

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

December 13, 2011
Adjourned Regular Meeting

GENERAL SESSION

7:00 p.m. – City Council Chambers/Conference Room

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

COUNCILMEMBERS

PRESENT: Fauteux, Pauly, MacAloney, Reese, Ulmer

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG – Led by Justin Dorn, Orange County Sheriffs Department Academy Cadet

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- St. Joseph Hospital of Orange
- YMCA of Orange Indian Princess & Guides Program - Annual Indian 500 Pine Wood Derby Race
- Villa Park Community Services Foundation update
- Orange County Fire Authority update
- Law Enforcement update - Chief of Police Services Lt. Bob Wren
- State of the City – Mayor Ulmer

ORAL COMMUNICATIONS

Jim Warden, 10021 Sycamore Street, addressed Council asking them to remember that when spending the money that it takes to run the City, it comes from the Villa Park residents as well as the citizens of Orange County, California and United States.

James Brown, Villa Park resident, addressed the City Council regarding the operation of the City.

Bob Collacott, 9602 Featherhill Drive, addressed the City Council regarding the school traffic around Serrano Elementary and Cerro Villa Middle School.

Mike Wesner, 17841 Bishop Circle, spoke in opposition to the proposed employee salary and benefits plan.

Roberta Mahler, Villa Park resident, spoke in opposition to the proposed employee salary and benefits plan.

CONSENT CALENDAR (ITEMS # 1-9)

Councilmember Fauteux pulled item 7.

Councilmember Pauly pulled items 4, 6, 8 and 9.

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

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

1. **Warrants and disbursements from November 8 through December 7, 2011.**

ACTION: Approve warrants and disbursements in the amount of \$434,484.28.

2. **Financial Treasurer's Report for the month of October.**

ACTION: Receive and file.

3. **Request approval of City Council minutes of November 15, 2011.**

ACTION: Approve.

5. **Second Reading of Ordinance No. 2011-565, an Ordinance of the City Council of the City of Villa Park instituting a Master Parking and Traffic Resolution, amending Article 19-1, and deleting Articles 19-2, 19-3, 19-5, 19-8, 19-9, 19-12 and 19-16 of the Villa Park Municipal Code.**

ACTION: Approve a second reading and adopt Ordinance No. 2011-565.

ITEMS PULLED FROM THE CONSENT CALENDAR

4. **Second Reading of Ordinance No. 2011-563, an Ordinance of the City Council of the City of Villa Park amending Section 23-16.7 of the Villa Park Municipal Code limiting the size and placement of temporary signage in residential and commercial zones.**

Councilmember Pauly pulled this item stating the ordinance is not enforceable and impinging upon First Amendment rights.

Jim Warden, 10021 Sycamore Street, questioned how the ordinance will be enforced.

City Manager Sassoon directed the audience to page 2 of the staff report which outlines how staff plans to enforce the ordinance.

James Borwn, Villa Park resident, spoke in opposition to the ordinance.

City Council discussion ensued.

Bob Collacott, 9602 Featherhill Drive, questioned how much it has cost the City for the City Attorney to prepare the ordinance.

City Attorney Litfin responded that it costs nothing. It was prepared under the monthly retainer.

It was moved by Councilmember Fauteux, seconded by Councilmember MacAloney and carried by the following roll call vote to approve a second reading and adopt Ordinance No. 2011-563:

AYES: COUNCILMEMBERS: Fauteux, MacAloney, Reese

NOES: COUNCILMEMBERS: Pauly, Ulmer

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

6. **Measure M2 2010-2011 Annual Report.**

Councilmember Pauly pulled this item pointing out that we are required to prepare an annual report even though we did not receive or spend Measure M2 monies. She further noted that the City only received \$53,256 in Measure M funds this year, and that the money is drying up.

It was moved by Councilmember MacAloney, seconded by Mayor Pro Tem Reese and carried by the following roll call vote to adopt Resolution No. 2011-3173 approving the annual Measure M2 Expenditure Report:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

7. Scheduling a Town Hall meeting for January 31 to discuss the proposed salary plan for City employees and other items of interest.

Councilmember Fauteux pulled this item questioning if there are additional items to add to the agenda. Further, he objected to the meeting as the plan is merely a set of guidelines and not a commitment.

James Brown, Villa Park resident, suggested adding the reduction of employee salaries to the Town Hall agenda.

Jim Warden, 10021 Sycamore Street, presented Council with a petition for conservative governance and spoke in favor of the Town Hall meeting.

Roberta Mahler, Villa Park resident, stated she was more confused about and sought clarification regarding the salary and benefits plan.

City Council discussion ensued.

Donna Buxton, 9512 Dodson Way, spoke in opposition to the salary and benefits plan and was in favor of a Town Hall meeting.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Reese and carried by the following roll call vote to set the Town Hall meeting for Tuesday, January 31, 2012, at 7:00 p.m.:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

8. Resolution No. 2011-3174 – A Resolution of the City Council of the City of Villa Park amending the City Council Policy Manual regarding notification to residents of proposed changes to the Master Parking and Traffic Resolution.

Councilmember Pauly pulled this item seeking to define the term affected resident in the notification policy.

City Manager Sassoon stated that each situation is very different so it is difficult to define the term affected resident, but staff would over estimate and err on the side of caution.

It was moved by Mayor Pro Tem Reese, seconded by Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2011-3174:

AYES: COUNCILMEMBERS: Reese, Pauly, Fauteux, Ulmer

NOES: COUNCILMEMBERS: MacAloney

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

9. Ratification of the action to remove the special assessment lien on 17771 Santiago Boulevard, in the amount of \$7,171.02.

Councilmember Pauly pulled this item stating in August Council voted 4-1 to place the special assessment to the property, and at that time she questioned the appropriateness of assessing the property owner and not the tenant. Further, she suggested implementing a property owner notification policy regarding citations in the Towne Centre.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Reese and carried by the following roll call vote to ratify staff's action to remove the special assessment lien on 17771 Santiago Boulevard, in the amount of \$7,171.02:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

NEW BUSINESS

10. Award of Contract – City Hall Façade Demolition and Construction Project.

City Manager Sassoon presented the staff report.

City Council discussion ensued.

The following individuals spoke in opposition to the project:

- James Brown, Villa Park resident
- Jim Warden, 10021 Sycamore Street
- Teri Elmendorf, 10291 Camden Circle
- Donna Buxton, 9512 Dodson Way
- Roberta Mahler, Villa Park resident

It was moved by Councilmember Fauteux, seconded by Mayor Ulmer and carried by the following roll call vote to award the contract to Falcon Builders, Inc., in the amount of \$272,400, including the alternative bid for steel trellis, and authorize the Mayor and City Clerk to execute on behalf of the City; and authorize the City Manager to approve contract change orders up to 20% of the original contract amount:

AYES: COUNCILMEMBERS: Fauteux, Ulmer, Reese

NOES: COUNCILMEMBERS: MacAloney, Pauly

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

MAYOR AND COUNCILMEMBER MATTERS

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

Councilmember Pauly reported on the Serrano Water District Board meeting, requested an update assessment on VPTV at the January meeting, and questioned how much it was costing the City to comply with the Single Audit Report.

Mayor Pro Tem Reese reported on the Orange County Sanitation District and Orange County Fire Authority Board meetings.

Councilmember Fauteux reported on the Orange Unified School District Board meeting, Orange County Vector Control District Board meeting, and the American Cancer Society Relay for Life Race to be held in the City next June.

Councilmember MacAloney reported on the boat parade.

Mayor Ulmer reported on the 50th Anniversary Committee meetings and Santa Tour held earlier this month.

12. Election of Mayor and Mayor Pro Tem by the City Council.

City Clerk Hildenbrand presented the staff report and declared the offices of Mayor and Mayor Pro Tem vacant.

Councilmember Ulmer nominated Councilmember Reese for the position of Mayor. Councilmember MacAloney seconded this nomination.

With no further nominations, Councilmember Reese was appointed Mayor by the following roll call vote:

AYES: COUNCILMEMBERS: Ulmer, MacAloney, Fauteux, Reese

NOES: COUNCILMEMBERS: Pauly

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

Mayor Reese provided briefs remarks and opened nominations for the office of Mayor Pro Tem.

Councilmember Fauteux nominated Councilmember MacAloney for the position of Mayor Pro Tem. Councilmember Ulmer seconded this nomination.

With no further nominations, Councilmember MacAloney was appointed Mayor Pro Tem by the following roll call vote:

AYES: COUNCILMEMBERS: Fauteux, Ulmer, MacAloney, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Pauly

13. Appointment of the City's designated representative to the Vector Control Board.

City Attorney Todd Litfin presented the staff report.

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Ulmer and carried by the following roll call vote to appoint Councilmember Fauteux to a two-year term as the City's representative to the Orange County Vector Control District:

AYES: COUNCILMEMBERS: MacAloney, Ulmer, Pauly, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Fauteux

For the record, Councilmember Fauteux recused himself from the vote and left the Council Chambers.

CITY MANAGER'S REPORT

ADJOURNMENT

The City Council adjourned at 10:34 p.m. to an Adjourned Regular Meeting on Monday, January 16, 2012, at 5:00 p.m. when Council will hold the Golden Anniversary Council Meeting and begin the 50th anniversary celebration.

ATTEST:

Brad Reese, Mayor
City of Villa Park

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.