

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
FEBRUARY 4, 2014
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 5:47 p.m.

ROLL CALL:

PRESENT: Council/Agency Members Underhill, Wanke, Yamaguchi, Aguirre, Nelson

ABSENT: None

ORAL COMMUNICATIONS: None

City Council/Agency Members and staff wished City Clerk Melia a happy birthday.

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(d)(2) for Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Item
2. Pursuant to Government Code Section 54956.9(d)(4) 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 54957 for Public Employee Performance Evaluation
 - a. City Administrator
5. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
 - a. 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
 - b. Property: 207-209 W. Crowther Ave APN: 339-402-05; 07; 08; 11
City Negotiator: Troy L. Butzlaff, City Administrator
Negotiating Parties: Legacy Partners Residential, Inc.
Under Negotiations: Price and Terms of Payment

SUCCESSOR AGENCY:

1. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
 - a. Property: 132 Crowther Avenue, APN 339-091-08
Agency Negotiator: Troy L. Butzlaff, Executive Director
Negotiating Parties: Mark McEwen, DMWP, LLC
Under Negotiations: Price and Terms of Lease

ICDA:

1. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
 - a. Property: 120 South Bradford Avenue, APN 339-052-23
Agency Negotiator: Troy L. Butzlaff, Executive Director
Negotiating Parties: Noah Furie, Budget Capital Corporation
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: Mayor/Board Chair Nelson called the meeting to order at 7:04 p.m.

ROLL CALL:

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

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

INVOCATION: Police Chaplain Gary Drabek

PLEDGE OF ALLEGIANCE: Councilmember Wanke

PRESENTATIONS:

- a. Designating the Month of February 2014, as Career and Technical Education Month
Recipient: North Orange County Regional Occupational Program Representative
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief narrative of the North Orange County Regional Occupational program. He proclaimed the month of February 2014 as Career and Technical Education Month.

North Orange County ROP Board Member Freeman provided a brief narrative of North Orange County Regional Occupational program. She thanked the City for the proclamation.

Mayor Nelson recognized the importance of the North Orange County Regional Occupational program

- b. Cultural Arts Project for Every Student (CAPES) Grants
Recipients: Grant Recipients – PYLUSD Schools
Presenters: Mayor Nelson and Community Services Coordinator Zambrano

City Administrator Butzlaff introduced Community Services Coordinator Zambrano to present the certificates of recognition.

Community Services Coordinator Zambrano provided a brief narrative of the Cultural Arts Project for Every Student (CAPES) program. He presented certificates of recognition to Amy Blank, Drew Putman, James Hahn, Rigo Maldonado, and Barbara Barboza.

- c. Orange County Human Relations Commission Annual Report
Presenter: OC Human Relations Board of Directors Member Sean Thomas

City Administrator Butzlaff introduced OC Humans Relations Board of Directors Member Thomas to present the annual report.

OC Humans Relations Board of Directors Member Thomas provided an annual report of the Orange County Humans Relations Commission programs and the services they provide to the City. He submitted a copy of the annual report and invited the City Council to attend the Annual Gala on May 8, 2014.

EXECUTIVE SESSION REPORT:

City Attorney/Authority Counsel Arczynski reported the Council/Authority met in Executive Session to discuss the items listed on the agenda. He stated there was no reportable action from Executive Session this evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff announced an upcoming Community Workshop on the Budget Stabilization Plan on February 12, 2014. He reported that the Linda 1-2D Seismic Project on Kraemer Avenue would be completed by February 7, 2014. He noted that in observance of Presidents' Day, City Hall would be closed on February 17, 2014. He reported that the Spring Quarterly Newsletter issue would soon be mailed out. He wished City Clerk Melia a happy birthday.

Mayor Nelson wished City Clerk Melia a happy birthday.

ORAL COMMUNICATIONS:

Jeff Buchanan, resident, expressed his concerns regarding the street trees and sidewalks maintenance and requested that the City Council address the issue. He noted that Staff are resigning from the City and suggested City Council consider a change in upper management.

Stanley Nelson, resident, inquired about a possible amendment to the current City fireworks regulations.

Craig Green, City Treasurer, spoke in support of item 4.a. He noted that property taxes are increasing. He spoke in opposition of comments made in an OC Register newspaper article. He spoke in opposition of outsourcing police services.

Patt Buttress, Southern California Edison Representative, submitted contact information of Edison's local public affairs.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Yamaguchi congratulated Placentia Pony Baseball on a successful fundraiser event. He announced Placentia Pony Baseball opening ceremony and Miss Placentia and Miss Yorba Linda Pageant on February 8, 2014.

Councilmember Underhill highlighted awareness about California’s water drought and flea-borne typhus infections. She announced the Miss Placentia and Miss Yorba Linda Pageant on February 8, 2014.

Councilmember Wanke noted he participated in the North Orange County Regional Occupational program. He reported he attended the January 23, 2014 Orange County Fire Authority Board meeting. He noted that the City is still looking at the fireworks regulations.

Mayor Pro Tem Aguirre thanked North Orange County ROP Board Member Freeman for their services.

Mayor Nelson reported he attended the City of Placentia/Yorba Linda Water District Joint Water Services Committee meeting on February 3, 2014. He noted that the City entered into an agreement with Yorba Linda Water District to put in artificial turf in the City. He announced the Miss Placentia and Miss Yorba Linda Pageant on February 8, 2014. He announced an upcoming Community Workshop on the Budget Stabilization Plan on February 12, 2014. He wished his daughter a happy birthday.

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

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, to approve Consent Calendar Items 1.a. through 1.d. Councilmember Yamaguchi abstained on the minutes of January 21, 2014 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
(5 – 0, as recommended)

- b. **Minutes**
City Council/Successor/ICDA Regular Meetings – January 7, 2014 and January 21, 2014
Recommended Action: Approve
(5 – 0, Yamaguchi abstained on the January 21, 2014 minutes)

- c. **City Fiscal Year 2013-14 Warrant Register for January 22, 2014 through February 4, 2014**
Financial Impact: \$454,174.04
Recommended Action: Approve
(5 – 0, as recommended)

COUNCIL CONSENT CALENDAR:

- d. **Lease Agreement with Los Angeles SMSA Limited Partnership DBA Verizon Wireless for Collocated Wireless Facility at 2101 Tuffree Boulevard (APN: 336-141-28) aka Tuffree Park**

Financial Impact: Revenue: \$19,944 First Year with Four Percent (4%) Annual Increase

Recommended Action: It is recommended that the City Council:

- 1) Approve a lease agreement with Los Angeles SMSA Limited Partnership dba Verizon Wireless, in a form approved by the City Attorney, for an initial term of five (5) years, with the possibility of four (4) additional five (5) year term renewals
- 2) Authorize the City Administrator to execute the lease, applicable documents and term renewals

(5 – 0, as recommended)

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL:

- a. **First Reading and Introduction of Zoning Code Amendment 2014-01, 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**

CEQA Determination: Addendum to Initial Study/Mitigated Negative Declaration 2013-01

Financial Impact: Not Applicable

Recommended Action:

- 1) Open the Public Hearing, receive public testimony, and close the Public Hearing
- 2) Waive full reading, read by title only, and introduce for first reading, Ordinance O-2014-01, An Ordinance of the City Council of the City of Placentia, 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 (Zoning Code Amendment 2014-01)

(5 – 0, as recommended)

City Attorney Arczynski provided a brief staff report on item 2.a. He noted that per City Council's direction Staff revised Ordinance O-2013-09 to restrict the billboard locations. He noted that the proposed Ordinance No. O-2014-01 would allow billboards along the 57 and 91 freeways. He noted that the new ordinance has a modified definition for city-owned property. He noted that upon review of Ordinance O-2013-09, the mitigated negative declaration was amended to address City Council's concerns. He recommended opening the public hearing, closing the public hearing, and to introduce for the first reading Ordinance O-2014-01.

Mayor Nelson opened the public hearing at 7:54 p.m.

Criag Green, spoke in support of Ordinance O-2014-01. He requested that Council be considerate to the residents along the 57 and 91 freeways. He inquired about the easement locations.

Stanley Nelson, resident, noted that all the groups who spoke in support of Ordinance O-2013-09 have a financial interest. He expressed his concerns about the billboard locations and the adoption process. He noted that he does not feel the City Council has been honest to him.

Paul Olivares, resident, expressed his concerns about item 2.a. and only allowing billboards on the 57 and 91 corridor. He noted that the groups who spoke in support of Ordinance O-2013-09 do not live in the City. He noted that any amendment to the ordinance must be review by the Planning Commission.

Jeff Buchanan, resident, noted that he has been in favor of the billboards, but the language regarding the right of way must be revised. He expressed his concerns regarding the petition against the initial ordinance.

Mayor closed the public hearing at 8:08 p.m.

Discussion ensued between Council and Staff. They discussed the review process requirements of the ordinance and right of way definition.

City Attorney reported that the City Council would have the final saying regarding the locations during the review of the development agreements. He provided clarification that Ordinance O-2014-01 is a new ordinance and that the city-owned property definition was modified. He noted that assuming Ordinance O-2014-01 is adopted, Ordinance O-2013-09 would be repealed.

Mayor Nelson noted that the petition circulators provided false information to the residents. He noted that Council is going to be extremely sensitive to locations. He noted that if Placentia does not move forward, other cities would. He inquired if Council needed to add any language to the new ordinance being presented.

City Attorney recommended that City Council direct Staff to draft a standalone ordinance that would repeal Ordinance O-2013-09.

Mayor Nelson gave Staff direction to draft a standalone ordinance that would repeal Ordinance O-2013-09.

The City Council unanimously decided to bring back a standalone ordinance that would repeal Ordinance O-2013-09.

Councilmember Wanke noted that the petition circulators provided false information to the residents. He provided clarification that the billboards would not be placed citywide.

A motion was made by Councilmember Wanke, seconded by Councilmember Underhill, and carried (5 - 0, as recommended) to open the Public Hearing, receive public testimony, and close the Public Hearing; and waive full reading, read by title only, and introduce for first reading, Ordinance O-2014-01, An Ordinance of the City Council of the City of Placentia, 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 (Zoning Code Amendment 2014-01).

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:

a. Second Quarter Financial Update

Financial Impact: None

Recommended Action:

- 1) Receive and file Financial Quarterly Update for period ended December 31, 2013

(5 - 0, as recommended)

City Administrator Butzlaff provided a brief staff report on item 4.a. He noted that Staff is recommending that the City Council hold off on the triggers until the Management Stabilization Budget Plan presentation.

Interim Director of Finance Nguyen provided a PowerPoint presentation, the slides included: Second Quarter Financial Update, Executive Summary, Major General Fund Revenues, General Fund Revenues, Budget Summary, General Fund Projections, Next Budgetary Steps, and Questions.

Discussion ensued between Council and Staff. They recognized that onetime revenue enhancements and/or triggers were not included in the presentation, property tax revenues are increasing, and there is a growth in sales taxes.

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, and carried (5 - 0, as recommended) to receive and file Financial Quarterly Update for period ended December 31, 2013.

SUCCESSOR AGENCY NEW BUSINESS: None

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Councilmember Yamaguchi requested an update on the forestry plan.

City Administrator Butzlaff noted that Staff would provide a memorandum regarding the forestry plan.

Mayor Pro Tem Aguirre requested an update on the ambulance contracts selection process.

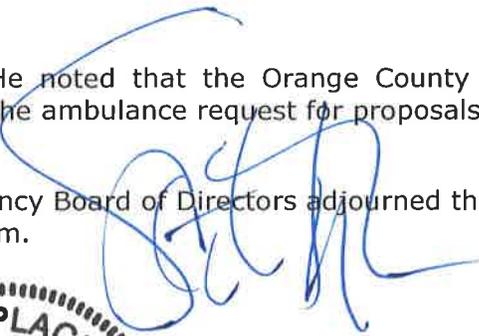
City Administrator Butzlaff noted that he would report to City Council after his meeting with the Orange County City Administrator's on February 19, 2014.

Orange County Fire Authority Battalion Chief Concepcion noted that the State of California decided that Orange County cities could not delegate the ambulance request for proposals

process to Orange County Fire Authority. He noted that the Orange County Emergency Medical Services agency would now conduct the ambulance request for proposals process.

ADJOURNMENT:

The City Council/Successor Agency/ICDA Agency Board of Directors adjourned the meeting at 8:39 p.m. to February 18, 2014 at 5:30 p.m.



SCOTT W. NELSON
MAYOR/AGENCY CHAIR



ATTEST:



PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY