

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, May 27, 2008 at 6:30 p.m. in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

**CALL TO ORDER** Mayor Reese Called the meeting to order at 6:30 p.m.

**ROLL CALL**

**COUNCILMEMBERS PRESENT**

Brad Reese	Mayor
James Rheins	Mayor Pro Tem
Richard Freschi	Councilmember
Deborah Pauly	Councilmember
W. Richard Ulmer	Councilmember

**STAFF PRESENT**

Ken Domer	City Manager
Todd Litfin	City Attorney
Warren Repke	Deputy City Engineer
Michelle Danaher	Finance Manager
Jason Carson	Associate Planner
Jarad Hildenbrand	Assistant to the City Clerk

**FLAG SALUTE**

Councilmember Ulmer led the Flag Salute.

**INTRODUCTIONS AND PRESENTATIONS**

State of the School – Villa Park high School.

Principal Ed Howard gave the State of the School Address.

Representative of the Villa Park Community Services Foundation, Inc.

Rondi Walsh, VPSCF Vice-Chair, updated the Council on recent Foundation activities to include the annual picnic and community survey.

Chief of Police Services Lt. Tom Gallivan – Law Enforcement Issues.

Lt. Gallivan updated the Council and Villa Park residents on recent criminal activities, stating that crime has reduced from beginning of the year levels due to resident awareness and additional patrols by the Sheriff's Professional Service Responders.

## **ORAL COMMUNICATIONS**

Jill Kuli, 9481 Henderson Way, spoke on Villa Park Women's League activities as well as the final EIR regarding the Villa Park Elementary School Buildings and encouraged residents to review it.

Rich Freschi, 10151 Phelan Drive, invited residents to his house on Election night for a reception in honor of State Assembly Candidate Larry Dick. Mr. Freschi additionally spoke on the lack of ethics and morality in Villa Park regarding the stealing and defacing of campaign signs.

Teri Brooks Elmendorf, 10291 Camden Circle, on behalf of the Villa Park Elementary School Restoration Corporation, requested that Council permit City staff to assist with the preservation of the historic buildings.

Bob Fauteux, 9912 Briley Way, spoke on the 4<sup>th</sup> Annual Villa Park 5K Run/Walk and thanked the organizers of the event.

Bruce Gleason, 9782 Santiago Boulevard, spoke in opposition to the "In God We Trust" motion at April's City Council meeting. Mr. Gleason, in his opinion, additionally spoke on the common misunderstanding of nonbelievers and the establishment of the Villa Park Skeptics Group.

Jan Naylor, 10335 Prado Woods Drive, responded to Mr. Freschi comments made earlier in the meeting. Mrs. Naylor noted signs may have not been stolen but instead removed by homeowners where they were placed without their permission.

## **PUBLIC HEARINGS**

1. Consideration of Conditional Use Permit No. 0680, A Request to Exceed the Roof of the Existing Residence to a Maximum of Thirty (30'0") Feet. Location: 9772 Crestview Circle. Applicants: Jim and Virginia Dye.

Mayor Reese opened the public hearing.

Associate Planner Carson presented the staff report and was available for questions.

Mayor Pro Tem Rheins commented he visited the property and the additional height would allow the pitch of the roof to match adjacent homes. General consensus on the appropriateness of the request with regard to the other homes in the neighborhood.

Mayor Reese closed the public hearing.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Pauly and carried by the following roll call vote adopting Resolution No. 2008-2994, approving Conditional Use Permit No. 0680 with attached conditions of approval:

AYES:	COUNCILMEMBERS:	Rheins, Pauly, Freschi, Ulmer, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

2. Consideration of Ordinance No. 2008-532, An Ordinance of the City Council of the City of Villa Park Amending Chapter VI, Public Nuisances, Adding Article 6-8 Maintenance of Real Property.

Mayor Reese opened the public hearing.

Associate Planner Carson presented the staff report and noted staff recommendation has changed from approving the first reading to continuing it to the June 24, 2008 City Council meeting. The continuation gives City staff enough time to rework the ordinance adding additional standards related to rental housing.

Councilmember Freschi voiced his opposition to the ordinance stating he believes it is useless and an infringement upon the citizens of our City.

Mayor Reese closed the public hearing.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Ulmer and carried by the following roll call vote to continue the first reading of Ordinance No. 2008-532 to the June 24, 2008 City Council meeting:

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

3. Consideration of Ordinance No 2008-534, An Ordinance of the City Council of the City of Villa Park Amending Chapter VIII, Article 8-3 of the Villa Park Municipal Code Concerning Solicitation and Literature Distribution.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report and was available for questions.

Regarding section 8-3.6, Councilmember Freschi questioned if it would be too restrictive to change the time from 8:00 a.m. to 10:00 a.m.

City Attorney Litfin stated it would not be too restrictive. City Manager Domer suggested striking out the word "sunrise" in that case.

Councilmember Pauly requested that City staff widely promote the "No Solicitor's Registry" – via the website, e-network, newsletter, etc.

Mayor Reese closed the public hearing.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve the first reading of Ordinance No 2008-534, with the 10:00 a.m. time change, striking out "sunrise" and setting June 24, 2008 as a second reading and adoption:

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

4. Consideration of Ordinance No 2008-535, An Ordinance of the City Council of the City of Villa Park Adding Article 8-4 to the Villa Park Municipal Code Establishing a Residential Health and Safety Rental Inspection Program.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report and noted staff recommendation has changed from approving the first reading to continuing it to the June 24, 2008 City Council meeting. Staff recommendation changed in an effort to eliminate the ordinance by enhancing the property maintenance ordinance with elements of the subject ordinance based on discussions with the Apartment Association of Orange County.

Mayor Reese closed the public hearing.

It was moved by Mayor Reese, seconded by Councilmember Freschi and carried by the following roll call vote to continue the first reading of Ordinance No. 2008-535 to the June 24, 2008 City Council meeting:

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

5. Consideration of Ordinance No, 2008-536, An Ordinance of the City Council of the City of Villa Park Amending Article 19-3 Limited Parking, Amending Sections 19-3.1 and 19-3.4 Setting Parking Restrictions as Posted or Marked.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report and was available for questions.

Mayor Reese closed the public hearing.

It was moved by Councilmember Ulmer, seconded by Councilmember Freschi and carried by the following roll call vote to approve the first reading of Ordinance No 2008-536, setting June 24, 2008 as a second reading and adoption:

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

6. Consideration of Fifth Amendment to the Amended and Restated Exclusive Franchise Agreement with Republic Services for the Collection, Transportation, Removal and/or Disposal of All Solid Waste Generated Within the City of Villa Park, California.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report and was available for questions.

Mayor Reese closed the public hearing.

It was moved by Councilmember Freschi, seconded by Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2008-3009, Approving the Fifth Amendment to the Amended and Restated Exclusive Franchise Agreement with Republic Services for the Collection, Transportation, Removal and/or Disposal of All Solid Waste Generated Within the City of Villa Park, California:

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

Councilmember Freschi thanked Republic Services for their contributions made to our community throughout the year.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Freschi and carried by a unanimous voice vote to move item 26 up on the agenda to after the Consent Calendar and before Items for Consideration.

**CONSENT CALENDAR**

Councilmember Pauly pulled items 9 and 10 for further discussion.

Councilmember Freschi pulled item 17 for further discussion.

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

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

The Consent Calendar consisted of the following items:

7. Consideration to Waive Reading in Full of all Ordinances, Resolutions and Meeting Minutes on the Agenda. Approved Action: That the City Council Waive Reading in Full of all Ordinances, Resolutions and Meeting Minutes on the Agenda.

8. Consideration of City Council Minutes of April 22, 2008. Approved Action: That the City Council Approve the Minutes of April 22, 2008.
11. Consideration of Treasurer's Report for the Month of April. Approved Action: That the City Council Receive and File the Treasurer's Report for the Month of April.
12. Resubmittal of Safe Routes to School Grant Application – Lemon Street Pedestrian and Bicycle Trail. Approved Action: That the City Council Authorize the Resubmittal of Safe Routes to School Grant Application - Lemon Street Pedestrian and Bicycle Trail.
13. Street Easement – 19312 Canyon Drive - APN 372-561-02. Approved Action: That the City Council Accept the Street Easement Across 19312 Canyon Drive (APN 372-561-02) on behalf of the City of Villa Park and Authorize the City Clerk to Record.
14. Consideration of Proclamation Declaring May 31, 2008, as World No Tobacco Day. Approved Action: That the City Council Proclaim May 31, 2008, as World No Tobacco Day.
15. Consideration of Agreement for Prosecution Services by the District Attorney of Orange County. Approved Action: That the City Council Approve of the Agreement for Prosecution Services by the District Attorney's Office and Authorize the Mayor to Execute the Agreement.
16. Consideration of Amendment No. 1 to the Urban County Cooperation Agreement between the County of Orange and the City of Villa Park. Approved Action: That the City Council Approve of Amendment No. 1 and Authorize the Mayor and City Manager to Execute.
9. Consideration of City Council Special Meeting Minutes of May 15, 2008.

Councilmember Pauly pulled item 9 questioning the language used to notice the closed session. The language makes it appear that a performance evaluation took place which is not the case.

Mayor Pro Tem Rheins stated the auditors asked if Council had any comments regarding the Finance Manager's and City Manager's operation. Finance Manager Danaher and City Manager Domer explained that new auditing standards require the external auditors to meet with representatives of the governing board. In this case, management decided it was best for the entire Council to meet with the external auditor regarding SAS 114. The new standard provides a chance for the governing board (City Council) to meet with the auditors without management present to express any misgivings or suspicions of malfeasance for the auditors to review during their audit. It is a standard and practice welcomed by management.

City Attorney Litfin stated that it was appropriate closed session language as the City Council is allowed to report on any perceived malfeasance of those public officials cited in a closed session meeting, hence the closed session description used for this purpose.

It was moved by Councilmember Pauly, seconded by Councilmember Freschi and carried by the following roll call vote to approve the Special Meeting Minutes of May 15, 2008:

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

10. Consideration of the List of Demands from April 11, 2008 to May 12, 2008.

Councilmember Pauly pulled item 10 questioning who reviews the F&M Bank credit card expenditures.

Mayor Pro Tem Rheins stated Finance Manager Danaher reviews them first. After she has reviewed them he reviews and signs each and every invoice; most are maintenance materials – shovels, rakes, clothes, etc. – as well as gas and vehicle repairs as needed. City Manager Domer stated that only he and the maintenance supervisor have credit cards and all purchases are approved prior with receipts provided to the Finance Manager.

Councilmember Pauly additionally questioned if the \$8,000 expenditure to Hillcrest Construction had to do with the Cannon Street wall. City Manager Domer confirmed it was.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve the List of Demands in the amount of \$889,584.33:

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

17. Consideration of Agreement With Trauma Intervention Programs, Inc (TIP).

Councilmember Freschi pulled item 17 questioning the number of times TIP was used last year as well as how TIP is publicized to the residents.

City Manager Domer stated TIP annually gives an update to the Council regarding the past years use, last done in January. Additionally, depending on the situation, the Fire Authority or Sheriff's Department will notify TIP when their assistance is needed.

It was moved by Councilmember Freschi, seconded by Mayor Reese and carried by the following roll call vote to approve of the agreement between the City and Trauma Intervention Programs, Inc., for the 2008-2009 Fiscal Year:

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

## **RESOLUTIONS**

26. Consideration of Resolutions Relating to Displaying the National Motto in the City Council Chamber.

City Manager Domer presented the staff report and was available for questions.

Councilmember Freschi addressed his concerns and questioned if Council really needs to get involved in the matter.

Mayor Reese spoke in favor of the motto noting if the majority of the voters want the motto, then the majority speaks. One or two individuals should not dictate what the majority of the people want.

Councilmember Ulmer questioned the fiscal impact of \$3,000.

City Manager Domer stated the City has started collecting private party donations for this cause. The \$3,000 is an estimate of how much it will cost to place the measure on the November 4<sup>th</sup> ballot. Accordingly, the fiscal impact will be reflected to be zero since the use of private funds will not fiscally impact the City.

Councilmember Pauly questioned what will happen with any remaining funds donated.

City Manager Domer stated the City is keeping a record of individuals who have donated. If the measure passes and there are remaining funds, the individuals would be contacted to see if they would like to donate the remaining funds to the actual display.

Mayor Pro Tem Rheins addressed his concerns regarding the divisive nature of this measure. He stated he would rather not see the Council vote in favor of putting it on the ballot and hopes the matter can be put to bed.

Councilmember Pauly stated it is not appropriate for the Council to make this decision; it should be put before the voters. It is appropriate for the majority to sometimes get their way and not back down to those who demand that we be politically correct.

City Council discussion ensued relating to the City's involvement in the measure. Refer to the meeting DVD for more information.

Bob Fauteux, 9912 Briley Way, stated he personally feels the motto does not belong in the Council Chambers and mentioned the City of Tustin recently decided to put the motto in their City Hall, not the Council Chambers. He additionally mentioned the Council should not make a decision on this; it needs to go to a vote of the people.

Alex Omarion, Serrano Avenue, spoke in opposition to putting the measure on the ballot.

Bruce Gleason, 9782 Santiago Boulevard, spoke in opposition to the measure.

Arnold Goodman, 18321 Hillcrest Circle, spoke in opposition to the measure.

Bob Fauteux, 9912 Briley Way, spoke in favor of the measure noting the City Council is entirely in their rights to put an issue of this importance in front of the voters and no argument should deter them from doing so.

Jan Naylor, 10335 Prado Woods Drive, spoke in favor of the measure.

Beverly Ulmer, 18550 Martinique Court, spoke in favor of the measure.

Lisa Reese, 17761 Mountain View Circle, spoke in favor of the measure.

Bruce Gleason, 9782 Santiago Boulevard, spoke in opposition to the measure.

Councilmember Pauly requested that language be added to the Resolution stating the display can only be removed by a future vote of the people.

It was moved by Mayor Reese, seconded by Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2008-3006, as amended by Councilmember Pauly, ordering the submission to the qualified electors of the City of a certain measure relating to displaying the National Motto in the City Council Chamber at the General Election to be held on Tuesday, November 4, 2008, as called by Resolution No. 2008-3003:

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

It was moved by Councilmember Pauly, seconded by Mayor Reese and carried by the following roll call vote to adopt Resolution No. 2008-3007, setting priorities for filing Written Arguments regarding a City Measure and directing the City Attorney to prepare an Impartial Analysis for a General Municipal Election to be held on Tuesday, November 4, 2008:

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

It was moved by Mayor Reese, seconded by Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2008-3008, providing for the filing of Rebuttal Arguments for City Measures submitted at Municipal Elections:

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

### **ITEMS FOR CONSIDERATION**

18. Consideration of Fiscal Year 2008-2009 Law Enforcement Services Contract with the Orange County Sheriff's Department.

City Manager Domer presented the staff report and was available for questions.

Councilmember Ulmer questioned if the \$82,000 could be saved for use in the following year.

City Manager Domer stated yes and it will be monitored in the future based on the requirements of the Supplemental Law Enforcement Services Fund source.

Councilmember Freschi questioned if residents are charged for false alarms.

City Manager Domer stated the City does not charge for the first false alarm and any additional false alarms are at the discretion of the Deputy. Per Villa Park Municipal Code the City has the ability to charge for false alarms.

Mayor Reese stated his system was malfunctioning and faulted twice within a month in which he was charged for the second false alarm.

Councilmember Pauly questioned the new Patrol Video System and how it was being paid.

City Manager Domer stated each deputy car has a video system which is being upgraded from VHS to digital technology. The cost to the City for the first year is zero due to built up credit; additionally, maintenance costs will decrease as a result of less mechanical functioning parts in the digital recorder than the VHS unit.

Councilmember Pauly wanted to bring to the attention of the people the SRO position. The SRO position is very valued and has perform exceptionally well in the schools; however, it should not be the sole responsibility of the City of Villa Park as 84% of the students are not residents of the City. She questioned if anything has been done to try to cooperate with the City of Orange and the Orange Unified School District to share these costs.

City Manager Domer stated the City has worked with the School District to try to obtain grant funding. The problem is we are competing with schools in the Oakland/Los Angeles area that have greater problems than us. Regarding the City of Orange, in the past they have funded an SRO position to split between schools, however, that position was recently eliminated.

