

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

The City Council of the City of Villa Park convened Tuesday, October 27, 2009 at 7:00 p.m. in a regular meeting in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

**CALL TO ORDER** Mayor Rheins called the meeting to order at 7:00 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
Michelle Danaher	Finance Manager
Warren Repke	Deputy City Engineer
Jason Carson	Associate Planner
Jorge Garcia	Management Assistant

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Led by Isabella Urbani and Hava Waldstreicher from Serrano Elementary School

**PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS**

- Presentation of Commendation to Villa Park Area School Crossing Guards
- Academic Achievement Award – Natalie Perez from Cerro Villa Middle School
- Villa Park Community Services Foundation update
- Law enforcement issues - Chief of Police Services Lt. Tom Gallivan

**ORAL COMMUNICATIONS**

Mary Silzel, 18202 Montana Circle, urged Council to vote with the residents regarding the classification of Villa Park Road in the Circulation Element.

Dr. Robert Helton, 10051 Briley Way, questioned if there was going to be a period for public comment on Item 18.

Jan Naylor, 10335 Prado Woods Drive, questioned the status of the red curb she requested at the southeast corner of Santiago Boulevard and Prado Woods Drive.

## **PUBLIC HEARINGS**

- 1. 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, July 14, 2009, August 25, 2009, and September 22, 2009)**

Associate Planner Carson presented the staff report noting the remaining nuisances.

Mayor Rheins opened the public hearing. There was no one in attendance wishing to speak.

City Council discussion ensued regarding the entry columns and expired building permits. It was the consensus of Council to continue the item for the last time to its meeting on November 17, 2009.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Pauly and carried by the following roll call vote to continue the item for one last time to the November 17, 2009 City Council meeting:

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

Mayor Rheins continued the public hearing.

- 2. Conditional Use Permit No. 0700, a request to allow the primary structure on the property to be constructed to a maximum height of thirty-two (32') feet, and to construct up to four (4) garage stalls on the property. Location: 18922 Santiago Boulevard. Applicant: Sam Olsen.**

Associate Planner Carson presented the staff report.

Mayor Rheins opened the public hearing.

Jan Van Emon, 18041 James Road, questioned if this was the same home design and presented several years ago.

Neil Massey, Consultant, Alpine, Utah, confirmed it was the same design with some minor modifications.

Doug Johnston, 10262 Sycamore Circle, expressed his concerns regarding the height of the structure.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Reese and carried by the following roll call vote to continue the item to the November 17, 2009 City Council meeting, and direct the applicant to erect story poles on the property:

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

Mayor Rheins continued the public hearing.

### **CONSENT CALENDAR (ITEMS # 3-16)**

Mayor Pro Tem Mac Aloney pulled item 4. Councilmember Pauly pulled items 8 and 12.

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

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

**3. Warrants and disbursements from September 10, 2009 to October 12, 2009.**

ACTION: Approve warrants and disbursements in the amount of \$747,865.77.

**5. FY 2009/10 First Quarter Financial Report, Period Ending September 30, 2009.**

ACTION: Receive and file.

**6. Request approval of City Council Minutes of August 25, 2009.**

ACTION: Approve.

**7. Request approval of City Council Minutes of September 22, 2009.**

ACTION: Approve.

**9. Ordinance No. 2009-545, amending Article 23 Section 6.11(e) and Article 23 Section 25.6(b) of the Villa Park Municipal Code concerning the maximum height of walls and fences adjacent to certain thoroughfares.**

ACTION: Approve a second reading and adopt Ordinance No. 2009-545.

- 10. Consideration of Resolution No. 2009-3095, Declaring intent to conduct a Public Hearing on conditions present at 10221 Camden Circle, Villa Park, California to determine whether such conditions constitute a Public Nuisance.**

ACTION: Adopt Resolution No. 2009-3095 and schedule a Public Hearing for December 15, 2009 to review evidence for declaring 10221 Camden Circle a Public Nuisance.

- 11. Consideration of Denial of Claim – Steven Fisher.**

ACTION:

1. Deny the claim of Steven Fischer, based upon the investigation and recommendation of the City's insurance adjuster, Carl Warren & Company; and
2. Direct the City Clerk to send a standard rejection letter to the claimant.

- 13. Authorization to purchase two police bicycles and a hand held radar unit.**

ACTION: Authorize the Finance Manager to amend the FY 09/10 budget as stated in the staff report in order to appropriate \$7,279 of CLEEP funds to purchase the aforementioned equipment.

- 14. FY 2008/2009 Financial Audit Report from Mayer, Hoffman & McCann.**

ACTION: Receive and file.

- 15. Approval of an Entry and License Agreement with Gudzunus Properties for the installation of new light poles in the City Hall Plaza.**

ACTION: Approve the Entry and License Agreement with Gudzunus Properties, and authorize the Finance Manager to amend the FY 2009/10 Budget as noted in this staff report.

- 16. Consideration of Landscape Easement Located at 19051 Ridgeview Road.**

ACTION:

1. Approve the Certificate of Acceptance and authorize the Mayor to execute on behalf of the City of Villa Park;
2. Accept the Landscape Easement Deed at 19051 Ridgeview Road (APN 372-471-07) on behalf of the City of Villa Park and authorize the City Clerk to record; and
3. Authorize the Finance Manager to amend the FY 09/10 budget as stated in the staff report.

#### **ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 4. Financial Treasurer's Report for the month of September.**

Mayor Pro Tem Mac Aloney pulled item 4 thanking City Treasurer Dennis Kuli for his work and dedication.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Mayor Rheins and carried by a unanimous voice vote to receive and file the Treasurer's Report.

**8. Ordinance No. 2009-547, adding Chapter 24 to the Villa Park Municipal Code regarding the adoption of a water efficient landscape ordinance.**

Councilmember Pauly pulled item 8 noting this is another unfunded State mandate.

It was moved by Councilmember Pauly, seconded by Mayor Rheins and carried by the following roll call vote to introduce and approve a first reading of Ordinance No. 2009-547; and set November 17, 2009, as a second reading and adoption:

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

**12. Approval of letter agreements with Norris-Repke for engineering services related to the annual Sewer System Rehabilitation Project for FY 2009-10, and additional costs for the Taft Avenue Median Project.**

Councilmember Pauly pulled item 12 for further clarification.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Ulmer and carried by the following roll call vote to authorize the City Manager to execute the letter agreement with Norris-Repke for design and construction management services related to the annual sewer system rehabilitation project for FY 2009/10; and authorize the City Manager to execute an amendment to Letter Agreement P-4029, and authorize the Finance Manager to amend the FY 2009/10 budget to appropriate an additional \$10,000 for costs already incurred, as noted in this staff report:

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

**NEW BUSINESS**

**17. Request removal of pine trees along Taft Avenue between Center Drive and Lemon Street.**

City Manager Sassoon presented the staff report.

Councilmember Ulmer expressed his opposition to the removal of the pine trees.

It was moved by Councilmember Ulmer, seconded by Mayor Pro Tem Mac Aloney and carried by a unanimous voice vote to deny the request to remove the pine trees along Taft Avenue.

**18. Discussion regarding the classification of Villa Park Road in the Circulation Element of the City's draft General Plan.**

City Manager Sassoon presented the staff report.

Pam Dunn, Kellie Ann Moore, Jan Van Emon, Dr. Robert Helton, Tom Dodge, Jan Naylor and Wayne Silzel voiced their concerns that if Villa Park Road is designated a major arterial highway, the road might be widened into a major highway that cuts through the middle of Villa Park.

Kia Mortazavi, Orange County Transportation Authority (OCTA), addressed residential concerns stating that OCTA has no authority over local streets, and the decision as to whether or not widen Villa Park Road belongs to the Villa Park City Council.

City Council discussion ensued.

It was moved by Councilmember Ulmer, seconded by Councilmember Reese and carried by the following roll call vote to continue the item to the November 17 City Council meeting:

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

*Mayor Rheins excused himself from the remainder of the meeting.*

**OTHER ORDINANCES AND RESOLUTIONS**

**19. Resolution No. 2009-3094 authorizing the City of Villa Park's participation in the Proposition 1A Securitization Program.**

City Manager Sassoon presented the staff report.

Councilmember Pauly mentioned she would like to increase the City's General Fund Reserve with the unanticipated funds.

It was moved by Councilmember Ulmer, seconded by Councilmember Reese and carried by the following roll call vote to adopt Resolution No. 2009-3094 and the related Purchase and Sale Agreement, and authorize the Finance Manager to amend the FY 2009-10 budget to reflect the additional revenue from the sale of Villa Park's receivable:

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

## MAYOR AND COUNCILMEMBER MATTERS

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

Councilmember Ulmer reported on the Investment Advisory Committee meeting.

Councilmember Pauly reported on the Serrano Water District Board meeting.

Councilmember Reese reported on the Orange County Sanitation District and Orange County Fire Authority Board meeting.

## CITY MANAGER'S REPORT

No report.

**ADJOURNMENT** – The City Council adjourned at 11:05 p.m. in memory of Don Ebrite.

The next City Council Meeting is scheduled for November 17, 2009 at 7:00 p.m.

  
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W. Bill Mac Aloney, Mayor  
City of Villa Park

**ATTEST:**

  
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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.

