

MINUTES OF THE CITY COUNCIL

CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in a special session Tuesday, December 18, 2007 at 7:30 p.m. in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

CALL TO ORDER

Mayor Reese called the meeting to order at 7:30 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
Len Hampel	City Attorney
Todd Litfin	Assistant City Attorney
Warren Repke	City Engineer
Jason Carson	Associate Planner
Jarad Hildenbrand	Assistant to the City Clerk / Management Assistant

FLAG SALUTE

Alessa Nackoul and Jamella Perkins students from Serrano Elementary lead the Flag Salute. Mayor Reese presented each with a City pin and gift certificate to Rockwell's Bakery.

INTRODUCTIONS AND PRESENTATIONS

Presentation of Academic Achievement Award to Jonathan Li from Villa Park High School.

Mayor Reese read a biography on Jonathan and presented him with a certificate of achievement and gift certificate to First Class Pizza.

Presentation of Academic Achievement Award to Jeffrey Peterson from Villa Park High School.

Mayor Reese read a biography on Jeffrey and presented him with a certificate of achievement and gift certificate to First Class Pizza.

Representative of the Villa Park Community Services Foundation, Inc.

Bob Fauteux, 9912 Briley Way, mentioned this years annual boat parade was a success and thanked Rockwell's Bakery for stepping in and loaning their backroom for the VIP reception. Additionally, the Villa Park History Book is almost complete and will be available early in 2008. Mr. Fauteux ended by thanking City Attorney Len Hampel for all his work over the years.

Councilmember Ulmer stated over 3,500 residents and guests lined the streets to watch the boat parade.

Presentation to Len Hampel, City Attorney for the City of Villa Park upon His Retirement.

Former Villa Park City Councilmember's Dr. Robert Helton, Carol Kawanami, Bill MacAloney and Wayne Silzel thanked and acknowledged Mr. Hampel for his dedication and work over the years and wished him the best of luck in retirement.

Each Councilmember gave brief remarks thanking Mr. Hampel for everything he has done for the City of Villa Park and bestowed upon him the title "City Attorney Emeritus."

City Attorney Hampel was presented two plaques and a Hawaiian UCLA Reyn Spooner shirt in honor of his 30 years with the City of Villa Park.

City Attorney Hampel gave brief remarks stating it was a real pleasure working with present and past Councilmember's as well as the residents of Villa Park. Mr. Hampel then stated he could not think of a better replacement than incoming City Attorney Todd Litfin.

APPOINTMENTS

1. Consideration of Investment Advisory Committee Appointments.

Mayor Pro Tem Rheins presented the staff report stating the Finance Committee met with all three applicants, two of which were incumbents. He then mentioned that each applicant was well suited for the job and the City is very lucky to have received such qualified applicants. Mayor Pro Tem Rheins stated it is Finance Committees recommendation to re-appoint the incumbents.

It was moved by Councilmember Freschi, seconded by Councilmember Ulmer and carried by the following roll call vote to appointing William Nelson and Daniel Carlberg to the Investment Advisory Committee for a term ending January 2010:

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

ORAL COMMUNICATIONS

None.

PUBLIC HEARINGS

2. Consideration of Conditional Use Permit No. 0673, A Request to Exceed the Roof Height Limit of Twenty-five (25') Feet for a New Roof Height Not to Exceed Twenty-nine (29') Feet. Location: 9921 Leatrice Drive. Applicants: Doug and Lynette Cwiertnia.

Mayor Reese opened the public hearing.

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

Steve Elson, Architect, stated he was available for any questions.

Mayor Pro Tem Rheins stated he visited the site and the design adds to the architectural look of the house and finishes it off the design nicely.

Councilmember Freschi and Councilmember Pauly agreed it will be a nice addition to the community and finish off the property nicely.

Mayor Ulmer closed the public hearing.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Freschi and carried by the following roll call vote to adopt Resolution No. 2007-2980, approving Conditional Use Permit No. 0673:

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

3. Consideration of Resolution No. 2007-2975, A Resolution of the City Council of the City of Villa Park Amending Penalties for Parking Violations in the City of Villa Park.

Mayor Reese opened the public hearing.

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

Bob Fauteux, 9912 Briley Way, questioned the fiscal impact the increase will have to the City.

In response to Mr. Fauteux, City Manager Domer stated any increase in penalties will increase the revenue to the City, however, this is more of a cost recovery effort, rather than a revenue generating opportunity.

Bill MacAloney, 18916 Valley Drive, questioned how much the City currently generates per year from parking violations.

In response to Mr. MacAloney, City Manager Domer stated Villa Park Sheriff Deputies currently issue an estimated 350 parking citations per year which equates to roughly \$9,000 per year.

