

MINUTES OF THE CITY COUNCIL

CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in a regular session Tuesday, February 27, 2007 at 7:30 p.m. in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

CALL TO ORDER Mayor Ulmer called the meeting to order at 7:30 p.m.

ROLL CALL

COUNCILMEMBERS PRESENT

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|---------------|---------------|
| Rich Ulmer | Mayor |
| Brad Reese | Mayor Pro Tem |
| Rich Freschi | Councilmember |
| Deborah Pauly | Councilmember |
| James Rheins | Councilmember |

STAFF PRESENT

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|--------------|-------------------|
| Ken Domer | City Manager |
| Len Hampel | City Attorney |
| Warren Repke | City Engineer |
| Jason Carson | Associate Planner |

FLAG SALUTE

Elizabeth Pappous and Jake Kuli, 6th graders from Villa Park Elementary, led the Flag Salute.

Mayor Ulmer presented Elizabeth and Jake with a City pin and a gift certificate to Rockwell's Bakery.

INTRODUCTIONS AND PRESENTATIONS

Presentation of Academic Achievement Award to Brooke Miller From Cerro Villa Middle School.

Mayor Ulmer read a short biography about Brooke and presented her with a City pin and a gift certificate to First Class Pizza.

Jim Houtz, President of Sionix, presented information on a newly installed portable water-treatment facility at the Villa Park Dam. The system – the first of its kind – is being field tested to cheaply and efficiently make currently unusable water drinkable again.

APPOINTMENTS

Consideration of Investment Advisory Committee Appointment.

Mayor Ulmer turned it over to Councilmember Rheins who announced that the Finance Committee recommends the City Council appointment of Mary Jo Chorbagan to the Investment Advisory Committee.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Reese, and carried by a unanimous voice vote to appoint Mary Jo Chorbagan as an alternate member of the Investment Advisory Committee who will attend all meetings and vote when another member is absent. Her term expires in January 2009.

ORAL COMMUNICATIONS

Linda Bartrom, 18521 Jocotal Avenue, spoke about her TV Media class from Villa Park High School which recently attended the Academy Awards. The student's were lucky enough to interview the stars on the red carpet.

Natalie Young, 10551 Wulff Drive, announced that the Villa Park Women's League Ways and Means Project this year will be held Sunday, May 6th, 2007 from 4:00 to 7:00 PM at a location to be determined. This year's theme is "An Afternoon of Chocolate, Wine, and Jazz." Tickets prices are \$35 and silent auction items are wanted. All proceeds will be put back into the community. The event is open to couples.

Sheri Metcalf, 19052 Ridgeview Road, spoke about a community free shredding day. After tax season residents are welcome to bring down anything they would like to have shredded, free of charge. May 12, 2007 is the prospected day.

Bob McGowan, 18382 Lincoln Circle, spoke about the first anniversary of sweeping our City streets before refuse pickup. In years past sweepers had to go around trash containers and were not able to sweep the entire gutter.

PUBLIC HEARINGS

1. Consideration of Resolution No. 2007-2928, a Resolution of the City Council of the City of Villa Park Establishing the Order of Business for City Council Meetings to Include Conducting an Invocation or Moment of Silence and Rescinding Resolution No. 2007-2927.

Mayor Ulmer opened the public hearing.

City Manager Domer presented the staff report stating this is a continued item from January 23, 2007. The City Council sets the format of the City Council meetings through the approval of a Resolution. It is proposed that the City adopt a new Resolution setting the format for City Council meetings and that an opportunity for an invocation or moment of silence be placed on the agenda. It is recommended that the City Council discuss the draft invocation policy and consider its adoption.

Jim Christensen, Teri Applebaum, Nancy Jenkins, Betty Peach, Silvan Schwartz, Carol Kawanami, Dr. Arnold Goodman, and Bob McGowan spoke in opposition of the invocation policy.

Patricia Burns, Sandra Villafona, Steve Gaulspecht, Sherri Metcalf, and Laurie Stewart spoke in favor of the invocation policy.

Mayor Ulmer closed the public hearing.

