



## Regular Meeting Agenda

June 3, 2014

Placentia City Council  
Placentia City Council as Successor to the  
Placentia Redevelopment Agency  
Placentia Industrial Commercial  
Development Authority

Scott W. Nelson  
Mayor

Joseph V. Aguirre  
Mayor Pro Tem

Constance M. Underhill  
Council Member

Chad P. Wanke  
Council Member

Jeremy B. Yamaguchi  
Council Member

Patrick J. Melia  
City Clerk

Craig S. Green  
City Treasurer

Troy L. Butzlaff, ICMA-CM  
City Administrator

Andrew V. Arczynski  
City Attorney

**City of Placentia**  
**401 E. Chapman Avenue**  
**Placentia, CA 92870**

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### *Mission Statement*

*The City Council is committed to keeping Placentia a pleasant place by providing a safe family atmosphere, superior public services and policies that promote the highest standards of community life.*

### *Vision Statement*

*The City of Placentia will maintain an open, honest, responsive and innovative government that delivers quality services in a fair and equitable manner while optimizing available resources.*

Copies of all agenda materials are available for public review in the Office of the City Clerk, online at [www.placentia.org](http://www.placentia.org), and at Placentia Library Reference Desk. Persons who have questions concerning any agenda item may call the City Clerk's Office, (714) 993-8231, to make inquiry concerning the nature of the item described on the agenda.

### **Procedures for Addressing the Council/Board Members**

Any person who wishes to speak regarding an item on the agenda or on a subject within the City's jurisdiction during the "**Oral Communications**" portion of the agenda should fill out a "**Speaker Request Form**" and give it to the City Clerk BEFORE that portion of the agenda is called. Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak on a Public Hearing item should fill out a "**Speaker Request Form**" and give it to the City Clerk BEFORE the item is called.

The Council and Board members encourage free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of an entire group. To encourage all views, the Council and Board discourage clapping, booing or shouts of approval or disagreement from the audience.

PLEASE SILENCE ALL PAGERS, CELL PHONES, AND OTHER ELECTRONIC EQUIPMENT WHILE COUNCIL AND BOARD MEMBERS ARE IN SESSION.

### **Special Accommodations**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City Staff to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

In compliance with California Government Code § 54957.5, any writings or documents provided to a majority of the City Council regarding any item on this agenda that are not exempt from disclosure under the Public Records Act will be made available for public inspection at the City Clerk's Office at City Hall, 401 East Chapman Avenue, Placentia, during normal business hours.

Study Sessions are open to the public and held in the City Council Chambers or City Hall Community Room. Executive Sessions are held in the Council Caucus Room. While the public may be in attendance during oral announcements preceding Executive Sessions, Executive Sessions are not open to the public.

**PLACENTIA CITY COUNCIL  
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE  
PLACENTIA REDEVELOPMENT AGENCY  
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY  
REGULAR MEETING AGENDA – EXECUTIVE SESSION  
June 3, 2014  
5:30 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

**CALL TO ORDER:**

**ROLL CALL:** Councilmember/Board Member Underhill  
Councilmember/Board Member Wanke  
Councilmember/Board Member Yamaguchi  
Mayor Pro Tem/Board Vice Chair Aguirre  
Mayor/Board Chair Nelson

**ORAL COMMUNICATIONS:**

At this time the public may address the City Council and Boards of Directors concerning any items on the Executive Session Agenda only. There is a five (5) minute time limit for each individual addressing the City Council and Boards of Directors.

The City Council and Boards of Directors will recess to the City Council Caucus Room for the purpose of conducting their Executive Session proceedings.

**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 – Two (2) Items
3. 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. Placentia Police Officers Association (PPOA)
  - 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: 307 Baker Street APN: 339-392-14, 15  
City Negotiator: Troy L. Butzlaff, City Administrator  
Negotiating Parties: Wes Larmore, Domus Development  
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: 601 W. Orangethorpe Avenue, APN 339-112-03  
Agency Negotiator: Troy L. Butzlaff, City Administrator/Executive Director  
Negotiating Parties: James Williams, JAW Land and Trading LLC  
Under Negotiations: Price and Terms of Payment

**RECESS:** The City Council and Boards of Directors will recess to their 7:00 p.m. Regular Meeting.

**PLACENTIA CITY COUNCIL  
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE  
PLACENTIA REDEVELOPMENT AGENCY  
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY  
REGULAR MEETING AGENDA  
June 3, 2014  
7:00 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

**CALL TO ORDER:**

**ROLL CALL:** Councilmember/Board Member Underhill  
Councilmember/Board Member Wanke  
Councilmember/Board Member Yamaguchi  
Mayor Pro Tem/Board Vice Chair Aguirre  
Mayor/Board Chair Nelson

**INVOCATION:** Police Chaplain Roger Mendoza

**PLEDGE OF ALLEGIANCE:**

**PRESENTATIONS:** None

**EXECUTIVE SESSION REPORT:**

**CITY ADMINISTRATOR REPORT:**

**ORAL COMMUNICATIONS:**

At this time the public may address the City Council and Boards of Directors concerning any agenda item, which is not a public hearing item, or on matters within the jurisdiction of the City Council and Boards of Directors. There is a five (5) minute time limit for each individual addressing the City Council and Boards of Directors.

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

The purpose of these reports is to provide information on projects and programs that are discussed at interagency board, committee, and commission meetings. No decisions are to be made on these issues. If a Council or Board Member would like formal action on any of the discussed items, it will be placed on a future Council or Board Agenda.

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

All items on the Consent Calendar are considered routine and are enacted by one motion approving the recommended action listed on the Agenda. Any Member of the City Council and Boards of Directors or City Administrator may request an item be removed from the Consent Calendar for discussion. All items removed shall be considered immediately following action on the remaining 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

- b. **Minutes**  
**City Council/Successor/ICDA Regular Meeting – May 20, 2014**  
Recommended Action: Approve
- c. **City Fiscal Year 2013-14 Warrant Register for May 21, 2014 through June 3, 2014**  
Financial Impact: \$1,302,297.69  
Recommended Action: Approve

**COUNCIL CONSENT CALENDAR:**

- d. **Adoption of Two (2) Resolutions Declaring Intent to Form Landscape Maintenance District No. 2014-1, Preliminarily Approving the Engineer’s Report, Providing Notice of Public Hearing and Mailing Ballots and Adopting Proposition 218 Ballot Proceedings Procedures**  
Financial Impact: (Recouped through Assessments): \$199,557  
Single Family Equivalent Rate: \$92.00/Parcel (Zone A), \$84.80/Parcel (Zone B), \$64.40/Parcel (Zone C)  
Recommended Action: It is recommended that the City Council:  
1) Adopt Resolution No. R-2014-22, A Resolution of the City Council of the City of Placentia, California, declaring intention to form Landscape Maintenance District No. 2014-1 and levy assessments, preliminarily approval of the Engineer’s Report, providing notice of Public Hearing and mailing of the assessment ballots  
2) Adopt Resolution No. R-2014-23, A Resolution of the City Council of the City of Placentia, California, adopting Proposition 218 assessment ballot proceedings procedures
- e. **Adoption of Resolution Related to Fiscal Year 2014-15 Levy of Assessments to the City of Placentia Street Lighting District No. 81-1 and Setting Public Hearing For August 5, 2014 at 7:00 p.m.**  
Financial Impact: Recouped through Assessments: \$153,056.77  
Single Residential: \$27.38/Parcel  
Commercial/Industrial: \$164.28/ Acre  
Tentative/Final Map: \$8.21/Unit  
Recommended Action: It is recommended that the City Council:  
1) Adopt Resolution No. R-2014-25, A Resolution of the City Council of the City of Placentia, California, directing preparation of the Engineer’s Report for Fiscal Year 2014-15 for the continuation of the annual assessments for Street Lighting District No. 81-1  
2) Adopt Resolution No. R-2014-26, A Resolution of the City Council of the City of Placentia, California, declaring its intention to provide for the annual levy and collection of assessments for certain maintenance in an existing district pursuant to the provisions of Division 15, Part 2, of the Streets and Highway Code of the State of California, and setting a time and place for public hearing thereon
- f. **Adoption of Resolution Related to Fiscal Year 2014-15 Levy of Assessments to the City of Placentia Landscape Maintenance District No. 92-1 and Setting Public Hearing For August 5, 2014 at 7:00 P.M.**  
Financial Impact: Recouped through Assessments: \$427,925.94  
Single Family Residential: \$154.87/Parcel  
Commercial/Industrial: \$1548.70/Acre  
Multiple Family Residential: \$108.41/Unit  
Undeveloped: \$774.35/Parcel

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2014-27, A Resolution of the City Council of the City of Placentia, California, directing preparation of the Engineer's Report for Fiscal Year 2014-15 for the continuation of the annual assessments for Landscape Maintenance District No. 92-1
- 2) Adopt Resolution No. R-2014-28, A Resolution of the City Council of the City of Placentia, California, declaring its intention to provide for the annual levy and collection of assessments for certain maintenance in an existing district pursuant to the provisions of Division 15, Part 2, of the Streets and Highway Code of the State of California and setting a time and place for the public hearing thereon

g. **Mandated Biennial Review of the City's Conflict of Interest Code**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Direct Staff to review the City's Conflict of Interest Code and submit, no later than October 1, 2014, a notice indicating whether amendments are necessary

h. **Adoption of Resolution Establishing the Number of Historical Committee Members and Date and Time of the Meetings**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2014-29, A Resolution of the City Council of the City of Placentia, California, establishing the number of members of the Historical Committee at nine (9) and setting the meeting date and time

i. **Approval of Agreement with the Boys and Girls Club of Brea, Placentia, and Yorba Linda for use of Kraemer Memorial Park and the Teen Center for Youth Programs**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve an agreement with the Boys and Girls Club of Brea, Placentia, and Yorba Linda to use Kraemer Memorial Park and the Teen Center for youth programs
- 2) Authorize the City Administrator or designee to execute all applicable documents in a form approved by the City Attorney

j. **Letter to Orange County Board of Supervisors to Support the Orange County Animal Control Fee Schedule**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Authorize the Mayor to sign a letter of support on behalf of the City, urging the Orange County Board of Supervisors to approve the updated OCAC Fee Schedule

k. **Solid Waste Handling Services Rate Adjustment and Related Resolutions for Fiscal Year 2014-15**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2014-30, A Resolution of the City Council of the City of Placentia, California, approving the schedule rates for solid waste handling services for Fiscal Year 2014-15
- 2) Adopt Resolution No. R-2014-31, A Resolution of the City Council of the City of Placentia, California, authorizing and determining residential solid

waste handling services charges and directing placement thereof on the Orange County tax rolls

- 3) Approve Amendment No. 4 to the agreement approving the revised residential and commercial rate schedule

I. **Approval of Resolution Authorizing Temporary Suspension of Regulatory Ordinance Pertaining to the Operation of the Placentia Chamber of Commerce and Placentia Community Foundation Taste of the Town Fundraiser at Tri-City Park on Thursday, August 14, 2014**

Financial Impact: \$1,200 Contribution towards the Concert in the Park Event

Recommended Action: It is recommended that the City Council:

- 1) Approve an agreement with both the Placentia Chamber of Commerce and Placentia Community Foundation to host a Taste of the Town event at Tri-City Park in conjunction with the City's Concert's in the Park event and authorize the City Administrator or designee to execute all applicable documents
- 2) Adopt Resolution No. R-2014-32, A Resolution of the City Council of the City of Placentia, California, authorizing the Temporary Suspension of Regulatory Section 10.28.010 of the Placentia Municipal Code for the Operation of the Taste of the Town event Fundraiser Event on Thursday, August 14, 2014 at Tri-City Park, 2301 N. Kraemer Boulevard

**SUCCESSOR AGENCY CONSENT CALENDAR:** None

**ICDA CONSENT CALENDAR:** None

2. **PUBLIC HEARINGS:**

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

**COUNCIL:**

a. **Modifications to the Zoning Code Regarding Development Plan Review**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Open public hearing, receive testimony and close public hearing
- 2) Approve and introduce for first reading, by title only, Ordinance No. O-2014-07, An Ordinance of the City Council of the City of Placentia, California, amending Section 23.75.010 of Chapter 23.75 of Title 23 (Zoning Ordinance) of the Placentia Municipal Code pertaining to the development plan review. (Zoning Code Amendment 2014-02)

**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. **Design-Build Contracts Ordinance Amendment**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve and introduce for first reading, by title only, Ordinance No. O-2014-08, An Ordinance of the City Council of the City of Placentia, California, amending Section 1.18.020 of Chapter 1.18 of the Placentia Municipal Code relating to competitive design-build processes

**SUCCESSOR AGENCY NEW BUSINESS:** None

**ICDA NEW BUSINESS:** None

**CITY COUNCIL/BOARD MEMBERS REQUESTS:**

Council/Board Members may make requests or ask questions of Staff. If a Council/Board Member would like to have formal action taken on a requested matter, it will be placed on a future Council or Board Agenda.

**ADJOURNMENT:**

The City Council/Successor Agency/ICDA Agency Board of Directors will adjourn to an Adjourned Regular Meeting on June 10, 2014 at 5:00 p.m.

**CERTIFICATION OF POSTING**

I, Tania Moreno, Deputy City Clerk of the City of Placentia and Assistant Secretary of the Industrial Commercial Development Authority and Successor Agency, hereby certify that the Agenda for the June 3, 2014 meetings of the City Council, Successor Agency, and Industrial Commercial Development Authority was posted on May 29, 2014.

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Tania Moreno, Deputy City Clerk

**PLACENTIA CITY COUNCIL  
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE  
PLACENTIA REDEVELOPMENT AGENCY  
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY  
REGULAR MEETING MINUTES  
May 20, 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, 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 – 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 – Two (2) Items
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. Placentia Police Officers Association (PPOA)
  - c. Placentia City Employees Association (PCEA)

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, Newport Equities  
Under Negotiations: Price and Terms of Payment
  - b. Property: 307 Baker Street APN: 339-392-14, 15  
City Negotiator: Troy L. Butzlaff, City Administrator  
Negotiating Parties: Wes Larmore, Domus Development  
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: 601 W. Orangethorpe Avenue, APN 339-112-03  
Agency Negotiator: Troy L. Butzlaff, City Administrator/Executive Director  
Negotiating Parties: James Williams, JAW Land and Trading LLC  
Under Negotiations: Price and Terms of Payment

**RECESS:** The City Council and Boards of Directors recessed to their 7:00 p.m. Regular Meeting.

**ROLL CALL:**

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

**STAFF PRESENT:** City Clerk, Patrick J. Melia; City Administrator/Executive Director, Troy Butzlaff; City Attorney/Authority Council, Andrew V. Arczynski; Assistant City Administrator, Damien R. Arrula; Director of Administration and Community Services, Steve Pischel; Chief Financial Officer, Linda Magnuson; Chief of Police, Rick Hicks; Deputy Chief of Police, Ward Smith; Public Works Manager, Michael McConaha; Deputy Director of Community Services, Jon Nicks; Finance Manager, Michael Nguyen; Management Analyst, Maggie Le; Deputy City Clerk, Tania Moreno; Neighborhood Services Coordinator, Jeanette Ortega; City Clerk Specialist, Candice Martinez

**INVOCATION:** Police Chaplain Roger Mendoza

**PLEDGE OF ALLEGIANCE:** Mayor Nelson

**PRESENTATIONS:**

- a. Proclamation Designating the Period of May 26 - September 1, 2014, as Drowning Prevention Summer Campaign  
Recipient: OCFA Battalion Chief Phil Johnson  
Presenter: Mayor Nelson

City Administrator Butzlaff provided a brief overview of the Drowning Prevention Summer Campaign and introduced Orange County Fire Authority (OCFA) Battalion Chief Johnson.

OCFA Battalion Chief Johnson provided a brief overview about OCFA Drowning Prevention Summer Campaign. He provided a short video regarding Water Safety. He provided a PowerPoint presentation, the slides included: California Leads the Nation in Drowning, Needless Tragedies, Without Warning & Without a Sound, Learning the ABC's of Pool Safety Can Help Prevent this Senseless Tragedy, Active Adult Supervision, Barriers, Classes, and What Can You do to Help.

Mayor Nelson proclaimed May 26 - September as Drowning Prevention Drowning Prevention Summer.

- b. Recognition of the 10 Year Anniversary of the Placentia Community Chorus  
Recipient: Judy Avalos, Placentia Community Chorus President  
Presenter: Mayor Nelson

City Administrator Butzlaff provided the brief history of the Placentia Community Chorus.

Mayor Nelson introduced President of the Placentia Community Chorus Judy Avalos. He invited all members of the Placentia Community Chorus to the dais.

Placentia Community Chorus President Avalos provided a narrative of Placentia Community Chorus history and their activities.

Mayor Nelson presented to the Placentia Community Chorus a plaque of recognition in honor of their ten-year anniversary.

- c. Proclamation Designating the Week of May 18-24, 2014 as National Public Works Week

Recipient: Public Works Manager McConaha

Presenter: Mayor Nelson

City Administrator Butzlaff provided narrative of National Public Works Week. He introduced Public Works Director McConaha.

Public Works Manager McConaha thanked Council for the proclamation. He also thanked his Staff for all their hard work and dedication to the City.

Mayor Nelson proclaimed the week of May 18-24, 2014 as National Public Works week.

- d. True North Research Voter Opinion Survey Summary Report

Presenter: Dr. Timothy McLarney, President of True North Research

City Administrator Butzlaff noted that True North Research conducted a public opinion survey and a statistical analysis on behalf of the City. He introduced Dr. Timothy McLarney, President of True North Research.

True North Research President McLarney provided a brief overview of the True North Research Company. He noted that he would be presenting the survey results. He provided a PowerPoint presentation, the slides included: Purpose of the Study, Methodology of Study, Initial Ballot Test, Initial Ballot Test at 7%, Initial Ballot Test at 5% Rate, Services, Positive Arguments, Negative Arguments, Final Ballot Test at 7%, Final Ballot Test at 5% Rate, and Key Conclusions.

Discussion ensued between Council, Staff and Mr. McLarney regarding the feasibility of User Utility Tax (UUT) rate r, potential restoration, effective public outreach, voter awareness and understanding, and an well-organized independent campaign.

Mayor Nelson inquired about the sunset approach for the UUT rate increase.

True North Research President McLarney recommended that if the City was to propose a sunset to the UUT rate increase they should make it a short duration.

Mayor Nelson inquired about the sales tax increase.

True North Research President McLarney responded that it was not part of the initial survey. He noted that a sales tax increase tends to be more favorable than a UUT rate increase.

**EXECUTIVE SESSION REPORT:**

City Attorney/Authority Counsel Andrew V. Arczynski reported that Council/Agency met in Executive Session to discuss the items listed on the agenda. He reported there were no reportable actions from Executive Session that evening.

**CITY ADMINISTRATOR REPORT:**

City Administrator Butzlaff announced that the Placentia Police Canine Foundation would host its second annual Puppy Palooza Dog Show on Saturday, May 31, 2014. He announced that the Placentia Community Foundation would be hosting a summit on June 4, 2014. He announced the sixth annual Cowabunga Crabfest on June 7, 2014. He noted that in observance of Memorial Day, City Hall would be closed on Monday, May 26, 2014. He announced that there would be a City Council Study Session on Tuesday, May 27, 2014 to discuss the Draft Preliminary Budget.

**ORAL COMMUNICATIONS:**

Meredith Castillo, resident, inquired about the Landscape Maintenance District potential fee increase.

Craig Green, City Treasurer, noted that he attended the Treasurer's Conference and provided a copy of literature to each Councilmember. He inquired about agenda item 1.d. and 4.a. He noted that he has requested additional information regarding excess surplus funds for capital improvement projects, and bonds for 2001 and 2009. He announced that Valencia High School would be hosting a Memorial Day event on May 23, 2014.

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

Councilmember Yamaguchi welcomed the Placentia-Yorba Linda Lions Club. He announced the Orange County Transportation Authority Grand Opening of the Kraemer Underpass on June 4th, 2014. He announced American Legions would be dedicating their clubroom on May 25, 2014. He announced that Valencia High School would be hosting a Memorial Day event on May 23, 2014. He wished his father a happy birthday.

Councilmember Underhill reminded residents about the Placentia Quarterly Summer Edition.

Councilmember Wanke noted that he attended a Yorba Linda Arts Scholarship event.

Mayor Pro Tem Aguirre announced the dedication at American Legion Clubroom after former Legion member on May 25, 2014.

Mayor Nelson directed City Administrator Butzlaff to address Mr. Castillo's concerns.

City Administrator noted that LMD 92-1 was created with assessments that charged surrounding properties through their tax bills to cover fees in common areas. He noted that throughout time, costs began to exceed and the City currently uses general funds to subsidize the district. He noted that the proposed overlay district would pay the fees. He provided a narrative of the ballot process.

Mayor Nelson directed City Administrator to address Mr. Green concerns regarding potential development in the downtown area.

City Administrator Butzlaff noted that if the City decides they may include housing in-lieu fees in the development agreement.

Mayor Nelson noted that he received the State of California May budget revision. He noted that he attended the CERT class graduation. He thanked Staff from Brea, Yorba Linda and Placentia for all their dedication and hard work.

**1. COUNCIL/SUCCESSOR AGENCY/ICDA CONSENT CALENDAR:**

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi to approve Consent Calendar items 1.a. through 1.e. Mayor Nelson abstained from warrant register number V003479 and affirmative on the balance of the consent calendar items.

City Administrator Butzlaff pulled item 1.d. from the May 20, 2014 agenda.

A motion was made by Councilmember Underhill, seconded by Mayor Pro Tem Aguirre for item 1.d. to be pulled from the agenda.

- 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 - May 6, 2014 and May 12, 2014**  
Financial Impact: None  
Recommended Action: Approve  
**(5 – 0, as recommended)**
  
- c. **City Fiscal Year 2013-14 Warrant Register for May 7, 2014 through May 20, 2014**  
Financial Impact: \$187,511.98  
Recommended Action: Approve  
**(5 – 0, Mayor Nelson abstained from warrant register number V003479)**

**COUNCIL CONSENT CALENDAR:**

- d. **Adoption of Two (2) Resolutions Declaring Intent to Form Landscape Maintenance District No. 2014-01, Preliminarily Approving the Engineer's Report, Providing Notice of Public Hearing and Mailing Ballots and Adopting Proposition 218 Ballot Proceedings Procedures**  
Financial Impact: (Recouped through Assessments): \$207,031  
Single Family Equivalent Rate: \$92.00/Parcel  
Recommended Action: It is recommended that the City Council:
  - 1) Adopt Resolution No. R-2014-22, A Resolution of the City Council of the City of Placentia, California, declaring intention to form Landscape Maintenance District No. 2014-01 and levy assessments, preliminarily approval of the Engineer's Report, providing notice of Public Hearing and mailing of the assessment ballots
  - 2) Adopt Resolution No. R-2014-23, A Resolution of the City Council of the City of Placentia, California, adopting Proposition 218 assessment ballot proceedings procedures**(Item 1.d. pulled from the agenda)**

- e. **Acceptance of Resignation from the Veterans Advisory Committee**  
Financial Impact: None  
Recommended Action: It is recommended that the City Council:
  - 1) Accept the resignation of John L. Smith from the Veterans Advisory Committee
  - 2) Include the vacancy in the Veterans Advisory Committee with the current application/recruitment process**(5 – 0, as recommended)**
  
- f. **Adoption of a Resolution Supporting Assembly Bill 1453 to Establish a State Veterans Cemetery in Orange County**  
Financial Impact: None  
Recommended Action: It is recommended that the City Council:
  - 1) Adopt Resolution No. R-2014-24, A Resolution of the City Council of the City of Placentia, California, in support of Assembly Bill 1453 and in favor of the establishment of the Southern California State Veterans Cemetery**(5 – 0, as recommended)**

**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. **Consideration of an Exclusive Negotiating Agreement (ENA) with Newport Equities, LLC for Development of a Proposed Transit Oriented Residential Development on City Owned Property**  
Financial Impact: None  
Recommended Action: It is recommended that the City Council:

- 1) Approve an Exclusive Negotiating Agreement ("ENA") with Newport Equities, LLC which allows for a period of exclusive negotiations between the City and Newport Equities, LLC for the purpose of preparing major elements of the proposed development including, but not limited to: a site plan; design schematics; technical and economic studies; and, the pre-development obligations of all parties
  - 2) Authorize the Mayor to execute, on behalf of the City, an ENA with Newport Equities, LLC in a form approved by the City Attorney
- (5 – 0, as recommended)**

City Administrator Butzlaff provided an overview about the proposed ENA with Newport Equities. He noted that they presented the City with a letter of intent to redevelop and regenerate the properties located at 207, 209 and 211 West Crowther Avenue. He noted that this would be a transit-oriented development. He noted that the ENA would allow the City and the developer to go over the site plans, schematic plans, technical and economic studies resulting in a development agreement for the project.

Mayor Pro Tem Aguirre requested a summary of the developer and their projects

City Administrator Butzlaff provided a brief narrative of Newport Equities Company and a list of their projects.

Councilmember Wanke inquired about the company's intent to acquire the property as a developer or a development and a builder.

City Administrator Butzlaff responded that the company would be a development and a builder. He noted there is a request by the developer in the ENA assigned to Mr. Kerslake.

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Wanke and carried a (5-0) to approve an Exclusive Negotiating Agreement ("ENA") with Newport Equities, LLC which allows for a period of exclusive negotiations between the City and Newport Equities, LLC for the purpose of preparing major elements of the proposed development including, but not limited to: a site plan; design schematics; technical and economic studies; and, the pre-development obligations of all parties; and authorize the Mayor to execute, on behalf of the City, an ENA with Newport Equities, LLC in a form approved by the City Attorney.

b. **Designation of Voting Delegate and Alternate for the 2014 League of California Cities Annual Conference**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Appoint one (1) delegate to represent the City at the League of California
- 2) Appoint one (1) alternate to represent the City at the League of California Cities Annual Conference 2014

**(5-0, as recommended)**

City Administrator Butzlaff provided a brief overview about the 2014 League of California Cities Annual Conference. He noted that every year the League requests from each City to nominate a delegate and an alternate from the City Council to attend the annual conference.

A motion was made by Mayor Nelson, seconded by Councilmember Yamaguchi, was carried (5 - 0) to appoint Councilmember Yamaguchi to serve as the delegate and to appoint Councilmember Chad Wanke to serve as the alternate for the City at the League of California Cities Annual Conference 2014.

**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 8:10 p.m. to a Study Session on May 27, 2014 at 6:00 p.m.

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SCOTT W. NELSON  
MAYOR/AGENCY CHAIR

ATTEST:

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PATRICK J. MELIA, CITY CLERK/AGENCY  
SECRETARY

**City of Placentia  
Warrant Register  
For 06/03/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount Invoice#	PO #	Check #	Check Date
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Grand Total: 1,302,297.69

Warrant Totals by ID  
 AP 1,235,763.53  
 EP 66,534.16  
 IP 0.00  
 OP 0.00

Fund Name	Warrant Totals by Fund
101-General Fund	248,846.31
208-Successor Agency Ret Oblig Fnd	6,649.18
225-Asset Seizure	17,692.48
260-Street Lighting District	30,218.99
265-Landscape Maintenance	31,391.62
270-Housing and Community Develop.	12,255.00
275-Sewer Maintenance	3,271.96
280-Misc Grants Fund	4,185.15
401-City Capital Projects	27,954.25
501-Refuse Administration	446,838.31
601-Employee Health & Welfare	224,610.15
605-Risk Management	61,667.91
615-Information Technology	36,252.91
620-Citywide Services	140,993.67
701-Special Deposits	9,469.80

Void Total: 0.00  
 Warrant Total: 1,302,297.69

LEGEND	
EP	Electronic Payment
MW IP	Machine Written (Immediate Pay)
MW OH	Machine Written (Open Hold)
RV	Reversed Warrant

Warrant Total: 1,302,297.69

**1.c.  
June 3, 2014**

*Reversed?  
Approved, [Signature]  
[Signature]*

**City of Placentia**  
**Warrant Register**  
**For 05/29/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
MW OH	ACRO PRINTING INC V009053	PD NIGHT OUT SUPPLIES	213041-6301 Special Department Supplies	TK0527A	264.80	69130		00084046	06/03/2014
MW OH	ACRO PRINTING INC V009053	PD NIGHT OUT SUPPLIES	213041-6301 Special Department Supplies	TK0527A	219.05	69131		00084046	06/03/2014
			<b>Vendor Total:</b>		<b>483.85</b>				
MW OH	ACTION EMBROIDERY CORRREC V000082	STAFF UNIFORMS	104071-6360 Uniforms	TK0527A	1,645.92	0271730		00084047	06/03/2014
MW OH	ACTION EMBROIDERY CORRREC V000082	STAFF UNIFORMS	104071-6360 Uniforms	TK0527A	528.12	0271732		00084047	06/03/2014
			<b>Vendor Total:</b>		<b>2,174.04</b>				
MW IP	ADMINSURE V004980	APR WORKERS COMP ADMIN	404580-6025 Third Party Administration	ITK0522B	3,640.12	7004		00084018	05/22/2014
			<b>Vendor Total:</b>		<b>3,640.12</b>				
MW OH	ANAHEIM REGIONAL V007613	CASE 11-1382 MEDICAL EXAM	103040-6099 Other Professional Services	TK0527A	750.00	001242159		00084048	06/03/2014
			<b>Vendor Total:</b>		<b>750.00</b>				
MW IP	ANTHEM LIFE INSURANCE V000046	MAY OPTIONAL LIFE INSURANCE	0010-2186 Optional Life Insurance	ITK51514A	5.00	050114A		00083994	05/15/2014
			<b>Vendor Total:</b>		<b>5.00</b>				
MW OH	ARAMARK UNIFORM V004232	PW UNIFORMS	103650-6360 Uniforms	TK0527A	150.89	528737361	P09047	00084049	06/03/2014
MW OH	ARAMARK UNIFORM V004232	PW UNIFORMS	103650-6360 Uniforms	TK0527A	111.68	528737362	P09047	00084049	06/03/2014
			<b>Vendor Total:</b>		<b>262.57</b>				
MW OH	ARAMARK UNIFORM V004232	PW UNIFORMS	103650-6360 Uniforms	TK0527A	150.89	528753863	P09047	00084049	06/03/2014
MW OH	ARAMARK UNIFORM V004232	PW UNIFORMS	103650-6360 Uniforms	TK0527A	64.25	528753864	P09047	00084049	06/03/2014
			<b>Vendor Total:</b>		<b>215.14</b>				
MW IP	ARCZYNSKI, ANDREW V	APRIL LEGAL SERVICES	101005-6005	ITK51514A	32,902.21	043014	P09399	00083995	05/15/2014
			<b>Vendor Total:</b>		<b>32,902.21</b>				

**City of Placentia  
Warrant Register  
For 05/29/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
	V005588		Legal Services						
MW IP	AT & T V008736	APRIL-MAY U-VERSE CHARGES	431010-6215 Telephone	<b>Vendor Total:</b> ITK51514A	<b>32,902.21</b> 50.00	APRIL 14		00083996	05/15/2014
MW IP	AT & T V008736	APRIL-MAY U-VERSE CHARGES	431010-6215 Telephone	ITK51514A	60.00	MAY 2014		00083996	05/15/2014
				<b>Vendor Total:</b>	<b>110.00</b>				
MW IP	AT & T MOBILITY V008709	APRIL-MAY IPAD SERVICES	333523-6899 / 30013-6899 Other Capital Outlay	ITK0522B	304.87	X05152014		00084019	05/22/2014
MW IP	AT & T MOBILITY V008709	APRIL-MAY IPAD SERVICES	431010-6215 Telephone	ITK0522B	425.51	X05152014		00084019	05/22/2014
				<b>Vendor Total:</b>	<b>730.38</b>				
MW IP	AT&T V004144	MARCH-MAY PHONE CHARGES	296561-6215 Telephone	ITK51514A	566.00	050214		00083997	05/15/2014
MW IP	AT&T V004144	MARCH-MAY PHONE CHARGES	0010-1220 Accts Rec/Plac Library Dist	ITK51514A	8.18	050214		00083997	05/15/2014
MW IP	AT&T V004144	MARCH-MAY PHONE CHARGES	431010-6215 Telephone	ITK51514A	3,013.73	050214		00083997	05/15/2014
				<b>Vendor Total:</b>	<b>3,587.91</b>				
MW OH	ATHENS SERVICES V006622	MARCH STREET SWEEPING SVS	374387-6099 Other Professional Services	TK0527A	14,186.90	3899190314	P09060	00084050	06/03/2014
MW OH	ATHENS SERVICES V006622	APRIL STREET SWEEPING SVS	374387-6099 Other Professional Services	TK0527A	15,240.23	3899190414	P09060	00084050	06/03/2014
				<b>Vendor Total:</b>	<b>29,427.13</b>				
MW OH	AYSO-1398 V009395	DEPOSIT REFUND-AGUIRRE	100000-4385 Facility Rental	TK0527A	100.00	2000093.002		00084051	06/03/2014
				<b>Vendor Total:</b>	<b>100.00</b>				
MW OH	BAIR ANALYTICS INC V009388	ATACRAIDS-ANALYSIS INFO	213041-6840 Machinery & Equipment	TK0527A	14,900.00	2014-127	P10230	00084052	06/03/2014

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Warrant Register  
For 05/29/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
				<b>Vendor Total:</b>	<b>14,900.00</b>				
MW IP	BANK OF AMERICA V008741	GAS LINE REPAIR SUPPLIES	433654-6130 Repair & Maint/Facilities	ITK0520A	122.30	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	GAS LINE REPAIR SUPPLIES	433654-6130 Repair & Maint/Facilities	ITK0520A	82.83	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CITY HALL REPAIR SUPPLIES	433654-6130 Repair & Maint/Facilities	ITK0520A	210.85	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	RE-KEY LOCK FOR CITY HALL	433654-6137 Repair Maint/Equipment	ITK0520A	24.74	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	PAINT	433654-6301 Special Department Supplies	ITK0520A	29.93	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	PW REPAIR SUPPLIES	433654-6301 Special Department Supplies	ITK0520A	16.61	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	JANITORAL SUPPLIES	433654-6301 Special Department Supplies	ITK0520A	48.08	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	PW SUPPLIES	433654-6130 Repair & Maint/Facilities	ITK0520A	71.87	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	IMPOUND YARD REPAIR SUPPLIES	433654-6301 Special Department Supplies	ITK0520A	32.49	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CIRCUIT BREAKER	433654-6301 Special Department Supplies	ITK0520A	19.44	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	PD VEHICLE TIMER	433658-6134 Vehicle Repair & Maintenance	ITK0520A	339.36	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	REPAIR PD VEHICLE HEADREST	433658-6134 Vehicle Repair & Maintenance	ITK0520A	85.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	TIRES	433658-6134 Vehicle Repair & Maintenance	ITK0520A	237.58	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	REPLACE RELAYS IN PD VEHICLE	433658-6290 Dept. Contract Services	ITK0520A	103.97	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA	PLUMBING SUPPLIES	433654-6130	ITK0520A	23.54	MARCH 14		00084017	04/28/2014

**City of Placentia  
Warrant Register  
For 05/29/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
	V008741		Repair & Maint/Facilities						
MW IP	BANK OF AMERICA V008741	VEHICLE MAINT SUPPLIES	433658-6301 Special Department Supplies	ITK0520A	197.51	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	PW SUPPLIES	433654-6130 Repair & Maint/Facilities	ITK0520A	157.57	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CAR SHOW ARTWORK	0044-2067 / 79392-2067 Heritage Committee	ITK0520A	540.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CAR SHOW ARTWORK	0044-2067 / 79392-2067 Heritage Committee	ITK0520A	540.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/4 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	25.81	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/4 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	52.92	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/4 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	31.30	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/12 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	3.83	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/12 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	38.80	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/18 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	44.25	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/18 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	32.04	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/25 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	22.57	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/25 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	13.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/25 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	35.27	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/25 COUNCIL SUPPLIES	101001-6245 Meetings & Conferences	ITK0520A	3.00	MARCH 14		00084017	04/28/2014

**City of Placentia  
Warrant Register  
For 05/29/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoiced#	PO #	Check #	Check Date
	V008741		Meetings & Conferences						
MW IP	BANK OF AMERICA V008741	MISC ADMIN SUPPLIES	101001-6301 Special Department Supplies	ITK0520A	28.12	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CITY CLERK CONF REG-MORENO	101002-6245 Meetings & Conferences	ITK0520A	200.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CMTA REG-GREEN	101003-6245 Meetings & Conferences	ITK0520A	150.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	GASOLINE-BUTZLAFF	101511-5199 Other Employee Benefits	ITK0520A	65.75	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	GASOLINE-BUTZLAFF	101511-5199 Other Employee Benefits	ITK0520A	74.73	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	FASTRAK-BUTZLAFF	101511-5199 Other Employee Benefits	ITK0520A	35.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	GASOLINE-BUTZLAFF	101511-5199 Other Employee Benefits	ITK0520A	73.32	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	BUSINESS LUNCH-BUTZLAFF	101511-6245 Meetings & Conferences	ITK0520A	62.27	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	ADMIN OFFICE SUPPLIES	101511-6315 Office Supplies	ITK0520A	55.59	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	HR CONF REG-VERA	101512-6245 Meetings & Conferences	ITK0520A	149.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	MMAC MEMBERSHIP-VERA	101512-6255 Dues & Memberships	ITK0520A	75.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/26 INTERVIEW PANEL SUPPLIES	101512-6301 Special Department Supplies	ITK0520A	53.71	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CITY CLERK STORAGE SUPPLIES	101513-6315 Office Supplies	ITK0520A	663.93	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CESA MEMBERSHIP-DE LA TORRE	101514-6255 Dues & Memberships	ITK0520A	175.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	NEIGHBORHOOD SVS SUPPLIES	101572-6315	ITK0520A	13.97	MARCH 14		00084017	04/28/2014

**City of Placentia  
Warrant Register  
For 05/29/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoices#	PO #	Check #	Check Date
	V008741		Office Supplies						
MW IP	BANK OF AMERICA V008741	COMMUNITY WORKSHOP SUPPLIES	101572-6315 Office Supplies	ITK0520A	18.01	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	NEIGHBORHOOD SVS SUPPLIES	101572-6315 Office Supplies	ITK0520A	14.57	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	FINANCE OFFICE SUPPLIES	102020-6315 Office Supplies	ITK0520A	54.76	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	AIRFARE CALED CONF-LE	102534-6245 Meetings & Conferences	ITK0520A	154.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	HOTEL CAL CHIEFS-SMITH	103040-6245 Meetings & Conferences	ITK0520A	774.44	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	PD TRAINING REG-PASCARELLA	103040-6250 Staff Training	ITK0520A	190.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	PD TRAINING REG-SMITH	103040-6250 Staff Training	ITK0520A	28.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	INTOXIMETERS REG-GOMEZ	103041-6250 Staff Training	ITK0520A	300.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	FIREARMS REG-DREW	103041-6250 Staff Training	ITK0520A	450.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	MARCH MCV CABLE SVS	103041-6301 Special Department Supplies	ITK0520A	54.99	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	ETHICS TRAINING REG-HICKS	103041-6301 Special Department Supplies	ITK0520A	442.26	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	PD SHIPPING CHARGES	103041-6301 Special Department Supplies	ITK0520A	19.99	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/21 DUI CHECKPOINT SUPPLIES	103041-6301 Special Department Supplies	ITK0520A	7.30	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	3/21 DUI CHECKPOINT SUPPLIES	103041-6301 Special Department Supplies	ITK0520A	116.64	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	K9 DOG FOOD	103041-6301	ITK0520A	135.93	MARCH 14		00084017	04/28/2014

**City of Placentia  
Warrant Register  
For 05/29/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
MW IP	V008741 BANK OF AMERICA V008741	APRIL MCV CABLE SVS	Special Department Supplies 103041-6301	ITK0520A	54.99	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	PD PROPERTY SUPPLIES	Special Department Supplies 103041-6301 / 50085-6301	ITK0520A	27.51	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	KEY DUPLICATION FOR PD	Special Department Supplies 103041-6301 / 50100-6301	ITK0520A	16.20	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	HONOR GUARD UNIFORMS	Special Department Supplies 103041-6360	ITK0520A	353.25	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	PD HELMET-DEAN	Uniforms 103041-6360	ITK0520A	490.49	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	CLEAN SVS PD EXPLORER JACKETS	Uniforms 103041-6360 / 50067-6360	ITK0520A	39.19	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	HOTEL CHIA CONF-REGER	Uniforms 103042-6250	ITK0520A	399.84	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	AB109 REG-URBAN	Staff Training 103042-6250	ITK0520A	90.00	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	911 CARES REG-KUHSE	Staff Training 103043-6250	ITK0520A	110.00	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	911 CARES REG-KUHSE	Staff Training 103043-6250	ITK0520A	220.00	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	DISPATCH COMPUTER MONITORS	Staff Training 103043-6301 / 50080-6301	ITK0520A	466.86	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	DISPATCH COMPUTER MONITORS	Special Department Supplies 103043-6301 / 50080-6301	ITK0520A	1,488.48	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	DISPATCH COMPUTER MONITORS	Special Department Supplies 103043-6301 / 50080-6301	ITK0520A	622.48	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	BARRIER TAPE,SWABS,GUN BOXES	Special Department Supplies 103043-6301 / 50081-6301	ITK0520A	440.25	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	KEY DUPLICATION FOR PD	Special Department Supplies 103043-6301 / 50100-6301	ITK0520A	27.00	MARCH 14		00084017	04/28/2014

**City of Placentia**  
**Warrant Register**  
**For 05/29/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
MW IP	BANK OF AMERICA V008741	CLEAN PD EXPLORER JACKETS	Special Department Supplies 103043-6360 / 50067-6360 Uniforms	ITK0520A	34.52	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	PESTICIDE CERT REG-NAJERA	103550-6245 Meetings & Conferences	ITK0520A	80.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CONCRETE,PATCH CREW SUPPLIES	103652-6301 Special Department Supplies	ITK0520A	43.45	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	GRAFFITI REMOVER	103652-6301 Special Department Supplies	ITK0520A	272.16	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	FAUCET REPAIR SUPPLIES	103655-6130 Repair & Maint/Facilities	ITK0520A	50.69	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CREDIT-PAINT	103655-6130 Repair & Maint/Facilities	ITK0520A	-20.31	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	LIGHTS FOR GYM	103655-6130 Repair & Maint/Facilities	ITK0520A	18.33	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	TRENCHER RENTAL CHARGES	103655-6170 Equipment & Tool Rental	ITK0520A	125.00	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	CREDIT-TRENCHER RENTAL	103655-6170 Equipment & Tool Rental	ITK0520A	-43.58	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	YELLOW STREET PAINT	103655-6301 Special Department Supplies	ITK0520A	30.19	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	BALLFIELD CONDITIONER	103655-6301 Special Department Supplies	ITK0520A	113.98	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	IRRIGATION POWER CORD	103655-6301 Special Department Supplies	ITK0520A	10.77	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	BALLAST & LIGHTS	103655-6301 Special Department Supplies	ITK0520A	494.99	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	RESTROOM REPAIR SUPPLIES	103655-6301 Special Department Supplies	ITK0520A	26.98	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	RESTROOM REPAIR SUPPLIES	103655-6301 Special Department Supplies	ITK0520A	47.34	MARCH 14		00084017	04/28/2014

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MW IP	V008741 BANK OF AMERICA V008741	IRRIGATION SUPPLIES	Special Department Supplies 103655-6301 Special Department Supplies	ITK0520A	72.13	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	CPRS REC STAFF MEALS	104071-6245 Meetings & Conferences	ITK0520A	76.02	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	CPRS REC STAFF MEALS	104071-6245 Meetings & Conferences	ITK0520A	125.43	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	CPRS REC STAFF MEALS	104071-6245 Meetings & Conferences	ITK0520A	135.96	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	BOOM TRUCK RADIO	433658-6301 Special Department Supplies	ITK0520A	53.99	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	CPRS REC STAFF MEALS	104071-6245 Meetings & Conferences	ITK0520A	47.61	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	GAS PUMP TESTING	433658-6345 Gasoline & Diesel Fuel	ITK0520A	860.00	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	P.A.R.K.S SUPPLIES	104071-6301 Special Department Supplies	ITK0520A	18.36	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	P.A.R.K.S SUPPLIES	104071-6301 Special Department Supplies	ITK0520A	28.16	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	P.A.R.K.S SUPPLIES	104071-6301 Special Department Supplies	ITK0520A	2.48	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	P.A.R.K.S SUPPLIES	104071-6301 Special Department Supplies	ITK0520A	10.25	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	P.A.R.K.S SUPPLIES	104071-6301 Special Department Supplies	ITK0520A	129.33	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	SR CENTER SUPPLIES	104071-6301 Special Department Supplies	ITK0520A	67.39	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	SR CENTER SUPPLIES	104071-6301 Special Department Supplies	ITK0520A	123.12	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	P.A.R.K.S SUPPLIES	104071-6301 Special Department Supplies	ITK0520A	33.42	MARCH 14		00084017	04/28/2014

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MW IP	V008741 BANK OF AMERICA V008741	REC MARKETING SUPPLIES	Special Department Supplies 104071-6301 Special Department Supplies	ITK0520A	73.84	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	REC EXCURSION SUPPLIES	104071-6301 Special Department Supplies	ITK0520A	14.07	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	ADULT SPORTS FLYERS	104071-6301 / 79105-6301 Special Department Supplies	ITK0520A	53.60	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	SR CENTER SUPPLIES	104071-6301 / 79278-6301 Special Department Supplies	ITK0520A	23.63	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	MARCH SR CENTER WATER SVS	104071-6301 / 79278-6301 Special Department Supplies	ITK0520A	72.82	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	SR CENTER SUPPLIES	104071-6301 / 79278-6301 Special Department Supplies	ITK0520A	101.93	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	ADULT SPORTS FLYERS	104071-6301 / 79364-6301 Special Department Supplies	ITK0520A	53.60	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	YOUTH SPORTS SUPPLIES	104071-6301 / 79376-6301 Special Department Supplies	ITK0520A	24.99	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	HOTEL NARCO TRAINING-PERRY	213041-6250 Staff Training	ITK0520A	871.90	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	CRIME PREVENTION SUPPLIES	213041-6301 Special Department Supplies	ITK0520A	302.36	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	PD VOLUNTEER RECOGNITION REG	213041-6301 Special Department Supplies	ITK0520A	340.00	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	ELECTRICAL SUPPLIES	286560-6130 Repair & Maint/Facilities	ITK0520A	30.97	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	BALLAST FOR LIGHT REPAIRS	286560-6130 Repair & Maint/Facilities	ITK0520A	90.84	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA V008741	ELECTRICAL SUPPLIES	286560-6130 Repair & Maint/Facilities	ITK0520A	69.02	MARCH 14		00084017	04/28/2014
MW IP	V008741 BANK OF AMERICA	CREDIT-CARD SCANNER	422023-6301	ITK0520A	-431.95	MARCH 14		00084017	04/28/2014

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MW IP	V008741		Special Department Supplies						
MW IP	BANK OF AMERICA V008741	HP CARTRIDGES,FLASHDRIVE	422023-6301 Special Department Supplies	ITK0520A	332.41	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	COMPUTER BAG	422023-6301 Special Department Supplies	ITK0520A	53.99	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	COMMUNITY WORKSHOP SUPPLIES	431010-6301 Special Department Supplies	ITK0520A	13.80	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	BLDG REPAIR SUPPLIES	433654-6130 Repair & Maint/Facilities	ITK0520A	93.18	MARCH 14		00084017	04/28/2014
MW IP	BANK OF AMERICA V008741	GAS LINE REPAIR SUPPLIES	433654-6130 Repair & Maint/Facilities	ITK0520A	291.69	MARCH 14		00084017	04/28/2014
				<b>Vendor Total:</b>	<b>18,214.13</b>				
MW OH	BISHOP CO V000107	PW HAND TOOLS	103652-6301 Special Department Supplies	TK0527A	594.86	375637	P09881	00084053	06/03/2014
				<b>Vendor Total:</b>	<b>594.86</b>				
MW OH	BOULLT, JOY V008980	DEPOSIT REFUND-KRAEMER PARK	100000-4385 Facility Rental	TK0527A	100.00	2000089.002		00084054	06/03/2014
MW OH	BOULLT, JOY V008980	DEPOSIT REFUND-KRAEMER PARK	100000-4385 Facility Rental	TK0527A	30.00	2000101.002		00084054	06/03/2014
				<b>Vendor Total:</b>	<b>130.00</b>				
MW OH	BREA ELECTRIC COMPANY V007990	REPAIR WALKWAY LIGHTS	103652-6301 Special Department Supplies	TK0527A	2,496.33	20776		00084055	06/03/2014
				<b>Vendor Total:</b>	<b>2,496.33</b>				
MW OH	BURKE WILLIAMS & V006247	APRIL LEGAL SERVICES	101005-6005 Legal Services	TK0527A	8,441.95	177319	P08928	00084056	06/03/2014
				<b>Vendor Total:</b>	<b>8,441.95</b>				
MW IP	CALIFORNIA DENTAL V008102	JUNE DENTAL PREMIUMS	395083-5162 Dental Insurance Premiums	ITK0522B	164.42	JUNE 2014		00084020	05/22/2014
MW IP	CALIFORNIA DENTAL	JUNE DENTAL PREMIUMS	395000-4720	ITK0522B	644.40	JUNE 2014		00084020	05/22/2014

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	V008102		ISF Dental Ins Reimbursement						
MW OH	CALIFORNIA FORENSIC V000232	APRIL BLOOD DRAWS	103040-6055 Medical Services	Vendor Total: TK0527A	808.82	1,741.50 04.30.14		00084057	06/03/2014
MW OH	CALIFORNIA HAZARDOUS V007554	DIESEL FUEL DISPOSAL	103652-6285 Hazardous Materials Disposal	Vendor Total: TK0527A	1,741.50	1,050.00 55361		00084058	06/03/2014
MW IP	CALIFORNIA PUBLIC V006234	JUNE MEDICAL PREMIUMS	395083-5161 Health Insurance Premiums	Vendor Total: ITK0522B	1,050.00	13,000.70 10000001429019		00084021	05/22/2014
MW IP	CALIFORNIA PUBLIC V006234	JUNE MEDICAL PREMIUMS	395000-4715 ISF Health Ins Reimbursement	ITK0522B	112,623.10	10000001429019		00084021	05/22/2014
MW OH	CALIFORNIA STATE V004813	P/E 5/10/14 PD DATE 5/16/14	0010-2196 Garnishments W/H	Vendor Total: PY14010	125,623.80	461.53 2700/1401010		00083987	05/16/2014
MW IP	CANON FINANCIAL SERVICE V008867	COPIER LEASE-CITY CLERK	431010-6175 Office Equipment Rental	Vendor Total: ITK0522B	461.53	429.30 13797825	P08966	00084022	05/22/2014
MW IP	CANON FINANCIAL SERVICE V008867	COPIER LEASE-CITY CLERK	374386-6175 Office Equipment Rental	ITK0522B	429.31	13797825	P08966	00084022	05/22/2014
MW IP	CANON FINANCIAL SERVICE V008867	PD FAX LEASE PAYMENT	431010-6175 Office Equipment Rental	ITK0522B	15.09	13757797	P09070	00084022	05/22/2014
MW IP	CANON FINANCIAL SERVICE V008867	PD FAX LEASE PAYMENT	374386-6175 Office Equipment Rental	ITK0522B	15.08	13757797	P09070	00084022	05/22/2014
MW IP	CANON FINANCIAL SERVICE V008867	COPIER LEASE PAYMENT	431010-6175 Office Equipment Rental	ITK0522B	250.00	13757798	P09071	00084022	05/22/2014
MW IP	CANON FINANCIAL SERVICE V008867	COPIER LEASE PAYMENT	374386-6175 Office Equipment Rental	ITK0522B	250.00	13757798	P09071	00084022	05/22/2014
				Vendor Total:	1,388.78				

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MW IP	CANON SOLUTIONS AMERICAV008809	MAY COPIER USAGE	431010-6175 Office Equipment Rental	ITK0522B	343.01	4012869946		00084023	05/22/2014
MW IP	CANON SOLUTIONS AMERICAV008809	MAY COPIER USAGE	431010-6175 Office Equipment Rental	ITK0522B	176.50	4012725211	P09125	00084023	05/22/2014
MW IP	CANON SOLUTIONS AMERICAV008809	JULY COPIER MAINT	431010-6175 Office Equipment Rental	ITK0522B	165.00	4012727833	P09125	00084023	05/22/2014
MW IP	CANON SOLUTIONS AMERICAV008809	MARCH COPIER USAGE	431010-6175 Office Equipment Rental	ITK0522B	109.53	4012624476	P09904	00084023	05/22/2014
MW IP	CANON SOLUTIONS AMERICAV008809	APRIL COPIER USAGE	431010-6175 Office Equipment Rental	ITK0522B	322.85	4012869945	P09904	00084023	05/22/2014
MW OH	CARDENAS, JOEL V002648	JUNE MONTHLY EXPENSES	103650-5001 Salaries/Full-Time Regular	<b>Vendor Total:</b> TK0527A	<b>1,116.89</b> 50.00	JUNE 14		00084059	06/03/2014
MW OH	CARL WARREN & CO V008011	MAY 3RD PARTY LIABILITY	CLAIMS404582-6025 Third Party Administration	<b>Vendor Total:</b> TK0527A	<b>50.00</b> 1,481.00	1591160	P09119	00084060	06/03/2014
MW IP	CBE V008124	APRIL COPIER USAGE-ADMIN	431010-6175 Office Equipment Rental	<b>Vendor Total:</b> ITK0522B	<b>1,481.00</b> 184.39	INI1590275		00084024	05/22/2014
MW IP	CBE V008124	APRIL COPIER USAGE-REC	431010-6175 Office Equipment Rental	ITK0522B	409.19	INI1590276		00084024	05/22/2014
MW OH	CDW GOVERNMENT INC V003755	IPAD	422023-6840 Machinery & Equipment	<b>Vendor Total:</b> TK0527A	<b>593.58</b> 653.20	LN62529		00084061	06/03/2014
MW OH	CDW GOVERNMENT INC V003755	IPAD,USB,CASE,MOUSE	333523-6899 / 30013-6899 Other Capital Outlay	TK0527A	1,237.40	LN62529		00084061	06/03/2014
MW OH	CDW GOVERNMENT INC V003755	LEATHER IPAD CASE	422023-6301 Special Department Supplies	TK0527A	259.20	LN81543		00084061	06/03/2014
MW OH	CDW GOVERNMENT INC	APC REPLACEMENT BATTERY	333523-6840 / 30016-6840	TK0527A	340.20	LL69298	P10203	00084061	06/03/2014

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MW OH	V003755		Machinery & Equipment					
MW OH	CDW GOVERNMENT INC V003755	CISCO SWITCH	333523-6840 / 30016-6840 Machinery & Equipment	TK0527A	5,670.00 LM32685	P10203	00084061	06/03/2014
MW OH	CDW GOVERNMENT INC V003755	SONICWALL DELL NETWORK	333523-6840 / 30016-6840 Machinery & Equipment	TK0527A	1,463.40 LM96329	P10203	00084061	06/03/2014
MW OH	CDW GOVERNMENT INC V003755	ADOBE, MICROSOFT OFFICE	333523-6899 Other Capital Outlay	TK0527A	334.76 LQ4766	P10212	00084061	06/03/2014
MW OH	CDW GOVERNMENT INC V003755	STANDARD OFFICE LICENSE	422023-6136 Software Maintenance	TK0527A	2,451.70 LR50858	P10219	00084061	06/03/2014
				<b>Vendor Total:</b>	<b>12,409.86</b>			
MW OH	CITY OF BREA V000125	BUSINESS CARDS-GREEN	431010-6230 Printing & Binding	TK0527A	24.87 6-1827		00084062	06/03/2014
MW OH	CITY OF BREA V000125	PW BUSINESS CARDS	103550-6230 Printing & Binding	TK0527A	80.83 6-1830		00084062	06/03/2014
MW OH	CITY OF BREA V000125	PW BUSINESS CARDS	103650-6315 Office Supplies	TK0527A	13.88 6-1830		00084062	06/03/2014
				<b>Vendor Total:</b>	<b>119.58</b>			
MW OH	CITY OF LA HABRA V000600	4TH QTR COURT LIAISON SVS	103043-6290 Dept. Contract Services	TK0527A	6,517.75 LH 14-304-AR	P08919	00084063	06/03/2014
				<b>Vendor Total:</b>	<b>6,517.75</b>			
MW OH	CLARENCE, CHRISTY V009397	DEPOSIT REFUND-TYNES GYM	100000-4385 / 79191-4385 Facility Rental	TK0527A	100.00 92303		00084064	06/03/2014
				<b>Vendor Total:</b>	<b>100.00</b>			
MW OH	CLEAN CITY V007411	APRIL GRAFFITI REMOVAL	103652-6290 Dept. Contract Services	TK0527A	19,273.00 682	P09090	00084065	06/03/2014
				<b>Vendor Total:</b>	<b>19,273.00</b>			
MW OH	COLOSO, DORIS V009365	DEPOSIT REFUND-GOMEZ	100000-4385 / 79168-4385 Facility Rental	TK0527A	100.00 92311		00084066	06/03/2014
				<b>Vendor Total:</b>	<b>100.00</b>			

