

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
April 16, 2013
5:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor/Board Chair Mayor Nelson called the meeting to order at 5:35 p.m.

ROLL CALL:

PRESENT: Council/Agency Members Underhill, Wanke, Aguirre, Nelson
ABSENT: Yamaguchi

ORAL COMMUNICATIONS: None

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding Existing Litigation – Three (3) Items
 - a. City of Placentia v. Chris Becker & Associates, Incorporated, et. al. Orange County Superior Court Case No.: 30-2011-00450162
 - b. Jones v. City of Placentia, US Federal District Court No. SACV-1878-JST(JPRx)
 - c. Pike v. City of Placentia, US District Court No. CV08-8586 AHM(Ex)
2. Pursuant to Government Code Section 54956.9(b) for Conference with Legal Counsel Regarding Anticipated Litigation – Two (2) Items
3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – One (1) Item

SUCCESSOR AGENCY: None

ICDA: None

RECESS: The City Council and Boards of Directors recessed to the Regular Meeting at 7:00 p.m.

CALL TO ORDER:

PRESENT: Council/Agency Members Underhill, Wanke, Yamaguchi, Aguirre, Nelson
ABSENT: None

STAFF PRESENT: City Administrator/Executive Director, Troy L. Butzlaff; City Attorney/Authority Counsel, Andrew V. Arczynski; Assistant City Administrator, Ken Domer; Director of Administrative and Community Services, Steve Pischel; Director of Finance, Karen Ogawa; Director of Public Works, Steve Drinovsky; Police Chief, Rick Hicks; Deputy Chief of Police, Ward Smith; Deputy Director of Community Services, Jon Nicks; Management Analyst, Eddie De La Torre; City Clerk, Patrick Melia; Deputy City Clerk, Tania Moreno

INVOCATION: Police Chaplain Arturo Rodriguez

A moment of silence was observed in memory of the victims of the Boston Marathon tragedy.

PLEDGE OF ALLEGIANCE: Councilmember Yamaguchi

PRESENTATIONS:

1. Requests for Commendations and Proclamations

- a. Proclamation Designating the Week of May 5-11, 2013, as Public Service Recognition Week
Recipient: City Administrator Butzlaff
Presenter: Mayor Nelson

Mayor Nelson presented a proclamation certificate to City Administrator Butzlaff designating May 5-11, 2013 as Public Service Recognition Week.

City Administrator Butzlaff thanked Council for the proclamation on behalf of all Staff.

- b. Proclamation Designating the Week of May 5-11, 2013, as Municipal Clerks Week
Recipient: City Clerk Patrick Melia
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief overview of Municipal Clerks Week.

Mayor Nelson presented a proclamation certificate to City Clerk Melia designating May 5-11, 2013 as Municipal Clerks Week.

City Clerk Melia thanked Council for the proclamation and thanked City Clerk Specialist Candice Martinez and Deputy City Clerk Tania Moreno for their work.

- c. Proclamation Designating the Week of May 1-7, 2013, as Wildfire Awareness Week
Recipient: Battalion Chief Randy Black
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief overview of Wildfire Awareness Week.

Mayor Nelson presented a proclamation certificate to Battalion Chief Black designating May 1-7, 2013 as Wildfire Awareness Week.

Battalion Chief Black thanked the City for recognizing the City's role in supporting Orange County Fire Authority.

Recommended Action: It is recommended that the City Council:
Approve requests as submitted and make presentations to those present.

A motion was made by Councilmember Wanke, seconded by Councilmember Underhill, to approve presentations item 1.a to 1.c. as submitted and make a presentations to those present.

EXECUTIVE SESSION REPORT: City Attorney/Agency Counsel Arczynski reported the Council/Agency met in Executive Session to discuss the items listed on the agenda. He stated there was no reportable action from Executive Session this evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff announced the upcoming Shred Day, E-Waste, and Pharmaceutical Collection event on April 27, 2013 at the Civic Center. He noted that the Founders Society would continue their annual Concert Series on April 28, 2013 at the Historic Bradford House.

ORAL COMMUNICATIONS:

Paul Feilberg, HQT Homes, noted that they have met with a group of neighbors and since then they have revised the Schaner Ranch Project plan. He noted they anticipate meeting with the rest of the neighbors. He noted that a community meeting would be schedule to address all of the issues brought up by the neighbors near Schaner Ranch.

Gary Bird, resident, noted that he met with HQT Homes representatives. He expressed his concerns regarding the Schaner Ranch Project and the development of a convenience store.

Bob Street, resident, requested that the Schaner Ranch Project be zoned R-1 and that the homes should include proper setbacks.

Mike Moh, resident, expressed his concerns regarding changing the Schaner Ranch Property from an R1 to R2 zone. He noted that in 2007, HQT Homes proposed a 55 homes development and in 2013 it increased to 112 homes. He requested that the project be zoned R-1.

Debra Ashby, South Coast Air Quality Management District, announced that the Annual Clean Air Award nominations are now open. She announced that registration for the 2013 Electric Lawn Mower Exchange Program opens on April 17, 2013.

Meredith Castillo, resident, provided flyers to Council regarding a child abuse prevention program sponsored by In-N-Out Burgers. He thanked Councilmember Wanke for his assistance during the recent refuse collection strike. He thanked Director of Public Works and the Chief of Police for all their work. He inquired about checkpoint notification requirements.

Kevin Kirwin, resident, expressed his concerns regarding the traffic and density issues the Schaner Project would create. He asked Council to support the community.

Jeremy Keith, resident, noted that the community conducted a survey on the Schaner Ranch Project and as a group discussed their concerns. He expressed his concerns regarding the density of the project and his home value possibly dropping. He noted that the survey conducted by HQT Homes was not conducted properly and that the wrong information was provided. He submitted petitions signed by residents.

Craig Green, resident, expressed his concerns regarding developers and their practices.

Harold Prukop, resident, noted that the Schaner Ranch Project would create traffic issues. He noted that this type of development is not worth consideration. He asked that they keep the area zoned R-1.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Underhill raised community safety awareness.

Councilmember Wanke reported that Councilmember Underhill, Mayor Nelson, and he attended a North Orange Legislative Alliance event.

Councilmember Yamaguchi reported he participated as the keynote speaker at the Santa Ana College Leadership Institute Program. He congratulated Rose Drive Friends Church for their 15 years in the community of Yorba Linda.

Mayor Pro Tem Aguirre expressed his condolences to the families of the Boston Marathon victims and expressed his solidarity.

Mayor Nelson inquired why the OC Register Newspaper announces checkpoints.

Deputy Chief of Police Smith responded that the State of California requires that public notices be made of checkpoints.

Mayor Nelson thanked the community and HQT Homes for their input. He encouraged both parties to continue communicating.

City Administrator Butzlaff announced an upcoming City Council Study Session on April 30, 2013 regarding Regional Police Services. He noted that Staff has met with four North Orange County cities to discuss the subject. He noted that Staff would be seeking Council's direction.

Mayor Nelson reported that he would be attending a State League meeting in Sacramento next week. He thanked everyone who attended the Council meeting.

1. CONSENT CALENDAR (Items 1.a. through 1.h.):

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Wanke, to approve Consent Calendar Item Nos. 1.a. through 1.h. Mayor Nelson pulled item 1.h. for separate discussion.

COUNCIL/SUCCESSOR AGENCY/ICDA CONSENT CALENDAR:

- a. **Consideration to Waive Reading in Full of all Ordinances and Resolutions**
Financial Impact: None
Recommended Action: Approve
(5 – 0, as recommended)

- b. **Minutes**
City Council/Successor/ICDA Regular Meeting – April 2, 2013
Recommended Action: Approve
(5 – 0, as recommended)

- c. **City Fiscal Year 2012-13 Warrant Register for April 3, 2013 through April 16, 2013**
Financial Impact: \$1,801,575.15
Recommended Action: Approve
(5 – 0, as recommended)

COUNCIL CONSENT CALENDAR:

- d. **Approval of Plans and Specifications and Award of Construction to PTM General Engineering Services for the Rose Drive and Yorba Linda Intersection Improvement Project**
Financial Impact: Expense: \$134,391.60 for construction
Offsetting revenue: \$134,391.60 SLPP & Measure M Funds
Budgeted: \$300,000.00 (Account No.: 333552-6185 J/L 61016)

Recommended Action: It is recommended that the City Council:

- 1) Approve plans and specifications prepared by King Civil Engineering Corporation dated September 20, 2012, for the Rose Drive and Yorba Linda Boulevard Intersection Improvement Project
- 2) Award construction contract to the lowest responsive and responsible bidder, PTM General Engineering Services, Inc., for an amount not to exceed \$111,993
- 3) Reject all other bids
- 4) Authorize the City Administrator, or his designee, to approve construction change orders pursuant to the requirements set forth in the construction contract and in an aggregate amount not to exceed 20% of the project construction
- 5) Authorize the City Administrator to execute contract documents on behalf of the City, in a form approved by the City Attorney

(5 – 0, as recommended)

- e. **Adoption of Resolution No. R-2013-15, Authorizing an Application for Funds for the Environmental Cleanup, Tier 1 Grant Program Under the Orange County Local Transportation Ordinance No. 3 for the City of Placentia Catch Basin Screen Installation Project**

Financial Impact: Expense: \$13,750

Offsetting revenue: \$41,250

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2013-15, A Resolution of the City Council of the City of Placentia, California, Authorizing an Application for Funds for the Environmental Cleanup, Tier 1 Grant Program under the Orange County Local Transportation Ordinance No. 3 for the City of Placentia Catch Basin Screen Installation Project
- 2) Authorize the City Administrator or his designee to execute all necessary documents for securing grant funds

(5 – 0, as recommended)

- f. **Approval of Resolution Authorizing Temporary Suspension of Regulatory Ordinances Pertaining to the Operation of the Placentia Rotary Club Cowabunga Crab Fest Fundraiser at Kraemer Memorial Park on Saturday, June 1, 2013**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2013-16, A Resolution of the City Council of the City of Placentia, California, Authorizing the temporary suspension of Regulatory Sections 23.76.050 and 10.28.010 of the Placentia Municipal Code for the operation of the Cowabunga Crab Fest fundraiser event on Saturday, June 1, 2013 at Kraemer Memorial Park 201 N. Bradford Avenue

(5 – 0, as recommended)

- g. **Opposition Letter Regarding Senate Bill 7 (Steinberg/Cannella): Public Works and Charter Cities**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Authorize the Mayor to sign a letter of opposition for Senate Bill 7 (Steinberg/Cannella) regarding charter cities and prevailing wage for public works projects and direct the City Administrator to disseminate the

letter of opposition to members of the State Legislature, Governor, and League of Cities

(5 – 0, as recommended)

h. **Acceptance of Resignation from the Planning Commission**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

1) Accept the resignation of John Scull from the Planning Commission

(5 – 0, as recommended)

Mayor Nelson thanked former Planning Commissioner John Scull for his years of service to the community.

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, and carried (5 – 0) to accept the resignation of John Scull from the Planning Commission.

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL:

a. **First Reading and Introduction of an Ordinance Amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code Pertaining to Emergency Shelters, Supportive and Transitional Housing Facilities, Single Room Occupancies and Provisions for Reasonable Accommodations for Persons with Disabilities, Including Standards and Procedures Therefore**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

1) Open the hearing, receive public testimony, and close public hearing

2) Waive full reading, reading by title only, and introduce for first reading, Ordinance O-2013-03, An Ordinance of the City Council of the City of Placentia, California, Amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code pertaining to emergency shelters, supportive and transitional housing facilities, single room occupancies and provisions for reasonable accommodations for persons with disabilities, including standards and procedures therefore

(5 – 0, as recommended)

Assistant City Administrator Domer noted that as part of the General Plan Update the Housing Element must be updated. He noted that the updates meet State requirements. He recommended that Council waive full reading and introduce for first reading Ordinance O-2013-03.

City Attorney Arczynski explained the differences between supporting housing and transitional housing.

