

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
March 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 5:45 p.m.

ROLL CALL:

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

ORAL COMMUNICATIONS:

Jeff Buchanan, resident, asked City Council to take into consideration Placentia Policy No. 352 when conducting the City Administrator's evaluation. He alleged that actions by the City Administrator during a department head meeting drove a Staff member to leave the City. He expressed his concerns regarding the City Administrator using a city credit card to pay for gasoline and a potential violation of the Brown Act by Staff.

Mayor Nelson directed the City Attorney to address the Brown Act violation comments.

City Attorney Arczynski noted that the information contained on the agenda item was correct, but there was a typographical error on the labeling of the executive session items.

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: Patrick Helgeson, Province Group
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:

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/Agency Counsel, Andrew V. Arczynski; Director of Administrative Services and Community Services, Steve Pischel; Interim Finance Director, Michael Nguyen; Director of Public Works, Steve Drinovsky; Police Chief, Rick Hicks; Deputy Chief of Police, Ward Smith; Traffic Engineer, Ruth Smith; Deputy City Clerk, Tania Moreno

INVOCATION: Kenneth Milhander, Police Chaplain

PLEDGE OF ALLEGIANCE: Councilmember Wanke

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 reportable actions from Executive Session that evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff announced that the Police Department offers Live Scan fingerprinting services to the public. He announced the registration for CERT classes scheduled to begin April 28, 2014. He announced the comment period for the College Town Plan in the City of Fullerton.

ORAL COMMUNICATIONS:

Stanley Nelson, resident, expressed his concerns regarding the second reading of Ordinance O-2014-02.

Craig Green, City Treasurer, expressed his concerns regarding a newspaper article on the February 22, 2014 Placentia News Times edition. He spoke in support of the Budget Stabilization Plan community workshops.

Jeff Buchanan, resident, noted that he attended the executive session meeting and spoke regarding the City Administrator evaluation and potential Brown Act violations by City Staff.

Linda Lucio, resident, expressed her concerns regarding comments made by Mr. Buchanan in opposition of the City Administrator. She thanked City Staff and Council for their hard work.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Underhill noted that Placentia received several statewide awards.

Councilmember Yamaguchi thanked Staff for the Commission and Committee appreciation event. He thanked all Commission and Committee members for their hard work. He reported he was part of the Disneyland Resort scholarship program event. He thanked residents who attended the Budget Stabilization Plan community workshops.

Councilmember Wanke reported he attended an Orange County Fire Authority meeting in which they discussed the standards of coverage. He noted that the Board decided to deal with other pressing projects before discussing standards of coverage. He thanked all Commission and Committee members for their hard work.

Mayor Pro Tem Aguirre reported he attended the Commission and Committee appreciation event and thanked the members for their work. He announced openings in the Cultural Arts Committee.

Mayor Nelson reported he attended the Commission and Committee appreciation event.

City Attorney Arczynski noted that he disagrees with the Brown Act violations analysis by Mr. Buchanan.

Mayor Nelson respectfully disagreed with Mr. Buchanan's allegations. He attended a meeting in Sacramento regarding CalPers.

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

A motion was made by Mayor Pro Tem Aguirre, seconded by Councilmember Wanke, to approve Consent Calendar Item Nos. 1.a. through 1.f.

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 Meeting – February 18, 2014
Recommended Action: Approve
(5 – 0, as recommended)

- c. **City Fiscal Year 2013-14 Warrant Register for February 19, 2014 through March 4, 2014**
Financial Impact: \$814,520.85
Recommended Action: Approve
(5 – 0, as recommended)

COUNCIL CONSENT CALENDAR:

- d. **Bradford Avenue Updated Parking Restrictions**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
1) Adopt Resolution R-2014-11, A Resolution of the City Council of the City of Placentia, California, updating parking restrictions on Bradford Avenue
(5 – 0, as recommended)

- e. **Approval of Memorandum of Understanding Between the City and the Placentia City Employees Association**
Financial Impact: Expense: \$51,000 estimated in Fiscal Year 2013-14
Savings: Continued savings of \$200,000 from employee contributions to retirement; Additional ongoing and long-term savings through implementation of MOU amendments
Recommended Action: It is recommended that the City Council:
1) Approve the proposed Memorandum of Understanding with the Placentia City Employees Association
2) Authorize the Director of Administrative/Community Services, and Interim Finance Director/Finance Services Manager to sign the document on behalf of the City Council and City Administrator
(5 – 0, as recommended)

- f. **Approval of Memorandum of Understanding Between the City and the Placentia Police Officers Association**
Financial Impact: Expense: \$75,000 estimated in Fiscal Year 2013-14
Savings: Continued savings from employee contributions to retirement; Additional ongoing and long-term savings through implementation of MOU amendments
Recommended Action: It is recommended that the City Council:
1) Approve the proposed Memorandum of Understanding with the Placentia Police Officers Association

- 2) Authorize the Director of Administrative/Community Services, and Interim Finance Director/Finance Services Manager to sign the document on behalf of the City Council and City Administrator
- 3) Adopt Resolution R-2014-12, A Resolution of the City Council of the City of Placentia, California, authorizing the implementation of provisions of Section 414(h)(2) of the Internal Revenue Code (IRC) to pre-tax member paid contributions for Placentia Police Officers Association (PPOA) members

(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:

a. Second Reading and Adoption of Ordinance O-2014-02 Repealing Ordinance O-2013-09 Allowing Digital and Static Advertising Displays On City-Owned Property

CEQA Determination: Not Applicable

Financial Impact: Not Applicable

Recommended Action: It is recommended that the City Council:

- 1) Waive full reading, reading by title only, and accept for second reading and adoption, Ordinance O-2014-02, entitled an Ordinance of the City Council of the City of Placentia, California, repealing Ordinance O-2013-09, Zoning Code Amendment 2014-01

(5 – 0, as recommended)

City Administrator Butzlaff provided a brief staff report on item 3.a. He noted that this is the second reading, adoption of Ordinance O-2014-02, and recommended the adoption of the ordinance.

Mayor Nelson noted that Regency is behind the referendum petition. He noted that it is not the City's intention to place Las Vegas style billboards. He noted that Council is revising the Ordinance to allow billboards along the 57 and 91 corridors.

A motion was made by Mayor Nelson, seconded by Councilmember Wanke, and carried (5 – 0) to waive full reading, reading by title only, and accept for second reading and adoption,

Ordinance O-2014-02, entitled an Ordinance of the City Council of the City of Placentia, California, repealing Ordinance O-2013-09, Zoning Code Amendment 2014-01.

- b. **Second Reading and Adoption of Ordinance No. O-2014-03 Entitled: An Ordinance of the City Council of the City of Placentia, Acting in its Capacity as the Legislative Body of the City of Placentia Community Facilities District No. 2014-01 (Public Services) Authorizing the Levy of a Special Tax Therein; Authorizing the Levy of Collection of Special Taxes by Community Facilities District No. 2014-01 and the Furnishing of the Specified Services**

Financial Impact: Not Applicable

Recommended Action: It is recommended that the City Council:

- 1) Conduct second reading by title only and adopt Ordinance No. O-2014-03, entitled an Ordinance of the City Council of the City of Placentia, acting in its capacity as the legislative body of the City of Placentia Community Facilities District No. 2014-01 (Public Services) authorizing the levy of a special tax therein; authorizing the levy and collection of special taxes by Community Facilities District No. 2014-01 and the furnishing of the specified services

(5 – 0, as recommended)

City Administrator Butzlaff provided a brief staff report on item 3.b. He noted that this is the second reading, adoption of Ordinance O-2014-03, and recommended the adoption of the ordinance.

A motion was made by Mayor Nelson, seconded by Councilmember Wanke, and carried (5 – 0) to conduct second reading by title only and adopt Ordinance No. O-2014-03, entitled an Ordinance of the City Council of the City of Placentia, acting in its capacity as the legislative body of the City of Placentia Community Facilities District No. 2014-01 (Public Services) authorizing the levy of a special tax therein; authorizing the levy and collection of special taxes by Community Facilities District No. 2014-01 and the furnishing of the specified services.

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:

- a. **Adoption of a Resolution Authorizing and Directing the Interim Director of Finance to Establish a Separate Bank Account and Federal Tax ID for the Successor Agency**

Financial Impact: Not Applicable

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution RSA-2014-02, A Resolution of the City Council of the City of Placentia, California, acting as the Successor Agency to the

Redevelopment Agency of the City of Placentia, authorizing and directing establishment of a bank account for the Successor Agency, establishing a separate Federal EIN for the Successor Agency and authorizing the execution of all documents reasonably necessary to establish said account and Federal EIN

- 2) Authorize the City Administrator/Executive Director to execute all documents necessary to effectuate this action

(5 – 0, as recommended)

City Administrator Butzlaff provided a brief staff report on item 4.a. He noted that this is an administrative action.

A motion was made by Mayor Nelson, seconded by Councilmember Wanke, and carried (5 – 0) to adopt Resolution RSA-2014-02, A Resolution of the City Council of the City of Placentia, California, acting as the Successor Agency to the Redevelopment Agency of the City of Placentia, authorizing and directing establishment of a bank account for the Successor Agency, establishing a separate Federal EIN for the Successor Agency and authorizing the execution of all documents reasonably necessary to establish said account and Federal EIN; and authorize the City Administrator/Executive Director to execute all documents necessary to effectuate this action.

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Councilmember Underhill inquired about a future Study Session regarding the Budget Stabilization Plan.

City Administrator Butzlaff noted that the tentative date for the Study Session is March 25, 2014.

Councilmember Wanke expressed his appreciation to the employee groups regarding the Memorandums of Understanding.

Mayor Nelson noted that the City Administrator evaluation would be placed on a future agenda. He expressed his appreciation for the work done by the City Administrator.

ADJOURNMENT:

The City Council/Successor Agency/ICDA Agency Board of Directors adjourned to March 12, 2014 in memory of Richard Solorsa and Brenda S. Papis.

ATTEST:



PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY