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MW OH	COMMERCIAL AQUATIC V005203	APR WHITTEN POOL CHEMICAL SVS	433654-6137 Repair Maint/Equipment	TK0527A	884.85	114-0917		00084067	06/03/2014
MW OH	COMMERCIAL AQUATIC V005203	MAY WHITTEN POOL CHEMICAL SVS	433654-6137 Repair Maint/Equipment	TK0527A	437.18	114-1120		00084067	06/03/2014
MW OH	COMMERCIAL AQUATIC V005203	MAY GOMEZ POOL CHEMICAL SVS	433654-6137 Repair Maint/Equipment	TK0527A	423.52	114-1121		00084067	06/03/2014
		<b>Vendor Total:</b>			<b>1,745.55</b>				
MW OH	COMMUNITY SENIOR SERV V008148	APR KITCHEN SUPERVISOR SVS	104071-6099 / 79278-6099 Other Professional Services	TK0527A	816.77	0007209-IN	P09646	00084068	06/03/2014
		<b>Vendor Total:</b>			<b>816.77</b>				
MW OH	COPYINC CORPORATION V009398	CASE 14-1257 COPY SVS	103042-6299 Other Purchased Services	TK0527A	84.23	226685		00084069	06/03/2014
		<b>Vendor Total:</b>			<b>84.23</b>				
MW OH	COUNTRY CARE PET RESOR V004422	MAY K9 BOARDING-HABO	103041-6301 Special Department Supplies	TK0527A	112.00	0646		00084070	06/03/2014
		<b>Vendor Total:</b>			<b>112.00</b>				
MW OH	COUNTY OF ORANGE V007152	APRIL OCATS SERVICES	103043-6299 Other Purchased Services	TK0527A	784.00	SH36362	P08923	00084072	06/03/2014
MW OH	COUNTY OF ORANGE V007152	4TH QTR OSCD/COMMUNICATIONS	103043-6137 Repair Maint/Equipment	TK0527A	8,040.00	SC07827	P10214	00084071	06/03/2014
MW OH	COUNTY OF ORANGE V007152	3RD QTR 800 MHZ BILLING	103043-6137 Repair Maint/Equipment	TK0527A	5,005.64	SC07784	P10240	00084071	06/03/2014
		<b>Vendor Total:</b>			<b>13,829.64</b>				
MW OH	DALEY & HEFT ATTORNEYS V005914	LEGAL SERVICES	404582-6006 / 10014-6006 Litigation	TK0527B	592.00	42491	P10232	00084073	06/03/2014
MW OH	DALEY & HEFT ATTORNEYS V005914	APRIL LEGAL SERVICES	404582-6006 / 10014-6006 Litigation	TK0527B	1,924.00	42826	P10232	00084073	06/03/2014
MW OH	DALEY & HEFT ATTORNEYS V005914	MAY LEGAL SERVICES	404582-6006 / 10014-6006 Litigation	TK0527B	5,244.15	43054	P10232	00084073	06/03/2014

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MW IP	DATA TICKET INC. V006119	DEC AR COLLECTIONS	102020-6099 Other Professional Services	<b>Vendor Total:</b> ITK0522B	7,760.15 21.00 51133		00084025	05/22/2014
MW IP	DATA TICKET INC. V006119	MARCH AR COLLECTIONS	102020-6099 Other Professional Services	ITK0522B	18.75 52901		00084025	05/22/2014
MW OH	DE LA PAZ, SHARLYN V009396	JUNE MONTHLY EXPENSES	103040-5001 Salaries/Full-Time Regular	<b>Vendor Total:</b> TK0527B	39.75 50.00 JUNE 14		00084074	06/03/2014
MW OH	DE LA TORRE, EDUARDO V003527	JUNE MONTHLY EXPENSES	101514-5001 Salaries/Full-Time Regular	<b>Vendor Total:</b> TK0527B	50.00 20.00 JUNE 14		00084075	06/03/2014
MW OH	DE LA TORRE, EDUARDO V003527	JUNE MONTHLY EXPENSES	374386-5001 Salaries/Full-Time Regular	TK0527B	25.00 JUNE 14		00084075	06/03/2014
MW OH	DE LA TORRE, EDUARDO V003527	JUNE MONTHLY EXPENSES	101511-5001 Salaries/Full-Time Regular	TK0527B	5.00 JUNE 14		00084075	06/03/2014
MW OH	DELL MARKETING L.P. V000301	REPLACEMENT COMPUTERS	422023-6840 Machinery & Equipment	<b>Vendor Total:</b> TK0527B	50.00 8,270.81 XJDIPR5N3	P10211	00084076	06/03/2014
MW OH	DELL MARKETING L.P. V000301	REPLACEMENT COMPUTERS	422023-6840 Machinery & Equipment	TK0527B	3,817.20 XJDDMMFTJ5	P10221	00084076	06/03/2014
MW OH	DEPARTMENT OF JUSTICE V000213	APRIL LIVESCAN SERVICES	0044-2054 FBI Livescan	<b>Vendor Total:</b> TK0527B	12,088.01 85.00 032450		00084077	06/03/2014
MW OH	DEPARTMENT OF JUSTICE V000213	APRIL LIVESCAN SERVICES	0044-2053 DOJ Livescan	TK0527B	224.00 032450		00084077	06/03/2014
MW OH	DEPARTMENT OF JUSTICE V000213	APRIL LIVESCAN SERVICES	101512-6099 Other Professional Services	TK0527B	128.00 032450		00084077	06/03/2014
MW OH	DFS FLOORING INC	APRIL CARPET CLEANING	433654-6130	<b>Vendor Total:</b> TK0527B	437.00 605.00 300098-107	P08974	00084078	06/03/2014

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	V000099		Repair & Maint/Facilities					
MW OH	DRABEK, GARY V004197	APR RESERVE OFFICER STIPEND	103041-5005 / 50065-5005 Salaries/Part-Time	Vendor Total: TK0527B	605.00 200.00 APRIL 14	P08873	00084079	06/03/2014
MW OH	DUDEK & ASSOCIATES INC V004114	APR ENGINEERING SVS: SEWER	STO484356-6017 Special Studies	Vendor Total: TK0527B	200.00 488.04 20141792	P10054	00084080	06/03/2014
MW OH	DUDEK & ASSOCIATES INC V004114	MAR RFP PREP SVS: SEWER MASTER	333556-6017 / 6108570024-6017 Special Studies	TK0527B	2,842.50 20141543	P10189	00084080	06/03/2014
MW OH	DUDEK & ASSOCIATES INC V004114	MAR ENGINEERING SVS: SEWER REH	484376-6120 R & M/Sewer & Storm Drain	TK0527B	1,657.50 20141544	P10217	00084080	06/03/2014
MW IP	EMPLOYMENT V000203	JAN-MAR UNEMPLOYMENT SVS	404581-5155 Employee Insurance Claims	Vendor Total: ITK0522B	4,988.04 11,411.00 L1858522688		00084026	05/22/2014
MW OH	ENCORE LIGHTING V009399	3 PARK LIGHT POLES	103655-6130 Repair & Maint/Facilities	Vendor Total: TK0527B	11,411.00 640.06 38099		00084081	06/03/2014
MW OH	EXPRESS EMPLOYMENT V009055	4/21-5/1 PW VEHICLE MAINT SVS	433658-6290 Dept. Contract Services	Vendor Total: TK0527B	640.06 2,439.68 14057141-5	P09971	00084082	06/03/2014
MW OH	FAIRWAY FORD V000376	VEHICLE REPAIR	433658-6134 Vehicle Repair & Maintenance	Vendor Total: TK0527B	2,439.68 300.41 11175		00084083	06/03/2014
MW OH	FAIRWAY FORD V000376	VEHICLE REPAIR PARTS	433658-6134 Vehicle Repair & Maintenance	TK0527B	33.51 196652		00084083	06/03/2014
MW OH	FAIRWAY FORD V000376	VEHICLE REPAIR PARTS	433658-6134 Vehicle Repair & Maintenance	TK0527B	92.45 196682		00084083	06/03/2014
MW OH	FAIRWAY FORD V000376	CREDIT-VEHICLE PARTS	433658-6134 Vehicle Repair & Maintenance	TK0527B	-92.45 196843		00084083	06/03/2014

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MW OH	FAIRWAY FORD V000376	VEHICLE REPAIR PARTS	433658-6134 Vehicle Repair & Maintenance	TK0527B	76.42	196885		00084083	06/03/2014
MW OH	FAIRWAY FORD V000376	VEHICLE REPAIR PARTS	433658-6134 Vehicle Repair & Maintenance	TK0527B	35.83	197306		00084083	06/03/2014
MW OH	FAIRWAY FORD V000376	VEHICLE REPAIR	433658-6134 Vehicle Repair & Maintenance	TK0527B	133.02	C67009		00084083	06/03/2014
			<b>Vendor Total:</b>		<b>579.19</b>				
MW IP	FEDEX V000394	SHIPPING CHARGES	102020-6325 Postage	ITK0522B	24.70	2-634-32526		00084027	05/22/2014
MW OH	FERGUSON PRAET & V000396	FEB LEGAL SERVICES	404582-6006 / 10031-6006 Litigation	TK0527B	566.37	17996		00084084	06/03/2014
			<b>Vendor Total:</b>		<b>24.70</b>				
MW IP	FIDELITY SECURITY LIFE V008132	MAY VISION INSURANCE	395000-4740 ISF Employee Optical Costs	ITK51514A	1,714.00	7765847		00083998	05/15/2014
MW IP	FIDELITY SECURITY LIFE V008132	MAY VISION INSURANCE	395083-5164 Optical Insurance Premiums	ITK51514A	1,078.05	7765847		00083998	05/15/2014
			<b>Vendor Total:</b>		<b>566.37</b>				
MW OH	FIS V008518	APR BUSINESS LICENSE INTERCHANI	02021-6025 Third Party Administration	TK0527B	22.66	34259893	P10159	00084085	06/03/2014
			<b>Vendor Total:</b>		<b>2,792.05</b>				
MW OH	GALLS/QUARTERMASTER V000438	PD UNIFORMS	103041-6360 / 50040-6360 Uniforms	TK0527B	205.18	BC0034695		00084086	06/03/2014
MW OH	GALLS/QUARTERMASTER V000438	PD UNIFORMS	103041-6360 / 50048-6360 Uniforms	TK0527B	40.99	BC0043267		00084086	06/03/2014
MW OH	GALLS/QUARTERMASTER V000438	PD UNIFORMS	103041-6360 / 50048-6360 Uniforms	TK0527B	8.63	BC0043562		00084086	06/03/2014
			<b>Vendor Total:</b>		<b>254.80</b>				
MW OH	GALVIN PRESERVATION	APR ENVIRONMENTAL DOC PREP	103550-6015	TK0527B	1,231.10	140513-967		00084087	06/03/2014

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	V007957		Engineering Services					
MW OH	GARCIA, ESMERALDA V009400	DEPOSIT REFUND-WHITTEN	10000-4385 Facility Rental	<b>Vendor Total:</b> TK0527B	<b>1,231.10</b> 150.00 2000091.002		00084088	06/03/2014
MW IP	GAS CO, THE V000909	MARCH-APRIL GAS CHARGES	431010-6340 Natural Gas	<b>Vendor Total:</b> ITK51514A	<b>150.00</b> 71.70 043014		00083999	05/15/2014
MW IP	GE CAPITAL V008085	MAY COPIER LEASE-ADMIN	374386-6175 Office Equipment Rental	<b>Vendor Total:</b> ITK0522B	<b>71.70</b> 164.58 60604968	P08896	00084028	05/22/2014
MW IP	GE CAPITAL V008085	MAY COPIER LEASE-ADMIN	431010-6175 Office Equipment Rental	ITK0522B	164.58 60604968	P08896	00084028	05/22/2014
MW IP	GE CAPITAL V008085	MAY COPIER LEASE-REC	431010-6175 Office Equipment Rental	ITK0522B	145.03 60606496	P08897	00084028	05/22/2014
MW IP	GE CAPITAL V008085	MAY COPIER LEASE-REC	374386-6175 Office Equipment Rental	ITK0522B	145.03 60606496	P08897	00084028	05/22/2014
MW IP	GOLDEN STATE WATER V000928	MARCH-MAY WATER CHARGES	296561-6335 Water	<b>Vendor Total:</b> ITK51514A	<b>619.22</b> 7,814.29 050814		00084000	05/15/2014
MW IP	GOLDEN STATE WATER V000928	MARCH-MAY WATER CHARGES	431010-6335 Water	ITK51514A	14,881.58 050814		00084000	05/15/2014
MW IP	GOLDEN STATE WATER V000928	JAN-MAY WATER CHARGES	431010-6335 Water	ITK0522B	395.35 051214		00084029	05/22/2014
MW IP	GOLDEN STATE WATER V000928	JAN-MAY WATER CHARGES	296561-6335 Water	ITK0522B	3,614.63 051214		00084029	05/22/2014
MW OH	GONSALVES & SON, JOE V005577	JUNE LEGISLATIVE SERVICES	101001-6099 Other Professional Services	<b>Vendor Total:</b> TK0527B	<b>26,705.85</b> 4,000.00 24485	P09059	00084089	06/03/2014
				<b>Vendor Total:</b>	<b>4,000.00</b>			