John Douglas, Consultant, provided an overview of transitional housing and supporting housing. He noted that this targets people with disabilities or those who would be homeless without this type of housing.

Discussion ensued between Council, Staff, and Consultant. They discussed the issue of single room requirements, building requirements, and complying with State laws.

Mayor Nelson opened the public hearing at 8:08 p.m.

Mayor Nelson closed the public hearing at 8:09 p.m.

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, and carried (5 – 0) to open the hearing, receive public testimony, and close public hearing; and waive full reading, reading by title only, and introduce for first reading, Ordinance O-2013-03, An Ordinance of the City Council of the City of Placentia, California, Amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code pertaining to emergency shelters, supportive and transitional housing facilities, single room occupancies and provisions for reasonable accommodations for persons with disabilities, including standards and procedures therefore.

SUCCESSOR AGENCY: None

ICDA: None

3. OLD BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA OLD BUSINESS: None

COUNCIL OLD BUSINESS:

a. **First Reading and Introduction of an Ordinance Amending Sections 20.30.030 and 20.30.040 of Chapter 20.30 of Title 20 of the Placentia Municipal Code Pertaining to Maintenance and Rehabilitation of Long-Term Boarded and Vacant Buildings**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Waive Full Reading, Reading by Title Only, and Introduce for First Reading, Ordinance O-2013-02, An Ordinance of the City Council of the City of Placentia, California, Amending Sections 20.30.030 and 20.30.040 of Chapter 20.30 of Title 20 of the Placentia Municipal Code Pertaining to Maintenance and Rehabilitation of Long-Term Boarded and Vacant Buildings

(4 – 1, Councilmember Yamaguchi voted no)

City Administrator Butzlaff provided a brief report on item 3.a. He noted that Staff made modifications to the ordinance as directed by Council limiting the ordinance to commercial and industrial buildings.

Discussion ensued between Council and Staff.

A motion was made by Councilmember Aguirre, seconded by Councilmember Underhill, and carried (4 – 1, Councilmember Yamaguchi voted no) to waive full reading, reading by title only, and introduce for first reading, Ordinance O-2013-02, An Ordinance of the City Council of the City of Placentia, California, Amending Sections 20.30.030 and 20.30.040 of Chapter

20.30 of Title 20 of the Placentia Municipal Code Pertaining to Maintenance and Rehabilitation of Long-Term Boarded and Vacant Buildings.

SUCCESSOR AGENCY OLD BUSINESS: None

ICDA OLD BUSINESS: None

4. NEW BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA NEW BUSINESS: None

COUNCIL NEW BUSINESS: None

SUCCESSOR AGENCY NEW BUSINESS: None

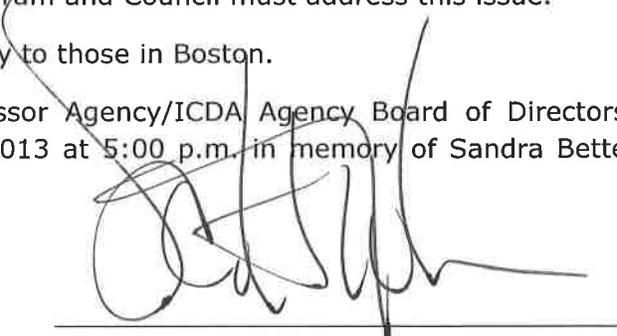
ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Councilmember Underhill noted that the City received Maria Gibbs resignation letter from the Cultural Arts Commission. She noted that this is the sixth member who has resigned from the Cultural Arts Commission within the last year. She requested that Council give direction to the Staff to talk to the individuals who have resigned and obtain a reason why they resigned, and to bring it back as an agenda item in May. She noted that at this point there are not enough members to meet a quorum and Council must address this issue.

Mayor Nelson expressed support and solidarity to those in Boston.

ADJOURNMENT: The City Council/Successor Agency/ICDA Agency Board of Directors adjourned to a Study Session on April 30, 2013 at 5:00 p.m. in memory of Sandra Bette Pyle.



SCOTT W. NELSON
MAYOR/AGENCY CHAIR

ATTEST:



PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY