

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

The City Council of the City of Villa Park convened Tuesday, July 14, 2009 at 6:30 p.m. in an adjourned meeting in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

GENERAL SESSION

6:30 p.m. – City Council Chambers

CALL TO ORDER Mayor Rheins called the meeting to order at 6:30 p.m.

ROLL CALL

COUNCILMEMBERS PRESENT

James Rheins	Mayor
Bill Mac Aloney	Mayor Pro Tem
Deborah Pauly	Councilmember
Brad Reese	Councilmember
W. Richard Ulmer	Councilmember

STAFF PRESENT

Lori Sassoon	City Manager
Jarad Hildenbrand	Assistant City Manager / City Clerk
Todd Litfin	City Attorney
Joe O'Neil	City Engineer
Jason Carson	Associate Planner
Jorge Garcia	Management Assistant

PLEDGE OF ALLEGIANCE TO THE FLAG - Led by Mayor Pro Tem Mac Aloney

CLOSED SESSION

City Manager Sassoon reported that an item came up after the agenda was posted concerning potential litigation and requested that Council add a Closed Session item to the agenda to discuss the matter.

It was moved by Councilmember Ulmer, seconded by Mayor Pro Tem Mac Aloney, and carried by the following roll call vote to add this item to the agenda:

AYES:	COUNCILMEMBERS:	Ulmer, Mac Aloney, Pauly, Reese, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

- 1. Conference with Legal Counsel – Anticipated Litigation.** Closed Session Per Govt. Code Section 54956.9 (c) relating to initiation of litigation: one potential case.

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

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Villa Park Community Services Foundation Update – Bob Fauteux
- Law Enforcement Issues - Chief of Police Services Lt. Tom Gallivan

ORAL COMMUNICATIONS

Rich Freschi, 10151 Phelan Drive, announced that the Serrano Water District is planning to change the water billing from a bi-monthly to a monthly cycle for all District customers and asked for resident feedback.

PUBLIC HEARINGS

1. **Conditional Use Permit No. 0699, an after-the-fact request to construct a recreational court in the rear yard of the property. Location: 18242 Francisco Drive.**

Mayor Rheins opened the public hearing.

Councilmember Ulmer questioned the hours of operation for recreational court lighting and recommended that the lights be turned off at 9:30 p.m.

Tom Dodge, 18221 Montana Circle, addressed his concerns relative to noise levels, fencing requirements, as well as lighting requirements.

Kirk Fullerton, 18261 Montana Circle, addressed the same concerns as Mr. Dodge.

Associate Planner Carson stated the City received two written communications from adjacent property owners. One in favor of the project, noting noise concerns, and the second addressed drainage issues relating to the recreational court which will be addressed in the landscape plans.

Mayor Rheins closed the public hearing.

It was moved by Councilmember Ulmer, seconded by Councilmember Reese and carried by the following roll call vote to adopt Resolution No. 2009-3090, approving Conditional Use Permit No. 0699, amending the conditions of approval requiring that recreational court lighting be turned off by 9:30 p.m., and that the applicant submit a landscape plan to the Community Development Committee to mitigate noise:

AYES:	COUNCILMEMBERS:	Ulmer, Reese, Pauly, Rheins
NOES:	COUNCILMEMBERS:	Mac Aloney
ABSENT:	COUNCILMEMBERS:	None

2. Resolution No. 2009-3081, declaring conditions at 9491 Lemon Street, Villa Park, California, a public nuisance, ordering the correction of said Nuisance and authorizing abatement. (Continued from June 23, 2009)

Mayor Rheins opened the public hearing.

Bangalore Subbarao, property owner, stated the rear yard of the property will be completed as time and money permits; however, all other commitments will be completed on schedule.

After discussion, Council directed the property owner to contact City staff the following day to confirm landscape requirements as well as a schedule for completion.

Mayor Rheins closed the public hearing.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Pauly and carried by the following roll call vote to continue this item to the August 25, 2009 meeting in order to determine if the property owner has completed the repairs in accordance to the original 3 phase plan:

AYES:	COUNCILMEMBERS:	Mac Aloney, Pauly, Reese, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

CONSENT CALENDAR (ITEMS # 3-11)

Councilmember Pauly pulled Item 10 for further discussion.

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

AYES:	COUNCILMEMBERS:	Pauly, Mac Aloney, Reese, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

The Consent Calendar consisted of the following items:

3. Financial activity from June 11, 2009 through July 1, 2009.

ACTION: Approve financial activity in the amount of \$266,367.82.

4. Code Enforcement Report through July 3, 2009.

ACTION: Receive and File.

5. Request approval of City Council Minutes of June 23, 2009.

ACTION: Approve.

6. Consideration of Fiscal Year 2009-2010 Priorities and Work Plan.

ACTION: Adopt the FY 2009-2010 Priorities and Work Plan.

7. Authorization for solicitation of bids – Safe Route to Schools Projects.

ACTION: Authorize the City Engineer to solicit bids for the Safe Route to Schools Projects and return to the City Council for the award of project on August 25, 2009.

8. Designation of voting delegate and alternate for the 2009 League of California Cities Annual Conference – September 16-18, 2009.

ACTION: Adopt Resolution No. 2009-3087, appointing a voting delegate and voting delegate-alternate for subject conference.

9. Ordinance No. 2009-542, approving and adopting the report for sewer pump station maintenance charges for a portion of Tract Number 10523 and Tract Number 13204 for Fiscal Year 2009-2010, prescribing and levying charges, and providing for collection of charges on the tax roll.

ACTION: Approve a second reading and adopt Ordinance No. 2009-542.

11. Resolution No. 2009-3091 authorizing the City Attorney to cooperate with the League of California Cities, other cities, and counties in litigation challenging the Constitutionality of any seizure by state government of the City's street maintenance funds.

ACTION: Adopt Resolution No. 2009-3091, authorizing the City Attorney to cooperate with the League of California Cities, other cities, and counties in litigation challenging the Constitutionality of any seizure by state government of the City's street maintenance funds

ITEMS REMOVED FROM THE CONSENT CALENDAR

10. Consideration of a Ticket Distribution Policy.

Councilmember Pauly pulled this item for further clarification. Councilmember Pauly inquired regarding the disclosure and reporting requirements of the Irvine Lake All Access Card that was provided to all City residents.

City Attorney Litfin stated tickets that are provided to the general public are not required to be reported.

It was moved by Councilmember Pauly, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2009-3089, establishing the Ticket Distribution Policy:

AYES:	COUNCILMEMBERS:	Pauly, Ulmer, Reese, Mac Aloney, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

OTHER ORDINANCES AND RESOLUTIONS

12. Ordinance No. 2009-541, adding Section 23-24 to the Villa Park Municipal Code relating to landscape standards.

Mayor Rheins opened the item for public comment. With no one in attendance wishing to speak, Mayor Rheins closed the item for public comment.

Councilmember Pauly addressed concerns she had regarding the residential landscape improvement plan trigger of 2,500 sq. ft. described in Section 23-24.4.d., as well as the Certificate of Compliance described in Section 23-24.10.d.2.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Ulmer and carried by the following roll call vote to approve a first reading of Ordinance No. 2009-541; and set August 25, 2009, as a second reading and adoption:

AYES:	COUNCILMEMBERS:	Mac Aloney, Ulmer, Reese, Rheins
NOES:	COUNCILMEMBERS:	Pauly
ABSENT:	COUNCILMEMBERS:	None

13. Ordinance No. 2009-543, amending Section 2-5 of the Villa Park Municipal Code regarding the posting of notices.

Mayor Rheins opened the item for public comment. With no one in attendance wishing to speak, Mayor Rheins closed the item for public comment.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Pauly and carried by the following roll call vote to approve a first reading of Ordinance No. 2009-543; and set August 25, 2009, as a second reading and adoption:

AYES:	COUNCILMEMBERS:	Mac Aloney, Pauly, Reese, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

14. Resolution No. 2009-3088, establishing the order of the agenda and meeting time for City Council meetings, and rescinding prior Resolution No. 2009-3058.

Mayor Rheins opened the item for public comment. With no one in attendance wishing to speak, Mayor Rheins closed the item for public comment.

It was moved by Councilmember Ulmer, seconded by Mayor Pro Tem Mac Aloney and carried by the following roll call vote to adopt Resolution No. 2009-3088, establishing the order of the agenda and meeting time for City Council meetings, and rescinding prior Resolution No. 2009-3058:

AYES:	COUNCILMEMBERS:	Ulmer, Mac Aloney, Pauly, Reese, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

CONTINUED ITEMS/ OLD BUSINESS - None

NEW BUSINESS

15. Discussion regarding proposed modifications to the Municipal Code regarding purchasing procedures.

Mayor Rheins opened the item for public comment. With no one in attendance wishing to speak, Mayor Rheins closed the item for public comment.

It was the consensus of the Council to refer this matter to the Budget and Finance Committee to review proposed changes, make recommendations, and present said recommendations at the August 25, 2009 Council Meeting.

MAYOR AND COUNCILMEMBER MATTERS

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

Mayor Pro Tem Mac Aloney reported on the Villa Park Community Access Television Corporation meeting, the Serrano Water District Board meeting, and the Public Utilities Committee meeting with Villa Park Disposal.

Councilmember Reese reported on the Orange County Sanitation District and Orange County Fire Authority board meetings.

Councilmember Pauly reported on the Serrano Water District Board meeting and the Public Utilities Committee meeting with Villa Park Disposal.

CITY MANAGER'S REPORT

City Manager Sassoon announced that her monthly report to Council is available and can be accessed via the City's website.

City Attorney Litfin presented Council with an update regarding the 17841 Lincoln Street public nuisance property and abatement process.

ADJOURNMENT – The City Council adjourned at 8:45 p.m.

The next regular Council Meeting is scheduled for August 25, 2009 at 7:00 p.m.

James Rheins, Mayor
City of Villa Park

ATTEST:

Jarad L. Hildenbrand, City Clerk
City of Villa Park

Note: The above minutes are a summary of actions. A DVD recording of this meeting additionally serves as an official record and is available upon request from City Hall.