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MW OH	GREAT WEST V006983	P/E 5/10/14 PD DATE 5/16/14	0029-2172 Deferred Comp Pay. - Gr West	PY14010	16.90	2607/1401010		00083988	05/16/2014
MW OH	GREAT WEST V006983	P/E 5/10/14 PD DATE 5/16/14	0048-2172 Deferred Comp Pay. - Gr West	PY14010	42.23	2607/1401010		00083988	05/16/2014
MW OH	GREAT WEST V006983	P/E 5/10/14 PD DATE 5/16/14	0010-2172 Deferred Comp Pay. - Gr West	PY14010	567.78	2607/1401010		00083988	05/16/2014
			<b>Vendor Total:</b>		<b>626.91</b>				
MW OH	GREENLEAF, KEN V007756	K9 TRAINING-MENELY	213041-6250 Staff Training	TK0527B	300.00	2057		00084090	06/03/2014
MW OH	HENDRICKSON, ERIC V007376	JUNE MONTHLY EXPENSES	102021-5001 Salaries/Full-Time Regular	TK0527B	50.00	JUNE 14		00084091	06/03/2014
			<b>Vendor Total:</b>		<b>300.00</b>				
MW OH	HENSEL DIVERSIFIED V007413	HOUSING REHAB 161	302535-6401 Community Programs	TK0527B	50.00		P10208	00084092	06/03/2014
			<b>Vendor Total:</b>		<b>50.00</b>				
MW OH	HI-WAY SAFETY RENTALS V000459	TRAFFIC SIGNS	103652-6310 Street Signs	TK0527B	526.18	16048		00084093	06/03/2014
MW OH	HI-WAY SAFETY RENTALS V000459	TRAFFIC CONES	103652-6310 Street Signs	TK0527B	1,924.56	16127		00084093	06/03/2014
MW OH	HI-WAY SAFETY RENTALS V000459	TRAFFIC POST ANCHORS	103652-6310 Street Signs	TK0527B	1,354.32	17130		00084093	06/03/2014
			<b>Vendor Total:</b>		<b>3,805.06</b>				
MW OH	HINDERLITER DE LLAMAS & TH QTR SALES TAX SVS V000465		102021-6099 Other Professional Services	TK0527B	3,447.33	0022177-IN		00084094	06/03/2014
			<b>Vendor Total:</b>		<b>3,447.33</b>				
MW OH	HONEYWELL V001388	HVAC MAINTENANCE	433654-6290 Dept. Contract Services	TK0527B	457.32	5228945326	P09051	00084095	06/03/2014
			<b>Vendor Total:</b>		<b>457.32</b>				

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MW OH	IMPERIAL SPRINKLER V006506	IRRIGATION SUPPLIES	103655-6301 Special Department Supplies	TK0527B	150.15	1976914-00		00084096	06/03/2014
MW OH	IMPERIAL SPRINKLER V006506	IRRIGATION SUPPLIES	103655-6301 Special Department Supplies	TK0527B	170.58	1978909-00		00084096	06/03/2014
			<b>Vendor Total:</b>		<b>320.73</b>				
MW IP	J H DOUGLAS & ASSOCIATES V007589	PLANNING SVS-COLLEGETOWN EIR	431010-6999 Other Expenditure	ITK0522B	3,000.00	043014	P10236	00084030	05/22/2014
MW IP	J H DOUGLAS & ASSOCIATES V007589	PLANNING SVS-BILLBOARD CEQA	431010-6999 Other Expenditure	ITK0522B	12,875.40	033114	P10237	00084030	05/22/2014
			<b>Vendor Total:</b>		<b>15,875.40</b>				
MW OH	JOHN L HUNTER & V008757	APRIL NPDES SERVICES	103550-6290 Dept. Contract Services	TK0527B	5,010.00	PLANPO414	P10139	00084097	06/03/2014
			<b>Vendor Total:</b>		<b>5,010.00</b>				
MW IP	KEY GOVERNMENT FINANCE V007864	PHONE SYSTEM LEASE	333523-6840 / 30016-6840 Machinery & Equipment	ITK0522B	3,000.92	153495001406	P08961	00084031	05/22/2014
			<b>Vendor Total:</b>		<b>3,000.92</b>				
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS	103041-6360 / 50045-6360 Uniforms	TK0527B	140.40	3336		00084098	06/03/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS	103041-6360 / 50040-6360 Uniforms	TK0527B	290.52	3336		00084098	06/03/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS	103041-6360 / 50045-6360 Uniforms	TK0527B	506.31	3491		00084098	06/03/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS	103041-6360 / 50055-6360 Uniforms	TK0527B	51.83	3532		00084098	06/03/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS	103042-6360 / 50070-6360 Uniforms	TK0527B	152.93	3560		00084098	06/03/2014
			<b>Vendor Total:</b>		<b>1,141.99</b>				
MW OH	KNOWLES-MCNIFF INC V000558	APRIL SOFTWARE MAINT	422023-6136 Software Maintenance	TK0527B	1,795.50	INV90661		00084099	06/03/2014

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MW OH	KOSMONT COMPANIES V006131	MARCH REAL ESTATE ADVISORY	540000-6001 Management Consulting Services	Vendor Total: TK0527B	1,795.50 6,649.18 0039	P10225	00084100	06/03/2014
MW OH	LANE, WILLIAM V009401	CLASS REFUND	100000-4340 / 79340-4340 Recreation Programs	Vendor Total: TK0527B	6,649.18 62.00 2000098-002		00084101	06/03/2014
MW OH	LE-NGUYEN, MAGGIE V007345	JUNE MONTHLY EXPENSES	102021-5001 Salaries/Full-Time Regular	Vendor Total: TK0527B	62.00 50.00 JUNE 14		00084102	06/03/2014
MW IP	LEGAL SHIELD V008104	MAY LEGAL SERVICES	0048-2192 Police Legal Services	Vendor Total: ITK51514A	50.00 26.03 51414Z		00084001	05/15/2014
MW IP	LEGAL SHIELD V008104	MAY LEGAL SERVICES	0029-2192 Police Legal Services	ITK51514A	6.59 51414Z		00084001	05/15/2014
MW IP	LEGAL SHIELD V008104	MAY LEGAL SERVICES	0037-2192 Police Legal Services	ITK51514A	14.94 51414Z		00084001	05/15/2014
MW IP	LEGAL SHIELD V008104	MAY LEGAL SERVICES	0043-2192 Police Legal Services	ITK51514A	14.96 51414Z		00084001	05/15/2014
MW IP	LEGAL SHIELD V008104	MAY LEGAL SERVICES	0010-2192 Police Legal Services	ITK51514A	408.68 51414Z		00084001	05/15/2014
MW OH	LIEBERT CASSIDY V000597	JAN LEGAL SERVICES	404582-6006 / 10035-6006 Litigation	Vendor Total: TK0527B	471.20 17,302.11 176540	P10209	00084103	06/03/2014
MW OH	LIEBERT CASSIDY V000597	MARCH LEGAL SERVICES	404582-6006 / 10035-6006 Litigation	TK0527B	7,622.05 178943	P10228	00084103	06/03/2014
MW OH	LILLEY PLANNING GROUP V008540	4/14-25 BLDG OFFICIAL SVS	102532-6290 Dept. Contract Services	Vendor Total: TK0527B	24,924.16 3,468.00 PLA142	P09113	00084104	06/03/2014
MW OH	LILLEY PLANNING GROUP	4/14-25 BLDG INSPECTION SVS	102532-6045	TK0527B	1,920.00 PLA142	P09113	00084104	06/03/2014

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	V008540		Building Inspection Services					
				<b>Vendor Total:</b>	<b>5,388.00</b>			
MW OH	LOR GEOTECHNICAL GROUP	PAPER COMPACTION TESTING	333552-6185 / 6105640155-6185 Construction Services	TK0527B	1,375.20 15124	P09806	00084105	06/03/2014
	V008473							
				<b>Vendor Total:</b>	<b>1,375.20</b>			
MW IP	MAILFINANCE	FEB-MAY POSTAGE MACHINE LEASE	31010-6325 Postage	ITK0522B	1,174.59 H4649222		00084032	05/22/2014
	V008685							
				<b>Vendor Total:</b>	<b>1,174.59</b>			
MW OH	MAKE IT PERSONAL	NAME BADGE-NELSON	101001-6301 Special Department Supplies	TK0427C	10.34 650348		00084106	06/03/2014
	V000646							
				<b>Vendor Total:</b>	<b>10.34</b>			
MW OH	MAKOWSKI, ROBERT	JUNE MONTHLY EXPENSES	103041-5001 Salaries/Full-Time Regular	TK0427C	42.50 JUNE 14		00084107	06/03/2014
	V005712							
				<b>Vendor Total:</b>	<b>42.50</b>			
MW OH	MAKOWSKI, ROBERT	JUNE MONTHLY EXPENSES	374386-5001 Salaries/Full-Time Regular	TK0427C	7.50 JUNE 14		00084107	06/03/2014
	V005712							
				<b>Vendor Total:</b>	<b>7.50</b>			
MW OH	MANAGEMENT PARTNERS	3/5-13 INTERIM MGMT SVS	101511-6001 Management Consulting Services	TK0427C	6,914.87 INV01032	P10223	00084108	06/03/2014
	V008226							
				<b>Vendor Total:</b>	<b>50.00</b>			
MW OH	MANAGEMENT PARTNERS	3/16-31 INTERIM MGMT SVS	101511-6001 Management Consulting Services	TK0427C	7,016.12 INV01062	P10223	00084108	06/03/2014
	V008226							
				<b>Vendor Total:</b>	<b>6,780.84</b>			
MW OH	MANAGEMENT PARTNERS	4/1-16 INTERIM MGMT SVS	101511-6001 Management Consulting Services	TK0427C	6,780.84 INV01097	P10223	00084108	06/03/2014
	V008226							
				<b>Vendor Total:</b>	<b>20,711.83</b>			
MW OH	MARIPOSA LANDSCAPES INC	LANDSCAPE MATERIALS/SVS	296561-6130 Repair & Maint/Facilities	TK0427C	11,811.00 64175	P10192	00084109	06/03/2014
	V000647							
				<b>Vendor Total:</b>	<b>7,099.50</b>			
MW OH	MARIPOSA LANDSCAPES INC	APRIL LANDSCAPE MAINT	296561-6115 Landscaping	TK0427C	7,099.50 63923	P10194	00084109	06/03/2014
	V000647							
				<b>Vendor Total:</b>	<b>41,247.78</b>			
MW OH	MARIPOSA LANDSCAPES INC	APRIL LANDSCAPE MAINT	103655-6115 Landscaping	TK0427C	41,247.78 63924	P10194	00084109	06/03/2014
	V000647							

