

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

**April 24, 2012
Regular Meeting**

CLOSED SESSION

5:30 p.m. – City Council Chambers/Conference Room

ROLL CALL - Mayor Reese called the Closed Session to order at 5:30 p.m.

COUNCILMEMBERS

PRESENT: Barnett, Pauly, Ulmer, MacAloney, Reese

ABSENT: None

- 1. Public Employee Performance Evaluation. Closed Session pursuant to per Govt. Code Section 54957 (b) relating to appointment, employment, evaluation of performance for public employee: City Manager.**

GENERAL SESSION

7:00 p.m. – City Council Chambers

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

COUNCILMEMBERS

PRESENT: Barnett, Pauly, Ulmer, MacAloney, Reese

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG – led by Mayor Pro Tem MacAloney

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

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

- Villa Park Community Services Foundation update
- Friends of the Villa Park Library update
- Orange County Fire Authority update
- Orange County Sheriff's Department update, presentation to Deputy David Perez in recognition of his dedicated service to Villa Park, and introduction of School Resource Officer Melanie Cooper

ORAL COMMUNICATIONS

Jim Warden, Villa Park resident, welcomed Councilmember Barnett and requested that Council provide feedback from the Town Hall Meeting in January.

Mayor Reese gave a congratulatory announcement in regards to the GFOA Awards.

PUBLIC HEARINGS

2. **Consideration of Conditional Use Permit No. 0717, a request to allow a detached garage in excess of twelve feet in height with a garage door exceeding eight feet in height; Conditional Use Permit No. 0718, a request to allow the construction of a detached four-vehicle garage; and Variance No. 0720, a request to allow a seventeen foot, six inch high detached garage exceeding the fifteen foot height limit at 10161 Lemon Street. Applicant: Ronald and Rhonda Farnam.**

Planning Director Jennifer Lilley presented the staff report.

Mayor Reese opened the public hearing.

Kerry and Kim Robinson, Villa Park residents residing at 18411 Santiago, opposed the project as proposed. The two areas of concern include the impact the garage could have visually given its seventeen foot height with a ten foot setback and the drainage being contained on the applicant's property.

Ron and Rhonda Farnam, applicants, spoke in favor of their project.

Mayor Reese closed the public hearing.

City Council discussion ensued and approval was given contingent upon Mr. Robinson and Mr. Farnam coming to mutual agreement to address the potential impacts of the building on Mr. Robinson's property.

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2012-3190, a Resolution of

the City Council of the City of Villa Park approving Conditional Use Permit No. 0717, Conditional Use Permit No. 0718 and Variance No. 0720:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

3. Consideration of Conditional Use Permit No. 0721, a request to allow the construction of a six-vehicle garage with a garage door exceeding eight feet in height; Conditional Use Permit No. 0722, a request to allow the overall height of a new home to be an average of twenty-seven feet at 18691 Cerro Villa Drive. Applicant: David Sanderson.

Planning Director Jennifer Lilley presented the staff report.

Mayor Reese opened the public hearing.

David Sanderson, applicant, spoke in favor of the project.

Mayor Reese closed the public hearing.

It was moved by Councilmember Pauly, seconded by Mayor Reese and carried by the following roll call vote to adopt Resolution No. 2012-3192, a Resolution of the City Council of the City of Villa Park approving Conditional Use Permit No. 0721 and Conditional Use Permit No. 0722.

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

CONSENT CALENDAR (ITEMS # 5-11)

Councilmember Pauly pulled items 7 and 11.

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

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

4. Warrants and disbursements from March 10 through April 16, 2012.

ACTION: Approve warrants and disbursements in the amount of \$339,221.33.

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

ACTION: Receive and file.

6. Request approval of City Council minutes of February 28, 2012, March 13, 2012, and March 27, 2012.

ACTION: Approve.

8. Second reading of Ordinance No. 2012-569, an Ordinance of the City Council of the City of Villa Park pertaining to interim appointments to vacant Council positions pending an election to fill the remaining term of the Council position.

ACTION: Approve a second reading and adopt Ordinance No. 2012-569.

9. Resolution No. 2012-3191 – a Resolution of the City Council of the City of Villa Park authorizing an application for funds for the Environmental Cleanup, Tier 1 Grant Program under the Orange County Local transportation Ordinance No. 3 for the Catch Basin Debris Screen Installation Project.

ACTION: Adopt Resolution No. 2012-3191.

10. Approval of a Consultant Services Agreement with CivilSource, Inc. for the upgrade to the Sewer Master Plan and professional services relative to the 2011-12 Sewer Repair Project.

ACTION: Authorize the Mayor to execute the Consultant Services Agreement with CivilSource, Inc. to provide engineering services for the update of the Sewer Master Plan, and to provide for the preparation of plans, specifications and

estimates (PS&E) for the FY 2011-12 Sewer Repair Project as well as to provide the Construction Management and Inspection services for the project.

12. Lemon Street Recreational Trail Santiago to Valley Grant Reimbursement.

ACTION: Authorize the Finance Director to amend the budget based on the amounts summarized in the staff report.

13. Approval of an agreement with Empire Pipe Cleaning and Equipment for Sanitary Sewer CCTV Inspection Services and Condition Assessment.

ACTION: Authorize the Mayor to execute a Services Agreement with Empire Pipe Cleaning and Equipment, Inc. for \$117,400 for assessing the City-owned sanitary sewer pipelines conditions by closed circuit television (CCTV).

14. State Local Partnership Program Grant.

ACTION: Authorize Staff to submit to OCTA a prioritized list of street rehabilitation projects to be funded by the State-Local Partnership Program Formula Grant.

15. Consideration of Agreement with Orange County Animal Care Services for FY 2012-13.

ACTION: Approve of the Agreement between the City and OC Animal Care Services for Fiscal Year 2012-13 and authorize the City Manager to execute said Agreement.

ITEMS REMOVED FROM THE CONSENT CALENDAR

7. Second Reading of Ordinance No. 2012-567, an Ordinance of the City Council of the City of Villa Park, amending Article 23-5 and Sections 23-6.2 and 23-6.3 of the Villa Park Municipal Code relating to transitional housing, supportive housing and emergency shelters in residential zones.

Councilmember Pauly pulled this item noting her opposition to the Ordinance.

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Ulmer and was passed by the following roll call vote to approve a second reading and adopt Ordinance No. 2012-567:

AYES: COUNCILMEMBERS: MacAloney, Ulmer, Barnett, Reese

NOES: COUNCILMEMBERS: Pauly

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

11. Approval of Change Order No. 1 for the FY 11/12 Street Rehabilitation Project.

Councilmember Pauly pulled this item and questioned if the City Engineer was going to provide his street rehabilitation briefing.

Interim City Manager Powell mentioned the briefing would be provided during the Villa Park Team Report.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem MacAloney and was carried by the following roll call vote to authorize the City Manager to execute Change Order No. 1 for the "FY 11/12 Street Rehabilitation Project" in an amount not to exceed \$40,000; and authorize the Finance Director to prepare the budget adjustment noted in the staff report:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

NEW BUSINESS

16. Direction to staff regarding a City Manager Employment Agreement.

Interim City Manager Don Powell presented the staff report.

Management Analyst Ryan Smoot read the proposed terms of the agreement.

City Council discussion ensued.

Wayne Silzel, Villa Park resident and former Mayor, addressed Council regarding the position, the City Manager's Association, and provided a recommendation as to how to hire and negotiate for the position.

Jim Warden, Villa Park resident, addressed Council regarding the position, ultimately supporting the selection of Jarad Hildenbrand for City Manager.

Bob Collacott, Villa Park resident, addressed Council regarding the position.

Further City Council discussion ensued leading to Council reconvening to closed session pursuant to per Govt. Code Section 54957 (b) relating to appointment, employment, evaluation of performance for public employee: City Manager.

Assistant City Attorney Megan Garibaldi reported the City Council reconvened from closed session with no reportable action.

City Council discussion ensued and the following terms were proposed to Jarad Hildenbrand for the position of City Manager:

1. Salary: \$100,000 to start \$110,000 in six months and \$120,000 in eighteen months from the date of the contract. Automatic increases unless stopped by 4/5 Council vote.
2. Benefits: \$31,000 for medical/dental/PERS; \$33,000 in six months and \$36,000 in one year.
3. Three year contract—severance would be remaining balance on contract at time of termination with a minimum severance of six months pay off.
4. One time education loan for his Masters Degree of \$10,000, due and payable if he stays less than four years; after four years loan is 100% forgiven.
5. Immediate payoff of his present vacation and sick leave balance at his current rate as Assistant City Manager.

Jarad Hildenbrand accepted the proposed terms.

It was moved by Mayor Pro Tem MacAloney, seconded by Mayor Reese and carried by the following roll call vote to direct the Interim City Manager and City Attorney to draft a contract for employment of the position of City Manager between the City of Villa Park and Mr. Jarad Hildenbrand based on the agreed upon terms and conditions of employment, and authorize the Mayor to execute that agreement effective July 1, 2012:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

MAYOR AND COUNCILMEMBER MATTERS

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

Councilmember Pauly reported on the Grand Opening of Mexi Grill as well as the Orange County Taxpayers Association. She also discussed the Orange Unified School District City School Committee.

Mayor Reese reported that school traffic has improved and also provided information regarding the Orange County Sanitation District.

Mayor Pro Tem MacAloney reported on the Orange County Vector Control meeting as well as the Medal of Valor Ceremony.

Councilmember Ulmer reported on Friends of the Villa Park Library, the Villa Park Union Bank Run, the Villa Park Family Picnic, the Summer Concertfest, the Budget and Finance Committee, the Investment Advisory Committee, and ended with discussion regarding Villa Park Community Services Foundation fundraising.

18. Resolution No. 2012-3189 – a Resolution of the City Council of the city of Villa Park designating and appointing its Alternate Representative to the Orange County Fire Authority’s Board of Directors.

It was moved by Mayor Reese, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2012-3189 appointing Councilmember Barnett as the City’s Alternate Representative to the Orange County Fire Authority Board:

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

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

19. Appointment of an Alternate Member to the Budget & Finance Committee.

It was moved by Councilmember Ulmer, seconded by Mayor Reese, and carried by the following roll call vote to appoint Councilmember Barnett as the Alternate Member to the Budget & Finance Committee:

AYES: COUNCILMEMBERS: Ulmer, Reese, Barnett, Pauly, MacAloney
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

20. Councilmember Requested Item (Pauly): Support for Project 999.

Councilmember Pauly presented a report and it was the consensus of the Council to direct the Interim City Manager to send a letter to the Villa Park Foundation requesting their consideration of a \$1,000 contribution to Project 999 and for the Foundation to seek a matching amount from Villa Park citizens.

21. Councilmember Requested Item (MacAloney): Donation of \$10,000 to the VPCSF from the City of Villa Park.

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Pauly and carried by the following roll call vote to donate \$10,000 to VPCSF to aid in the 50th anniversary celebrations for the City of Villa Park and authorize the Finance Director to make the budget adjustment as decided by Council:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

22. Councilmember Requested Item (Barnett): City Entrance Walls and Monuments.

Councilmember Barnett presented a report which was unanimously supported by Council. Staff will return with design options at a future meeting.

VILLA PARK TEAM REPORT

CITY MANAGER'S REPORT - None

ADJOURNMENT

The City Council adjourned at 11:20 p.m. The next Regular meeting will be on Tuesday, May 22, 2012 at 7:00 p.m.

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.