

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
May 21, 2013
5:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor/Board Chair Nelson called the meeting to order at 5:30 p.m.

ROLL CALL:

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

ORAL COMMUNICATIONS: None

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
4. Pursuant to Government Code Section 54957.6 Conference with City Labor Negotiator Concerning Labor Negotiations with the following groups:
 - a. Placentia Police Officers Association (PPOA)
 - b. Placentia Police Management Association (PPMA)
 - c. Placentia City Employees Association (PCEA)

City Representatives: Troy L. Butzlaff, City Administrator
Steve Pischel, Director of Administrative/Community Services

SUCCESSOR AGENCY: None

ICDA:

1. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:

Property: 235 South Bradford Avenue, APN 339-365-15
Agency Negotiator: Troy L. Butzlaff, City Administrator/Executive Director
Negotiating Parties: Gerald Near
Under Negotiations: Price and Terms of Payment

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

ROLL CALL:

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

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

INVOCATION: Police Chaplain Roger Mendoza

PLEDGE OF ALLEGIANCE: Councilmember Wanke

PRESENTATIONS:

1. **Requests for Commendations and Proclamations**

- a. Proclamation Designating the Week of May 27-31, 2013, as Orange County Police Week
Recipient: Chief of Police Hicks
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief narrative of Police Officers Memorial Week and Orange County Police Week.

Chief of Police Hicks thanked City Council and Staff for their support. He commended Placentia Police Department officers for their work.

Mayor Nelson proclaimed the week of May 27-31, 2013 as Orange County Police Week. He recognized the hard work of all the officers.

- b. Proclamation Designating May 27–September 2, 2013 as Drowning Prevention Summer Campaign
Recipient: Fire Captain Nathan Arellano
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief narrative of Drowning Prevention Summer Campaign.

Fire Captain Arellano provided an overview of the campaign and thanked the City for their support.

Mayor Nelson proclaimed May 27-September 2, 2013 as Drowning Prevention Summer Campaign.

- c. Recognition of Placentia Stake-LDS Church for Contributions during Serve Day, 2013
Recipients: Stake President Randy L. Burnett, Stake Public Affairs Director William "Bill" Kendig, and Placentia Stake Presidency 2 C Will Love
Presenter: Mayor Nelson

City Administrator Butzlaff thanked Stake-LDS volunteers for their participation on Serve Day held on April 27, 2013.

Stake President Burnett provided an overview of the various volunteer activities and thanked the City for the recognition.

Mayor Nelson presented certificates of recognition to Stake President Burnett and Stake Public Affairs Director Kendig.

- d. Southern California Edison Summer Readiness 2013 Program
Presenter: SCE Representative Pat Buttress

SCE Representative Buttress provided a brief presentation on Southern California Edison Summer Readiness 2013 Program. She noted the importance of summer preparedness and electricity conservation.

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 Yamaguchi, to approve presentation items 1.a. to 1.d. as submitted and make presentations to those in attendance.

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 noted there were no reportable actions from Executive Session that evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff invited the public to attend a Placentia Police Department community meeting on May 30, 2013 at Church of Nazarene. He announced the 5th Annual Cowabunga Crabfest on June 1, 2013 at Kraemer Memorial Park. He announced the current vacancies on City's commissions and committees and invited interested residents to apply. He noted that in observance of Memorial Day, City Hall would be closed on May 27, 2013.

ORAL COMMUNICATIONS:

Craig Green, resident, noted that he attended two Schaner Development Project community meetings and residents commented on the OnTrac matter. He expressed his concerns regarding the Boys & Girls Club property and the indoor skate park project. He requested that Council conduct in-depth research on the indoor skate park project.

Bob Street, resident, submitted 25 petitions outlining the requirements that the homeowners believe must be included in the Schaner Development Project. He expressed his concerns regarding the Schaner Development Project and a possible mixed-use project.

Glenn Casterline, resident, expressed his concerns regarding the Schaner Development Project. He inquired about the transparency of the development agreement process. He requested a suspension of the use of development agreements until a policy is adopted.

Jeremy Keith, resident, noted that he attended a Schaner Development Project community meeting. He expressed his concerns regarding a conversation he had with HQT Community Relations Consultant Perez. He noted that the community would continue to express their concerns regarding this project.

William Nettleship, resident, expressed his concerns regarding the traffic safety along the Schaner Development Project and requested the construction of a sidewalk.

Ed Perez, HQT Community Relations Consultant, noted that they would continue to meet with the community to address their concerns. He noted that this is an ongoing process.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Underhill noted that the Schaner Development Project is not a done deal and asked both sides to continue working together.

Councilmember Wanke congratulated Sergeant Valentine on his retirement.

Councilmember Yamaguchi reported that he attended the Special Games event on May 3, 2013 at California State University of Fullerton and thanked the volunteers. He congratulated Sergeant Valentine on his retirement. He expressed his condolences to the Schoenberg family.

Mayor Pro Tem Aguirre expressed his condolences to the Schoenberg family.

Mayor Nelson expressed his condolences to the Schoenberg family. He congratulated Sergeant Valentine on his retirement.

Deputy Chief of Police Ward invited the public to attend a Placentia Police Department community meeting on May 30, 2013 at Church of Nazarene. He noted that they would be addressing recent neighborhood activities in an open forum.

Mayor Nelson noted the importance of getting the community involved and building partnerships. He noted that the indoor skate park project was discussed during an executive session as a negotiation process.

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

A motion was made by Councilmember Underhill, seconded by Mayor Pro Tem Aguirre, to approve Consent Calendar Item Nos. 1.a. through 1.e. Councilmember Wanke pulled item 1.d. for separate discussion. Councilmember Yamaguchi abstained on item 1.b. and voted affirmative on the balance of the consent calendar items.

COUNCIL/SUCCESSOR AGENCY/ICDA CONSENT CALENDAR:

- a. **Consideration to Waive Reading in Full of all Ordinances and Resolutions**
Financial Impact: None
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)
- b. **Minutes**
City Council/Successor/ICDA Study Session Meeting – April 30, 2013
Recommended Action: Approve
(APPROVED 4 – 0 – 1, Councilmember Yamaguchi abstained)
- c. **City Fiscal Year 2012-13 Warrant Register for May 8, 2013 through May 21, 2013**
Financial Impact: \$484,546.54
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)

COUNCIL CONSENT CALENDAR:

d. **Solid Waste Handling Services Rate Adjustment and Related Resolutions for Fiscal Year 2013-14**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2013-18, a Resolution of the City Council of the City of Placentia, California, approving rates for solid waste handling services
- 2) Adopt Resolution R-2013-19, a Resolution of the City Council of the City of Placentia, California, authorizing and determining residential solid waste handling service charges and directing placement thereof on the Orange County Tax Rolls
- 3) Approve Amendment No. 3 to the Agreement approving the revised residential and commercial rates

(APPROVED 5 – 0, as recommended)

City Administrator Butzlaff provided a brief staff report on item 1.d.

Management Analyst De La Torre noted that the item approves the solid waste handling services rate adjustment.

City Administrator Butzlaff noted that the franchise agreement with Placentia Disposal gives them the ability to increase the solid waste handling rates.

Management Analyst Castro-Graham noted the current and proposed solid waste rates.

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Wanke, and carried (5 – 0) to adopt Resolution R-2013-18, a Resolution of the City Council of the City of Placentia, California, approving rates for solid waste handling services; adopt Resolution R-2013-19, a Resolution of the City Council of the City of Placentia, California, authorizing and determining residential solid waste handling service charges and directing placement thereof on the Orange County Tax Rolls; and to approve Amendment No. 3 to the Agreement approving the revised residential and commercial rates.

e. **Appointment of Representatives to the Public Agency Risk Sharing Authority of California (PARSAC) Board of Directors**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2013-20, a Resolution of the City Council of the City of Placentia, California, appointing representatives to the Public Agency Risk Sharing Authority of California (PARSAC) Board of Directors

(APPROVED 5 – 0, as recommended)

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL: None

SUCCESSOR AGENCY: None

ICDA: None

3. OLD BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA OLD BUSINESS: None

COUNCIL OLD BUSINESS:

- a. **Conduct Second Reading by Title Only and Adopt Ordinance O-2013-04 Approving that Document Entitled "Development Agreement No. 2012-01 Concerning Property Located at 1049 Golden Avenue, West of Rose Avenue and South of Imperial Highway, Placentia, California"**

Financial Impact: Revenue: \$347,540 + (Public Benefits)

Recommended Action: It is recommended that the City Council:

- 1) Conduct second reading by title only and adopt, Ordinance O-2013-04, An Ordinance of the City Council of the City of Placentia, California approving that document entitled "Development Agreement No. 2012-01 concerning property located at 1049 Golden Avenue, West of Rose Avenue and South of Imperial Highway, Placentia, California" and authorizing the Mayor and City Clerk to execute the same on behalf of the City of Placentia

(APPROVED 5 – 0, as recommended)

City Administrator Butzlaff provided a brief staff report on item 3.a.

Assistant City Administrator Domer provided a review of the current zoning of the area.

A motion was made by Mayor Nelson, seconded by Councilmember Underhill, and carried (5 – 0) to conduct second reading by title only and adopt, Ordinance O-2013-04, An Ordinance of the City Council of the City of Placentia, California approving that document entitled "Development Agreement No. 2012-01 concerning property located at 1049 Golden Avenue, West of Rose Avenue and South of Imperial Highway, Placentia, California" and authorizing the Mayor and City Clerk to execute the same on behalf of the City of Placentia.