Councilmember Pauly noted it has been 13 years since the bail schedule was set. In relation to increasing penalties, she stated she views this as an effort to encourage compliance. Councilmember Pauly also noted the California Vehicle Code section 40203.5(a) which states, to the extent possible, issuing agencies within the same county shall standardize parking penalties.

Councilmember Freschi stated for a better cost recovery ratio the penalties should be around \$65 or \$70.

Mayor Pro Tem Rheins agreed with Councilmember Pauly, that an increase in penalties is to encourage compliance; however, it does not need to be extremely punitive.

Councilmember Ulmer stated a \$32 penalty does not leave much of an impression on someone and an increase in penalties is needed. He also mentioned some penalties are more egregious than others, such as handicap parking, and they should be more punitive than the rest.

Mayor Reese agreed with the Council stating that penalties need to be increased. The cost of law enforcement has gone up drastically and increasing penalties will help for a better cost recovery ratio.

After brief City Council discussion Mayor Reese closed the public hearing and called for a motion.

It was moved by Councilmember Freschi, seconded by Councilmember Ulmer and failed by the following roll call vote to adopt Resolution No. 2007-2975, keeping handicap violation amounts the same, increasing the high school violation amount to \$45.00 and Villa Park Municipal Code violation amounts to \$70.00:

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

It was moved by Mayor Reese and failed with lack of a second to adopt Resolution No. 2007-2975, increasing handicap violation amounts to \$400.00, the high school violation amount to \$40.00 and Villa Park Municipal Code violation amounts to \$50.00.

It was moved by Councilmember Pauly, seconded by Mayor Reese and carried by the following roll call vote to adopt Resolution No. 2007-2975, increasing all current violations over \$200.00 by \$100.00, the high school violation amount to \$40.00 and Villa Park Municipal Code violation amounts to \$50.00:

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

Councilmember Pauly strongly encouraged City staff to set up a schedule of regular reviews; such as, every five years or within reasonable periods of time.

CONSENT AGENDA

City Manager Domer pulled item number 8.

4. 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.
5. Consideration of City Council Town Hall Minutes of November 6, 2007. Approved Action. That the City Council Approve the Town Hall Minutes of November 6, 2007.
6. Consideration of the List of Demands from November 14, 2007 to December 11, 2007. Approved Action. That the City Council Approve the List of Demands in the Amount of \$ 259,025.29.
7. Consideration of Treasurer's Report for the Month of November. Approved Action. That the City Council Receive and File the Treasurer's Report for the Month of November.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve Consent Agenda items numbered 4, 5, 6, & 7:

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

8. Consideration of Application for Funding to the Mobile Source Air Pollution Reduction Review Committee's Local Government Match Program for Upgraded Slow Fill Compressed Natural Gas Equipment.

City Manager Domer pulled item number 8 to increase the authorized amount up to \$6,000.00.

It was moved by Councilmember Freschi, seconded by Councilmember Ulmer and carried by the following roll call vote to approve Consent Agenda item number 8 authorizing the submission of a grant application to the Mobile Source Air Pollution Reduction Review Committee for the Local Government Matching Grant Program and authorizing the City Manager to execute applicable documents:

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

MATTERS PRESENTED BY COUNCILMEMBERS

9. Travel and Meetings.

Mayor Pro Tem Rheins gave a brief report on the Claremont Institute Meeting held December 4, 2007. The Claremont Institute promotes constitutional government. The institute is trying to bring back what the constitution intended, rather than is interpreted.

It was unanimously approved by City Council to receive and file the Travel and Meeting Report detailing reimbursed meetings, conferences or seminars for the time period of November 14, 2007 through December 11, 2007.

Councilmember Freschi brought four items to the attention of the City Council. 1) He mentioned the Volunteer Center of Orange County will provide and pre-screen community service volunteers as needed. 2) He questioned the possibility of providing VPTV channel 3 to the residents who subscribe to the dish. 3) He questioned the progress of the police and fire services review. 4) He suggested that City Council should consider a concerted effort to bring pressure upon the Orange County Fire Authority to bring to volunteer program back.

In response to Councilmember Freschi, Mayor Reese stated he spoke on this topic at the OCFA board meeting last month. The fulltime firefighters union is very strong and they feel threaten by the reserve firefighters. Mayor Reese also mentioned that Fire Chief Prather has hired an outside consultant fire to do a complete third party review on the reserve program.

In response to Councilmember Freschi, Mayor Pro Tem Rheins stated VPTV is a wonderful asset that can be utilized a little better. He proposed to have City staff review our program and research other municipalities to see how they are utilizing their cable access programs, such as streaming City Council meetings on the internet.

Councilmember Pauly mentioned that Serrano Water District Board Member Ken Henderson has tendered his resignation after 13 years of service; he and his wife will be moving to Oregon. At their last meeting, the Serrano Water District Board of Directors came up with a plan for how

they will appoint someone to fill his term until November. Anyone interested is encouraged to submit a resume to the water district.

Councilmember Pauly also mentioned 2008 is an election year and she would like City staff to begin a review on the City's campaign sign ordinance. She also mentioned in the latest edition of the Western Cities magazine there was talk of the role ethics commission's play in cities and proposed to have something in place for the City of Villa Park.

In response to Councilmember Pauly, City Manager Domer stated that Matt Evans, a City Planning Intern, has already begun a review of the City's sign ordinance and in his first draft there is a section relating to political campaign signs. The sign ordinance will be reviewed by new City Attorney Todd Litfin and brought to Council at a latter date.

CITY COMMISSION AND COMMITTEE REPORT OR REFERRALS

10. Consideration of City Council Committee Appointments for 2008.

Mayor Brad Reese presented the staff report stating he spent a lot of time on committee assignments and assigned members based on what he felt was right for the City and best for the Community.

In response to Mayor Reese, Councilmember Freschi stated it has always been the privilege of the Mayor to make committee assignments and whether Members of Council agree or disagree, it is the Mayors prerogative.

Bill MacAloney, 18916 Valley Drive, commented that in his tenure on City Council he was a firm believer that new Councilmember's needed to be nurtured in areas they have no expertise in, in order to better understand issues that will be brought before them.

It was moved by Councilmember Freschi, seconded by Councilmember Ulmer and carried by the following roll call vote to approve the Mayor's City Council committee appointments for 2008:

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

ITEMS FOR CONSIDERATION

11. Consideration of Final Tract Map – Tract 16783. Location: North Side of Mesa Drive West of Canyon Crest. Owner: Leonard Savala.

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

Councilmember Ulmer commented this is a well planned long term project that is finally going to come.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve final Tract Map 16783 authorizing the City Clerk to sign; and to approve the Subdivision Agreement for Tract 16783 authorizing the Mayor to sign; and to approve the Sewer Easement Deed over the property located at 18801 Mesa Drive (APN 372-491-06) authorizing the City Clerk to record:

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

12. Consideration of 2008 City Council Meeting Schedule.

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

Councilmember Freschi commented the November 25, 2008 is the week of Thanksgiving and traditionally meetings have been scheduled the week before or after.

After brief discussion, City Council unanimously agreed to move the meeting to November 18, 2008, to be held as a special meeting.

It was moved by Councilmember Pauly, seconded by Councilmember Freschi and carried by the following roll call vote to approve the 2008 City Council meeting schedule:

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

STAFF REPORTS

City Manager/City Clerk

City Manager Domer reported on the police and fire services review stating a letter has been sent to Steve Dunivent, Deputy County Executive Officer, regarding property tax negotiations. In addition, two letters will be sent out to the City of Orange requesting quotes for fire and police services.

Finance Department

None.

City Attorney

None.

City Engineer

City Engineer Repke stated the poles on Mesa Street have finally been moved on the City will be completing the project soon. In addition to Mesa Street, the City will be completing the paving of Serrano Avenue and Nichols Avenue over the winter school holiday.

Councilmember Ulmer brought to the attention of City Engineer Repke, a bump in the road that should be repaired with the overlay. City Engineer Repke stated he will walk the street again.

Planning Department

None.

ORDINANCES

None.

RESOLUTIONS

13. Consideration of Resolution No. 2007-2978, A Resolution of the City Council of the City of Villa Park Appointing the Legal Representatives of the City.

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 Resolution No. 2007-2978 appointing the Legal Representatives of the City:

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

14. Consideration of Resolution No. 2007-2979, A Resolution of Appreciation of the City Council of the City of Villa Park for Outstanding Public Service of City Attorney Len Hampel.

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

It was moved by Councilmember Pauly, seconded by Mayor Reese and carried by a unanimous voice vote to approve Resolution No. 2007-2979 honoring City Attorney Len Hampel:

ORAL COMMUNICATIONS

Teri Brooks Elmendorf, 10291 Camden Circle, commented that VPTV is on the internet and can be found at www.vptv3.com. Additionally, some of their programming has been on the internet for the last three years thanks to Dr. Bartrom.

CLOSED SESSION

None.

ADJOURNMENT

It was moved by Mayor Reese and carried unanimously to adjourn at 9:40 p.m. in memory of Investigator Steve Taylor, a long-time friend of the community where he worked patrol and as a motor officer for many years, who passed away on December 8, 2007.

Brad Reese, Mayor
City of Villa Park

ATTEST:

Kenneth A. Domer, City Clerk
City of Villa Park