

## MINUTES OF THE CITY COUNCIL

### CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in regular session Tuesday, April 25, 2006 at 7:30 PM in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

**CALL TO ORDER:** Mayor Bortle called the meeting to order.

#### **ROLL CALL:**

##### **COUNCILMEMBERS PRESENT:**

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

##### **COUNCILMEMBERS ABSENT:**

Rich Freschi	Councilmember
--------------	---------------

##### **STAFF PRESENT:**

Ken Domer	City Manager
Cristina Sundstrom	Deputy City Clerk
Leonard Hampel	City Attorney
Kamran Saber	Assistant City Engineer
Nancy Desai	Finance/Administrative Manager

#### **FLAG SALUTE:**

Katie and Jessie Van Fleet, sixth-graders from Serrano Elementary School, led the flag salute.

#### **INTRODUCTIONS AND PRESENTATIONS**

1. Presentation of Commendation for Outstanding Academic Achievement to Esther Cheng, a Senior from Villa Park High School.

Councilmember Fauteux presented graduating senior, Esther Cheng, with a certificate of academic achievement, a City pin, and a certificate for First Class Pizza.

Jody Roberto from Assemblyman Huff's office presented Esther with a Certificate of Academic Achievement. She congratulated Esther and encouraged her to continue with her education at University of California, Berkeley.

## **ORAL COMMUNICATIONS**

Patricia Lamb, 10211 Robin Hood Circle, reported that the Villa Park Emergency Preparedness (VPEP) Fair will take place on Saturday, April 29<sup>th</sup> from 10 AM to 2 PM at the Towne Centre. There will be 17 booths and various displays, on-going presentations and panel discussions in the City Council Chambers. The American Red Cross will make a presentation at 10:15 AM, Orange Unified School District Child and Welfare Attendance Director, Frank Boehler will present at 11:00 AM, OCFA will present at 12 PM, and Southern California Gas will present at 12:30 PM.

Dale Duncan, 2 Estates Drive, addressed the Council about the right turn restriction onto Loma Monday-Friday from 6:30 to 8:30 AM. He stated that he does not know who this regulation is designed to serve. He requested that Council consider removing it since it is an inconvenience for himself and other residents.

City Manager Domer gave a quick update on the recent traffic study and follow-up with the City of Orange's Traffic Commisison. He stated that the City of Orange has agreed to do a synchronization study on the Serrano/Cannon and Taft/Cannon stop lights. This should help and we will revisit the situation.

## **CONSENT AGENDA**

1. 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.
2. Consideration of City Council Minutes of March 28, 2006. Item Pulled.
3. Consideration of the List of Demands for April 14, 2006. Approved Action: That the City Council approve the List of Demands for April 14, 2006, numbered 1 through 50 in the amount of \$35,743.70.
4. Consideration of List of Demands for April 25, 2006, numbered 1 through 14 in the amount of \$223,787.67.
5. Consideration of Notice of Completion for Cannon Wall and Slope Repair. Approved Action: That the City Council authorize the City Clerk to file the Notice of Completion and authorize the release of the final retention payment of \$17,718.55 to Earth Construction and Mining upon approval of the City Engineer after completion of the 35-day lien period.
6. Consideration of Travel of Meetings. Item Pulled.

Mayor Bortle requested that Consent Agenda items #2 and 6 be pulled for discussion. Mayor Bortle was absent from the March 28, 2006 City Council meeting, so she abstained from the vote on approving the Minutes of that meeting.

It was moved by Councilmember Fauteux, seconded by Mayor Pro Tem Ulmer, and carried by the following roll call vote to approve Consent Agenda item #2:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	Bortle

Regarding Consent Agenda #6, it was discussed that this item would be explained in more detail by Finance/Administrative Manager Desai when she makes her presentation on AB1234 during Staff Reports on the agenda. In the future, City Manager Domer stated that he would prefer to see Travel and Meetings discussed under the "Matters Presented by Councilmembers" section of the agenda.

Finance/Administrative Manager Desai gave a brief overview of AB1234. Her full report was given under Staff Reports later in the meeting.

City Attorney Hampel stated that the ethics training will become available this year and the Councilmembers will be informed of when the courses are held.

It was moved by Councilmember Fauteux, seconded by Mayor Pro Tem Ulmer, and carried by the following roll call vote to receive and file Consent Agenda Item #6:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

It was moved by Councilmember Bell, seconded by Mayor Pro Tem Ulmer, and carried by the following roll call vote to approve Consent Agenda items # 1,3,4, and 5:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

Mayor Bortle discussed Measure M and why the voters should vote for extending this tax, which is not a *new* tax, in 2007. At the League of California Cities dinner in Tustin on April 13, 2006, all cities in Orange County voted "Yes" to place Measure M on the ballot in November, 2007.

Councilmember Bell stated that he would like to see a forum explaining Measure M to the residents after the June 6, 2006 Primary Election.

Councilmember Fauteux stated that measure M was reiterated at the April 13<sup>th</sup> League meeting, and that all cities should unite to send this message to the voters.

Mayor Bortle replied that a forum could be arranged with the aid of the Super M Committee.

## **MATTERS PRESENTED BY COUNCILMEMBERS**

None.

## **CITY COMMISSION AND COMMITTEE REPORTS OR REFERRAL**

1. Councilmember Fauteux discussed the latest Orange County Vector Control District monthly Board meeting. He stated that besides the usual discussions on rats, ants, and mosquitoes, the avian flu has become a topic of discussion and a big media event. The consensus is that this is much ado about nothing vis-à-vis human notifications. A pandemic is when the virus is passed human to human. It must mutate. The biggest problem in Orange County, however, seems to be rats. There was one reporting of a single death in Los Angeles from bubonic plague.

Fire ants have been sited in Brea and Fullerton. These ants need 25 inches of water per year. The average rainfall in Orange County is less than 25 inches, consequently we do not have a big fire ant problem.

West Nile Virus is still a threat since there have been more reports of dead crows. On May 9<sup>th</sup> ABC television will be broadcasting a 2-hour film on the Avian Flu that might be of interest to residents.

2. Mayor Pro Tem Ulmer gave a brief Community Development Committee update. The committee met on April 13<sup>th</sup>, and meets every second Thursday of the month at 4 PM. Councilmember Bell, City Manager Domer and himself (Mayor Pro Tem Ulmer) reviewed Lemon Street improvement plans which will move forward over the next two years. Two or three alternatives were studied and all are attractive. The public will have an opportunity to see these soon. They also looked at the need to regulate Portable On Demand Storage (PODS). PODS are usually seen on driveways, within the front setbacks, for an extended period of time. The committee will study other cities' policies regarding PODS.

Regarding the Beautification efforts, it was discussed that the committee would like to see a Task Force formed to review the City's beautification efforts. The Villa Park Women's League has a long-standing tradition of rewarding beautification projects throughout the City. The first meeting of the Beautification Task Force will be in May and this information should appear on E-Network. Villa Park Foundation, Villa Park Rotary and Villa Park Women's League are groups to incorporate in the Beautification Task Force. It is important to recognize their partnering with businesses in the community.

City Manager Domer stated he will send an E-Network message out on the Beautification Task Force.

Councilmember Fauteux added that it is good to be thinking about drought tolerant landscaping while planning the median projects for the Lemon and Taft Street projects.

In conclusion, Mayor Pro Tem Ulmer announced the July 1<sup>st</sup> Freedom Fest and fireworks. It will begin at 8 AM with a Walk/Run and resume at Irvine Lake in the late afternoon for dinner and fireworks.

### **ITEMS FOR CONSIDERATION**

None.