Bob Fauteux, 9912 Briley Way, mentioned he sat through the Orange Unified School District meeting and they are very concerned with how much of their state funding is guaranteed, and how much is not. He questioned if the City has given any thought to this as well.

City Manager Domer responded saying the City has always been fiscally conservative in the City and we are expecting the worst case scenario including that there is no increase in property tax revenue as well as the possibility of losing other revenues.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve a new Five Year Agreement with the County of Orange for

Law Enforcement Services for an amount of \$1,128,510 for Fiscal Year 2008-09 and authorize the Mayor to Execute Said Agreement:

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

19. Consideration of Mid-Year Budget Adjustment for 2007/2008 Operating Budget.

Finance Manager Danaher presented the staff report and was available for questions.

Mayor Pro Tem Rheins commented this reallocates monies; it does not change revenues or increase expenditures.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2008-3013 authorizing a Second Amendment to the Budget for Fiscal Year 2007/2008:

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

**RECESS**

**COUNCILMEMBER COMMUNICATIONS**

Councilmember Freschi reported on the Orange County Vector Control, the Orange County Sanitation District, and that City Council meetings are available on demand via the City's website.

Mayor Pro Tem Rheins reported on the Finance and Budget Committee meeting, the Orange County Library Advisory Board meeting, and the Friends of the Villa Park Library's meeting.

Councilmember Pauly reported on the Serrano Water District Board meeting. Additionally, she mentioned the new 657 area code overlay is almost here and the City sent a letter to the Secretary of Commerce in support of the 241 Toll Road completion.

Councilmember Ulmer reported on the Community Development/Public Safety Committee meeting.

Mayor Reese reported on the City/Schools Committee meeting and the Orange County Fire Authority Board meeting.

20. Travel and Meetings.

Mayor Pro Tem Rheins, Councilmember Freschi, Mayor Reese and Councilmember Pauly reported on the general meeting of the League of California Cities held May 16, 2008, noting that Mayor Pro Tem Rheins was elected as the 3<sup>rd</sup> District Representative to the Board of Supervisors.

It was unanimously approved to receive and file the Travel and Meeting Report Detailing Reimbursed Meetings, Conferences or Seminars for the Time Period of April 22, 2008 to May 27, 2008.

21. Individual Councilmember Items.

Councilmember Freschi apologized for a remark he made during the discussion of the national motto. Additionally, he invited residents to City Hall to read what he said, as a member of the public, during Oral Communications.

Mayor Pro Tem Rheins mentioned he had a busy month by going on a ride-a-long with Deputy Daryl Romero, attending a Holocaust Remembrance presentation at the Chapman University Center for Holocaust Education, attending an Orange County Peace Officer's Memorial presentation, and going on a three day Metropolitan and Municipal Water District tour of the Colorado River at Parker Dam and connecting aqueducts.

Regarding a comment made during Oral Communications, Councilmember Ulmer asked that Council direct staff to assist the Villa Park Elementary School Restoration Corporation by investigating potential leads and options in the preservation of the historic buildings. It was carried by a unanimous voice vote directing staff.

Councilmember Ulmer mentioned the City of Mission Viejo shifted away from the County and was going to a "No Kill" animal shelter. As a community, this might be an option to pursue.

City Manager Domer stated the City's summer intern from USC will be tasked with the review of the "No Kill" shelter.

Councilmember Pauly requested that the Travel and Meeting report be updated more frequently. She noticed a couple meetings attended by Councilmember's were left off the report, with that, she reported on the Orange County Water Summit event she attended. Additionally, she congratulated Women's League members Mary Lynn Fader for winning the Community Services Award, Carolyn Reichert for winning the Circle of Friendship Award and Jill Kuli for winning the Athena Award.

Councilmember Pauly mentioned she had the rare opportunity to speak at the California Republican's Assembly meeting in Temecula for the 60<sup>th</sup> anniversary of the founding of the nation of Israel.

Councilmember Pauly requested that City Manager Domer setup a meeting with AT&T regarding the purchasing of equipment for VPTV in order to transmit through the new AT&T delivery system.

## **STAFF REPORTS**

### City Manager/City Clerk

No Report.

### Finance Department

No Report.

### City Attorney

No Report.

### City Engineer

Deputy City Engineer Repke announced the City was successful in our grant application for the Lemon Street Trail. With an estimated match of \$150,000, the City will receive \$667,000 in grant money.

### Planning Department

No Report.

## **ORDINANCES**

22. Consideration of Second Reading and Adoption of Ordinance No. 2008-531, An Ordinance of the City Council of the City of Villa Park Adding Section 23-16.7 to the Villa Park Municipal Code Regarding Temporary Signs in Residential and Commercial Zones.

Associate Planner Carson presented the staff report and was available for questions.

City Manager Domer clarified any changes made to the ordinance tonight would constitute a first reading and it would be brought back in June for a second reading.

Councilmember Freschi questioned if the City could charge candidates to place signs on street corners in an effort to control signs in the public right-of-ways.

City Attorney Litfin mentioned he has not seen that done before and has doubts it is allowable. If the fee is prohibitive it cannot be done because it would squelch speech by the imposition of a fee.

Mayor Pro Tem Rheins addressed his concerns regarding the ordinance. Right now, most of the signs for the Serrano Water District elections are in violation of this ordinance.

Councilmember Freschi and Mayor Pro Tem Rheins suggested deleting the ordinance.

Bob Fauteux, 9912 Briley Way, recommended the first day of the month preceding the general election as the time frame for political signs.

City Council discussion and comments ensued regarding the need for a temporary sign ordinance, the verbiage of several sections, as well as right-of-way placement issues.

City Manager Domer led the Council through the Ordinance one section at a time, seeking comment and proposing language based on Council comments. With each change, the City Manager sought majority approval. The changes were repeated to clarify the ordinance as amended.

It was moved by Councilmember Pauly, seconded by Mayor Reese and carried by the following roll call vote to approve the first reading of Ordinance No 2008-531, as amended, setting June 24, 2008 as a second reading and adoption:

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

23. Consideration of Second Reading and Adoption of Ordinance No. 2008-533, An Ordinance of the City Council of the City of Villa Park Amending Section 17-1.1 Regarding the General Application of Chapter XVII and Replacing Sections 17-2.1 and 17-3.1 Regarding Bonding for Streets and Sidewalks.

City Manager Domer presented the staff report and was available for questions.

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. 2008-533:

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

## **RESOLUTIONS**

24. Consideration of Resolution No. 2008-3012 Preliminarily Approving and Adopting Report for Sewer Pump Station Maintenance for Fiscal Year 2008-09 and Appointing Time, Date, and Place for Hearing Thereon.

Deputy City Engineer Repke presented the staff report and was available for questions.

It was moved by Councilmember Freschi, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2008-3012, accepting the Report for Sewer Pump Station Maintenance Charges for a Portion of Tract Number 10523 and Tract Number 13204 for Fiscal Year 2008-09 and setting June 24, 2008 as the Date for a Public Hearing:

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

25. Consideration of General Municipal Election on November 4, 2008.

City Manager Domer presented the staff report and was available for questions.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2008-3003, Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 4, 2008, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities:

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

Under section 1, Councilmember Pauly corrected it should read two members of the Council rather than three.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to adopt Resolution No. 2008-3004, Requesting the Board of Supervisors of the County of Orange to Consolidate a General Municipal Election to Be Held on Tuesday, November 4, 2008, with the Statewide General Election to be Held on the Date Pursuant to Section 10403 of the Elections Code:

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

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to adopt Resolution No. 2008-3005, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election to Be Held on Tuesday, November 4, 2008:

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

27. Consideration of Resolution No. 2008-3011, Declaring the Week of May 19 - 25, 2008 as Emergency Medical Services Week.

City Manager Domer presented the staff report and was available for questions.

It was moved by Mayor Pro Tem Rheins, seconded by Mayor Reese and carried by a unanimous voice vote to adopt Resolution No. 2008-3011 declaring the week of May 19 - 25, 2008 as Emergency Medical Services Week.

**ORAL COMMUNICATIONS**

None.

**CLOSED SESSION**

None.

**ADJOURNMENT**

It was moved by Mayor Reese and carried unanimously to adjourn at 10:12 p.m.

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Brad Reese, Mayor  
City of Villa Park

**ATTEST:**

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Kenneth A. Domer, City Clerk  
City of Villa Park