



Regular Meeting Agenda

July 16, 2013

Placentia City Council
Placentia City Council as Successor to the
Placentia Redevelopment Agency
Placentia Industrial Commercial
Development Authority

Scott W. Nelson
Mayor

Joseph V. Aguirre
Mayor Pro Tem

Constance M. Underhill
Council Member

Chad P. Wanke
Council Member

Jeremy B. Yamaguchi
Council Member

Patrick J. Melia
City Clerk

Craig S. Green
City Treasurer

Troy L. Butzlaff, ICMA-CM
City Administrator

Andrew V. Arczynski
City Attorney

City of Placentia
401 E. Chapman Avenue
Placentia, CA 92870

Phone: (714) 993-8117

Fax: (714) 961-0283

Email:
administration@placentia.org

Website: www.placentia.org

Mission Statement

The City Council is committed to keeping Placentia a pleasant place by providing a safe family atmosphere, superior public services and policies that promote the highest standards of community life.

Vision Statement

The City of Placentia will maintain an open, honest, responsive and innovative government that delivers quality services in a fair and equitable manner while optimizing available resources.

Copies of all agenda materials are available for public review in the Office of the City Clerk, online at www.placentia.org, and at Placentia Library Reference Desk. Persons who have questions concerning any agenda item may call the City Clerk's Office, (714) 993-8231, to make inquiry concerning the nature of the item described on the agenda.

Procedures for Addressing the Council/Board Members

Any person who wishes to speak regarding an item on the agenda or on a subject within the City's jurisdiction during the "Oral Communications" portion of the agenda should fill out a "Speaker Request Form" and give it to the City Clerk BEFORE that portion of the agenda is called. Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak on a Public Hearing item should fill out a "Speaker Request Form" and give it to the City Clerk BEFORE the item is called.

The Council and Board members encourage free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of an entire group. To encourage all views, the Council and Board discourage clapping, booing or shouts of approval or disagreement from the audience.

PLEASE SILENCE ALL PAGERS, CELL PHONES, AND OTHER ELECTRONIC EQUIPMENT WHILE COUNCIL AND BOARD MEMBERS ARE IN SESSION.

Special Accommodations

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City Staff to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

In compliance with California Government Code § 54957.5, any writings or documents provided to a majority of the City Council regarding any item on this agenda that are not exempt from disclosure under the Public Records Act will be made available for public inspection at the City Clerk's Office at City Hall, 401 East Chapman Avenue, Placentia, during normal business hours.

Study Sessions are open to the public and held in the City Council Chambers or City Hall Community Room. Executive Sessions are held in the Council Caucus Room. While the public may be in attendance during oral announcements preceding Executive Sessions, Executive Sessions are not open to the public.

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

CALL TO ORDER:

ROLL CALL: Councilmember/Board Member Underhill
Councilmember/Board Member Wanke
Councilmember/Board Member Yamaguchi
Mayor Pro Tem/Board Vice Chair Aguirre
Mayor/Board Chair Nelson

ORAL COMMUNICATIONS:

At this time the public may address the City Council and Boards of Directors concerning any items on the Executive Session Agenda only.

The City Council and Boards of Directors will recess to the City Council Caucus Room for the purpose of conducting their Executive Session proceedings.

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding Existing Litigation – One (1) Item
 - a. 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, Dir. Administrative/Community Services
5. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:

Property: 312 S. Melrose Street, APN 339-393-10
City Negotiator: Troy Butzlaff, City Administrator
Negotiating Parties: Robert Sonnenblick, Sonnenblick Development
Under Negotiations: Price and Terms of Payment
6. Conference with Legal Counsel Government Code 54957.8 for Case Review/Planning:
 - a. 7.98 acre vacant parcel located at 1128 N. Kraemer Boulevard, APNs 340-034-17, 340-034-18, 340-034-19 and 340-034-20
Don Huennekens, HQT Homes

SUCCESSOR AGENCY:

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

- a. Property: 132 Crowther Avenue, APN 339-091-08
Agency Negotiator: Troy L. Butzlaff, Executive Director
Negotiating Parties: Lee Petsas, UBI Business Brokers
Under Negotiations: Price and Terms of Lease

ICDA:

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

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

RECESS: The City Council and Boards of Directors will recess to their 7:00 p.m. Regular Meeting.

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING AGENDA
July 16, 2013
7:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

ROLL CALL: Councilmember/Board Member Underhill
Councilmember/Board Member Wanke
Councilmember/Board Member Yamaguchi
Mayor Pro Tem/Board Vice Chair Aguirre
Mayor/Board Chair Nelson

INVOCATION: Police Chaplain Gary Drabek

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

1. Requests for Commendations and Proclamations

- a. Proclamation Designating the Month of July 2013, as Park & Recreation Month
Recipient: Director of Administrative Services/C.S. Steve Pischel
Presenter: Mayor Nelson

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

EXECUTIVE SESSION REPORT:

CITY ADMINISTRATOR REPORT:

ORAL COMMUNICATIONS:

At this time the public may address the City Council and Boards of Directors concerning any agenda item, which is not a public hearing item, or on matters within the jurisdiction of the City Council and Boards of Directors. There is a five (5) minute time limit for each individual addressing the City Council and Boards of Directors.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

The purpose of these reports is to provide information on projects and programs that are discussed at interagency board, committee, and commission meetings. No decisions are to be made on these issues. If a Council or Board Member would like formal action on any of the discussed items, it will be placed on a future Council or Board Agenda.

