

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

**November 19, 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: Fascenelli, Mills, Pauly, Barnett, Reese

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG – led by resident Teri Elmendorf

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

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

ORAL COMMUNICATIONS

Larry Rollison, 9491 Henderson, is concerned about the slope and excavation at the Torres property on the street above his home. After speaking OSHA there were environmental violations in the construction project. Cal OSHA investigation is continuing about unsafe demolition at the property. The City Council Members clarified with staff that permits had been approved and contractors were licensed. City Council also requested that the process be documented in writing.

Lori Journey, 18532 Valley, also reported on the Torres property construction. She looked for the contractor to ask about digging close to the wall but was not able to locate one.

In response to the public concerns, the City Council discussed more oversight on the process, a review of the process thus far, and possibly pulling the permits back. City Staff recognized that there had to be violations to the code before any action could be taken. Staff and Council will work closely to monitor the issue in the future.

PUBLIC HEARINGS

1. **First reading of Ordinance No. 2013-583, extending the sale and use of Safe and Sane Fireworks through July 2014.**

City Manager Hildenbrand presented the staff report.

Councilwoman Pauly confirmed that the motion included a ballot measure at the next election.

It was moved by Councilman Mills, seconded by Mayor Pro Tem Barnett, and carried by the following roll call vote to approve the first reading of Ordinance No. 2013-583, extending the sale and use of Safe and Sane Fireworks through July 2014:

AYES: Mills, Barnett, Fascenelli, Pauly, Reese

NOES: None

ABSENT: None

ABSTAIN: None

CONSENT CALENDAR (ITEMS #2-6)

Councilwoman Pauly pulled items 2 and 3.

Councilman Greg Mills pulled items 5 and 6.

It was moved by Councilwoman Fascenelli, seconded by Mayor Pro Tem Barnett and carried by the following roll call vote to approve the remainder of Consent Calendar:

AYES: Fascenelli, Barnett, Mills, Pauly, Reese

NOES: None

ABSENT: None

ABSTAIN: None

4. **Fiscal Year 2012-2013 Comprehensive Annual Financial Report (CARF).**

ACTION: Receive and file.

ITEMS REMOVED FROM THE CONSENT CALENDAR

2. Warrants and disbursements from October 12 through November 13, 2013.

Councilwoman Pauly pulled this item and asked about Southern California Edison payments under public works. City Manager Hildenbrand responded the record was for city traffic lights and automatic sprinklers. Councilwoman Pauly also asked if the Bravo Sign was funded 100% by the City, which it was. Councilwoman Pauly also asked about the increase in the water bill and encouraged a move toward water conservation. City Manager Hildenbrand responded that according to Serrano Water District a water meter had been changed and was now giving a more accurate reading.

Councilwoman Fascenelli also encouraged the council to discuss water conservation measures for the coming Council meeting.

Mayor Pro Tem Barnett suggested that a water conservation landscape design request for designs be given to local college departments.

It was moved by Councilwoman Pauly, seconded by Councilman Mills and carried by the following roll call vote to approve the warrants and disbursements in the amount of \$458,549.96:

AYES: Pauly, Mills, Fascenelli, Barnett, Reese

NOES: None

ABSENT: None

ABSTAIN: None

3. Consideration of the 2013 edition of the California Building Standards Code, Title 24, California Code of Regulations.

Councilwoman pulled this item and is concerned that we are adopting a standard code because it makes OCFA happy. There are things that are included in the codes that do not apply to the City of Villa Park, helicopter pads for example. She and urges others to vote against it because it is lazy legislation and it is not ok to constantly send our local control to administrator above us.

It was moved by Mayor Pro Tem Barnett, seconded by Councilman Mills and carried by the following roll call vote to approve a second reading and adopt Ordinance No. 2013-582:

AYES: Barnett, Mills, Fascenelli, Reese

NOES: Pauly

ABSENT: None

ABSTAIN: None

5. City Option to Retain or Delegate Authority to OCFA for Award of Ambulance Contract.

Councilman Mills pulled this item and asked for legal clarification of liability during the contract award process and is concerned that the OCFA is simply incompetent.

Mayor Reese believes that allowing the OCFA to direct this process is a conflict of interest but believes that the City does not have the time or resources to conduct the interview process on its own.

Mayor Pro Tem Rick Barnett believes the OCFA is out of control and does not want to give the OCFA the authority over the process but, realistically, does not believe the City can take it on. Additionally, the legal threats mentioned in the letter are unfounded.

Councilwoman Pauly recognized that City Manager Hildenbrand sat on the board for contract distribution and was pleased with the process.

It was moved by Councilman Mills, seconded by Mayor Pro Tem Barnett and carried by the following roll call vote to delegate contract award authority to OCFA:

AYES: Barnett, Fascenelli, Reese

NOES: Mills, Pauly

ABSENT: None

ABSTAIN: None

6. Consideration of Resolution No. 2013-3259 establishing salary and benefit rates for all classes of employment and superseding Resolution No. 2013-3247.

Councilman Mills pulled this item and noted that City employees had 12 days of vacation per year instead of 10.

Mayor Pro Tem Barnett clarified that the only changes are to the upper ranges for some employees.

It was moved by Mayor Pro Tem Barnett, seconded by Councilwoman Pauly and carried by the following roll call vote to adopt Resolution No. 2013-3259:

AYES: Barnett, Pauly, Fascenelli, Mills, Reese

NOES: None

ABSENT: None

ABSTAIN: None

NEW BUSINESS

7. Decreased parking restrictions along Fitschen Ranch Road.

City Manager Hillenbrand presented the staff report.

Councilwoman Fascenelli does not want to remove the parking restrictions and does not assume that because the fences are going up to close the block wall that non-residents will stop parking there.

Councilman Mills maintains that the wrought iron gates were a bad decision from the beginning and that the council moved to action without complete knowledge of the situation. He is against lifting parking restrictions.

Mayor Pro Tem Barnett would like to remove the parking restrictions to test how effective the fences are. If there is a problem then Council can reinstate the parking restrictions. He is also partial to a permanently locked gate for city access only.

Councilwoman Pauly believes the restrictions should be removed and asks the council to consider replace the fence at the end of the road with a permanently locked gate to allow use of the sidewalk for events if the need occurs.

Mayor Brad Reese opened the discussion up to the public then closed it seeing no public comment closed the public hearing.

It was moved by Mayor Pro Tem Barnett, seconded by Councilwoman Pauly and carried by the following roll call vote to remove parking restrictions along Fitschen Ranch Road:

AYES: Barnett, Pauly, Reese

NOES: Fascenelli, Mills

ABSENT: None

ABSTAIN: None

MAYOR AND COUNCILMEMBER MATTERS

8. Councilmember requested matter (Mills): Consideration of Utility Box Art Program.

Mayor Brad Reese invited Councilman Mills to introduce the Utility Box Art.

Councilman Mills introduced the idea as a way to beautify the community, give local semi-professional artists a change to do artwork, and to highlight the City's unique location, history, nature, and community.

Councilwoman Pauly asks if the proposal is to pay artists. Councilman Mills responds that there is no proposal to pay at this time.

Mayor Reese opened the discussion up to the public then closed it seeing no public comment closed the public hearing.

Councilwoman Pauly is concerned about the definition of "art" and wants parameters set for the art.

Councilwoman Fascenelli suggests that the matter be given to the CDC for administration.

This item was referred to the CDC.

9. Councilmember requested matter (Pauly): Consideration of VPTV Annual Report.

Mayor Brad Reese invited Councilwoman Pauly to introduce the consideration of VPTV Annual Report.

Councilwoman Pauly has a responsibility to get an annual report for VPTV because all administration is given to staff. The report should include financial records and future plans for the station.

Councilman Mills would like a short report. He also is concerned that additional part time employees be hired to staff the station and filming of additional events.

Mayor Pro Tem Barnett asked how the TV was given to residents.

Councilwoman Fascenelli asked for only a 1-page annual report.

After some discussion, City staff was directed to add a VPTV report to the monthly financial report.

10. Councilmember requested matter (Reese): WiFi Wireless, Inc. regarding potential opportunity for City-wide WiFi.

Mayor Brad Reese introduced the WiFi Wireless, Inc. regarding potential opportunity for City-wide WiFi.

Mayor Reese begins by noting this policy has been attempted and failed in many cities but there is one provider who is proposing to offer WiFi to all residents for free, at no cost to the city. The city would have 80 aesthetically pleasing antennas for residents if they would like to utilize the WiFi.

Mayor Reese invited Gene Curcio to speak on the WiFi proposal.

Gene Curcio, Chairman of WiFi Wireless would like to install the technology in Villa Park so other cities can see a successful example of the program. Edison has to cooperate and has issued permits for the projects. Businesses in the cities can use the WiFi to better serve customers. Cities will, eventually, all have WiFi, just like they have public utilities. Once wireless technology is installed, it will be upgraded but will not need structural upgrades.

Extensive City Council discussion ensued and WiFi Wireless was asked to provide information specific to Villa Park for future consideration.

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

Councilwoman Fascenelli reported on the Kinder Morgan Pipeline meeting, Orange City/Schools meeting, and HalloweenFest.


Mayor Reese reported on the Kinder Morgan Pipeline meeting, HalloweenFest, and ACC-OC City Selection meeting.

Councilwoman Pauly reported on the Kinder Morgan Pipeline meeting, Faith in Government Forum, HalloweenFest, AB 1266 regarding transgender bathrooms, and suggested that staff investigate implementing COIN "Citizen Open in Negotiations."


Councilman Mills concurred with Pauly's suggestion to investigate COIN "Citizen Open in Negotiations."

ADJOURNMENT

The City Council adjourned at 10:04 p.m. The next Regular meeting will be held on Tuesday, December 17, 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.