) 2009-2010 Sewer Rehabilitation Project
- b) 2009-2010 Street Rehabilitation Project
- c) Santiago Blvd. and Lemon St. ARRA Pavement Rehabilitation Project
- d) Santiago Boulevard/Towne Centre Entrance Improvement Project

ACTION: Accept the projects and authorize the City Clerk to file the Notices of Completion.

11. Crossing Guard at Villa Park Elementary School.

ACTION: Direct staff to discontinue the crossing guard at Villa Park Elementary, pending additional feedback from school personnel and parents following the start of the school year.

ITEMS REMOVED FROM THE CONSENT CALENDAR

9. Resolution No. 2010-3130 confirming nuisance abatement/special assessment amounts against various properties.

Mayor Pro Tem Ulmer pulled the item in light of the comments heard at the beginning of the meeting from Steve Stern on behalf of the Rotary.

City Manager Sassoon stated she believes the Rotary's program is a wonderful idea and that the City should take a role in facilitating it; however, this resolution is a separate issue. The resolution authorizes the amounts of the assessment liens to be placed on the tax roll for the collection of unpaid citations. For the purposes of fairness and equity, Council should pick and chose who to lien, though this is ultimately a policy decision on how Council wishes to proceed with the collection of unpaid citations.

City Attorney Litfin further clarified that the issue before Council it to determine whether or not they want to lien the properties listed in the resolution.

City Council discussion ensued regarding the liens, the history of the properties in question, and the City's code enforcement processes.

It was moved by Councilmember Pauly, seconded by Mayor MacAloney and carried by the following roll call vote to adopt Resolution No. 2010-3130:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

2. Warrants and disbursements from June 15, 2010, to July 9, 2010.

Councilmember Pauly pulled this item and requested that the City start to track its water usage and billing rates to analyze how successful the City's water conservation techniques are working.

It was moved by Councilmember Pauly, seconded by Councilmember Reese and carried by the following roll call vote to approve warrants and disbursements in the amount of \$222,567.58:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

6. Designation of voting delegate for the 2010 League of California Cities Annual Conference – September 15-17, 2010.

Councilmember Pauly pulled this item questioning the fiscal impact of Councilmember Rheins' travel to the conference.

Mayor MacAloney questioned who made the decision to name Councilmember Rheins as the voting delegate.

In response, City Manager Sassoon stated Councilmember Rheins was the only Councilmember who registered for the conference, and per Council's policy each Councilmember can elect which training they want to attend as long as it is within their budget. The fiscal impact is estimated to be between \$1,000-1,200.

It was moved by Councilmember Reese, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to adopt Resolution No. 2010-3131:

AYES: COUNCILMEMBERS: Reese, Ulmer, Rheins

NOES: COUNCILMEMBERS: Pauly, MacAloney

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

8. Authorization to advertise for construction bids for the Taft Avenue Improvement Project.

Councilmember Pauly pulled this item asking the City to rethink the idea of planting more Pine trees in the new Taft Avenue medians, and mentioned she would like the City's engineering firm to stay within what they say they are going to spend in relation to their construction management fee.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to authorize the City Engineer and the City Clerk to advertise for construction bids:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

10. Update regarding public nuisance at 19051 Ridgeview Road.

Councilmember Pauly pulled this item questioning where the City stands legally with regards to abating the nuisance.

In response, City Attorney Litfin explained the City entered into a Memorandum of Understanding in which the homeowner agreed to landscape his portion of the property. At this time, the homeowner has not complied and the City is at the point where we may need to force him to do so.

In an effort to give the homeowner time to respond to the 30 day notice, City Manager Sassoon recommended continuing this item for one month.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to continue this item to the August 24, 2010, City Council meeting:

AYES: COUNCILMEMBERS: Pauly, Ulmer, Reese, MacAloney

NOES: COUNCILMEMBERS: Rheins

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

NEW BUSINESS

12. Adoption of the Towne Centre Opportunity Study Implementation Plan, and approval of an agreement with Hogle-Ireland, Inc. to prepare revisions to the municipal Code regarding signs.

City Manager Sassoon presented the staff report and Consultant Bill Kelly gave a PowerPoint presentation regarding the Towne Centre Opportunity Study.

It was moved by Councilmember Reese, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to adopt the Towne Centre Opportunity Study Implementation Plan, and authorize the Mayor to execute an agreement with Hogle-Ireland, Inc. to prepare revisions to the Municipal Code regarding signs:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

13. Report regarding community survey and discussions regarding community center and/or park concepts.

City Manager Sassoon presented the staff report.

It was moved by Mayor Pro Tem Ulmer, seconded by Councilmember Reese and carried by the following roll call vote to receive and file the report:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

OLD BUSINESS

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

City Manager Sassoon presented the staff report and summarized a letter from the agent of the property owner reiterating that the short sale is imminent. The letter also requested a one month extension to allow for the short sale.

City Council discussion ensued regarding their options for the abatement of the nuisance.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to accept the Community Development Committee's recommendation to proceed with the first option listed in Resolution No. 2009-3100, which is the demolition of all improvements, and to authorize the City Manager and City Attorney to take all actions necessary.

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

MAYOR AND COUNCILMEMBER MATTERS

15. Removal of Councilmember Pauly from Council Committees (Requested by Mayor Pro Tem Ulmer).

This item was removed at the request of Mayor Pro Tem Ulmer.

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

Councilmember Rheins reported on the Orange County Division City Selections Committee meeting.

Mayor Pro Tem Ulmer congratulated Nicole Applebaum for receiving the Villa Park High School Spartan of the Year Award.

Councilmember Pauly reported on the Serrano Water District meeting.

Councilmember Reese reported on the Sanitation District and Orange County Fire Authority board meetings.

Mayor MacAloney reported on the Town Hall meeting, the Community Development Committee meeting, and the CJPIA board meeting.

CITY MANAGER'S REPORT

None

ADJOURNMENT

The City Council adjourned at 9:58 p.m. to August 24, 2010.

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.