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

All items on the Consent Calendar are considered routine and are enacted by one motion approving the recommended action listed on the Agenda. Any Member of the City Council and Boards of Directors or City Administrator may request an item be removed from the Consent Calendar for discussion. All items removed shall be considered immediately following action on the remaining 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
- b. **Minutes**
City Council/Successor/ICDA Regular Meetings – June 11, 2013, June 18, 2013 and July 2, 2013
Recommended Action: Approve
- c. **City Fiscal Year 2012-13 Warrant Register for June 19, 2013 through July 16, 2013**
Financial Impact: \$2,346,061.01
Recommended Action: Approve
- d. **City Fiscal Year 2013-14 Warrant Register for June 19, 2013 through July 16, 2013**
Financial Impact: \$207,797.02
Recommended Action: Approve

COUNCIL CONSENT CALENDAR:

- e. **Budget Amendment – Asset Forfeiture Funds and Authorization to Purchase Rifle Upgrades and Ammunition**
Financial Impact: Expense: \$21,871.00 Asset Forfeiture Funds to purchase equipment (Account No.: 213041-6840) Fiscal Year 2013-14 Budget
Recommended Action: It is recommended that the City Council:
 - 1) Adopt Resolution No. R-2013-33, a Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2013-14 in the aggregate amount of \$21,871.00 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures
 - 2) Authorize the purchase of essential safety equipment with Asset Forfeiture funds in an amount not to exceed \$21,871.00
 - 3) Authorize the City Administrator or his designee to execute all necessary documents to effectuate these actions
- f. **Recommendation to Approve an Easement with the Orange County Flood Control District for the Richfield Road Widening Project**
Financial Impact: Expense: \$17,300 Easement
Offsetting Revenue: \$227,000 OCTA and \$72,000 Gas Tax Bond Funds
Recommended Action: It is recommended that the City Council:
 - 1) Approve the purchase of an easement between the City of Placentia and the Orange County Flood Control District in the amount of \$17,300
 - 2) Authorize the Mayor to sign the subject Easement on behalf of the City
 - 3) Direct the City Clerk to endorse the Easement, which embodies the acceptance of said right-of-way Easement, and cause the document to be submitted to the Orange County Clerk-Recorder for recording of the document
- g. **Acceptance of Irrevocable Offer to Dedicate 40 Feet of Right-of-Way Located at 213 East Madison Avenue**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Adopt Resolution No. R-2013-34, a Resolution of the City Council of the City of Placentia, California, approving and accepting an Irrevocable Offer

of Dedication right-of-way for future street and sidewalk improvements and authorizing the Mayor to execute said acceptance and the City Clerk to record said acceptance

- 2) Direct the City Clerk to endorse on the Certificate of Acceptance, which embodies the acceptance of said right-of-way easement, and cause the document to be submitted to the County Recorder of the Orange County Clerk-Recorder for recording of the document

h. Approval of Plans and Specifications and Award of Construction for 2013 Safe Routes to School (SR2S) Program School Signs Compliance Project

Financial Impact: Expense: \$89,899

Offsetting Revenue: \$409,000 Safe Routes to School Grant Funding & \$45,700 Community Facilities District Funds

Budgeted: \$107,878.80 (Account No.: 333552-6185 J/L 61114)

Recommended Action: It is recommended that the City Council:

- 1) Approve plans and specifications prepared by Stantec Consulting Services, Inc., dated June 19, 2013, for the 2013 Safe Routes to School (SR2S) Program School Signs Compliance Project
- 2) Award Construction Contract to the lowest responsive and responsible bidder, PTM General Engineering Services, Inc., in a form approved by the City Attorney, for an amount not to exceed \$89,999
- 3) Reject all other bids
- 4) Authorize the City Administrator, of 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

i. Recommendation to Approve Pipeline License Agreement with Burlington Northern Santa Fe Railway Company for Lakeview Grade Separation Project

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve Pipeline License Agreement
- 2) Authorize the Mayor to execute the Pipeline License Agreement on behalf of the City, in a form approved by the City Attorney

j. Determination and Levy of Special Tax for Fiscal Year 2013-14 in Community Facilities District No. 89-1 (East Placentia)

Financial Impact: No General Fund Impact – District Revenues of \$3,067,164.20 will not cover estimated District expenditures of \$3,167,164.20

Recommended Action: It is recommended that the City Council:

- 1) Approve the Community Facilities District 2013-14 Special Tax Levy of \$3,067,164.20
- 2) Adopt Resolution No. R-2013-35, a Resolution of the City Council of the City of Placentia, California, authorizing the Determination and Levy of the Special Tax in Community Facilities District 89-1 for Fiscal Year 2013-14
- 3) Authorize inclusion of the Special Tax Levy for Fiscal Year 2013-14 on the Orange County Secured Property Tax Roll

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL:

- a. **Public Hearing to Provide for the Annual Levy of Assessment for City of Placentia Landscape Maintenance District 92-1**
Financial Impact: Recouped through Assessments: \$395,898.66
Single Family Residential: \$154.87/Parcel
Commercial/Industrial: \$1,548.70/Acre
Multiple Family Residential: \$108.41/Unit
Undeveloped: \$774.35/Parcel
Recommended Action: It is recommended that the City Council:
1) Open the Public Hearing, receive public testimony, close Public Hearing
2) Adopt Resolution No. R-2013-36, a Resolution of the City Council of the City of Placentia, California, Approving the Engineering's "Report" for the Annual Levy of Assessment for Fiscal Year 2013-14 in Landscape Maintenance District No. 92-1 located within the City of Placentia
3) Adopt Resolution No. R-2013-37, a Resolution of the City Council of the City of Placentia, California, confirming a diagram and assessment and providing for Annual Assessment Levy
- b. **Public Hearing to Provide for the Annual Levy of Assessment for the City of Placentia Street Lighting District 81-1**
Financial Impact: Recouped through Assessments: \$134,519.94
Single Family Residential: \$27.38/Parcel
Commercial/Industrial: \$164.28/Acre
Tentative/Final Map: \$8.20/Unit
Recommended Action: It is recommended that the City Council:
1) Open the Public Hearing, receive public testimony, close Public Hearing
2) Adopt Resolution No. R-2013-38, a Resolution of the City Council of the City of Placentia, California, Approving the Engineering's "Report" for the Annual Levy of Assessment for Fiscal Year 2013-14 in Street Lighting District No. 81-1 located within the City of Placentia
3) Adopt Resolution No. R-2013-39, a Resolution of the City Council of the City of Placentia, California, confirming a diagram and assessment and providing for Annual Assessment Levy
- c. **Public Hearing to Proposed Fee Change for Public Fingerprinting Services**
Financial Impact: Positive Revenue – Fiscal Year 2013-14
Recommended Action: It is recommended that the City Council:
1) Open the Public Hearing, receive public testimony, close Public Hearing
2) Adopt Resolution No. R-2013-40, a Resolution of the City Council of the City of Placentia, California, amending the Comprehensive Fee Schedule setting the administrative fee for Livescan fingerprinting
- d. **First Reading and Introduction of Zoning Code Amendment 2013-02, an Ordinance Amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code §23.90.197 to Chapter 23.90 of Title 23 of the Placentia Municipal Code Allowing Digital and Static Advertising Displays on City-Owned Property**
Financial Impact: Not applicable
Recommended Action: It is recommended that the City Council:
1) Open the Public Hearing, receive public testimony, close Public Hearing

- 2) Waive full reading, reading by title only, and introduce for first reading, Ordinance O-2013-05, an Ordinance of the City Council of the City of Placentia, California, adding Section 23.90.197 to Chapter 23.90 of Title 23 of the Placentia Municipal Code allowing digital and static advertising displays on city-owned property

e. **First Reading and Introduction of an Ordinance of the City Council of the City of Placentia, Approving a Development Agreement with Lamar Advertising Company to Permit the Installation of up to Five (5) Outdoor Advertising Structures on City-Owned Property Adjacent to the State Route 57**

Financial Impact: Revenue: Annual base rent of \$725,000 or 25% of net revenues, whichever is higher

Recommended Action: It is recommended that the City Council:

- 1) Open the Public Hearing, receive public testimony, close Public Hearing
- 2) Waive full reading, reading by title only, and introduce for first reading, Ordinance O-2013-06, an Ordinance of the City Council of the City of Placentia, California, approving that document entitled "Development Agreement No. 2013-01 concerning properties located at 380 S. Placentia Avenue, 312 W. Orangethorpe Avenue, 900 Gonzales Street, 500 Kansas Street and 500 W. La Jolla Street, Placentia, California" and authorizing the Mayor and City Clerk to execute the same on behalf of the City of Placentia

SUCCESSOR AGENCY: None

ICDA: None

3. OLD BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA OLD BUSINESS: None

COUNCIL OLD BUSINESS: None

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:

Council/Board Members may make requests or ask questions of Staff. If a Council/Board Member would like to have formal action taken on a requested matter, it will be placed on a future Council or Board Agenda.

ADJOURNMENT:

The City Council/Successor Agency/ICDA Agency Board of Directors will adjourn to August 6, 2013 at 6:00 p.m.

*In
Memory
of
The Fallen Firefighters of the Prescott Fire Department*

CERTIFICATION OF POSTING

I, Tania Moreno, Deputy City Clerk for the City of Placentia and Assistant Secretary of the Industrial Commercial Development Authority and Successor Agency, hereby certify that the Agenda for the July 16, 2013 meetings of the City Council, Successor Agency, and Industrial Commercial Development Authority was posted on July 11, 2013.

Tania Moreno, Deputy City Clerk