

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
April 1, 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 5:38 p.m.

ROLL CALL:

PRESENT: Councilmember/Board Member Underhill, Wanke, Aguirre, Nelson
ABSENT: Yamaguchi

Mayor/Board Chair Nelson excused Councilmember Yamaguchi.

ORAL COMMUNICATIONS: None

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding Existing Litigation – One (1) Item
 - a. Regina Santiago vs. City of Placentia, Orange County Superior Court Case No. 30-2013-00663328-CU-OE-CJC
2. Pursuant to Government Code Section 54956.9(d)(2) for Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Item
3. Pursuant to Government Code Section 54956.9(d)(4) 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 Management Association (PPMA)
 - b. Unrepresented Employees

City Representatives: Troy L. Butzlaff, City Administrator
Steve Pischel, Dir. Administrative/Community Services
5. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
 - a. 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
 - b. Property: 567 Melrose Street APN: 339-102-02
City Negotiator: Troy L. Butzlaff, City Administrator
Negotiating Parties: Carla Blocher, 567 Melrose Street, LLC
Under Negotiations: Price and Terms of Payment

SUCCESSOR AGENCY: None

ICDA: None

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; Interim Assistant City Administrator, Robyn Uptegraff; Director of Administrative and Community Services, Steve Pischel; Chief Financial Officer, Linda Magnuson; Deputy Police Chief, Ward Smith; Deputy Director of Community Services, Jon Nicks; Finance Manager, Michael Nguyen; Public Works Manager, Michael McConaha; Deputy City Clerk, Tania Moreno

INVOCATION: Police Chaplain Arturo Rodriguez

PLEDGE OF ALLEGIANCE: Councilmember Wanke

PRESENTATIONS:

- a. Proclamation Declaring the Month of April 2014, as DMV/Donate Life California Month
Recipient: Donate Life Ambassador Greg Sowards
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief narrative of DMV/Donate Life Month.

Donate Life Ambassador Sowards thanked the City for the proclamation and provided a brief narrative of DMV/Donate Life Month. He presented DMV/Donate Life Month support pins to Council and Staff.

Mayor Nelson proclaimed the month of April 2014 as DMV/Donate Life Month.

- b. Recognition of 2014 Miss Placentia, Miss Placentia Outstanding Teen, Miss Yorba Linda, and Miss Yorba Linda Outstanding Teen Titleholders
Recipients: 2014 Titleholders
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief narrative of Miss Placentia, Miss Placentia Outstanding Teen, Miss Yorba Linda, and Miss Yorba Linda Outstanding Teen program.

Executive Director Baldwin provided a brief narrative of Miss Placentia, Miss Placentia Outstanding Teen, Miss Yorba Linda, and Miss Yorba Linda Outstanding Teen program and thanked the City for their support.

Executive Director Baldwin and Mayor Nelson presented certificates of recognition to the 2014 titleholders.

OC Supervisor Shawn Nelson Office Representative Spernak presented a certificate of recognition to Executive Director Baldwin.

- c. Recognition of the Band "Speech Impediments" for Winning the Best Hip Hop Award at the 2013 and 2014 OC Music Awards
Recipients: Speech Impediments
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief narrative of the music career of Speech Impediments.

Councilmember Wanke provided a brief narrative of the music career of Speech Impediments and the music awards they recently received.

Drewid, Syntax Vernac, Deezie, and DJ Zole band members of Speech Impediments provided a brief narrative of their music career and thanked the City for the recognition.

Mayor Nelson provided a certificate of recognition to Speech Impediments.

- d. General Plan Update Presentation
Presenter: Interim Assistant City Administrator Robyn Uptegraff

City Administrator Butzlaff introduced Interim Assistant City Administrator Uptegraff to provide an update on the General Plan.

Interim Assistant City Administrator Uptegraff provided a PowerPoint presentation, the slides included: General Plan, What is a General Plan, Current General Plan, General Plan Update, General Plan Update Plan Team, Outreach Plan, General Plan Update schedule, and Questions.

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 the Community Emergency Response Team Program to begin on April 28, 2014, Easter Egg excitement and Spring Carnival on April 12, 2014, and the State of the City Address on April 10, 2014. He reported that the City is currently working on its ADA transitional efforts by making several ADA improvements in City Hall and the Council Chambers.

ORAL COMMUNICATIONS:

Jeff Buchanan, resident, expressed his concerns regarding the City Attorney's executive session report pertaining to property negotiations. He thanked Councilmember Yamaguchi for stating that he felt deceived with the current administration and noted he feels deceived as well.

Craig Green, City Treasurer, thanked the Council for not pursuing an RFP for outsourcing police services. He spoke in support of keeping the Placentia Police Department. He inquired about the financial impact listed on item 1.e. He provided copies to Council of an email he sent to City Administrator regarding the City Treasurer's Reports. He reported he would be attending the annual California Municipal Treasurers Association Conference.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Underhill wished everyone a happy April Fool's Day.

Mayor Pro Tem Aguirre reported that he attended the Orange County Fire Authority Board meeting, in which they approved the hiring of a full time executive member. He expressed his condolence to the Patton family and Belasquez family.

Mayor Nelson thanked all the guests for attending the meeting. He expressed his condolences to Mayor Pro Tem Aguirre, Director of Administrative and Community Services Pischel, and City Attorney Arczynski.

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

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, to approve Consent Calendar 1.a. through 1.f. Mayor Nelson pulled item 1.e. 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
(5 – 0, as recommended)
- b. **Minutes**
City Council/Successor/ICDA Regular Meeting – March 18, 2014
Recommended Action: Approve
(5 – 0, as recommended)
- c. **City Fiscal Year 2013-14 Warrant Register for March 19, 2014 through April 1, 2014**
Financial Impact: \$509,649.41
Recommended Action: Approve
(5 – 0, as recommended)

COUNCIL CONSENT CALENDAR:

- d. **Approval of Resolution Authorizing Temporary Suspension of Regulatory Ordinances Pertaining to the Operation of the Placentia Rotary Club Cowabunga Crab Fest Fundraiser at Kraemer Memorial Park on Saturday, June 7, 2014**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Adopt Resolution R-2014-19, A Resolution of the City Council of the City of Placentia, California, authorizing the temporary suspension of Regulatory Sections 23.76.050 and 10.28.010 of the Placentia Municipal Code for the Operation of the Cowabunga Crab Fest Fundraiser event on Saturday, June 7, 2014 at Kraemer Memorial Park, 201 N. Bradford Avenue**(5 – 0, as recommended)**
- e. **Acceptance of Construction Work for the 2013 Safe Routes to School (SR2S) Program School Signs Compliance Project**
Financial Impact: Expense: \$123,324
Offsetting Revenue: \$409,000 Safe Routes to School Grant District Funds & \$45,700 Community Facilities District Funds
Budgeted: \$285,000 (Account No.: 333552-6185 J/L 61114)
Recommended Action: It is recommended that the City Council:

- 1) Accept contract work performed by PTM General Engineering Services, for construction of the 2013 Safe Routes to School (SR2S) Program School Signs Compliance Project in the total amount of \$123,324
 - 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)**

City Administrator Butzlaff noted a state grant was received for the School Signs Compliance Project and the City is obligated to match the grant. He noted that the City is using Community Facilities District Funds to match the grant.

Public Works Manager McConaha provided a brief staff report on item 1.e.

City Administrator Butzlaff announced that Michael McConaha is now serving as Public Works Manager.

A motion was made by Councilmember Underhill, seconded by Mayor Pro Tem Aguirre, and carried (5 – 0) to accept contract work performed by PTM General Engineering Services, for construction of the 2013 Safe Routes to School (SR2S) Program School Signs Compliance Project in the total amount of \$123,324; authorize the City Engineer to file a Notice of Completion with the Orange County Clerk Recorder's Office for the project; and authorize the City Engineer to release retention funds in accordance with the terms of the contract.

f. Budget Amendment - Asset Forfeiture Funds and Authorization to Purchase Equipment

Financial Impact: \$35,000 Expenditure of 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 R-2014-13, 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 \$35,000 in compliance with City Charter § 1206 and § 1209 pertaining to appropriations for actual expenditures
- 2) Authorize the purchase of equipment and related peripheral software with Asset Forfeiture funds in the amount not to exceed \$35,000
- 3) Authorize the City Administrator or his designee to execute all necessary documents to effectuate these actions

(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 Ordinances of the City Council of the City of Placentia Related to the Development of the Schaner Ranch Project Located at 1128 Kraemer Boulevard**

Financial Impact: Revenue: \$676,800 (Public Benefits)

Recommended Action: It is recommended that the City Council:

- 1) Waive full reading, reading by title only, and adopt Ordinance O-2014-04, An Ordinance of the City Council of the City of Placentia, California, amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code adding a new Chapter 23.110 establishing regulations pertaining to the specific plan 10 zone
- 2) Waive full reading, reading by title only, and adopt Ordinance O-2014-05, An Ordinance of the City Council of the City of Placentia, California, amending the Official Zoning Map of the City of Placentia by the designation of that certain parcel of real property more particularly described herein form R-1 single family residential district to specific plan 10
- 3) Waive full reading, reading by title only, and adopt Ordinance O-2014-06, An Ordinance of the Council of the City of Placentia, California, approving that document entitlement "Development Agreement No. 2013-01 concerning that certain real property located east of Kraemer Boulevard and south of Morse Avenue, Placentia, California" and authorizing the Mayor and City Clerk to execute the same on behalf of the City of Placentia

(5 – 0, as recommended)

City Attorney Arczynski provided a brief staff report on item 3.a. He noted that the Ordinances were introduced for first reading on March 18, 2014. He noted Staff is recommending waiving full reading, read by title only, and adopt Ordinances O-2014-04, O-2014-05, and O-2014-06.

A motion was made by Councilmember Underhill, seconded by Mayor Pro Tem Aguirre, and carried (5 – 0) to waive full reading, reading by title only, and adopt Ordinance O-2014-04, An Ordinance of the City Council of the City of Placentia, California, amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code adding a new Chapter 23.110 establishing regulations pertaining to the specific plan 10 zone; waive full reading, reading by title only, and adopt Ordinance O-2014-05, An Ordinance of the City Council of the City of Placentia, California, amending the Official Zoning Map of the City of Placentia by the designation of that certain parcel of real property more particularly described herein form R-1 single family residential district to specific plan 10; and waive full reading, reading by title only, and adopt Ordinance O-2014-06, An Ordinance of the Council of the City of Placentia, California, approving that document entitlement "Development Agreement No. 2013-01 concerning that certain real property located east of Kraemer Boulevard and south of Morse Avenue, Placentia, California" and authorizing the Mayor and City Clerk to execute the same on behalf of the City of Placentia.

SUCCESSOR AGENCY OLD BUSINESS: None

ICDA OLD BUSINESS: None

4. NEW BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA NEW BUSINESS:

None

COUNCIL NEW BUSINESS:

a. **Certificate of Sufficiency of Referendum Petition to Repeal Ordinance O-2014-01/Consideration of Options**

Financial Impact: There would be no direct cost to repealing the ordinance. The cost to include one (1) measure on the November 4, 2014 Municipal Election is \$8,500. Estimated cost of a special election with one (1) measure on the ballot is \$111,295 - \$124,820

Recommended Action: It is recommended that the City Council:

- 1) Accept the Certificate of Sufficiency issued by the Orange County Registrar of Voters regarding the referendum to repeal Ordinance O-2014-01.
- 2) Take Action on the referendum petition:
 - (a) Repeal Ordinance O-2014-01, or
 - (b) Submit the Ordinance to the voters at the next Regular Municipal Election, or
 - (c) Submit the Ordinance to the voters at a Special Municipal Election not less than 88 days after the order of Council.

(5 – 0, as recommended)

City Administrator Butzlaff provided a brief staff report on item 4.a. He noted that on March 5, 2014 a referendum petition entitled "Referendum against an Ordinance Passed by the City Council" pertaining to Ordinance Number O-2014-01 was filed with the City Clerk's Office. He noted that the Orange County Registrar of Voters conducted the official signature verification and determined that the proponents gathered a sufficient number of signatures to qualify the measure for Council action. He noted Staff is recommending that Council accept the Certificate of Sufficiency issued by the Registrar and is asking Council to consider the options on the referendum petition available under the California Elections Code.

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, and carried (5 – 0) to accept the Certificate of Sufficiency issued by the Orange County Registrar of Voters regarding the referendum to repeal Ordinance O-2014-01.

Councilmember Underhill inquired regarding the signature verification service payment.

City Administrator Butzlaff responded that the payment to the Orange County Registrar of Voters is due immediately.

Mayor Nelson noted that the three options available are to repeal the ordinance, submit the ordinance at the next regular municipal election in November, or submit the ordinance at a special municipal election.

A motion was made by Councilmember Wanke, seconded by Mayor Pro Tem Aguirre, and carried (5 – 0) to submit the ordinance at the next regular municipal election in November.

SUCCESSOR AGENCY NEW BUSINESS:

None

ICDA NEW BUSINESS:

None

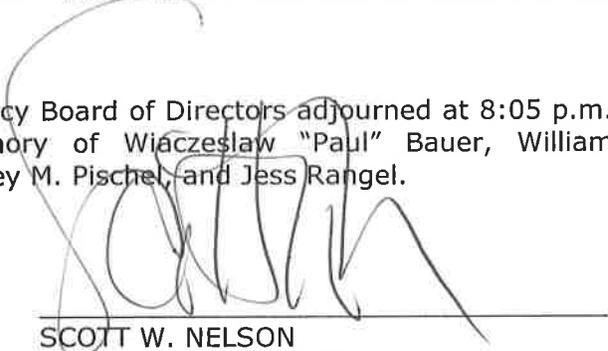
CITY COUNCIL/BOARD MEMBERS REQUESTS:

Mayor Nelson directed the City Attorney to provide an explanation of property negotiations items in Executive Session.

City Attorney Arczynski provided an explanation of property negotiations items in Executive Session. He noted that the City complies with the Brown Act and that Council takes ultimate decisions in public sessions.

ADJOURNMENT:

The City Council/Successor Agency/ICDA Agency Board of Directors adjourned at 8:05 p.m. to April 15, 2014 at 5:30 p.m. in memory of Wlaczslaw "Paul" Bauer, William "Bill" Belasquez, Carolyn Miranda Patton, Shirley M. Pischel, and Jess Rangel.



SCOTT W. NELSON
MAYOR/AGENCY CHAIR

ATTEST:


PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY