

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

August 27, 2013
Regular Meeting

GENERAL SESSION

7:00 p.m. – City Council Chambers

ROLL CALL - Mayor Reese called the General Session to order at 7:00 p.m.

COUNCILMEMBERS

PRESENT: Mills, Fascenelli, Reese, Barnett, Pauly

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG – led by Foundation Member Rondi Walsh

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Villa Park Community Services Foundation update
- Orange County Fire Authority update
- Orange County Sheriff's Department update

ORAL COMMUNICATIONS

Pat Buttress, SCE Representative, provided a brief presentation on Summer Readiness. She noted the importance of hot weather preparedness and energy conservation.

PUBLIC HEARINGS

1. Consideration of Conditional Use Permit No. 0747: a request to allow the construction and operation of a new bank, including financial services. Conditional Use Permit No. 0748: a request to allow 24 hour service for the ATM machines associated with the new bank facility. Conditional Use Permit No. 0749: a request to allow a drive thru feature for vehicular accessible ATM in conjunction with a new bank facility. Location: 17771 Santiago Boulevard. Applicant: JP Morgan, CHASE Bank. Property Owner: Mr. David Gayl. (Continued from June 25, 2013).

Planning Manager Jennifer Lilley provided the staff report.

Councilwoman Fascenelli noted that the CDC met and recommended approval of the application as submitted.

Councilwoman Pauly noted she was very pleased with the revised design, especially the retail space addition.

Mayor Reese opened the public hearing.

Chip Williams, CHASE's architect, provided an overview of the project's design.

Bill MacAloney, 18916 Valley Drive, questioned the size of the bank and retail space, and mentioned he has always worked to increase sales tax in the center.

James Brown, 18552 Mendocino Drive, spoke in opposition to the project.

Teri Elmendorf, 10291 Camden Circle, spoke in opposition to the project.

Mayor Reese closed the public hearing.

Further City Council discussion ensued regarding the corner City identification sign and whether it would include an electronic message board. It was the consensus of the City Council that the applicant shall provide \$25,000 to the City for the installation of the City identification sign. The City shall determine within its sole discretion whether the City identification sign shall include an electronic message board. If there is an electronic message board, the City shall control the operation and content of the City identification sign. Applicant agreed to bring electrical power to the City identification sign. The City Council also agreed that the final decision on design of City identification sign shall come back for final approval.

It was moved by Councilwoman Pauly, seconded by Councilman Mills, and carried by the following roll call vote to adopt Resolution No 2013-3249 approving Conditional Use Permits No. 0747, 0748 and 0749:

AYES: Pauly, Mills, Fascenelli, Barnett, Reese

NOES: None

ABSENT: None

ABSTAIN: None

2. **First Reading of Ordinance No. 2013-579, an Ordinance of the City Council of the City of Villa Park, amending Article 23-7 of the Villa Park Municipal Code changing the title to Commercial Zone and adding sections related to the Commercial Professional Zone: C-P Zone.**

Planning Manager Jennifer Lilley provided the staff report.

Mayor Reese opened the public hearing.

Teri Elmendorf, 10291 Camden Circle, questioned whether "Granny Flats" still counted towards the City's Housing Element requirements. Planning Manager Lilley confirmed that they are and that the purpose of the mixed use and multi-family addition allows the City to meet State requirements to provide opportunities for future housing needs.

Mayor Reese closed the public hearing.

It was moved by Mayor Pro Tem Barnett, seconded by Councilman Mills, and carried by the following roll call vote to introduce and approve a first reading of Ordinance No. 2013-579, and schedule a second reading and adoption at the September 24, 2013, City Council meeting:

AYES: Barnett, Mills, Fascenelli, Pauly, Reese

NOES: None

ABSENT: None

ABSTAIN: None

3. **First Reading of Ordinance No. 2013-580, an Ordinance of the City Council of the City of Villa Park, amending Article 23-6 of the Villa Park Municipal Code relating to E-4 and R-1 Zone Regulations**

Planning Manager Jennifer Lilley provided the staff report.

Mayor Reese opened the public hearing and with no one in the audience wishing to speak, he closed the public hearing.

It was moved by Mayor Pro Tem Barnett, seconded by Mayor Reese, and carried by the following roll call vote to introduce and approve a first reading of Ordinance No. 2013-580, and schedule a second reading and adoption at the September 24, 2013, City Council meeting:

AYES: Barnett, Reese, Fascenelli, Mills, Pauly

NOES: None

ABSENT: None

ABSTAIN: None

4. **First Reading of Ordinance No. 2013-581, an Ordinance of the City Council of the City of Villa Park, amending the CUP establishing the PC Zone for the Villa Park Orchards Planned Community related to site development standards.**

Planning Manager Jennifer Lilley provided the staff report.

Mayor Reese opened the public hearing.

Pete Moriarty, President of VP Orchards HOA, stated his board met and they support this Council action.

Mayor Reese closed the public hearing.

It was moved by Councilman Mills, seconded by Councilwoman Pauly, and carried by the following roll call vote to introduce and approve a first reading of Ordinance No. 2013-581, and schedule a second reading and adoption at the September 24, 2013, City Council meeting:

AYES: Mills, Pauly, Fascenelli, Barnett, Reese

NOES: None

ABSENT: None

ABSTAIN: None

5. **Status of Public Nuisance Process - 18231 Fernando Circle.**

City Manager Hildenbrand provided the staff report.

Councilwoman Fascenelli mentioned she has driven by the home and the progress to improve the home has been significant.

Mayor Reese opened the public hearing.

Richard Perkins, neighbor, loves the property and is willing to rent or buy it, and just needs to get in contact with the owner.

Richard Harris, neighbor, has seen a great improvement to the property in the last couple of weeks and supports tabling the public nuisance process.

It was moved by Councilwoman Pauly, seconded by Mayor Reese, and carried by the following roll call vote to table the public nuisance process on 18231 Fernando Circle:

AYES: Pauly, Reese, Fascenelli, Mills, Barnett

NOES: None

ABSENT: None

ABSTAIN: None

6. **Resolution No. 2013-3255, a Resolution of the City Council of the City of Villa Park declaring conditions present at 10201 Center Drive, Villa Park, California, to constitute a public nuisance.**

City Manager Hildenbrand provided the staff report.

Councilman Mills questioned why the City started the code enforcement process on this property and not others in the City. City Manager Hildenbrand stated the City operates a reactive code enforcement program meaning that it is a complaint-based program. With several complaints about the condition of this property, the City took action.

Councilwoman Fascenelli acknowledged the dead yard was a violation of the code, but it does not warrant being declared a public nuisance.

Mayor Reese opened the public hearing and with no one in the audience wishing to speak, he closed the public hearing.

Further City Council discussion ensued regarding the code enforcement history of this property. City Manager Hildenbrand stated he was in contact with the property owner who is in the process of installing an irrigation system and improving the overall condition of the property.

It was moved by Mayor Reese, seconded by Councilwoman Pauly, and carried by a voice vote to continue the hearing to the September meeting if improvement is not made within the next couple of weeks.

CONSENT CALENDAR (ITEMS #7-14)

Mayor Pro Tem Barnett pulled item 7.

Councilwoman Fascenelli pulled item 13.

It was moved by Councilman Mills, seconded by Councilwoman Pauly and carried by the following roll call vote to approve the remainder of Consent Calendar:

AYES: Mills, Pauly, Fascenelli, Barnett, Reese

NOES: None

ABSENT: None

ABSTAIN: None

8. Financial Treasurer's Report for the month of July.

ACTION: Receive and file.

9. Request approval of City Council minutes of July 23, 2013.

ACTION: Approve.

10. Resolution No. 2013-3254 updating authorized signers for investment of monies in Local Agency Investment Fund (LAIF).

ACTION: Adopt Resolution No. 2013-3254.

11. Consideration of designated accrued leave adjustment.

ACTION: Authorize the Finance Director to adjust the budget and release \$4,000 of the designated accrued leave to cover this expense as stated in the staff report.

12. Response to Orange County Grand Jury report regarding harassment in the workplace.

ACTION: Approve the proposed response and authorize the Mayor's signature for submittal to the Presiding Judge by the statutory deadline of September 25, 2013.

14. Notice of Completion – Catch Basin Debris Screen Installation Project.

ACTION: That the City Council:

- 1) Accept the "Catch Basin Debris Screen Installation Project" from the Contractor, BIO Clean Environmental Services Inc, and
- 2) Authorize the City Clerk to file and record the notice of completion.

ITEM(S) PULLED FROM CONSENT CALENDAR

7. Warrants and disbursements from July 3 through August 9, 2013.

Mayor Pro Tem Barnett pulled this item questioning the \$10,000 payment to Jarad Hildenbrand for educational purposes. He thought the check was being held until he could verify acceptance into a Master's program. Finance Director Michelle Danaher confirmed the check was voided and will be reissued once acceptance is verified. The list of demands is merely a register of all checks issued, and in the future, she will note voided checks as well.

It was moved by Mayor Pro Tem Barnett, seconded by Mayor Reese and carried by the following roll call vote to approve warrants and disbursements in the amount of \$532,677.00:

AYES: Barnett, Reese, Fascenelli, Mills, Pauly

NOES: None

ABSENT: None

ABSTAIN: None

13. Consideration to authorize a contractual relationship with Union Banc Investment Services for ladder investment purchases.

Councilwoman Fascenelli pulled this item questioning if other banks were asked to submit proposals. Finance Director Danaher provided background of the City's Banking RFP last year with the former City Council, and noted that Union Banc is only being considered at this time at the request of the City's IAC.

It was moved by Councilwoman Fascenelli, seconded by Mayor Reese and carried by the following roll call vote to authorize the City to work with Union Banc Investment Services for broker/dealer investment services:

AYES: Fascenelli, Reese, Mills, Pauly, Barnett

NOES: None

ABSENT: None

ABSTAIN: None

OLD BUSINESS

15. Amendment to Master Parking and Traffic Resolution regarding parking restrictions on Fernando Circle and Roberto Street.

City Manager Hillenbrand presented the staff report.

Rich Andrews, 18152 Fernando Circle, presented the City Council with a survey of area residents whom prefer a Residential Parking Permit program rather than the two-hour parking limit.

Frank Torre, 18191 Fernando Circle, spoke in opposition to any and all parking restrictions.

Rich Harris, 18211 Fernando Circle, spoke in opposition to parking restrictions in the area.

After discussion, it was the consensus of the City Council to implement a Residential Parking Only Zone rather than the two-hour parking limit on Fernando Circle

It was moved by Councilwoman Fascenelli, seconded by Mayor Pro Tem Barnett and carried by the following roll call vote to adopt Resolution No. 2013-3256 implementing a Residential Parking Only Zone on a portion of Fernando Circle and prohibiting parking on Roberto Street:

AYES: Fascenelli, Barnett, Mills, Pauly, Reese

NOES: None

ABSENT: None

ABSTAIN: None

NEW BUSINESS

16. Request approval for Neighborhood Identification Sign at Santiago Boulevard and Taft Avenue.

City Manager Hillenbrand presented the staff report.

It was moved by Councilman Mills, seconded by Councilwoman Fascenelli and carried by the following roll call vote to authorize the City Manager to execute a contract with Bravo Sign and Design, Inc. for the fabrication and installation of the new neighborhood identification sign at Santiago Boulevard and Taft Avenue:

AYES: Mills, Fascenelli, Pauly, Barnett, Reese

NOES: None

ABSENT: None

ABSTAIN: None

17. Consideration of City Hall staffing levels.

City Manager Hildenbrand presented the staff report.

It was moved by Councilwoman Fascenelli, seconded by Mayor Reese and carried by the following roll call vote to authorize the City Manager to amend the Authorized Position List as circumstances warrant based on the recruitment process, and authorize a budget amendment should Option A be selected in the amount of \$12,000:

AYES: Fascenelli, Reese, Mills, Barnett

NOES: Pauly

ABSENT: None

ABSTAIN: None

For the record, Councilwoman Pauly voted NO as the addition of a full-time position further expands the size of our local government.

MAYOR AND COUNCILMEMBER MATTERS

18. Councilmember requested matter (Barnett and Fascenelli): City Hall Interior Repairs.

Councilmembers Barnett and Fascenelli presented the staff report.

It was moved by Mayor Pro Tem Barnett, seconded by Councilwoman Fascenelli and carried by the following roll call vote to authorize staff to proceed with public restroom improvements, front office carpet repair, and council chamber improvements in an amount not to exceed \$20,000:

AYES: Barnett, Fascenelli, Reese

NOES: Mills, Pauly

ABSENT: None

ABSTAIN: None

Councilmembers Mills and Pauly objected to the process and would like to see the final design of improvements approved by the entire City Council.

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

Councilwoman Fascenelli reported on the Concert in the (Villa) Park, the Foundation meeting, and the Serrano Water District Board meeting.

Mayor Pro Tem Barnett reported on the Orange County Fire Authority Board meeting.

Mayor Reese reported on the Orange County Sanitation District Board meeting, the Human Resources Committee meeting, and the Concert in the (Villa) Park.

Councilwoman Pauly reported on the VP5K run debrief with the Friends of the VP Library and the Foundation meeting.


Councilman Mills reported on the Friends of the VP Library meeting, the Orange County Vector Control District meeting, and the Community Development Committee meeting.

ADJOURNMENT

The City Council adjourned at 11:14 p.m. The next Regular meeting will be held on Tuesday, September 24, 2013 at 7:00 p.m.


Brad Reese, 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.