SUCCESSOR AGENCY OLD BUSINESS: None

ICDA OLD BUSINESS: None

4. NEW BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA NEW BUSINESS: None

COUNCIL NEW BUSINESS:

- a. **Discussion of Economic Development Incentives and a Voluntary Green Business Program**

Financial Impact: Estimated Expense: \$20,000

Offsetting Revenue: Potential unquantified increase in sales tax revenue

Recommended Action: It is recommended that the City Council:

- 1) Approve the implementation of economic development incentives to include the Business Start-Up Fee Reduction, New/Expanding Retail Business Incentive Program, and Business License Amnesty Program

2) Approve the implementation of the Voluntary Green Business Program
(APPROVED 5 – 0, as recommended)

City Administrator Butzlaff noted that this item was requested by Council.

Assistant City Administrator Domer provided a staff report on item 4.a. He provided an overview of the incentive programs presented.

Discussion ensued between Council and Staff. They discussed the subject of other cities implementing similar programs.

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, and carried (5 – 0) to approve the implementation of economic development incentives to include the Business Start-Up Fee Reduction, New/Expanding Retail Business Incentive Program, and Business License Amnesty Program; and to approve the implementation of the Voluntary Green Business Program

b. **Designation of Voting Delegate for the 2013 League of California Cities Annual Conference**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Appoint one delegate to represent the City at the League of California Cities Annual Conference 2013
- 2) Appoint an alternate to represent the City at the League of California Cities Annual Conference 2013

(APPROVED 5 – 0, as recommended)

City Administrator Butzlaff provided a brief staff report.

Mayor Nelson nominated Councilmember Yamaguchi as the delegate and Councilmember Wanke as the alternate.

A motion was made by Mayor Nelson, seconded by Mayor Pro Tem Aguirre, and carried (5 – 0) to appoint Councilmember Yamaguchi as delegate to represent the City at the League of California Cities Annual Conference 2013; and to appoint Councilmember Wanke as alternate to represent the City at the League of California Cities Annual Conference 2013

COUNCIL/SUCCESSOR AGENCY NEW BUSINESS:

c. **Transferring Additional Housing Assets to the City of Placentia as the Housing Successor Agency**

Financial Impact: None

Recommended Action: It is recommended that the City Council, acting as the Successor Agency to the Redevelopment Agency of the City of Placentia, take the following action:

- 1) Adopt Resolution RSA-2013-04, a Resolution of the City Council of the City of Placentia, California, Acting as the Successor Agency to the Redevelopment Agency of the City of Placentia, transferring remaining housing assets of the Redevelopment Agency of the City of Placentia to the City of Placentia

It is recommended that the City Council take the following action:

- 2) Adopt Resolution R-2013-21, a Resolution of the City Council of the City of Placentia, California, acting as the Housing Successor Agency, accepting additional housing assets previously held by the Redevelopment Agency of the City of Placentia
 - 3) Authorize City Administrator to execute all applicable transfer documentation and conduct necessary recordation
- (APPROVED 5 – 0, as recommended)**

City Administrator Butzlaff noted that this item is to transfer additional housing assets to the City as the Housing Successor Agency.

Assistant City Administrator Domer noted that this action is a transfer of property and assets. He noted that in August 2012 the City submitted a Housing Asset Form to the State. He noted that this was direction by the Oversight Board to the Successor Agency to make this additional transfer.

Councilmember Wanke inquired if the loan agreement is an operating agreement and if there are any other outstanding files.

Assistant City Administrator Domer responded that this is an active agreement. He noted that Staff is not aware of any other outstanding files.

A motion was made by Mayor Nelson, seconded by Councilmember Wanke, and carried (5 – 0) to adopt Resolution RSA-2013-04, a Resolution of the City Council of the City of Placentia, California, Acting as the Successor Agency to the Redevelopment Agency of the City of Placentia, transferring remaining housing assets of the Redevelopment Agency of the City of Placentia to the City of Placentia; adopt Resolution R-2013-21, a Resolution of the City Council of the City of Placentia, California, acting as the Housing Successor Agency, accepting additional housing assets previously held by the Redevelopment Agency of the City of Placentia; and to authorize City Administrator to execute all applicable transfer documentation and conduct necessary recordation.

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS: None

ADJOURNMENT:

The City Council/Successor Agency/ICDA Agency Board of Directors adjourned to a Study Session on May 28, 2013 at 6:00 p.m. in memory of Brooks Van Houten and Chuck Schoenberg.

ATTEST:



PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY

