

**PLACENTIA CITY COUNCIL  
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE  
PLACENTIA REDEVELOPMENT AGENCY  
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY  
REGULAR MEETING MINUTES – EXECUTIVE SESSION  
April 15, 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 5:40 p.m.

**PRESENT:** Councilmember/Board Member Underhill, Wanke, Yamaguchi, Aguirre, Nelson  
**ABSENT:** None

**ORAL COMMUNICATIONS:** None

**CITY COUNCIL:**

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding Existing Litigation – Two (2) Items
  - a. Regina Santiago vs. City of Placentia, Orange County Superior Court Case No. 30-2013-00663328-CU-OE-CJC
  - b. Michael Withrow and Patricia Duffie vs. City of Placentia, et.al Orange County Superior Court Case 30-2014-00711735-CU-WM-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 group:
  - a. Placentia Police Management Association (PPMA)  
  
City Representatives: Troy L. Butzlaff, City Administrator  
Steve Pischel, Dir. Administrative/Community Services
5. Pursuant to Government Code Section 54957 for Public Employee Performance Evaluation:
  - a. City Administrator
6. 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:** Councilmember/Board Member 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; Assistant City Administrator, Damien Arrula; Director of Administrative and Community Services, Steve Pischel; Chief Financial Officer, Linda Magnuson; Police Chief, Rick Hicks; Deputy Chief of Police, Ward Smith; Deputy Director of Community Services, Jon Nicks; Public Works Manager, Michael McConaha; Finance Manager, Michael Nguyen; Management Analyst, Maggie Le; Deputy City Clerk, Tania Moreno

**INVOCATION:** Police Chaplain Arturo Rodriguez

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Aguirre

**PRESENTATIONS:**

- a. Recognition of the Orange County SCORE for their Recognition as Chapter of the Year 2013  
Recipients: David Harris and Jim Roberts, Small Business Mentors  
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief narrative of the services OC SCORE provides to the community. He noted that the OC SCORE was recently recognized as Chapter of the Year 2013.

Small Business Mentors David Harris and Jim Roberts provided a brief narrative of OC SCORE and the services they provide to small businesses.

Mayor Nelson presented a certificate of recognition to Small Business Mentors David Harris and Jim Roberts for their service to the community.

- b. Proclamation Designating April 24, 2014, as General Federation of Women's Club - Federation Day  
Recipient: Ellie Rankin, Placentia Round Table Women's Club Chair  
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief narrative of the General Federation of Women's Club activities.

Placentia Round Table Women's Club Chair Ellie Rankin provided a brief narrative of the services they provide to the community.

Mayor Nelson proclaimed April 24, 2014 as General Federation of Women's Club - Federation Day.

- c. Employee of the Quarter- General Employee Group  
Recipient: Michael Nguyen, Finance Services Manager  
Presenters: Mayor Nelson and City Administrator Butzlaff

City Administrator Butzlaff provided a brief narrative of the employee of the quarter program and Finance Manager Michael Nguyen professional accomplishments.

Finance Manager Nguyen thanked Staff for their hard work and his family for their support.

Mayor Nelson presented Finance Manager Nguyen a plaque of recognition.

**EXECUTIVE SESSION REPORT:**

City Attorney/Agency Counsel Arczynski reported that Council/Agency met in Executive Session to discuss the items listed on the agenda. He noted that there was discussion on executive session item 1.b. titled "Michael Withrow and Patricia Duffie vs. City of Placentia, et.al Orange County Superior Court Case 30-2013-00663328-CU-OE-CJC." He noted that the matter was filed and served against the City fairly recently. He noted that the City received correspondence from the attorney's indicating their willingness to enter into a stipulation to hold the matter in court without further proceedings pending the election scheduled in November. He noted that Council gave Staff direction to execute an appropriate stipulation. He reported that there were no other reportable actions from Executive Session that evening.

**CITY ADMINISTRATOR REPORT:**

City Administrator Butzlaff announced the next Good Morning Placentia community event on April 23, 2014 at 8:00 a.m., Shred-It Day and E-Waste event on April 26, 2014 at City Hall, and the last concert of the series at Bradford House on April 27, 2014. He reported that the City recently hired Assistant City Administrator Arrula.

**ORAL COMMUNICATIONS:**

Dwayne DeRose, Placentia Chamber of Commerce President, announced an upcoming community E-Waste event on April 19, 2014 and Golf Tournament in June.

Don Huennekens, HQT Homes, noted that the State of the City Address was a success.

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

Councilmember Yamaguchi reported he was part of a graveyard shift ride along with Officer Flores. He wished everyone a Happy Easter.

Councilmember Underhill reported that the State of the City Address was a success. She wished everyone a Happy Easter.

Councilmember Wanke congratulated Finance Manager Nguyen for his recognition as employee of the quarter. He attended the grand opening of Best for Less Gas Station on April 10, 2014.

Mayor Pro Tem Aguirre congratulated Finance Manager Nguyen for his recognition as employee of the quarter. He wished everyone a Happy Easter.

Mayor Nelson thanked Finance Manager Nguyen for his work. He expressed his condolences to Executive Assistance to the City Administrator Perez. He welcomed Assistant City Administrator Arrula. He thanked everyone who attended the State of the City Address and thanked Staff for their work. He noted that Placentia is one of the best bedroom cities in Orange County. He announced the opening of the Placentia Avenue underpass on June 6, 2014. He thanked Orange County Transportation Authority for their partnership in the OC Bridges projects. He wished everyone a Happy Easter.

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

A motion was made by Mayor Pro Tem Aguirre, seconded by Councilmember Yamaguchi, to approve Consent Calendar items 1.a. through 1.f. Councilmember Underhill pulled item 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  
**(5 – 0, as recommended)**
- b. **Minutes**  
**City Council/Successor/ICDA Regular Meetings – March 25, 2014 and April 1, 2014**  
Recommended Action: Approve  
**(5 – 0, as recommended)**
- c. **City Fiscal Year 2013-14 Warrant Register for April 2, 2014 through April 15, 2014**  
Financial Impact: \$370,624.46  
Recommended Action: Approve  
**(5 – 0, as recommended)**

**COUNCIL CONSENT CALENDAR:**

- d. **Recommendation to Approve Pipeline License Agreement 14-49607 with Burlington Northern Santa Fe Railway Company for Tustin Avenue/Rose Drive Grade Separation Project**  
Financial Impact: None  
Recommended Action: It is recommended that the City Council:
  - 1) Approve Pipeline License Agreement 14-49607 for a stormdrain pipeline
  - 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)**

- e. **Approve Purchase and Installation of Replacement Condenser Units from Honeywell International Inc. for the Backs Community Building**  
Financial Impact: Expense \$39,831.00 Purchase and Installation  
 Budgeted: \$19,915.50 (Account No.: 433654-6130 FY 2013-14)  
 Unbudgeted: \$19,915.50 (Account No.: 433654-6130 FY 2014-15)  
Recommended Action: It is recommended that the City Council:  
 1) Approve the purchase and installation of replacement condenser units from the Backs Community Building from the City's current HVAC service provider Honeywell International Inc. in the amount of \$39,831.00  
**(5 – 0, as recommended)**
  
- f. **Proposed Letter of Opposition to California Assembly House Resolution 29 (Gomez)**  
Financial Impact: None  
Recommended Action: It is recommended that the City Council:  
 1) Authorize the Mayor to sign a letter of opposition to California Assembly House Resolution No. 29 addressing the impact of the Bill and direct Staff to distribute the letter accordingly  
**(5 – 0, as recommended)**

Councilmember Underhill noted that this is an effort by an Assembly Member to restrict local government's ability to contract out for services. She expressed her concerns regarding Assembly House Resolution No. 29.

Mayor Nelson noted that this resolution takes away control at a local level and takes the ability away to contract out services.

A motion was made by Councilmember Underhill, seconded by Councilmember Wanke, and carried (5 – 0) to authorize the Mayor to sign a letter of opposition to California Assembly House Resolution No. 29 addressing the impact of the Bill and direct Staff to distribute the letter accordingly.

**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:** None

**SUCCESSOR AGENCY OLD BUSINESS:** None

**ICDA OLD BUSINESS:** None

**4. NEW BUSINESS:**

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

**COUNCIL NEW BUSINESS:**

a. **Adoption of Resolution Initiating Proceedings for the Formation of a Landscape Maintenance District (No. 2014-1) and Designating SCI Consulting Group as the Engineer of Work**

Financial Impact: Expense: Not to Exceed \$49,500

Budgeted in: Account No.: 296561-6017

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2014-20, A Resolution of the City Council of the City of Placentia, California, initiating proceedings for the formation of a Landscape Maintenance District (No. 2014-1) pursuant to the provisions of Division 15, Part 2, of the Street and Highways Code of the State of California, and designating SCI Consulting Group as the engineer of work
- 2) Approve an amendment, in a form approved by the City Attorney, to the Professional Services Agreement with SCI Consulting Group for Assessment Engineering services associated with the formation of a new Landscape Maintenance District (LMD 2014-01)

**(5 – 0, as recommended)**

City Administrator Butzlaff noted that at the last Study Session, Council gave Staff direction to look at the next steps for the formation of a Landscape Maintenance District (LMD).

Public Works Manager McConaha provided a brief staff report on item 4.a. He provided a narrative of the formation of the LMD and the services provided to residents. He noted that the current rates were established in 1982. He noted that the General Fund currently subsidizes the LMD. If approved the formation process would include community outreach, resolution approving Engineers preliminary reports, public hearing, and tabulation of votes.

Mayor Nelson provided a brief explanation of the current LMD.

Councilmember Underhill inquired if the City can increase the LMD without having to go through a formation process.

City Administrator Butzlaff responded that this requires the approval of property owners.

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Underhill, and carried (5 – 0) to adopt Resolution R-2014-20, A Resolution of the City Council of the City of Placentia, California, initiating proceedings for the formation of a Landscape Maintenance District (No. 2014-1) pursuant to the provisions of Division 15, Part 2, of the Street and Highways Code of the State of California, and designating SCI Consulting Group as the engineer of work; and approve an amendment, in a form approved by the City Attorney, to the Professional Services Agreement with SCI Consulting Group for Assessment Engineering services associated with the formation of a new Landscape Maintenance District (LMD 2014-01).

**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 7:52 p.m. to May 6, 2014 at 5:30 p.m. in memory of Domingo Cabral.

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T. W. NELSON  
AGENCY CHAIR

ATTEST:

  
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PATRICK J. MELIA, CITY CLERK/AGENCY  
SECRETARY

