

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
June 4, 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 5:35 p.m.

ROLL CALL:

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

ORAL COMMUNICATIONS: None

City Attorney Arczynski recommended that the City Council determine the need to take immediate action and that this need for action came to the attention of the City subsequent to the posting of the agenda, and that the City Council needs to confer with the City Administrator regarding the following item:

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, City Administrator
Negotiating Parties: Lee Petsas, UBI Business Brokers
Under Negotiations: Price and Terms of Lease

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Wanke, and carried (5 – 0) to add to executive session agenda item, Conference with Real Property Negotiator pursuant to Government Code Section 54956.8, pertaining to property 132 Crowther Avenue, Placentia, California.

Mayor Nelson inquired about the address listed on executive session item five.

City Administrator Butzlaff responded that 312 S. Melrose Street, Placentia is the correct address.

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding Existing Litigation – Two (2) Items
 - a. Jones v. City of Placentia, US Federal District Court No. SACV-1878-JST(JPRx)
 - b. 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:

- a. 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

SUCCESSOR AGENCY: None

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, City Administrator/Executive Director
Negotiating Parties: Gerald Near
Under Negotiations: Price and Terms of Payment
- b. Property: 601 W. Orangethorpe Avenue, APN 339-112-03
Agency Negotiator: Troy L. Butzlaff, City Administrator/Executive Director
Negotiating Parties: James Williams, JAW Land and Trading LLC
Under Negotiations: Price and Terms of Payment

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

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; Police Chief, Rick Hicks; Deputy Chief of Police, Ward Smith; Deputy Director of Community Services, Jon Nicks; Community Services Coordinator Maria Elena Maurer; Finance Services Manager, Michael Nguyen; Senior Management Analyst, Michael McConaha; Community Services Coordinator, Veronica Ortiz; Community Services Coordinator, Felipe Zambrano; City Clerk Specialist, Candice Martinez; City Clerk, Patrick Melia; Deputy City Clerk, Tania Moreno

INVOCATION: Police Chaplain Kenneth Milhandler

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Aguirre

1. Requests for Commendations and Proclamations

- a. Employee of the Quarter – General Employee Group
Recipient: Community Services Coordinator Ortiz
Presenters: Mayor Nelson and City Administrator Butzlaff

City Administrator Butzlaff provided a brief narrative of Employee of the Quarter. Director of Administrative Services/C.S. Pischel thanked Community Services Coordinator Ortiz for her outstanding service to the City and the community.

Mayor Nelson presented a plaque of recognition to Community Services Coordinator Ortiz and thanked her for service to the City.

Community Services Coordinator Ortiz thanked City Council and Staff for the recognition.

- b. City of Placentia Photography Contest Winners
Recipients: Grant Bagne, Shari Brekenfeld, Matthew Lerma, Joan Lane, John Walcek and Lisa Marchant
Presenter: Mayor Nelson and Community Services Coordinator Zambrano

City Administrator Butzlaff provided a brief narrative of the City of Placentia Photography contest.

Community Services Coordinator Zambrano provided a brief narrative of the contest and the categories. He presented certificates of recognition to the 2013 City of Placentia Photography contest winners.

Mayor Nelson congratulated the winners of the photography contest.

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 Underhill, seconded by Councilmember Yamaguchi, to approve presentation items 1.a. and 1.b. as submitted and make a presentation 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 that evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff reported that the Commissions and Committees recruitment deadline has been extended to July 9, 2013 at 5:00 p.m.

ORAL COMMUNICATIONS:

Laurie Arroyo, resident, expressed her concerns regarding Lee Castner's decision to end his volunteer services with the City, as a result of a conversation he had with City Staff. She noted that Mr. Castner provided significant sound and audio services at no cost to the City.

Jeff Buchanan, resident, inquired about Ms. Arroyo's concerns regarding volunteerism. He inquired about the Master Plan for Street Trees status.

Bruce Hunt, resident, thanked City Council and Director of Public Works for finding funds to repave the streets. He noted that the City relies heavily on volunteers. He expressed his concerns regarding City Staff contacting Lee Castner to discuss his volunteer services.

Meredith Castillo, resident, referred to an article published in the OC Register newspaper regarding the Cultural Arts Commission. He expressed his concerns regarding the Master Plan for Street Trees and graffiti on Valencia Avenue next to El Dorado High School. He noted the importance of the City and School District working together.

Craig Green, resident, noted that he is preparing a point paper regarding the budget that would cover questions and suggestions. He expressed his concerns regarding perceived conflicts of interest.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Yamaguchi congratulated Placentia Photography Contest winners and employee of the quarter recipient Community Services Coordinator Ortiz.

Mayor Pro Tem Aguirre reported he attended an Orange County Fire Authority Board of Directors meeting on May 23, 2013.

Mayor Nelson congratulated Placentia Photography Contest winners and employee of the quarter recipient Community Services Coordinator Ortiz.

City Administrator Butzlaff reported that the City submitted a grant for funding of the Master Plan for Street Trees. He noted that the City would notify the community on the status of the grant via Placentia News Times and the Quarterly. He noted that the City is also looking for grants to fund the implementation of the Master Plan for Street Trees.

Chief of Police Hicks reported that the Placentia Police Department hosted a community meeting at the Church of the Nazarene on May 30, 2013. He noted that they discussed the importance of building partnerships with the community and other organizations. He noted that a follow-up meeting would be scheduled in approximately two months.

Mayor Nelson noted the importance of building partnerships with the community and other organizations. He expressed his concerns regarding perceived conflicts of interest.

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

A motion was made by Mayor Pro Tem Aguirre, seconded by Councilmember Wanke, to approve Consent Calendar Item Nos. 1.a. through 1.i. Councilmember Yamaguchi abstained on the May 7, 2013 City Council meeting minutes and 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
(5 – 0, as recommended)

- b. **Minutes**
City Council/Successor/ICDA Regular Meetings and Study Session – May 7, 2013, May 15, 2013 and May 21, 2013
Recommended Action: Approve
(5 – 0, Councilmember Yamaguchi abstained on the May 7, 2013 minutes)

- c. **City Fiscal Year 2012-13 Warrant Register for May 22, 2013 through June 4, 2013**
Financial Impact: \$1,157,768.84
Recommended Action: Approve
(5 – 0, as recommended)

COUNCIL CONSENT CALENDAR:

d. **Acceptance of Construction Work for the 2012 City Residential Street Rehabilitation Project**

Financial Impact: Expense: \$5,431,776.39

Offsetting Revenue: \$5,431,776.39

Budgeted: \$5,431,776.39 (Account No.: 333552-6185 J/L 61105, Construction Capital Projects)

Recommended Action: It is recommended that the City Council:

- 1) Accept contract work performed by R.J. Noble Company, for construction of the 2012 Residential Street Rehabilitation Project in the total amount of \$5,431,776.39
- 2) Authorize the City Engineer to file a Notice of Completion with the Orange County Clerk Recorder's Office for the project
- 3) Authorize the City Engineer to release retention funds in accordance with the terms of the contract

(5 – 0, as recommended)

e. **Adoption of Resolutions Relating to Fiscal Year 2013-14 Levy of Assessments for the City of Placentia Landscape Maintenance District No. 92-1 and Setting a Public Hearing for July 16, 2013, at 7:00 p.m.**

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/Acre

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2013-22, a Resolution of the City Council of the City of Placentia, California, ordering the preparation of plans, specifications, cost estimates, diagrams, assessments and reports pursuant to the Provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California, for proceedings for Annual Assessment Levy after formation of a District
- 2) Adopt Resolution R-2013-23, A Resolution of the City Council of the City of Placentia, California, declaring its intention to provide for the Annual Levy and Collection of Assessments for maintenance within Landscape Maintenance District No. 92-1, pursuant to the Provisions of Division 15, Part 2, of the California Streets and Highways Code and setting the time and place for a Public Hearing thereon

(5 – 0, as recommended)

f. **Adoption of Resolution Relating to Fiscal Year 2013-14 Levy of Assessments to the City of Placentia Street Lighting District No. 81-1 and Setting Public Hearing for July 16, 2013, at 7:00 p.m.**

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) Adopt Resolution R-2013-24, a Resolution of the City Council of the City of Placentia, California, ordering the preparation of plans, specifications, cost estimate, diagram, assessment and report pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of

California, for proceedings for Annual Assessment Levy after formation of a district

- 2) Adopt Resolution R-2013-25, a Resolution of the City Council of the City of Placentia, California, declaring its intention to provide for an Annual Levy and Collection of Assessments for certain maintenance in an existing district, pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California, and setting a time and place for Public Hearing thereon

(5 – 0, as recommended)

- g. **Approve Easement Deeds for the Golden State Water Company and Southern California Edison for the Well Drain Line at Kraemer Park**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Authorize the City Administrator to sign subject Easement Deeds on behalf of the City

(5 – 0, as recommended)

- h. **Acceptance of Resignation from the Veterans Advisory Committee**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Accept the resignation of Michael Dolan from the Veterans Advisory Committee
- 2) Open the annual application/recruitment process for the vacancy on the Veterans Advisory Committee

(5 – 0, as recommended)

- i. **Consideration to Approve an Agreement for Media Production Services**

Financial Impact: Expense: Not to exceed \$53,053 annually (Account No.: 441573-6099)

Revenue: Public, Educational, and Governmental (PEG) Funds

Recommended Action: It is recommended that the City Council:

- 1) Approve a Consulting Services Agreement with Empire Media Production Services
- 2) Authorize the City Administrator to execute agreement and extensions permitted therein on behalf of the City, in a form approved by the City Attorney

(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: 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: None

ADJOURNMENT: The City Council/Successor Agency/ICDA Agency Board of Directors adjourned to a Study Session on June 11, 2013 at 5:00 p.m. in memory of Elia C. Ortega.

SCOTT W. NELSON
MAYOR/AGENCY CHAIR

ATTEST:



PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY

