

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
July 16, 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 5:40 p.m.

ROLL CALL:

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

ORAL COMMUNICATIONS:

Don Huennekens, HQT Homes Managing Member, respectfully requested that executive session item six be removed from the agenda.

Executive Session item number six was removed from the agenda.

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 recessed to their 7:00 p.m. Regular Meeting.

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/Agency Counsel, City Attorney Arczynski V. Arczynski; Director of Administrative and Community Services, Steve Pischel; Director of Finance, Karen Ogawa; Director of Public Works, Steve Drinovsky; Deputy Chief of Police, Ward Smith; Neighborhood Services Coordinator, Jeannette Ortega; Senior Management Analyst, Mike McConaha; City Clerk, Patrick Melia; Deputy City Clerk, Tania Moreno; City Clerk Specialist, Candice Martinez

INVOCATION: Gary Drabek, Police Chaplain

PLEDGE OF ALLEGIANCE: Mayor Nelson

PRESENTATIONS:

1. **Requests for Commendations and Proclamations**
 - a. Proclamation Designating the Month of July 2013, as Parks & 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

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

City Administrator Butzlaff provided a brief narrative on Parks and Recreation Month.

Mayor Nelson proclaimed the month of July as Parks and Recreation Month.

Parks and Recreation Commissioner Newman provided a narrative of the Placentia's Parks and Recreation Commission. He thanked the City Council for the recognition and commended City Staff on their work.

Mayor Nelson presented the proclamation to Parks and Recreation Commissioner Newman.

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 other reportable actions from Executive Session that evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff announced the Concerts in the Park Series and the Movies in the Park Series. He announced National Night Out on August 6, 2013 at the Placentia Town Center.

ORAL COMMUNICATIONS:

Don Huennekens, HQT Homes Managing Member, noted he attended the executive session and requested that item number six be removed from the executive session agenda.

Arnie Pike, resident, expressed his concerns regarding a crosswalk on Bradford Avenue, two blocks south of Yorba Linda Boulevard and recommended a stop sign at that location.

Mayor Nelson directed Staff to review Mr. Pike's request.

Jeff Buchanan, resident, submitted a written public records request on all contracts between the City and City Administrator Troy Butzlaff, all contracts between the City and City Attorney Andrew Arczynski, and Minutes regarding Placentia City Council becoming a multijurisdictional drug enforcement agency. He noted he had submitted questions regarding the potential conflict of interest pertaining to Mr. Yamaguchi. He made reference to an article published by the Voice of Orange County website regarding the outdoor advertising display program. He requested that items 2.d. and 2.e. be removed from the agenda.

Meredith Castillo, resident, expressed his concerns regarding the illegal use of fireworks in the City.

Stanley Nelson, resident, expressed his concerns regarding the outdoor advertising display program and the way it was presented.

Jeremy Keith, resident, thanked City Council for removing executive session item six from the agenda. He expressed his concerns regarding development agreements and the lack of transparency. He made reference to the Weekly Communiqué. He requested that the Schaner Ranch project be stopped. He inquired if residents may request agenda items be placed on the agenda.

Bob Street, resident, noted that HQT Homes met with a small group of the concerned residents. He spoke in opposition to the latest project plan and the new number of units. He

noted that Staff is having meetings with HQT Homes and not inviting the concerned citizens. He inquired about an article presented on the Weekly Communiqué.

Peggie Yamaguchi, resident, noted that the questions she presented on the June 18th City Council meeting have not been addressed. She thanked City Council for putting up the no smoking signs at the Civic Center. She asked that no smoking signs and waste receptacles be placed on all city-owned facilities. She inquired about the cost for the audio service for the Concerts in the Park Series. She inquired about a potential Cultural Arts Commission Brown Act violation.

Craig Green, resident, thanked City Council for removing executive session item number six.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Underhill commended the Community Services Department for their work on the Movies in the Park Series. She noted that the anonymous outdoor advertising display program flyer circulating in the City has misleading information.

Councilmember Wanke attended the Movies in the Park Series event. He congratulated Rosalina Davis on her recent appointment as president of the Downtown Merchant Association. He thanked all the residents who contacted him on various issues including the Schaner Ranch project and the outdoor advertising display program.

Councilmember Yamaguchi attended the Santa Ana River Flood Protection Agency meeting and brought back information to share with Council. He thanked the residents for their participation and voicing their opinion. He noted that he has not been able to volunteer with the City. He announced that he continues to volunteer with the Placentia Library, Placentia Rotary Club, Placentia Chamber of Commerce, and Placentia Roundtable Women's Club. He noted that he uses three basic filters when making decisions: ethical, legal, and good policy.

Mayor Pro Tem Aguirre attended the Orange County Fire Authority Board of Directors meeting. He thanked all the residents who have been submitting emails regarding the HQT Homes project and the outdoor advertising display program. He encouraged residents to continue to provide their input. He asked the City Attorney to provide a report on development agreements discussed in closed session.

Mayor Nelson thanked the residents for attending the meeting and voicing their opinion. He encouraged residents to contact City Council on any issues. He asked the City Attorney to provide clarification on the no smoking signs and closed session development agreements discussions. He addressed Stanley Nelson's comment. He noted that it was not Council's idea to construct outdoor billboards. He noted that Council makes the decisions on the items placed on the agenda. He noted that he has been working on the issue of Mr. Yamaguchi's potential conflict of interest. He noted that he has gathered the information and distributed to the rest of the Council including Mr. Yamaguchi. He noted that a status follow-up would be provided by Council at the next Council meeting. He directed Staff to address Mr. Pike's and Mr. Meredith's concerns.

A five-minute recess was taken.

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

A motion was made by Mayor Pro Tem Aguirre, seconded by Councilmember Yamaguchi to approve Consent Calendar Item Nos. 1.a. through 1.j. Councilmember Underhill pulled item 1.f. for separate discussion. Mayor Nelson abstained on warrant register numbers 8693, 8749 and 8805.

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 – June 11, 2013, June 18, 2013 and July 2, 2013
Recommended Action: Approve
(5 – 0, as recommended)
- 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
(5 – 0, as recommended)
- d. **City Fiscal Year 2013-14 Warrant Register for June 19, 2013 through July 16, 2013**
Financial Impact: \$207,797.02
Recommended Action: Approve
(5 – 0, as recommended)

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**(5 – 0, as recommended)**
- 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

(5 – 0, as recommended)

Councilmember Underhill inquired on the payment for the easement.

City Administrator Butzlaff noted that the Flood Control District requires the collection of the easement fees. He noted that this has been a difficult process and it is unfortunate the fees are not waived.

A motion was made by Councilmember Underhill, seconded by Councilmember Wanke, and carried (5 – 0) to approve the purchase of an easement between the City of Placentia and the Orange County Flood Control District in the amount of \$17,300; authorize the Mayor to sign the subject Easement on behalf of the City; and 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

(5 – 0, as recommended)

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
(5 – 0, as recommended)

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

(5 – 0, as recommended)

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

(5 – 0, as recommended)

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
(5 – 0, as recommended)

City Administrator Butzlaff introduced Senior Management Analyst McConaha.

Senior Management Analyst McConaha provided a brief staff report on item 2.a. He noted that the annual levy of assessment is the maximum allowed by the State. He noted that the General Fund does not subsidize the cost difference. He provided a brief narrative of how the district functions.

Mayor Nelson opened the public hearing at 8:32 p.m.

Meredith Castillo, resident, inquired about the sidewalks.

Mayor Nelson noted that this district only covers certain parts of the City.

Craig Green, resident, inquired about the money used to pay the bills.

City Administrator Butzlaff noted that the cost difference is not subsidized by the General Fund.

Mayor Nelson closed the public hearing at 8:36 p.m.

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Wanke, and carried (5 – 0) to open the Public Hearing, receive public testimony, close Public Hearing; 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; and 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

(5 – 0, as recommended)

Senior Management Analyst McConaha provided a brief staff report on item 2.b. He noted that the annual levy of assessment is the maximum allowed by the State. He noted that the General Fund does not subsidize the cost difference.

Discussion ensued between Council and Staff. They discussed streetlights owned by Edison and the maintenance cost.

Mayor Nelson opened the public hearing at 8:41 p.m.

Stanley Nelson, resident, suggested only replacing the streetlights that are not working.

Mayor Nelson closed the public hearing at 8:43 p.m.

A motion was made by Mayor Pro Tem Aguirre, seconded by Councilmember Underhill, and carried (5 – 0) to open the Public Hearing, receive public testimony, close Public Hearing; 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; and 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

(5 – 0, as recommended)

City Administrator Butzlaff noted that the City charges for various services. He noted that if a City fee changes, consequently the Comprehensive Fee Schedule is amended.

Deputy Chief of Police Smith provided a narrative of how the public fingerprinting services program works. He noted that the fingerprinting program is a community convenience and that the State only allows digital fingerprinting.

Mayor Nelson opened the public hearing at 8:46 p.m.

Mayor Nelson closed the public hearing at 8:47 p.m.

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Underhill, and carried (5 – 0) to open the Public Hearing, receive public testimony, close Public Hearing; and 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

(4 – 1, to continue item 2.d., Councilmember Underhill voted no)

City Administrator Butzlaff noted that this is the first reading and introduction of Ordinance O-2013-05 amending Title 23 of the Placentia Municipal Code Section 23.90.197 of Title 23.

City Attorney Arczynski noted that Staff embarked on a project to review the potential of permitting digital and static signs in particular locations in the City. He noted that only city-owned properties were identified as locations to place the advertising display signs to allow adequate control of the use of the signs. He provided a brief review of the proposed ordinance. He noted that Staff recommends that City Council open the public hearing, take testimony on the matter, and if acceptable recommends first reading of the ordinance by title only.

Discussion ensued between Council, Staff and Environmental Consultant Douglas. They discussed the allowable measurements and zoning options.

Mayor Nelson noted that this item has nothing to do with the development agreement. He noted that this item only approves the ability to allow digital and static advertising displays signs on city-owned properties.

Councilmember Yamaguchi inquired about the language used in Ordinance O-2013-05 section A 4.

City Attorney Arczynski clarified that the word "if" in Ordinance O-2013-05, Section A 4, needs to be deleted.

Discussion ensued between Council and Staff regarding the allowable areas to place advertising display signs.

Mayor Nelson opened the public hearing at 9:01 p.m.

Paul Olivares, resident, expressed his concerns regarding changing the zoning regulations and the impacts it may have on the community.

City Attorney Arczynski noted that these types of digital advertising display signs would only be allowed in certain locations. He noted that anyone can apply for a zone change, but the City Council would have to review it and make a determination.

City Administrator Butzlaff noted that CalTrans limits the number of billboards.

Tameka Young, resident, inquired if all five advertising display signs would be placed in a condensed area and if they are going to be double-sided.

City Administrator Butzlaff noted that the advertising display signs would be limited to city-owned properties in a specified area.

Tameka Young, resident, inquired about the impacts the advertising display signs would have on the residents.

Mayor Nelson noted that mitigation measures would be discussed.

Monica Correa, resident, requested that City Council continue item 2.d. until residents have an opportunity to express their concerns.

Meredith Castillo, resident, spoke in opposition of the advertising display signs program.

Joshua Correa, resident, thanked Councilmember Underhill for attending his grandfather's funeral. He requested that City Council continue item 2.d. until residents have the opportunity to make their comments. He expressed his concerns regarding the lack of communication in the process. He submitted documents to Council regarding the project.

Stanley Nelson, resident, submitted documents to Council regarding the project. He spoke in opposition to the advertising display signs program. He noted that advertising display signs are not allowed to be close to parks.

Jeff Buchanan, resident, noted that the zoning issues should be reexamined.

Keith Blight, resident, spoke in opposition to the advertising display signs program. He noted that other Orange County cities do not have billboards. He requested that City Council examine all the issues before voting on the item.

Mayor Nelson closed the public hearing at 9:31 p.m.

Mayor Nelson made a motion to continue item 2.d. and continue the public hearing to August 20, 2013.

Councilmember Wanke amended the proposed motion to continue the item and public hearing indefinitely.

City Administrator Butzlaff recommended that Council takes the item off the agenda and re-notice the public hearing to a set date.

Mayor Nelson made a motion to take the item off the agenda until further notice.

A motion was made by Mayor Nelson, seconded by Councilmember Wanke, and carried (4 – 1, Councilmember Underhill voted no) to remove item 2.d. from the agenda until further notice.

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

(5 – 0, to continue item 2.e.)

City Administrator Butzlaff recommended that item 2.e. be continued to an undetermined date until item 2.d. is dealt with.

Mayor Pro Tem Aguirre recommended not taking action on item 2.e., but to allow the public to comment on the item.

City Attorney Arczynski noted that if City Council desires to take the item off the calendar and reschedule to a future date a voice vote is required. He suggested taking public testimony during a public hearing session.

Nelson opened the public hearing at 9:38 p.m.

Lilia Queen, resident, noted that she lives in the La Jolla neighborhood and attended the community workshop. She noted that the La Jolla neighborhood is the forgotten area. She spoke in opposition to the outdoor advertising display signs program.

Emil Bereczky, resident, spoke in support of the advertising display signs program and the need to reexamine the program. He noted that the program would generate revenue for the City.

Mayor Nelson stepped away from the dais at 9:45 and returned at 9:48 p.m.

Dwayne DeRose, resident, spoke in support of the advertising display signs program. He noted that the program would be a good revenue stream for the City and would help businesses.

Marcel Venable, City of Fullerton resident, requested additional community outreach workshops.

Monica Correa, resident, spoke in opposition of the advertising display signs program and the five proposed locations. She noted that she attended the community workshop.

Christina Gonzalez, resident, spoke in opposition of the advertising display signs program. She noted that the signs would block the City's scenic view. She encouraged Council to vote no on the project.

Joshua Correa, resident, spoke in opposition of the advertising display signs program. He noted that he attended the community workshop and requested additional community outreach workshops. He thanked the City Administrator for trying to reduce the City's deficit.

A five-minute recess was taken.

Crystal Tovar, resident, spoke in opposition of the advertising display signs program. She noted that she attended the community workshop. She inquired about the potential revenue, advertising time to promote local businesses and money allocated to the community. She expressed her concerns regarding a potential lawsuit by competitor companies.

Mayor Nelson noted that portion of the money would be allocated to Lot 318, which is a community non-profit organization.

Paul Oliveras, resident, spoke in opposition of the advertising display signs program. He encouraged Council to examine alternative City deficit solutions. He spoke in support of community workshops. He commended the City Administrator for reducing the debt.

Stanley Nelson, resident, noted that everyone deserves the same quality of life. He noted that this program will affect La Jolla residents. He noted that the Planning Commission did not approve the project.

Jeff Buchanan, resident, thanked Council for tabling the item and listening to the public. He noted that he is not in opposition of the advertising display signs program. He inquired who would be responsible of leading the community workshops and the mitigation solutions. He proposed setting up a temporary portable billboard at City Hall.

Michael Withrow, resident, spoke in opposition of the advertising display signs program. He noted that the advertising display signs would affect the traffic on the 91 and 57 freeways. He thanked City Council for the work they do.

Sandy Santana, resident, spoke in opposition of the advertising display signs program.

Mayor Nelson closed the public hearing at 10:45 p.m.

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, and carried (5 - 0) to continue item 2.e. until further notice.

Councilmember Yamaguchi requested that Council give direction to Staff to provide a model report similar to the County of San Diego report on outdoor advertising display signs. He noted that he would like the report to include potential constitutional issues, land use, map or list of current billboards in the community, conversion options of traditional billboards, and the various requirements for billboards. He requested that Council give direction to Staff to spell check and grammar check all staff reports and ordinances. He requested that Council give direction to Staff to provide Council copies of all correspondence, emails, petitions, and any other materials submitted by residents regarding billboards. He noted that he would like Council to address ethical concerns and legal issues regarding the advertising display signs program.

Councilmember Wanke expressed his concerns regarding the advertising display signs program process. He requested Council give direction to Staff to schedule multiple community meetings and to have a formal request for proposals process. He noted that the outdoor advertising display signs program was an idea presented by Staff. He thanked residents for attending the meeting.

Mayor Pro Tem Aguirre thanked everyone who attended the meeting. He noted the City Council did not suggest specifically putting up billboards in any community. He noted that City Council is responsible for examining revenue generating ideas. He spoke in support of additional community workshops.

Councilmember Underhill noted that a list of all concerns would be created and looked at during future development agreement discussions. She thanked residents for attending the meeting.

Mayor Nelson thanked everyone for attending the meeting. He noted that Staff is responsible of generating revenue ideas. He commended Staff for finding new revenue ideas, even if not everything works perfectly.

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:

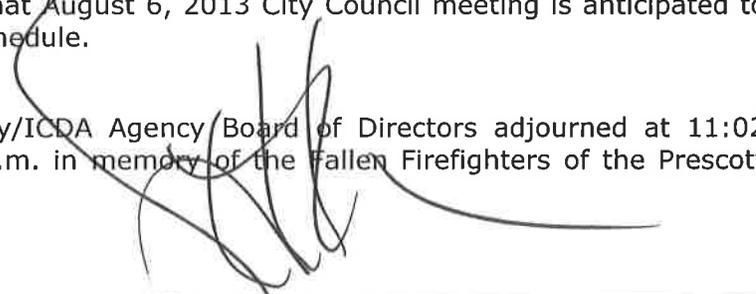
Councilmember Yamaguchi noted he supports Councilmember Wanke's request to move forward with a formal RFP process.

Councilmember Wanke requested that Council give direction to Staff to prepare a report on how to repeal the ban on fireworks use in the City. He requested that Council give direction to Staff to prepare a report on the procedures of adding items to the City Council agenda and to add this information on the City's website. He requested that Council give direction to Staff to prepare a report on the legal procedures to hold joint meetings in compliance with the Brown Act. He requested that Council give direction to Staff to provide a status report on the street trees and sidewalk ordinance.

City Administrator Butzlaff noted that August 6, 2013 City Council meeting is anticipated to be cancelled due to the summer schedule.

ADJOURNMENT:

The City Council/Successor Agency/ICDA Agency Board of Directors adjourned at 11:02 p.m. to August 6, 2013 at 6:00 p.m. in memory of the Fallen Firefighters of the Prescott Fire Department.



SCOTT W. NELSON
CITY COUNCIL/AGENCY CHAIR

ATTEST:



PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY

