

**PLACENTIA CITY COUNCIL  
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE  
PLACENTIA REDEVELOPMENT AGENCY  
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY  
REGULAR MEETING MINUTES – EXECUTIVE SESSION  
November 19, 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 Aguirre, Nelson, Underhill, Yamaguchi  
ABSENT: Wanke (excused)

Councilmember Yamaguchi arrived at 5:43 p.m.

**ORAL COMMUNICATIONS:**

Jeff Buchanan, resident, expressed his concerns regarding executive session item 4.a. He made a formal request regarding any pending or initiated litigation in regards to item 4.a.

Maria Medina noted that she was the former owner of 334 Santa Fe. She noted that the property was sold to Guadalupe Lomeli. She noted that the new owner has good intentions to conduct the cleanup of the property and is currently waiting for proposals from companies. She requested that the City to work in collaboration with the new owner.

Mayor Nelson stated that the City would work with the new owner.

**CITY COUNCIL:**

1. Pursuant to Government Code Section 54956.9(b) for Conference with Legal Counsel Regarding Anticipated Litigation – Two (2) Items
2. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – One (1) Item
3. 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
4. Pursuant to Government Code Section 54956.9 (d)(2) Conference with Legal Counsel Concerning Case Review/Planning:
  - a. Property: Vacant 7.8 acre parcel located at 1128 N. Kraemer Avenue, APN 340-034-17, 18, 19, and 20.

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

- a. Property: 334 W. Santa Fe Avenue, APN 140-09-08  
City Negotiator: Troy L. Butzlaff, City Administrator  
Negotiating Parties: Maria Medina  
Under Negotiations: Price and Terms of Payment
- b. Property: Vacant 0.0631 Acre Parcel, APN 339-102-01  
City Negotiator: Troy L. Butzlaff, City Administrator  
Negotiating Parties: Suburban Propane, L.P.  
Under Negotiations: Price and Terms of Payment

**SUCCESSOR AGENCY:** None

**ICDA:**

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

- 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
- b. Property: 120 South Bradford Avenue, APN 339-052-23  
Agency Negotiator: Troy L. Butzlaff, Executive Director  
Negotiating Parties: Budget Finance Company (Lender)  
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 Aguirre, Nelson, Underhill, Yamaguchi  
**ABSENT:** Wanke (excused)

**STAFF PRESENT:** City Administrator/Executive Director, Troy L. Butzlaff; City Attorney/Authority Counsel, Andrew V. Arczynski; Director of Administrative and Community Services, Steve Pischel; Director of Public Works, Steve Drinovsky; Interim Director of Finance, Michael Nguyen; Police Chief, Rick Hicks; Deputy Chief of Police, Smith Ward; Management Analyst, Eduardo De La Torre; Management Analyst, Maggie Le; Management Analyst, Matt Reynolds; City Clerk, Patrick Melia; Deputy City Clerk, Tania Moreno

**INVOCATION:** Police Chaplain Roger Mendoza

City Attorney Arczynski provided a brief narrative of the 150<sup>th</sup> anniversary of the Gettysburg Address.

**PLEDGE OF ALLEGIANCE:** Mayor Nelson

**PRESENTATIONS:** None

**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. He clarified an apparent misunderstanding that was addressed by some members of the public with regards to executive session item 4.a. He noted that this item is not a pending or initiated litigation at this time. He noted the item was called for case planning and review.

**CITY ADMINISTRATOR REPORT:** City Administrator Butzlaff reported that on November 11, 2013 the City and the Veterans Advisory Committee held the 25<sup>th</sup> annual Veterans Day Observance Ceremony. He announced that in observance of the Thanksgiving Holiday, City Hall would be closed on Thursday, November 28, 2013. He announced that the annual Tamale Festival, Las Posadas, and Winter Holiday Celebration would be held on December 4, 2013. He encouraged residents that are interested in participating in the City Services Academy to contact City Hall. He reported that Deputy City Clerk Moreno has earned her Certified Municipal Clerk designation. He encouraged residents that are interested in the Community Christmas Basket program to contact the Whitten Community Center. He reported that the City's credit rating for the Successor Agency has increased, which is good news for the agency and City.

### **ORAL COMMUNICATIONS**

Craig Green, City Treasurer, requested that items 1.c., 1.d., and 1.f. be pull for separate discussion. He noted that the 2014 investment policy presented to Council has no changes from last year. He noted that the Treasurer's Reports are preliminary. He requested that titles of the agenda items be clearer. He requested the contact information for representatives of Bank of America, Management Partners and Haskell & White. He requested feedback from Staff and Council regarding a budget report and recommendations he submitted last Council meeting. He requested a meeting with the Mayor to discuss staff reimbursement concerns. He wished everyone a Happy Thanksgiving.

Laurie Arroyo, resident, expressed her concerns regarding city finances, the use of the Boys & Girls Club property, and the skate park project. She recommended that the City walk away from the skate park project and not fill the Assistant City Administrator vacancy.

Mayor Nelson respectfully asked Ms. Arroyo to stop personal verbal attacks towards Staff.

Ms. Arroyo expressed her concerns regarding the outdoor advertising display project.

Meredith Castillo, resident, noted that he attended the CERT program graduation as a volunteer. He recommended that the City put up banners commemorating veterans. He noted that on November 7, 2013 he reported chalk drawings that appear to be graffiti.

Joshua Correa, resident, provided a report to City Council entitled "Beyond Aesthetics: How Billboards Affect Economic Prosperity." He provided a brief description of the report.

Andrea Astran, noted that the 334 W. Sante Fe property had been sold. She asked for the City's collaboration with the new property owner.

Stanley Nelson, resident, thanked the Mayor for attending the El Dorado High School veterans' ceremony. He thanked City Council and Staff who attended Joe Rodarte's funeral. He thanked Staff for revising the outdoor advertising zoning ordinance to make it citywide. He noted that he attended the last Planning Commission meeting and the Commission opposed the ordinance.

**CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:**

Councilmember Underhill wished everyone a Happy Thanksgiving. She noted that the shuttle from Sam's Club would be available for the Las Posadas event. She congratulated Deputy City Clerk Moreno on her recent Certified Municipal Clerk designation and accomplishments.

Councilmember Yamaguchi requested that Staff provide feedback regarding Mr. Green's budget report.

City Administrator Butzlaff noted that Mr. Green's report was given to Management Partners. He noted that Management Partners would address Mr. Green's suggestions/input in their final report that would be presented to Council in January.

Councilmember Yamaguchi expressed his concerns regarding the traffic congestion and the challenging bicycle route due to the grade separation project. He directed Staff to coordinate with the City of Anaheim to post signs regarding the alternate route for bicycles.

City Administrator Butzlaff noted that the Orange County Transportation Authority has created an alternate route for bicycles.

Councilmember Yamaguchi wished everyone a Happy Thanksgiving. He encouraged residents to visit the Orange County Fire Authority website to obtain fire safety information. He noted that he received an email from the Placentia Chamber of Commerce stating that the Chamber publicly endorses Lamar Company and the billboard project. He noted that on the Chamber's website, Lamar Company is listed as one of their lead sponsors of a golf tournament. He noted that if the Chamber was a government agency, this might be considered a conflict of interest.

Mayor Pro Tem Aguirre noted that he was not able to attend the Veterans Day Ceremony, but he thanked veterans for their service. He spoke in support of the US Armed Forces helping in the Philippines. He wished everyone a Happy Thanksgiving.

Mayor Nelson thanked the Veterans Committee and Staff for their work on the Veterans Day Ceremony. He noted that Andrew Binnings, student of El Dorado High School, built a memorial honoring three graduates who passed away in war. He thanked veterans for their service. He congratulated Deputy City Clerk Moreno on her recent Certified Municipal Clerk designation. He thanked Staff for their work on the CERT Program. He wished everyone a Happy Thanksgiving.

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

A motion was made by Mayor Pro Tem Aguirre, seconded by Councilmember Yamaguchi, to approve Consent Calendar Item Nos. 1.a. through 1.h. Councilmember Nelson pulled items 1.c., 1.d. and 1.f. 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  
**(4 – 0, Councilmember Wanke absent)**
  
- b. **City Fiscal Year 2013-14 Warrant Register for November 6, 2013 through November 19, 2013**

Financial Impact: \$485,771.54  
Recommended Action: Approve  
**(4 – 0, Councilmember Wanke absent)**

**COUNCIL CONSENT CALENDAR:**

c. **Resolution Approving Investment Policy for 2014**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2013-55, A Resolution of the City Council of the City of Placentia, California, acknowledging the receipt and filing of the Annual Statement of Investment Policy for calendar year 2014

**(4 – 0, Councilmember Wanke absent)**

Interim Director of Finance Nguyen provided a brief staff report on item 1.c. He noted that the Investment Policy presented to Council to receive and file is a transparency measure.

A motion was made by Councilmember Underhill, seconded by Councilmember Yamaguchi, and carried (4 – 0) to adopt Resolution R-2013-55, a resolution of the City Council of the City of Placentia, California, acknowledging the receipt and filing of the Annual Statement of Investment Policy for calendar year 2014.

d. **June – September 2013 Treasurer’s Reports**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Receive and file the June – September 2013 Treasurer’s Reports

**(4 – 0, Councilmember Wanke absent)**

City Treasurer Green noted that the Treasurer’s Reports reflect preliminary numbers and that he is assembling additional data.

A motion was made by Councilmember Yamaguchi, seconded by Mayor Pro Tem Aguirre, and carried (4 – 0) to receive and file the June – September 2013 Treasurer’s Reports.

e. **Earthquake Insurance for Specified City Facilities**

Financial Impact: Expenses: \$39,952.00

Budgeted: \$39,952.00 (Account No.: 404582-6201)

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2013-56, A Resolution of the City Council of the City of Placentia, California, approving the purchase of earthquake insurance for specified city facilities from Alliant Insurance Services, acting as the City’s insurance broker, in an amount not-to-exceed \$40,000.00 for policy year 2013-2014
- 2) Authorize the City Administrator to execute all documents necessary to effectuate insurance coverage

**(4 – 0, Councilmember Wanke absent)**

f. **Award of Contract/False Alarm Management Service**

Financial Impact: Estimated revenue increase unknown

Recommended Action: It is recommended that the City Council:

- 1) Authorize the Mayor to enter into a contract, in a form approved by the City Attorney, with PMAM Corporation for a term of three (3) years, with the ability to extend the contract for two (2) additional years, on a year-by-year basis, for false alarm management services

**(4 – 0, Councilmember Wanke absent)**

Management Analyst Reynolds noted that this item is collaboration between the Police Department and Finance Department. He noted that the City averages 11,000 false alarms a year and that the City is trying to reduce the number. He noted that the two RFQ's received are similar. He provided a brief narrative of the services provided by PMAM Corporation.

Councilmember Yamaguchi inquired about the company's years in the business and the term of the agreement.

Management Analyst Reynolds responded that the company has been in business for 13 years.

City Attorney Arczynski noted that the agreement includes a provision that allows the termination of the agreement with a 10-day notice.

City Council and Staff discuss the false alarm permit fees.

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Underhill, and carried (4 - 0) to authorize the Mayor to enter into a contract, in a form approved by the City Attorney, with PMAM Corporation for a term of three (3) years, with the ability to extend the contract for two (2) additional years, on a year-by-year basis, for false alarm management services.

g. **Approval of Resolution Authorizing Temporary Suspension of Regulatory Ordinance Section 10.28.010 to Facilitate the Placentia Founders Society Special Event Scheduled for December 8, 2013**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2013-57, A Resolution of the City Council of the City of Placentia, California, authorizing the temporary suspension of regulatory Ordinance Section 10.28.010 of the Placentia Municipal Code to facilitate the Placentia Founders Society special event scheduled for December 8, 2013

**(4 - 0, Councilmember Wanke absent)**

h. **Acceptance of Construction Work for the Rose Drive & Yorba Linda Boulevard Intersection Improvement Project**

Financial Impact: Expense: \$124,533.43

Offsetting Revenue: \$62,266.71 State Proposition 1B Funding & \$62,266.72 Measure M Fair Share Funds

Budgeted: \$124,533.43 (Account No.: 333552-6185 J/L 61095)

Recommended Action: It is recommended that the City Council:

- 1) Accept contract work performed by PTM General Engineering Services, for construction of the Rose Drive & Yorba Linda Boulevard Intersection Improvement Project in the total amount of \$124,533.43
- 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

**(4 - 0, Councilmember Wanke absent)**

**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. **Second Reading and Adoption of an Ordinance of the City Council of the City of Placentia, California, Repealing Chapter 18.04 of Title 18 and Chapters 20.04, 20.08, 20.12, 20.16, 20.20 and 20.56 of Title 20 of the Placentia Municipal Code and Adopting by Reference, the California Fire Code, 2013 Edition, the California Building Code, 2013 Edition, the California Residential Code, 2013 Edition, the California Green Building Standards Code, 2013 Edition, the California Plumbing Code, 2013 Edition, the California Mechanical Code, 2013 Edition, and the California Electrical Code, 2013 Edition, Including all Appendices, with Certain Amendments, Additions and Deletions Thereto, Including Fees and Penalties**

Recommended Action: It is recommended that the City Council:

- 1) Conduct a Second Reading and Adopt Ordinance O-2013-08, An Ordinance of the City Council of the City of Placentia, California, Repealing Chapter 18.04 of Title 18 and Chapters 20.04, 20.08, 20.12, 20.16, 20.20 and 20.56 of Title 20 of the Placentia Municipal Code and Adopting by Reference, the California Fire Code, 2013 Edition, the California Building Code, 2013 Edition, the California Residential Code, 2013 Edition, the California Green Building Standard Code, 2013 Edition, the California Plumbing Code, 2013 Edition, the California Mechanical Code, 2013 Edition, and the California Electrical Code, 2013 Edition, Including all Appendices, with Certain Amendments, Additions and Deletions Thereto, Including Fees and Penalties

**(4 – 0, Councilmember Wanke absent)**

City Administrator noted this is the second reading and adoption of Ordinance O-2013-08.

City Attorney Arczynski noted that the changes to the codes are similar to those done in the past. He noted that Staff is recommending a second reading and adoption of Ordinance O-2013-08. He noted that if adopted, the ordinance would go into effect on January 1, 2014.

A motion was made by Mayor Pro Tem Aguirre, seconded by Councilmember Yamaguchi, and carried (4 – 0) to conduct a Second Reading and Adopt Ordinance O-2013-08, An Ordinance of the City Council of the City of Placentia, California, Repealing Chapter 18.04 of Title 18 and Chapters 20.04, 20.08, 20.12, 20.16, 20.20 and 20.56 of Title 20 of the Placentia Municipal Code and Adopting by Reference, the California Fire Code, 2013 Edition, the California Building Code, 2013 Edition, the California Residential Code, 2013 Edition, the California Green Building Standard Code, 2013 Edition, the California Plumbing Code, 2013

Edition, the California Mechanical Code, 2013 Edition, and the California Electrical Code, 2013 Edition, Including all Appendices, with Certain Amendments, Additions and Deletions Thereto, Including Fees and Penalties.

**SUCCESSOR AGENCY OLD BUSINESS:** None

**ICDA OLD BUSINESS:** None

**4. NEW BUSINESS:**

**COUNCIL/SUCCESSOR AGENCY/ICDA NEW BUSINESS:** None

**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 at 8:00 p.m. to December 3, 2013 at 5:30 p.m.

SCOTT W. NELSON  
MAYOR/AGENCY CHAIR

ATTEST:

  
PATRICK J. MELIA, CITY CLERK/AGENCY  
SECRETARY