### **PUBLIC HEARINGS**

1. Consideration of Variance Permit No. 0641 to add a one car garage requiring a 10 foot encroachment into the side yard setback (Location: 10231 Sycamore Circle; Applicant: John Kleinberg).

Mayor Bortle opened the Public Hearing.

City Manager Domer explained that the applicant, John Kleinberg, had requested that this item be continued to the May 23, 2006 Council meeting.

It was moved by Councilmember Bell, seconded by Councilmember Fauteux, and carried by the following roll call vote to continue the Public Hearing for Variance Permit No. 0641 to the May 23, 2006 City Council meeting:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

2. Consideration of Conditional Use and Variance Permit No. 0642 to construct a detached garage, not to exceed 15 feet in height, with two garage bays and recreational vehicle bay for a total of 5 garage bays and to encroach 15 feet into the rear yard setback for addition to primary home (Location: 19312 Canyon Drive; Applicants: Jim and Holly Moat).

Mayor Bortle opened the Public Hearing.

City Manager Domer stated that the applicant is requesting permission to encroach fifteen feet (15') into the rear yard setback in order to construct an attached garage and expand a current two story single family residence. In addition, it is proposed to build a detached garage/workshop within the required setbacks to add a two (2) garage bay and one (1) recreational vehicle bay which will bring the total number of garage bays for the property to five (5).

Based on a review of the project application, and a site visit, there are findings that can be made consistent with granting a Variance.

The proposed construction of a detached garage requires a Conditional Use Permit for itself as well as for the total number of garage bays which will be four or more. The detached structure meets all setback requirements and will be built not to exceed fifteen feet (15') in height. One consideration is that the location of the proposed detached structure is over the proposed easement required by the City to be recorded for the proposed storm drain pipe. In discussions with the City Engineer, the storm drain pipe, if installed to City specifications, is not at risk of being damaged by the detached structure. The storm drain will be approximately ten to fifteen feet below the structure and two man holes at either end of the property are required. The issue is that with any structure located on an easement, the property owner assumes all risk of removing the structure if, for any reason, the City would need to physically dig up the storm drain. An encroachment agreement is required to be recorded with the City and the homeowner, through this application, is assuming that risk.

Regarding the Conditional Use Permit, the City finds for the request. The proposed recreational vehicle garage will improve the appearance of the property based on its screening of any recreational vehicle parked on the lot.

Staff recommends the approval of Variance and Conditional Use Permit No. 0642, to include an encroachment permit for the detached structure.

Public comment was given by MaryJo Chorbagan, 19316 Canyon Drive, who addressed the Council with her concerns about a 15 foot tall structure being built only 10 feet from her property line. She moved to Villa Park in 1998 for its rural qualities. She explained that there will be 3 bays, 51 feet across, and 15 feet tall, and 10 feet from her property line. She also is concerned about her vineyards not prospering due to the building blocking sunlight. Also, Mr. Moat's landscaping near the drainage channel might create problems with the roots affecting the channel. She likened his 3 garage bays to a "Walmart" structure with its huge expanse. She thought it only appropriate that the Moats plant a hedge to mask the garages.

The applicant, Jim Moat, was present to answer any questions. He explained that there is nothing he can do about the sun blocking the vineyards from afternoon sun after 4 PM. If Mrs. Chorbagan is seeking privacy, it will have to be done with trees.

Public comment was also given by Dale Duncan, 2 Estates Drive, who addressed Council about the plans for this project. He stated that the house design is well done, however, the garages are an abomination. The garage structure looks industrial, like a welding garage. If Mr. Moat needs more garages, then he should change the plans. He urged the Council to vote against this. He called the garage a wall of stucco with no architectural bent.

On another note, Mr. Duncan stated that dirt dump trucks working on this project are destroying the streets because the trucks miss the turn for Canyon Circle and turn into Estates Drive many times a day. He would like this problem resolved. He also urged the Council to deny the applicant's request for a Variance and Conditional Use Permit and have the application considered at a later date.

City Manager Domer stated that the landscape plan must go through the Community Development Committee and possibly the design of the garage, too. It could be softened and coordinated with the landscaping.

Concerning the dump truck issue, Mr. Moat is willing to help with the traffic safety utilizing flag men. Currently there is no signage with an address located on Mr. Moat's property. Also, street bonds are required and the City could look at increasing those bond amounts. Unfortunately, the City recently slurry sealed Canyon. The City will have to recuperate any damage to the street from Mr. Moat.

Public comment was given by Barbara Hemker, 9611 Christine Circle, who explained to the Council her experience with a neighbor who blocked the sun to her two trees that died. She sympathized with Mrs. Chorbagian.

City Manager Domer suggested that Council not deny the application, since that would cause the applicant to wait one year to re-apply. Instead, he would prefer the Council continue both the Conditional Use and Variance Permit to May 23, 2006.

The applicants' architect, Jerry Rodin, was present to answer any questions of Council. He stated that there are always foundation issues on hillsides. The good news is that the vehicles will be off the street. There is a solution to the garage possibly within reach by working with the Community Development Committee. He will work with the CDC to change the garage structure to beautify it.

Public comment was given again by MaryJo Chorbagian, who asked the architect how repositioning the garage would affect her view of it.

Public comment was given again by Dale Duncan, who asked the Council once again to re-consider this application at a later date.

Mayor Bortle closed the Public Hearing.

Councilmember Bell stated that he is in favor of continuing this Public Hearing to May 23, 2006. He asked City Engineer Repke if the street bond was adequate. City Engineer Repke replied that Mr. Moat will have to put in a new curb and gutter and pavement.

Mayor Pro Tem Ulmer agreed with Councilmember Bell that this item ought to be continued to May 23, 2006.

City Attorney Hampel advised Mayor Bortle to re-open the Public Hearing so that the City avoids having to re-notice the application.

Mayor Bortle re-opened the Public Hearing.

It was moved by Mayor Pro Tem Ulmer, seconded by Councilmember Bell, and carried by the following roll call vote to continue Conditional Use and Variance Permit No. 0642 (Location: 19312 E. Canyon Drive; Applicants: Jim and Holly Moat) to the May 23, 2006 City Council meeting:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

3. Consideration of Variance Permit No. 0643 for an after-the-fact request to exceed 42-inch fence height within the front setback (Location: 18511 Santiago Boulevard; Applicants: Kirk and Crystal Miles).

Mayor Bortle opened the Public Hearing.

City Manager Domer reported that the applicant is requesting permission to exceed the allowable fence height within a front yard setback area. The property owners started construction on the fence prior to pulling a building permit. The owners, who reside on the corner of Santiago and Lemon, have requested a variance to allow the fence to reach five feet, 6 inches in height, starting from the side property line and curving around the front. Villa Park Municipal Code requires any fencing within the first twenty feet of the front property line to not exceed 42 inches. In addition, a corner cut off is required in which fence height is limited to 42 inches.

City Manager Domer stated that the City has determined there is adequate right-of-way for future improvements at this site. If this Variance is approved, one condition would need to be added in order to increase visibility for any vehicles exiting the driveway nearest Lemon Street by removing one level of blocks for a distance of 8 feet.

Public comment was given by the applicant, Kirk Miles, who stated that he would reduce the height of the fence by one block for the 8 foot length.

City Manager Domer stated that the right-of-way is sufficient and that an encroachment permit would be necessary if the Variance is approved.

Councilmember Bell stated that he is opposed to the variance for the Lemon Street portion of the wall.

Mayor Pro Tem Ulmer stated that he likes the wall because it beautifies the street. He sees the wall as acting as a sound barrier. He is in favor of the design and for the fact that it will increase the property value.

Councilmember Fauteux that he opposes the variance because it is located on the corner and this presents a safety visibility issue.

Kirk Miles stated to Council that he sees similar situations throughout the City. He showed them photographs of similar situations to illustrate his point. He stated that no one stops at the intersection of Lemon and Santiago, making this an abnormal intersection. He has called the Sheriff's department numerous times to report speeding cars. He fears the cars will fly into his front yard without a barrier there.

Mayor Bortle closed the Public Hearing.

It was moved by Councilmember Bell, seconded by Councilmember Fauteux, and carried by the following roll call vote to deny Variance No. 0643 (Location: 18511 Santiago Boulevard; Applicants: Kirk and Crystal Miles):

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Bortle
NOES:	COUNCILMEMBERS:	Ulmer
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

4. Consideration of First Reading of Ordinance No. 2006-518, an Ordinance of the City Council of the City of Villa Park. California Adding Chapter XX Entitled Water Quality to the Villa Park Municipal Code and Deleting Article 6-8 of Chapter VI.

Mayor Bortle opened the Public Hearing.

City Manager Domer reported that State law requires each city covered under the State General National Pollution Discharge Elimination System (NPDES) permit CAS618030 to review their water quality ordinance in order to ensure adequate legal authority to control the contribution of pollutants to the Municipal Separate Storm Sewer System (MS4).

The City of Villa Park's Engineering Department evaluated and compared the model water quality ordinance written by the County of Orange as well as ordinances from the Cities of Newport Beach and Orange to improve our own ordinance. Resulting from this review, a revised water quality ordinance was drafted that ensures adequate legal authority and is representative of activities occurring in Villa Park.

City Attorney Hampel stated that there are a few corrections to the Ordinance that will be incorporated into the second reading, mostly clerical.

Hearing no public comment, Mayor Bortle closed the Public Hearing.

It was moved by Councilmember Fauteux, seconded by Councilmember Bell, and carried by the following roll call vote to accept the First Reading of Ordinance No. 2006-518, an Ordinance of the City Council of the City of Villa Park, adding Chapter XX Entitled Water Quality to the Villa Park Municipal Code and Deleting Article 6-8 of Chapter VI:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

## **STAFF REPORTS**

City Manager:

1. Villa Park Community Emergency Response Team (CERT) Annual Report.

The Villa Park Community Emergency Response Team (CERT) was re-authorized by the City Council on April 26, 2005 for an additional two-year period. The City Council requested that an annual report be made regarding the number of personnel trained and other issues as deemed necessary.

Villa Park has held CERT training sessions to date and is currently training our fifth group of CERT candidates. The total number of CERT graduates to date is 38. In the Spring of 2006 class, there are 18 candidates.

Because Villa Park does not have a full time staff person dedicated to working with the CERT program, a volunteer CERT Program Manager has been appointed by the City Manager, who will act in this capacity as the City's Assistant Emergency Services Director. Brad Reese, a Villa Park resident and volunteer firefighter, has volunteered to serve as the CERT Program Manager. In this capacity, Brad will assist the City Manager in emergency services and by coordinating the training and program management of the CERT program.

It was moved by Councilmember Bell, seconded by Mayor Pro Tem Ulmer, and carried by the following roll call vote to receive and file the Villa Park Emergency Response Team (CERT) Annual Report:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

1. Authorization to Issue Request for Proposal of Media Room/Library Expansion to City Hall.

City Manager Domer reported that the City Council previously approved at its December 20, 2005 City Council meeting a project management agreement with our contract city engineering firm, Norris-Repke, for the expansion to City Hall to house the cable media room and library expansion. Norris-Repke, in coordination with the City, has put together a Request for Proposal package to solicit design/building services for the project.

City Manager Domer reported that it may be necessary to extend this project to a later date due to insufficient General Fund float. The 800 square foot expansion will cost approximately \$80,000 to \$125,000.

It was moved by Mayor Pro Tem Ulmer, seconded by Councilmember Fauteux, and carried by the following roll call vote that the City Council authorizes the City Manager and City Engineer to issue a request for proposal for the Media Room/Library Expansion and return to the City Council to make an award of contract at the June 27, 2006 City Council meeting:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	None

ABSENT: COUNCILMEMBERS: Freschi  
ABSTAIN: COUNCILMEMBERS: None

City Attorney:

No report.

City Engineer:

1. FY 2005-06 Street Maintenance and Street Improvement Project.

As part of the annual street maintenance program, City staff prepared project plans and specifications for slurry sealing and asphalt overlays of various streets as well as street improvements on Mesa Drive.

Authorization to advertise the project for construction bids was received from the Council at its March 28, 2006 meeting. In addition to the slurry sealing and asphalt overlay of various streets, the project also includes some pavement repair, curb and gutter and re-striping.

It was moved by Mayor Pro Tem Ulmer, seconded by Councilmember Fauteux, and carried by the following roll call vote to award a construction contract to All American Asphalt in the amount of \$383,383.00 for the FY 2005-06 Street Maintenance Program and Mesa Drive Improvements and authorize the Mayor to execute the contract agreement:

AYES: COUNCILMEMBERS: Bell, Fauteux, Ulmer, Bortle  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: Freschi  
ABSTAIN: COUNCILMEMBERS: None

2. Extension of Time – Tentative Parcel Map Number 98-182; Applicants: Emile and Hadia Kheir.

City Engineer Repke reported that staff has reviewed the renewal request and finds the request meets the requirements of the City Code and believes the request to be reasonable.

Councilmember Fauteux asked City Engineer Repke how much the fee is to extend the Tentative Parcel Map application deadline. He stated \$300.00.

Councilmember Bell stated that this gives staff an opportunity to make additional conditions of approval.

It was moved by Councilmember Bell, seconded by Mayor Pro Tem Ulmer, and carried by the following roll call vote to adopt Resolution No. 2006-2870, a Resolution of the City Council of the City of Villa Park approving the renewal of the Tentative Parcel Map No. 98-182, for a period of one year:

AYES: COUNCILMEMBERS: Bell, Fauteux, Ulmer, Bortle  
NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Freschi  
ABSTAIN: COUNCILMEMBERS: None

Finance/Administrative Manager

1. Approval of Transferring Funds For Unclaimed Bond Deposits.

Finance/Administrative Manager Desai explained that the City's Building and Engineering Department requires a deposit in the form of a bond for construction activities. The bond covers potential damage, in the course of the activity, that may impact the City's streets or public right-of-ways. In addition, the Engineering Department requires a bond for construction activities related to grading, trail improvement, street improvement, or any activity deemed necessary to protect the City's infrastructure. Bonds are placed in separate deposit accounts (Trust & Agency) related to the type of bond required. Upon completion of the project and approval by the Public Works Department, Building and/or Engineering, the bond is refunded to the depositor in the amount of the bond and any interest accrued on the bond after the first thirty days of deposit.

City Manager Domer noted that the funds in question are from a time period dating to the early history of the City and that there is no documentation from which City staff can trace the origin of the funds. While current record keeping would allow the City to know the owner of the funds, there is no such documentation and it is thought that the funds may have belonged to developers of original tracts that went out of business or to parcels that were subsequently passed from developer to developer and therefore records were lost or not kept. This is not a normal issue and our external auditors have asked us to take this step. The fiscal impact to the City is an increase of \$34,064.88 to the General Fund and a decrease in the Trust and Agency fund.

Ms. Desai reported that the General Fund Balance is currently at \$875,000. This amount does not include approximately \$200,000 property tax due.

City Manager Domer stated that the quarterly financial newsletter has a new addition of footnotes. Regarding the status of the Cannon Street Wall project, the OES reimbursement of \$72,000 is due soon. He stated that the General Fund floated the \$380,000 payment for the Cannon Street Wall. Also, he noted that the reserve level is below normal. An appeal has been made to FEMA for the remainder. This is a 90-day process, and to date we are about 55 days into this process. An update will be given in a little over a month when FEMA reaches a decision.

Mayor Pro Tem Ulmer suggested that future staff reports state the "budgeted amounts" as well as that the account balances be reported to the public so that target measurements are illustrated.

It was moved by Mayor Pro Tem Ulmer, seconded by Councilmember Bell, and carried by the following roll call vote to adopt Resolution No. 2006-2871, a Resolution of the City Council of the City of Villa Park, authorizing the transfer of unclaimed bond deposits into the General Fund for FY 2005-06:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

2. Consideration of Quarterly Reports for Period Ending March 31, 2006.

City Manager Domer reported that there will be a Finance Committee meeting on Thursday, April 27, 2006 at 8 AM in City Hall, which is open to the public.

It was moved by Councilmember Fauteux, seconded by Mayor Pro Tem Ulmer, and carried by the following roll call vote to receive and file the Quarterly Reports for the period ending March 31, 2006:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

3. Update on Assembly Bill 1234.

Finance/Administrative Manager Desai reviewed a list of requirements spelled out in AB1234. Out of six requirements, Villa Park is already in compliance with three requirements concerning reimbursement of travel expenses and the filing of expense reports which would be public records and having the City Council provide brief reports on meetings they attend at the expense of the City at the next regular City Council meeting. The City is working on seeing to it that each Councilmember receives a minimum of 2 hours of ethics training relevant to his/her public service every other year. Ethics training went into effect for all local agency officials on January 1, 2006, with the exception of a member whose term of office ends before January 1, 2007.

**OTHER BUSINESS**

Councilmember Fauteux announced the annual Donate Life 5K Run/Walk Mayor-athon which will take place at Fullerton State University on Saturday April 29, 2006. He will represent the City of Villa Park this year and run in the race.

City Manager Domer announced the annual Compost Give-away for Villa Park residents this Saturday morning, April 29, 2006 at Villa Park High School. Dirt is free to all residents.

**ORAL COMMUNICATIONS**

None.

**ORDINANCES**

None.

**RESOLUTIONS**

1. Consideration of Resolution No. 2006-2872, a Resolution of the City Council of the City of Villa Park, California Amending the Conflict of Interest Code for Designated City Personnel and Consultants for the City of Villa Park as Contained in Resolution No. 78-551.

City Attorney Hampel reported that it was time to update the Conflict of Interest Code for designated city personnel and to add the four Investment Advisory Committee members. The last Resolution was adopted in 1978 and there have been changes in job titles of City Manager to City Manager/City Clerk and of the City Accountant to Finance/Administrative Manager.

There are four resident members of the Investment Advisory Committee and City Attorney Hampel advised staff to add these members to the designated consultants who must file a Form 700 to the FPPC annually. Since these resident members are a part of decisions made on investing surplus city funds, they ought to file Economic Interest forms to divulge any interests affiliated with the City of Villa Park.

Staff will follow-up with the four resident members to make sure they submit an initial statement as soon as possible.

It was moved by Councilmember Mayor Pro Tem Ulmer, seconded by Councilmember Bell, and carried by the following roll call vote to adopt Resolution No. 2006-2872, a Resolution of the City Council of the City of Villa Park, California Amending the Conflict of Interest Code for Designated City Personnel and Consultants for the City of Villa Park as Contained in Resolution No. 78-551:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, Ulmer
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Freschi
ABSTAIN:	COUNCILMEMBERS:	None

**CLOSED SESSION**

None.

**ADJOURNMENT**

It was moved by Mayor Bortle and carried unanimously to adjourn the meeting at 9:43 PM to the next regular session of the City Council on May 23, 2006 at 7:30 P.M.

---

Patricia L. Bortle, Mayor  
City of Villa Park

**ATTEST:**

---

Kenneth A. Domer, City Clerk  
City of Villa Park