Mayor Pro Tem Reese stated he was disappointed in the anger expressed that people had expressed in opposition of the invocation. The invocation policy was never meant to be offensive, hurt, or anger anyone. It only sets a tone for the meeting and it is good to take a moment to relax. After further analyzing the situation he believes an invocation is important.

Councilmember Rheins mentioned that tradition is a good thing and it should be maintained, but it is not the tradition of the City Council of the City of Villa Park to have prayer or a moment of silence before the meeting. Religion is also a good thing and it gives a moral basis to people; the City Council should not institutionalize religion by establishing it in a resolution and as part of City business. Villa Park is very diverse, and it will be extremely difficult in our community to keep the prayers non-secular/non-denominational.

Councilmember Pauly stated she does not want to rely on her own wisdom. She wants to take a moment and ask that God be present to guide her and open her eyes to make the right decision during the meeting. She considers Villa Park a victim of the period in which it was established. That was the period in which there was an attack on whether or not we were allowed to have the involvement of God in our country. The United States Congress, The United States Supreme Court, OCFA, League of City's, and most Cities throughout the nation begin with an invocation. The desire is to seek wisdom; it is not about religion but guidance from a higher authority. It's Freedom of Religion, not Freedom from Religion. When looking at our Country's history we can refer to the Declaration of Independence the very first forming document of our Country; it specifically states, "That all men are created equal, that they are endowed by their Creator with certain unalienable Rights." That is the foundation of our Country.

Councilmember Freschi stated that it is obvious an invocation in our town would be divisive. According to his count 64 people say no to an invocation, 9 say yes, and 2 want a moment of silence. We are here to represent our constituents, so lets do it. We have been getting along well for 40 plus years so why bother putting one in, we have many more important things to do.

It was moved by Councilmember Freschi, seconded by Councilmember Rheins and carried by the following roll call vote to Deny Resolution No. 2007-2928, a Resolution of the City Council of the City of Villa Park Establishing the Order of Business for City Council Meetings to Include Conducting an Invocation or Moment of Silence and Rescinding Resolution No. 2007-2927:

| | | |
|---------|-----------------|------------------------|
| AYES: | COUNCILMEMBERS: | Freschi, Rheins, Ulmer |
| NOES: | COUNCILMEMBERS: | Pauly, Reese |
| ABSENT: | COUNCILMEMBERS: | None |

After the vote, Mayor Ulmer addressed the reason for his vote to include that he personally finds prayer and religion reassuring to him and in his life. However, through the many voices heard tonight and the many more who contacted him personally, both for and against, it was clear in his eyes that the subject had introduced an element of divisiveness in our community and that as the Mayor he felt it incumbent to maintain the practice of the Council meeting as they stand.

RECESS

CONSENT AGENDA

2. Consideration to Waive Reading in Full of All Ordinances on the Agenda. Approved Action. That the City Council Waive Reading in Full of All Ordinances on the Agenda.
3. Consideration of Town Hall Minutes of January 16, 2007. Approved Action. That the City Council Approve the Town Hall Minutes of January 16, 2007.
5. Consideration of Treasurer's Report for the Month of January and List of Demands from January 16, 2007 to February 19, 2007. Approved Action. That the City Council Receive and File the Treasurer's Report and Approve the List of Demands in the Amount of \$168,617.34.
6. Consideration of Six Month Extension for Conditional Use and Variance Permit No. 0611 (Location: 18982 Wildwood Circle; Applicants: Scott and Bridget Waldron). Approved Action. That the City Council Grant a Six Month Extension for CUP/VP No. 0611 Until August 27, 2007 at Which Time Building Permits Must Be Pulled.

9. Denial of Claim - David Schorr. Approved Action. That the City Council Reject the Claim and Direct the City Manager to Send a Letter of Rejection to the Claimant.
10. City Council Committee Appointments. Approved Action. That the City Council Amend the 2007 City Council Committee Assignments to include Mayor Richard Ulmer in place of Councilmember Richard Freschi on the City/Schools Liaison Committee.
11. Consideration of Partial Payment to All American Asphalt - 05/06 Street Maintenance Project and Mesa Drive Improvements. Approved Action. That the City Council Authorize the Release of the Partial Payment of \$347,846.75 to All American Asphalt upon Approval of the City Engineer.
12. Consideration of Sponsorship for Assembly Bill 304 (Huff) Regarding Community Care Facilities, Disaster and Mass Casualty Plans. Approved Action. That the City Council Sponsor Assembly Bill 304, Authorize the Mayor to Send a Letter of Support to Assemblyman Huff, and Direct the City Manager to Distribute the Letter Accordingly to other Orange County Cities and Legislative Leaders.

Councilmember Freschi Pulled Items number 7 and 8.

Councilmember Pauly pulled Item number 4.

It was moved by Councilmember Freschi, seconded by Councilmember Pauly and carried by the following roll call vote to approve Consent Agenda, items numbered 2, 3, 5, 6, 9, 10, 11, and 12:

| | | |
|---------|-----------------|--------------------------------------|
| AYES: | COUNCILMEMBERS: | Freschi, Pauly, Rheins, Reese, Ulmer |
| NOES: | COUNCILMEMBERS: | None |
| ABSENT: | COUNCILMEMBERS: | None |

4. Consideration of City Council Minutes of January 23, 2007. Approved Action. That the City Council Approve the City Council Minutes of January 23, 2007.

Councilmember Pauly pulled item 4 for a spelling correction on page 5 of the January 23, 2007 minutes. Values should be valves.

It was moved by Councilmember Pauly, seconded by Councilmember Freschi and carried by a voice vote to approve Consent Agenda Item number 4.

7. Consideration of Payment to the Orange County Human Relations Council for 2007-08 Annual Membership. Approved Action. That the City Council Deny

Payment of \$1,933 to Orange County Human Relations Council for 2007-08 Annual Membership.

Councilmember Freschi pulled item to reiterate that the Council should deny it.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Reese and carried by a voice vote to approve Consent Agenda Item number 7.

8. Declaration of Surplus - 2002 BMW Motorcycle. Approved Action. That the City Council Declare the 2002 BMW Motorcycle, **VIN # WB10499A82ZE88407** as Surplus; Directing the City Manager to Investigate the Disposal or Negotiated Transfer of the Vehicle to a Private Entity Finding that it is in the Public Interest to do so.

Councilmember Freschi pulled item 8 for further discussion. Councilmember Freschi believes we can do better selling the motorcycle on our own and not have to pay the consignment fee.

City Manager Domer stated we are looking at various ways listing the motorcycle; via citizens or eBay. The Kelly Blue Book suggested price ranges from \$3,500 - \$9,600.

Council discussion ensued as to the use of the motorcycle for a fundraising idea.

It was moved by Councilmember Freschi, seconded by Councilmember Pauly and carried by the following roll call vote to approve Consent Agenda, item number 8:

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|---------|-----------------|--------------------------------------|
| AYES: | COUNCILMEMBERS: | Freschi, Pauly, Rheins, Reese, Ulmer |
| NOES: | COUNCILMEMBERS: | None |
| ABSENT: | COUNCILMEMBERS: | None |

MATTERS PRESENTED BY COUNCILMEMBERS

13. Travel and Meetings.

Mayor Ulmer, Councilmember Pauly, Councilmember Rheins, and Mayor Pro Tem Reese reported on the League of California Cities General Meeting. The topic for the night was "Opportunities for Achieving Optimal Energy Through County-Wide Strategies."

Councilmember Pauly and Councilmember Rheins reported on the New Members Orientation meeting where they received information from 8 County Agencies.

Councilmember Rheins spoke about County Librarian John Adams retirement gathering.

Councilmember Pauly reported on the Pinewood Indy 500 Derby which the Indian Guides invited the Council to last meeting. She created the "VP-5" representing the City Council and took 4th place.

CITY COMMISSION AND COMMITTEE REPORT OR REFERRALS

- Aviation/Vector Control
- City/Schools Liaison
- Finance/Risk Management
- Foundation/Special Events
- Public Utilities
- Sanitation District
- Capital Improvement
- Community Development/Public Safety
- Library/Civic Center
- Human Resources
- Orange County Fire Authority

Councilmember Freschi reported on the Orange County Vector Control District which is located in Garden Grove containing 52 employees and 35 board members. They have an annual budget of 10 million dollars and protect the County from diseases such as West Nile.

Councilmember Pauly reported on the second meeting of the City/Schools Committee. The committee recommended the City pursue and draft a Graffiti Ordinance to bring to Council in March. Another item the committee discussed is a "State of the School's" report. This report would be given monthly during the school year by a representative from each school, reporting on their state. City Manager Domer stated a rotation could be arranged under the Introductions and Presentations section of the agenda.

Councilmember Rheins reported on the Finance Committee. During the last meeting applications for the Investment Advisory Committee were reviewed and recommendations were made. The City's General Fund Reserve policy and Investment policy were reviewed. Recommended changes are going to be brought before the City Council.

Mayor Ulmer reported on the Foundation/Special Events Committee. Earlier tonight a joint meeting between the City Council and VPCSF Board of Directors meet to discuss the Villa Park Community Service Foundation Strategic Priorities, review of the first five years, and discussion of contracting with Management Partners, Inc. to assist the VPSCF with a Long Term Strategic Planning Process. Furthermore, without increased participation in our community, some community events might be jeopardized.

Councilmember Pauly reported on the Public Utilities Committee. Along with Councilmember Freschi and City Manager Domer she met with an AT&T representative and discussions began on Project Light Speed. Recently passed State Legislation now allows AT&T to compete head-to-head with Time Warner to provide Video on Demand. Upside's to this service is that the City will be eligible for Franchise Fee's, PEG Grants,

and it is an alternative way of delivering VPTV Channel 3. She also attended the Serrano Water District's meeting. Councilmember Freschi's concern about the quality of the paving was brought forward to the board. The SWD Board stated it is a cold mix temporary fill that will sit for a month. Once all the areas have been repaired they are going to come back and repave all the streets at once. SWD is also renegotiating its CUP with the County for recreational events at Irvine Lake. One condition is that fireworks will not be permitted at Irvine Lake. OCWD and MODOC are raising rates, this impacts everyone. A water rate increase will most likely be noted this summer.

Councilmember Freschi reported on the Orange County Sanitation District. The District is the 3rd largest west of the Mississippi, serves 2.5 million people, and the annual budget is 456 million dollars. Each day 250 million gallons of waste water are treated. OCSD is truly one of the finest organizations Orange County has.

Councilmember Rheins stated the Capital Improvement Committee did not meet this month. A meeting will be scheduled closer to the start of the budget process.

Mayor Ulmer stated the Community Development Committee had no requests for Conditional Use or Variance Permit's this month. The Committee took the time to discuss the role of the Committee.

Councilmember Pauly stated there was not a County Library meeting this month.

Mayor Ulmer stated the Human Resources Committee also did not meet this month. They will meet in the upcoming months for annual City Manager and Staff performance evaluations.

Mayor Pro Tem Reese reported on the Orange County Fire Authority. The OCFA has just outfitted all their fire engines with a new device called a Thermal Imaging Camera (TIC). This device will save lives and reduce the amount of fires we have. In simple terms, it sees fire and heat. The TIC has the ability to find fire and people in a pitch black smoke filled room. It has the ability to see through walls and determine if fire is behind them; which will help tremendously in fire suppression.

City Manager Domer stated TIC was used in the First Class Pizza fire. The firefighters used the TIC to ensure no fire hazard was in the walls or attic.

Councilmember Freschi mentioned that we should go back to our old way of listing City Committees/Commissions on the Agenda. That way, it allows a Committee Member to make a report as he deems necessary.

Mayor Ulmer stated it was his decision to list City Committees/Commissions this way on the Agenda. He wants either a report or no report; something from each Committee should be said. We volunteered for these positions and the citizens of Villa Park need to hear from us as we represent them.

City Council discussion ensued.

It was moved by Councilmember Freschi to not list individual City Committees/ Commission on the Agenda.

Hearing no second Mayor Ulmer closed the item.

Councilmember Freschi also mentioned that we have recently had calls to go to meetings not open to the public, for example the Lutheran High School parking expansion meeting. It is his understanding that all these meetings should be in public view.

City Attorney Hampel stated Council Members are free to not meet with anyone requesting their presence. The applicant is free to contact you and ask you if you want to meet with them for the purpose of a briefing. It is not in violation of the Brown Act for one or even two Councilmember's to meet with an applicant on a legislative matter, example: a rezoning or general plan amendment. It is up to individual Council discretion to meet or not meet.

City Council discussion ensued.

ITEMS FOR CONSIDERATION

14. Consideration of Resolution No. 2007-2930, Implementing Ordinance No. 2006-521 and Establishing a Residential Parking Only District on Streets Around Villa Park High School and Naming Said Streets.

City Manager Domer presented the staff report stating the City Council adopted an Ordinance to amend several sections of the Villa Park Municipal Code, Section 19-3.2 implementing a residential parking only district around Villa Park High School. The Ordinance will take effect as soon as the City sets the specific streets by Resolution and posts the required signage on the effected streets. It is recommended that the City Council receive public input regarding which streets to include in the Residential Parking Only District and adopt Resolution No. 2007-2930 setting the streets to be within the Residential Parking Only District.

It was moved by Councilmember Freschi, seconded by Councilmember Rheins and carried by the following roll call vote to adopt Resolution No. 2007-2930, a Resolution of the City Council of the City of Villa Park Implementing Ordinance No. 2006-521 and Establishing a Residential Parking Only District on Streets Around Villa Park High School and Naming Said Streets:

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|---------|-----------------|--------------------------------------|
| AYES: | COUNCILMEMBERS: | Freschi, Rheins, Pauly, Reese, Ulmer |
| NOES: | COUNCILMEMBERS: | None |
| ABSENT: | COUNCILMEMBERS: | None |

15. Consideration of Cellular Phone Issues and Potential for Locating Cell Towers within the City.

City Manager Domer presented the staff report stating this is an ongoing issue of consideration of cellular phone issues and locating potential cell sites within the City. Specifically this is to receive and file the wireless master plan, begin preliminary discussions to highlight the alternatives for wireless facilities, and schedule a Town Hall Meeting for Tuesday, March 13, 2007.

Jim Worden spoke in opposition of the cell tower.

City Council discussion ensued.

It was moved by Councilmember Pauly, seconded by Mayor Ulmer and carried by the following a voice vote to receive and file the Wireless Master Plan, begin preliminary discussion to highlight the alternatives for wireless facilities, and schedule a Town Hall Meeting for Tuesday, March 13, 2007 for greater public input.

16. Consideration of Public Utilities Commission Proposal for Splitting the 714 Area Code.

City Manager Domer turned it over to Councilmember Pauly. Councilmember Pauly presented her staff report stating last meeting we were looking at Anaheim Local Option A, that option is no longer feasible. Alternative No. 4 is a geographical split and Villa Park lines up with Orange and Anaheim. The City of Orange and many Villa Park residents are in support of Alternative 4. The County Board of Supervisors is not taking a position on this; so we must look at it simply for the best interests of Villa Park.

City Council discussion ensued about the Alternatives.

It was moved by Councilmember Pauly, seconded by Councilmember Rheins and carried a voice vote to express support for Alternative Number 4 and encourage our residents, through the E-Network and website, to voice their opinion:

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|---------|-----------------|--------------------------------------|
| AYES: | COUNCILMEMBERS: | Pauly, Rheins, Freschi, Reese, Ulmer |
| NOES: | COUNCILMEMBERS: | None |
| ABSENT: | COUNCILMEMBERS: | None |

17. Consideration of Adoption by Reference the County of Orange Codified Ordinance on Animal Control, Specifically Relating to Barking Dog Violation and Civil Fine.

City Manager Domer presented the staff report stating the County of Orange recently adopted an Ordinance that implements a system to report barking dogs that is less onerous to complaining parties. The Ordinance sets up a process and a civil fine for dog owners that violate the Ordinance. The County recently sent a letter to all cities that contract with Animal Care Services Department stating that each city would have to codify by the Ordinance in order for the County to enforce it within the respective City.

It was moved by Councilmember Freschi, seconded by Councilmember Pauly and carried by a voice vote directing staff to place the first reading of said Ordinance, by reference, on the March 27, 2007 Agenda.

18. Consideration of Amendments to the City's Statement of Investment Policy.

City Manager Domer presented the staff report stating the City's Statement of Investment Policy guides the Investment Advisory Committee in their role of monitoring and advising the City on investment of surplus funds. The statement of Investment Policy is reviewed annually by law and adopted by the City Council typically in June. The IAC discussed the revision of the Policy at several recent quarterly meetings. The IAC recommended to the City's Finance Committee that the percentage investment allowed in the Orange County Investment Pool be increased from its current maximum 25% to 33%. Additional changes include updating the SIP to reflect the most current Resolutions that were adopted by the City Council allowing investments in the Orange County Investment Pool and the addition of a simple matrix detailing the type of investment allowed and its maximum percentage. Syntax corrections were also made as well.

Councilmember Rheins stated one reason this recommendation was made to add more flexibility in the City's capability of investing funds.

Councilmember Freschi stated the IAC was established as an oversight to the City's investment policy. One safety aspect of it was that we do not allow anyone that much flexibility of investing the City's money.

City Council discussion ensued.

It was moved by Councilmember Rheins, seconded by Mayor Ulmer and carried by the following roll call vote to adopt the amended Statement of Investment Policy:

| | | |
|---------|-----------------|-----------------------------|
| AYES: | COUNCILMEMBERS: | Rheins, Ulmer, Pauly, Reese |
| NOES: | COUNCILMEMBERS: | Freschi |
| ABSENT: | COUNCILMEMBERS: | None |

19. Consideration of Adopting a General Fund Reserve Policy to Implement a General Fund Reserve of 25% of General Fund Revenues and 25% of Capital Improvement Program Seven Year Average Expenditures.

City Manager Domer presented the staff report stating the City's Investment Advisory Committee, comprised of three public members, the City's Finance Committee, the City Treasurer, and the City Manager, discussed the need for a General Fund Reserve Policy that will serve as an official policy of the City with regard to setting, maintaining, and using a General Fund Reserve.

The City Council established a Reserve Fund in 1987 through the adoption of Resolution 87-938. The action directed that all monies not expended be transferred into a Reserve Fund. Over the years, the Reserve Fund, being made up of all fund balances available, became less of a reserve fund and more of an unreserved fund balance available designated simply by a line item in the budget. In 1995, the City Council set a minimum unrestricted General Fund Reserve at \$500,000 to be adjusted annually based on the Consumer Price Index. The 1995 policy was not set through a resolution or other known policy statement.

The Investment Advisory Committee in October 2006 began the review of a new General Fund Reserve Policy under then Councilmember Robert Fauteux and the City Manager. The City Manager reviewed several other jurisdictions General Fund Reserve policies in order to draft a policy for the Investment Advisory Committee to review.

The proposed policy is that the City of Villa Park shall maintain an unreserved balance of no less than 25% of its General Fund Revenues. In addition, the City shall strive to maintain an unreserved balance of no less than 25% of the average Capital Improvement Program expenditures over the seven year Capital Improvement Program. Together, these two unreserved balances shall be known as the General Fund Reserve.

The General Fund Reserve shall be a separate account number within the General Fund, 01-0000-2901

Using a figure of 25% of General Fund revenues is consistent with many cities across California. The 25% level of General Fund revenues is also consistent with the amount required by the current City Council policy and based on 2006/07 budgeted revenue is approximately \$610,000. In addition, it is proposed that the City maintain a reserve based on expected projects within the Capital Improvement Program. This level is proposed to be no less than 25% of the average Capital Improvement Program expenditures over the seven year Capital Improvement Program. Each year the Capital Improvement Program is renewed and estimates are generated for the projects contained in the program. The reserve level is built off of the average amount to be expended annually over the seven year life of the program. This reserve will help to continue any project in case of unexpected fiscal emergency and is estimated to be approximately no less than \$125,000. These two funds will be considered the General

Fund Reserve. Taken together the General Fund Reserve is an increase over the current reserve level by approximately 9%.

More importantly, the Investment Advisory Committee wanted to define how the General Fund Reserve could be used. As proposed, the use of funds within the General Fund Reserve are allowed to insulate General Fund programs and current service levels from large and unanticipated one-time expenditure requirements, a revenue reduction due to a change in state or federal legislation, impacts from adverse litigation or environmental occurrences/disasters, or similar unforeseen action and economic uncertainty. Additional use includes to temporarily insulating General Fund programs and current service levels from slower revenue growth that may occur during an economic recession provided that all efforts to address longer term service levels are addressed at the time.

Councilmember Freschi stated a reserve fund ought to be a reserve fund only used for unforeseen events. Villa Park has had a conservative money management history and there is no need to go changing it. We should just leave it as is or put more specific requirements on it.

Councilmember Rheins stated safety measures were in tact, for example the 4/5^{ths} Council vote to utilize the money.

City Council discussion ensued.

It was moved by Councilmember Freschi, seconded by Councilmember Pauly and carried by the following roll call vote to continue this item to the March 13, 2007 Town Hall Meeting:

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|---------|-----------------|--------------------------------------|
| AYES: | COUNCILMEMBERS: | Freschi, Pauly, Rheins, Reese, Ulmer |
| NOES: | COUNCILMEMBERS: | None |
| ABSENT: | COUNCILMEMBERS: | None |

20. Authorization to Issue Request for Proposal - Street Sweeping Maintenance Services.

Associate Planner Carson presented the staff report stating Council was first given a brief history of how street sweeping duties in the city have been allocated for the past ten years. Prior to the contract with Dickson Street Sweeping being entered into, the City maintained its own street sweeper. This however became cost prohibitive when the sweeper began to deteriorate and require extensive maintenance. At that point Dickson's services were brought in; that contract will take us to June 30, 2007.

It was explained that the current request for proposal is a competitive bid for a three year contract with the option of two one year extensions, for a total of five years maximum. Service scheduling for the new contract will require the contractor to reduce

the number of days required to complete full city sweeps from three days bi-weekly, to a preferred one day bi-weekly or optional two day bi-weekly schedule.

Dates related to the processing of the Street Sweeping RFP were also stated as follows:

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|---|--------------------------|
| Release Date | March 9, 2007 |
| RFP Response Due to City Hall | April 6, 2007 at 4:00 PM |
| Award Date | April 24, 2007 |
| Service Start Date (Effective Date of Agreement) | July 1, 2007 |

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Reese and carried by the following roll call vote to approve the Request for Proposal and authorize the City Manager to conduct the bidding process and return to the City Council for an award of contract on April 24, 2007:

AYES: COUNCILMEMBERS: Freschi, Reese, Freschi, Rheins, Ulmer
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

STAFF REPORTS

City Manager/City Clerk

The City Manager gave oral reports on Time Warner cable issues and encouraged any residents with concerns to contact the City. The FEMA/Cannon Wall reimbursement was discussed and the City Manager stated that Townsend Public Affairs was calling federal sources to push for the reimbursement. The City Manager also reported on 19012 Ridgeview Road, a home that is currently in foreclosure and has become a code enforcement issue with dead vegetation.

City Attorney

No Report.

City Engineer

Update on the Villa Park Road Rehabilitation status - City received a grant for \$192,000. The plans and specs are almost complete and the authorization process with Caltrans and Federal Highway Administration (FHWA) has been started. A letter was received from Caltrans stating that FHWA has implemented a new project authorization process, which takes up to 10 weeks, on top of the 8 week process at Caltrans. Ultimately, the City can not bid the project until authorization is approved. Because of this it looks like the Villa Park Road Rehab will not happen this Fiscal Year. The projected construction start time is now set for September/October of Fiscal Year 2007-08.

Planning Department

No Report.

ORDINANCES

21. Consideration of Ordinance No. 2007-523, an Ordinance of the City Council of the City of Villa Park Amending Section 19-4.1 of Chapter XIX of the Villa Park Municipal Code Designating Speed Limits.

City Manager Domer presented the staff report stating this is the second reading and proposed adoption of Ordinance No. 2007-523 designating speed limits. During the first reading City Council recommended that two revisions be made to the proposed speed limits. One changes Center Street from a 35 mph down to a 30 mph zone and the second changing Villa Park road from a 45mph down to a 40 mph zone. Those changes are incorporated in this Ordinance, once adopted it will be enacted within 30 days. It is recommended that the City Council approve the second reading and adopt Ordinance No. 2007-523.

It was moved by Councilmember Freschi, seconded by Councilmember Pauly and carried by the following roll call vote to approve the second reading and adopt Ordinance No. 2007-523, an Ordinance of the City Council of the City of Villa Park Amending Section 19-4.1 of Chapter XIX of the Villa Park Municipal Code Designating Speed Limits:

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|---------|-----------------|--------------------------------------|
| AYES: | COUNCILMEMBERS: | Freschi, Pauly, Rheins, Reese, Ulmer |
| NOES: | COUNCILMEMBERS: | None |
| ABSENT: | COUNCILMEMBERS: | None |

RESOLUTIONS

22. Consideration of Resolution No. 2007-2929 Authorizing the Finance Committee Chair to Transfer Funds to/from State of California Local Agency Investment Fund.

City Manager Domer presented the staff report stating the City invests surplus funds into the State of California's Local Agency Investment Fund (LAIF). LAIF strongly recommends that there are at least two City officials with authority to transfer funds. Currently, only the City Manager is authorized.

With the change in the City's accounting structure, the former resolution passed by the Council on May 23, 2006 designating the City Manager and Finance/Administrative Manager no longer provides the City with two officials able to authorize fund transfers.

Accordingly, it is proposed that the Chair of the Finance Committee be authorized in addition to the City Manager in order to satisfy the recommendation of the State.

Councilmember Freschi suggested that in absence of the City Manager, the Finance Chair shall also be required to gain approval from the Mayor or Mayor Pro Tem before signing the documents.

City Council discussion ensued.

It was moved by Councilmember Freschi, seconded by Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2007-2929, a Resolution of the City Council of the City of Villa Park Authorizing the Finance Committee Chair to Transfer Funds to/from State of California Local Agency Investment Fund:

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|---------|-----------------|--------------------------------------|
| AYES: | COUNCILMEMBERS: | Freschi, Pauly, Rheins, Reese, Ulmer |
| NOES: | COUNCILMEMBERS: | None |
| ABSENT: | COUNCILMEMBERS: | None |

23. Consideration of Resolution No. 2007-2931 Opposing the South Coast Air Quality Management District's Emission Growth Management Control Measure.

City Manager Domer presented the staff report stating South Coast AQMD has responsibility for air quality management improvement plans. The City received a letter from Tustin Mayor Lou Bone with some great concern with about SCAQMD's latest plan which adds cost to developments to attain air quality plans. Although it does not greatly affect Villa Park it is a Regional issue and there is an effort with all the Orange County cities opposing the plan.

It was moved by Councilmember Freschi, seconded by Mayor Ulmer and carried by the following roll call vote to adopt Resolution No. 2007-2931, a Resolution of the City Council of the City of Villa Park Opposing the South Coast Air Quality Management District's Emission Growth Management Control Measure:

| | | |
|---------|-----------------|--------------------------------------|
| AYES: | COUNCILMEMBERS: | Freschi, Ulmer, Pauly, Rheins, Reese |
| NOES: | COUNCILMEMBERS: | None |
| ABSENT: | COUNCILMEMBERS: | None |

ORAL COMMUNICATIONS

None.

CLOSED SESSION

None.

AJOURNMENT

It was moved by Mayor Ulmer and carried unanimously to adjourn at 11:30 PM. Said meeting was declared adjourned to a town hall meeting of the City Council of the City of Villa Park held March 13, 2007, at the hour of 7:30 PM, in the Council Chambers at 17855 Santiago Boulevard, Villa Park, California.

W. Richard Ulmer, Mayor
City of Villa Park

ATTEST:

Kenneth A. Domer, City Clerk
City of Villa Park