

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

AUGUST 24, 2010

<p>GENERAL SESSION 7:00 p.m. – City Council Chambers</p>

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 Councilmember Rheins

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Villa Park Community Services Foundation update – Carol Stone
- Friends of the Villa Park Library update – Bob Bell
- Orange County Fire Authority update

ORAL COMMUNICATIONS

Karen Holthe, 18975 Mesa Drive, on behalf of the HoHo Club, spoke in opposition to the community room rental fee increase.

Jeanine Kelleher, Treasurer of the Hallmark (HoHo) Club and resident of Santa Ana, spoke in opposition to the community room rental fee increase.

Chris Schaefer, Alzheimer's Association of Orange County, invited the City Council to participate in two upcoming Memory Walks and provided information on Alzheimer's disease.

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

PUBLIC HEARINGS

- 1. Conditional Use Permit No. 0703, a request to exceed the maximum floor area ratio of 40% by 8.3%, for the remodel of and addition to an existing single-family residence. Location: 10581 Cedarhill Circle. Applicants: Michael & Margaret Reta.**

City Manager Sassoon presented the staff report.

Mayor MacAloney opened the public hearing.

Michael Reta, applicant, spoke in favor of the project.

With no one else wishing to speak, 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 adopt Resolution No. 2010-3132, approving Conditional Use Permit No. 0703:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

CONSENT CALENDAR (ITEMS # 2-12)

Mayor MacAloney abstained from voting on Item 5, the Valley Storm Drain Project, as the project is located within 500 feet of his residence.

Councilmember Reese pulled item 11.

Mayor Pro Tem Ulmer pulled items 8 and 9.

Councilmember Pauly pulled items 6 and 10.

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

AYES: COUNCILMEMBERS: Ulmer, Rheins, Pauly, Reese, MacAloney
(MacAloney Abstained on item 5)

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

2. Warrants and disbursements from July 10, 2010, through August 13, 2010.

ACTION: Approve warrants and disbursements in the amount of \$757,992.54.

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

ACTION: Receive and file.

4. Request approval of City Council Minutes of July 27, 2010.

ACTION: Approve.

5. Authorization to advertise for construction bids for the Valley Storm Drain Reconstruction Project.

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

7. Consideration of Street Improvement Easement – 17732 Serrano Avenue (APN 372-221-08).

ACTION: Approve the Certificate of Acceptance and authorize the Mayor to execute on behalf of the City of Villa Park, and accept the Easement Deed at 17732 Serrano Avenue (APN 372-221-08) and authorize the City Clerk to record.

12. Update regarding public nuisance at 19051 Ridgeview Road (Continued from July 27, 2010).

ACTION: Continue the matter until the September 28, 2010 Council meeting.

ITEMS REMOVED FROM THE CONSENT CALENDAR

6. Taft Avenue Median Improvement Project award of contract, and authorization of an agreement with Winzler and Kelly for construction management services.

Councilmember Pauly pulled this item noting she was glad to see that the pine trees were replaced with willow trees. Additionally, she questioned the amount of Winzler and Kelly's construction management fee.

In response, City Manager Sassoon stated the \$48,900 is a fixed-fee that also includes costs associated with the Federal Highway Administration (FHWA) audit. This is the first time the City has been audited by the FHWA who is conducting audits to ensure that agencies receiving ARRA funds adhere to all Federal-aid highway program requirements.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to award the contract in the amount of \$357,966.49, with a 5% contingency of \$17,898, for a total of \$375,864.49, to KASA Construction, and authorize the Mayor and City Clerk to execute on behalf of the City; and authorize an agreement with Winzler and Kelly in an amount not to exceed \$48,900 for construction management:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

8. Claims Against the City.

1. Rich Roggenkamp
2. Charles Niemann
3. Toki Nitta

Mayor Pro Tem Ulmer pulled this item questioning why background information regarding each claim is not provided.

In response, City Manager Sassoon stated the information is not provided at the recommendation of the City Attorney, the California Joint Powers Insurance Authority, and Carl Warren and Company. Information regarding claims should remain confidential due to the possibility of litigation. However, should Council wish to receive more information it could be presented in closed session.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to deny claims for damages and direct the City Manager or designee to send a standard letter of rejection to the claimants:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

9. Adjustment to the community room rental fees.

Mayor Pro Tem Ulmer pulled this item in light of the comments heard during Oral Communications.

Extensive City Council discussion ensued regarding community room rental fees, the possibility of renting out the newly painted conference room to smaller organizations, the definition of a non-profit organization, and possible solutions to accommodate the City's long time renters of the community room.

City Manager Sassoon suggested that if the Council would like to accommodate groups like the HoHo Club that are not non-profit 501(c)3 corporations but have a charitable purpose, the resolution could be amended to amend the definition of a non-profit organization to include other organizations with a charitable purpose.

Based on the discussion, it was the consensus of the City Council to adopt the Resolution with the amendment stated by the City Manager, and to also refer the matter to the Community Development Committee. Further, the City Council decided that if a group has pre-paid for its community room use prior to the recent adoption of the new fees, they should not be required to pay for the difference.

It was moved by Councilmember Rheins, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to adopt Resolution No. 2010-3133 to include the amended language broadening the definition of a non-profit organization, and refer the matter to the Community Development Committee:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

10. Resolution in support of the John Wayne Airport Corridor Cities Coalition and position statement.

Councilmember Pauly pulled this item to allow Mike Henn, Mayor Pro Tem for the City of Newport Beach, to speak on this matter.

Newport Beach Mayor Pro Tem Henn provided comments in favor of the Corridor Cities Coalition and requested Villa Park's support.

It was moved by Councilmember Rheins, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to adopt Resolution No. 2010-3134:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

11. Authorization to purchase a wall mounted robotic camera system from VMI, Inc. for VPTV operations.

Councilmember Reese pulled this item questioning if the City solicited for competitive bids.

In response, contract engineer Eraj Shadaram stated he shopped around and opted to go with VMI, Inc. as they are a local Orange County company and offer onsite support should it be required. Further, Mr. Shadaram stated he has worked with VMI, Inc. in the past and they are a very reputable company in the production industry.

City Council discussion ensued regarding VPTV operations and the proposed wall mounted robotic camera system.

It was moved by Councilmember Rheins, seconded by Councilmember Reese and carried by a unanimous voice vote to direct staff to solicit competitive quotations for the installation of a robotic camera system, and bring back at the September 28, 2010 City Council meeting.

NEW BUSINESS

13. Organization of the City's 50th Birthday Celebration.

City Manager Sassoon presented the staff report.

Mayor Pro Tem Ulmer suggested that Council integrate some type of rotation on the 50th Birthday Celebration Committee so they all have a chance to participate.

Councilmember Pauly requested that an item be agendaized for the September 28, 2010 City Council meeting regarding the public use of the City seal, specifically requesting that Rockwell's Bakery create a 50th Anniversary cupcake.

It was moved by Councilmember Reese, seconded by Councilmember Rheins and carried by the following roll call vote to agree to have the Foundation lead the 50th Birthday Celebration Committee, with Mr. Doug Bender as Chair, and appoint Mayor Pro Tem Ulmer as the City Council's representative to the Committee, and to direct the City Manager to develop a schedule for monthly Councilmember rotation:

AYES: COUNCILMEMBERS: Reese, Rheins, Pauly, MacAloney

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Ulmer

MAYOR AND COUNCILMEMBER MATTERS

14(a). Resolution opposing the construction of the California High Speed Rail Project (Requested by Councilmember Pauly).

Councilmember Pauly had agendaized a discussion regarding this issue. After discussion by the Council, the City Council took no action on this matter.

It was moved by Councilmember Pauly to adopt Resolution 2010-3135 opposing the construction of the California High Speed Rail Project. With no second, the motion failed.

14(b). Crossing Guard at Villa Park Elementary School (Requested by Councilmember Pauly).

Councilmember Pauly had agendaized a discussion regarding this issue. After discussion among the Council, the City Council continued the item to the September 28, 2010 meeting to further evaluate based on feedback after the first couple weeks of school, and directed the City Manager to work with the Orange Unified School District, the City/Schools Committee, and Villa Park Elementary to educate parents on traffic safety and explore options regarding the use of volunteers.

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

Councilmember Pauly reported on a Towne Centre Stakeholders meeting as well as invited the public to a flag ceremony at City Hall presented by the Patriot Guard Riders on September 15, 2010 at 6 PM.

Councilmember Reese reported on an Orange County Sanitation District board meeting.

Mayor Pro Tem Ulmer reported on a League Advocacy Committee meeting.

Mayor MacAloney reported on a Foundation board meeting, a Serrano Water District meeting, a Town hall meeting, and a Budget and Finance Committee meeting.

CITY MANAGER'S REPORT - None

ADJOURNMENT

The City Council adjourned at 9:51 p.m. to September 28, 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.