

MINUTES OF THE CITY COUNCIL

CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in adjourned session Tuesday, April 5, 2005 at 5:00 PM in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California for the purpose of a Sewer Study Session.

CALL TO ORDER: Mayor Freschi called the meeting to order.

ROLL CALL:

COUNCILMEMBERS PRESENT:

Rich Freschi	Mayor
Patricia Bortle	Mayor Pro Tem
Bob Bell	Councilmember
Bob Fauteux	Councilmember
Rich Ulmer	Councilmember

STAFF PRESENT:

George Rodericks	City Manager
Len Hampel	City Attorney
Cristina Sundstrom	Deputy City Clerk
Warren Repke	City Engineer
Nancy Desai	City Accountant

FLAG SALUTE:

Former Mayor and resident, Joe Barsa, led the flag salute.

ORAL COMMUNICATIONS: None.

STUDY SESSION ITEMS:

1. Report on City's Sanitary Sewer System.

Mayor Freschi introduced the slide show.

A study conducted in 2004 of 75% of our sewer system indicates that more than 12,000 lineal feet of the main lines (30%) were identified as needing upgrades to capacity. More than 61,000 lineal feet of the lines (47%) were identified as being in need of rehabilitation or spot repairs for items such as: 1. Cracked or broken lines; 2. Offset joints; 3. Roots and other blockages.

The Regional Water Quality Control Board prohibits discharges and requires monitoring, master plans and maintenance programs, capacity and rehabilitation plans and funding plans for improvements. As of September 2005, penalties of up to \$10,000 per day may be charged to cities for non-compliance.

City Treasurer Dennis Kuli, 9481 Henderson Way, asked why a capacity increase is necessary and why the City of Orange does not chip in to pay for the upgrades.

City Engineer Repke replied that analysis indicates a potential for upgrading in the future depending on flows from Orange. The lines flow from Orange along Cannon and Taft Avenue servicing east Orange developments. The trunk lines were partially paid for by the City of Orange originally. He stated that the possibility of Orange paying for a part of this still needs to be investigated by staff.

He explained further why sewer lines are not running more than ½ full. Capacity efficacy is based on hydraulic analysis of the sewer lines. All our sewers discharge into Orange's system before reaching final destination in Orange County Sanitation District's trunk systems in Fountain Valley.

Councilmember Bell stated that Orange paid for part of the trunk lines originally in turn for permission to use these lines.

Tom Malloy, 9292 Hunting Circle, addressed Council about the fact that Orange must be charging owners fees to increase capacities of sewers for Orange residents in new developments (in permit fees, etc.).

Joe Barsa, 10362 Jerome Street, addressed Council about approaching Orange and seeing what they recommend. He suggested the City of Villa Park meet with Orange before making proposals to our residents.

Dennis Kuli, 9841 Henderson Way, told Council that if sewers were designed originally for under capacity, then there is a flaw in the design.

City Engineer Repke explained that Villa Park needs to monitor flows that come into the manholes as development in east Orange reaches completion. There is currently an update of Orange's Master Plan. The flows may increase or may not; it must be monitored carefully.

Councilmember Fauteux stated that the Serrano Heights development is built out. Now we watch and see if an increase in flow develops.

City Manager Rodericks stated that the fee Council is considering reflects an immediate need for upgrading the sewers.

Patty Serra, 2854 Dubois in Anaheim, asked Council about spillages coming out of manholes currently. She asked whether this was a separate issue from the storm drain priorities.

Joe Barsa, 10362 Jerome Street, questioned the Council about funds that need to be spent.

Mayor Freschi stated that Council believes the fee is the way to proceed and that 88% of cities in Orange County pay a sewer fee.

Dennis Kuli, 9481 Henderson Way, asked whether the annual maintenance fee is already budgeted. Currently \$49,000 is budgeted annually for cleaning and minor repairs of the sewers.

Tom Malloy, 9292 Hunting Circle, asked about the sewer item on the property tax bill for Orange County Sanitation District.

Mayor Freschi responded that this is not a City fee.

City Attorney Hampel explained the process for collecting the sewer fees from the residents. They can either be collected on the tax bill by Orange County, which is more expensive and is only received by the City twice a year, or collected through the Water District, for example, with a small administrative cost. The Water District would collect the fees bi-monthly.

City Treasurer, Dennis Kuli, asked City Manager Rodericks if any studies have been conducted to see what the long-term holds to determine if the proposed dollar amounts are sufficient.

City Manager Rodericks responded that only the high priority projects are being considered currently.

City Engineer Repke stated that the preliminary annual cost is estimated at \$441,000 but that the City will re-evaluate the situation every 3 or 4 years.

Councilmember Fauteux stated that a sunset provision is not a good idea since there are so many uncertainties, like the problem of inflation and, as time passes, certain areas of the system will need repairs and updating.

Resident Vaughn Sarkisian, 10572 Potter Circle, addressed Council about the City taking this opportunity to emphasize water conservation to the residents. The way that the water fees are set up is equitable because one pays more based on usage.

Mayor Freschi discounted this idea saying it is not possible to determine how much water flows through the sewer system.

To Mr. Sarkisian inquiry about sewer fees, Mayor Freschi replied that the fee would have to be a flat fee.

City Attorney Hampel stated that a flat rate is subject to Proposition 218. This includes a 45-day notice, Public Hearing, and is subject to majority protest. The sewer fee is then earmarked for maintenance and repair. If subject to Proposition 218, it cannot be increased without the Public Hearing process taking place. Proposition 218 requires public agencies to hold Public Hearings to receive public input before imposing a fee of any sort. If greater than 50% of the residents object, then the fee cannot be imposed.

Resident Tom Malloy, 9292 Hunting Circle, told Council that he believed that the sewer system is relatively new and that one-half the proposed amount is more realistic.

Councilmember Fauteux stated that \$49,000 per year was determined to be inadequate to address future sewer needs.

City Manager Rodericks clarified that in addition to the \$49,000 annual amount, the City has been saving \$250,000 for current rehabilitation problems. This is to cover clearing roots in sections of lines and more significant repairs.

City Treasurer, Dennis Kuli, asked Council for how many years the fee would be in effect.

Mayor Freschi responded that it would be reviewed annually by the Council and a determination made at a later date.

Joe Barsa, 10362 Jerome Street, told Council that \$211.00 annually will not be a big deal for most residents. It is important to have a detailed engineering report to justify the expense, however.

Len Bjorklund, Tom Malloy's neighbor, asked Council for a private showing of the TV videotaping of the sewer lines. It was explained to him that VPTV will put this video on air soon and make copies available to the public for private viewing. It will also be available on the website at a later date.

Lori Anderson, the resident who is currently in litigation with the City, addressed Council about the fact that the sewer system and the storm drains are separate systems. She asked whether the Council would be considering improving the storm drains as well and the sewer system.

City Manager Rodericks stated that there will not be as much focus on storm drains as the sewers. He is aware of the 4 foot diameter line (near the property) which dates back to the 1970's. Storm drains fall under the National Pollution Discharge Elimination System (NPDES). At this time the City Engineer is researching implementation of these standards and will be reporting back to Council the progress he makes in this area.

Patty Serra addressed Council about Ms. Anderson's 10 foot sink hole in her backyard. She stated that this is a major problem and has been taped off by Public Works. She continued by stating that there is a big need for repairing in the City. She reported that raw feces has been running for hours down Loma Street, which she has personally witnessed while visiting Ms. Anderson and that this is not a recent problem.

Vaughn Sarkisian addressed Council again about the fact that water rates increased by 29% last year and that for a retired person the thought of another fee is not too desirable.

Tom Malloy told Council that he favored a flat fee and would like a sunset.

Jill Kuli, 9481 Henderson Way, asked the Council what the City is doing to address the Lori Anderson case (9391 Loma Street).

City Manager Rodericks replied that the 2004-05 Sewer Rehabilitation project is out to bid to address Anderson's area of Villa Park.

CLOSED SESSION

1. Discussion Re: City Manager Employment Review, Govt. Code Section 54957.

The meeting adjourned to Closed Session at 8:45 p.m. pursuant to Govt. Code Section 54957 to discuss City Manager Employment.

ADJOURNMENT:

At 9:30 p.m., City Attorney Hampel reported out of Closed Session that the City Council decided to follow the recommendations of the Personnel Committee to interview four candidates for City Manager next week at a special meeting(s). The dates of these meetings were subsequently established to be April 11, 2005 and April 13, 2005 at 8 a.m., respectively.

Richard A. Freschi, Mayor
City of Villa Park

ATTEST:

George J. Rodericks, City Clerk
City of Villa Park