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MW OH	MARIPOSA LANDSCAPES INC V000647	LANDSCAPE MAINT-LIBRARY	0010-1220 Accts Rec/Plac Library Dist	TK0427C	1,452.49 63924	P10194	00084109	06/03/2014
MW OH	MARTINEZ, STEVE V0006490	APRIL RESERVE OFFICER STIPEND	103041-5005 / 50065-5005 Salaries/Part-Time	<b>Vendor Total:</b> TK0427C	<b>61,610.77</b> 200.00 APRIL 14	P08874	00084110	06/03/2014
MW OH	MATHIS GROUP V009222	MARCH CONSULTING SVCS	101511-6001 Management Consulting Services	<b>Vendor Total:</b> TK0427C	<b>200.00</b> 750.00 15979	P10224	00084111	06/03/2014
MW OH	MATHIS GROUP V009222	MARCH-APRIL CONSULTING SVCS	101511-6001 Management Consulting Services	TK0427C	2,097.50 16002	P10224	00084111	06/03/2014
MW OH	MATHIS GROUP V009222	APRIL CONSULTING SVCS	101511-6001 Management Consulting Services	TK0427C	1,160.00 16019	P10224	00084111	06/03/2014
MW OH	MC FADDEN-DALE V000635	PW PARTS	433658-6301 Special Department Supplies	<b>Vendor Total:</b> TK0427C	<b>4,007.50</b> 77.76 141124/5		00084112	06/03/2014
MW OH	MC FADDEN-DALE V000635	PW PARTS	433658-6301 Special Department Supplies	TK0427C	14.85 148611/5		00084112	06/03/2014
MW OH	MC FADDEN-DALE V000635	PW PARTS	433658-6301 Special Department Supplies	TK0427C	15.91 149611/5		00084112	06/03/2014
MW OH	MC FADDEN-DALE V000635	PW PARTS	433658-6301 Special Department Supplies	TK0427C	16.42 149737/5		00084112	06/03/2014
MW OH	MCCONAHA, MICHAEL V002517	JUNE MONTHLY EXPENSES	103550-5001 Salaries/Full-Time Regular	<b>Vendor Total:</b> TK0427C	<b>124.94</b> 50.00 JUNE 14		00084113	06/03/2014
MW IP	MIDAMERICA V008972	1ST QTR 401A PROCESSING FEE	395083-6025 Third Party Administration	<b>Vendor Total:</b> ITK0522B	<b>50.00</b> 150.00 4227		00084033	05/22/2014
MW OH	NGUYEN, MICHAEL	JUNE MONTHLY EXPENSES	102021-5001	<b>Vendor Total:</b> TK0427C	<b>150.00</b> 50.00 JUNE 14		00084114	06/03/2014

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	V005291		Salaries/Full-Time Regular					
MW IP	NICKEY PETROLEUM V000696	CITY GASOLINE	433658-6345 Gasoline & Diesel Fuel	Vendor Total: ITK51514A	50.00 30,028.01 312286	P10196	00084002	05/15/2014
MW OH	NICKS, JONATHAN V004909	JUNE MONTHLY EXPENSES	104070-5001 Salaries/Full-Time Regular	Vendor Total: TK0427C	50.00 50.00 JUNE 14		00084115	06/03/2014
MW OH	OC PLUMBING V004312	EMERGENCY PLUMBING SVS	433654-6130 Repair & Maint/Facilities	Vendor Total: TK0427C	50.00 128.50 13891		00084116	06/03/2014
MW OH	OCCMA V009402	6/4 PLANNING MTG-ARRULA	102534-6245 Meetings & Conferences	Vendor Total: TK0427C	128.50 40.00 051214		00084117	06/03/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	101512-6315 Office Supplies	Vendor Total: TK0427C	40.00 64.85 045984I		00084118	06/03/2014
MW IP	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	102020-6315 Office Supplies	ITK0522B	354.45 045996I		00084034	05/22/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	101512-6315 Office Supplies	TK0427C	3.23 046008I		00084118	06/03/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	101572-6315 Office Supplies	TK0427C	110.15 046018I		00084118	06/03/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	101572-6315 Office Supplies	TK0427C	7.55 046039I		00084118	06/03/2014
MW IP	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	102020-6315 Office Supplies	ITK0522B	64.36 046106I		00084034	05/22/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	101512-6315 Office Supplies	TK0427C	121.79 046181I		00084118	06/03/2014
MW OH	OFFICE INDUSTRIES	OFFICE SUPPLIES	101511-6315	TK0427C	49.49 045818I	P08959	00084118	06/03/2014

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	V007477		Office Supplies						
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	101511-6315 Office Supplies	TK0427C	43.29	0461461	P08959	00084118	06/03/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	101511-6315 Office Supplies	TK0427C	32.34	0461771	P08959	00084118	06/03/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	104070-6315 Office Supplies	TK0427C	329.94	045654	P09560	00084118	06/03/2014
MW OH	OFFICE INDUSTRIES V007477	RECYCLED PAPER	374386-6315 Office Supplies	TK0427C	244.13	045954	P09977	00084118	06/03/2014
MW OH	OFFICE INDUSTRIES V007477	RECYCLED PAPER	374386-6315 Office Supplies	TK0427C	244.13	046010	P09977	00084118	06/03/2014
MW OH	OFFICE INDUSTRIES V007477	RECYCLED PAPER	374386-6315 Office Supplies	TK0427C	195.31	046072	P09977	00084118	06/03/2014
				<b>Vendor Total:</b>	<b>1,865.01</b>				
MW OH	ONWARD ENGINEERING V008092	APR CONSTRUCTION MGMT	33552-6185 / 6102040017-6185 Construction Services	TK0427C	11,385.00	2523	P09635	00084119	06/03/2014
				<b>Vendor Total:</b>	<b>11,385.00</b>				
MW OH	ORANGE COUNTY V000699	P/E 5/10/14 PD DATE 5/16/14	0048-2176 PCEA/OCEA Assoc Dues	PY14010	18.77	2610/1401010		00083989	05/16/2014
MW OH	ORANGE COUNTY V000699	P/E 5/10/14 PD DATE 5/16/14	0037-2176 PCEA/OCEA Assoc Dues	PY14010	5.77	2610/1401010		00083989	05/16/2014
MW OH	ORANGE COUNTY V000699	P/E 5/10/14 PD DATE 5/16/14	0043-2176 PCEA/OCEA Assoc Dues	PY14010	19.24	2610/1401010		00083989	05/16/2014
MW OH	ORANGE COUNTY V000699	P/E 5/10/14 PD DATE 5/16/14	0010-2176 PCEA/OCEA Assoc Dues	PY14010	226.56	2610/1401010		00083989	05/16/2014
MW OH	ORANGE COUNTY V000699	P/E 5/10/14 PD DATE 5/16/14	0029-2176 PCEA/OCEA Assoc Dues	PY14010	8.64	2610/1401010		00083989	05/16/2014
				<b>Vendor Total:</b>	<b>278.98</b>				
MW OH	ORANGE COUNTY HONDA	MOTORCYCLE REPAIRS	433658-6290	TK0427C	681.58	78189		00084120	06/03/2014

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MW OH	V008818	ORANGE COUNTY HONDA MOTORCYCLE REPAIRS	Dept. Contract Services 433658-6290	TK0427C	174.40	78206		00084120	06/03/2014
MW IP	V003211	ORANGE COUNTY REGISTER APRIL LEGAL ADVERTISING	Dept. Contract Services 101002-6225 Advertising/Promotional	<b>Vendor Total:</b> ITK0522B	<b>855.98</b> 222.76	05152014		00084035	05/22/2014
MW OH	V000698	ORANGE COUNTY 3RD QTR FOG INSPECTIONS	484356-6099 Other Professional Services	<b>Vendor Total:</b> TK0427C	<b>222.76</b> 661.18	49006	P09181	00084121	06/03/2014
MW IP	V007306	ORANGE COUNTY APRIL PARKING CITATIONS	0044-2038 Parking Fines	<b>Vendor Total:</b> ITK0522B	<b>661.18</b> 7,575.00	51914		00084036	05/22/2014
MW OH	V007724	ORTEGA, JEANETTE JUNE MONTHLY EXPENSES	101572-5001 Salaries/Full-Time Regular	<b>Vendor Total:</b> TK0427C	<b>7,575.00</b> 50.00	JUNE 14		00084122	06/03/2014
MW OH	V007933	PADILLA, ANA MARIA DEPOSIT REFUND-KRAEMER	100000-4385 Facility Rental	<b>Vendor Total:</b> TK0427C	<b>50.00</b> 100.00	2000090.002		00084123	06/03/2014
MW OH	V006676	PAINT YOUR HEART OUT HOUSING REHAB: 533 RAMONA	302535-6401 Community Programs	<b>Vendor Total:</b> TK0427C	<b>100.00</b> 5,000.00	2014-13	P09611	00084124	06/03/2014
MW IP	V006999	PARS MAY TRUST ADMIN SVS	395083-6025 Third Party Administration	<b>Vendor Total:</b> ITK0522B	<b>5,000.00</b> 400.00	28775		00084037	05/22/2014
MW OH	V009406	PATTERSON MEDICAL FIRST AID SUPPLIES	104071-6301 Special Department Supplies	<b>Vendor Total:</b> TK0427C	<b>400.00</b> 576.07	41805134		00084125	06/03/2014
MW OH	V009406	PCEA C/O NORTH ORANGE	0037-2176	<b>Vendor Total:</b> PY14010	<b>576.07</b> 0.60	2615/1401010		00083990	05/16/2014

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MW OH	V000679	PCEA/OCEA Assoc Dues	0010-2176	PY14010	23.55	2615/1401010		00083990	05/16/2014
MW OH	V000679	PCEA/OCEA Assoc Dues	0048-2176	PY14010	1.95	2615/1401010		00083990	05/16/2014
MW OH	V000679	PCEA/OCEA Assoc Dues	0043-2176	PY14010	2.00	2615/1401010		00083990	05/16/2014
MW OH	V000679	PCEA/OCEA Assoc Dues	0029-2176	PY14010	0.90	2615/1401010		00083990	05/16/2014
				<b>Vendor Total:</b>	<b>29.00</b>				
MW OH	PETREDES, JEFF V009404	DEPOSIT REFUND-HUNTER FIELD Facility Rental	100000-4385 / 79175-4385	TK0427C	100.00	92312		00084126	06/03/2014
				<b>Vendor Total:</b>	<b>100.00</b>				
MW OH	PLACENTIA POLICE V000839	P/E 5/10/14 PD DATE 5/16/14 Police Mgmt. Assn Dues	0010-2180	PY14010	1,011.59	2625/1401010		00083991	05/16/2014
				<b>Vendor Total:</b>	<b>1,011.59</b>				
MW OH	PLACENTIA POLICE V003519	P/E 5/10/14 PD DATE 5/16/14 Placentia Police Assoc Dues	0010-2178	PY14010	3,035.94	2620/1401010		00083992	05/16/2014
MW OH	PLACENTIA POLICE V003519	P/E 5/10/14 PD DATE 5/16/14 Placentia Police Assoc Dues	0050-2178	PY14010	100.06	2620/1401010		00083992	05/16/2014
				<b>Vendor Total:</b>	<b>3,136.00</b>				
MW OH	PLACENTIA STEELERS V005833	DEPOSIT REFUND-BACKS Facility Rental	100000-4385	TK0427C	150.00	2000092.002		00084127	06/03/2014
				<b>Vendor Total:</b>	<b>150.00</b>				
MW OH	PLACENTIA-YORBA LINDA V000795	PRINTING SVS-EMPLOYEE FOLDERS Office Supplies	101512-6315	TK0427C	129.60	411224A		00084128	06/03/2014
				<b>Vendor Total:</b>	<b>129.60</b>				
MW IP	PRINCIPAL FINANCIAL V000844	MARCH LIFE INSURANCE PREMIUMS Life Insurance Premiums	95083-5163	ITK51514A	702.71	12412247000-001		00084003	05/15/2014

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MW IP	PRINCIPAL FINANCIAL V000844	MARCH LIFE INSURANCE PREMIUMS	103040-5163 Life Insurance Premiums	ITK51514A	154.30	12412247000-001		00084003	05/15/2014
MW IP	PRINCIPAL FINANCIAL V000844	MARCH LIFE INSURANCE PREMIUMS	101512-5163 Life Insurance Premiums	ITK51514A	252.46	12412247000-001		00084003	05/15/2014
MW IP	PRINCIPAL FINANCIAL V000844	MARCH LIFE INSURANCE PREMIUMS	103650-5163 Life Insurance Premiums	ITK51514A	240.97	12412247000-001		00084003	05/15/2014
MW IP	PRINCIPAL FINANCIAL V000844	MARCH LIFE INSURANCE PREMIUMS	101511-5163 Life Insurance Premiums	ITK51514A	221.48	12412247000-001		00084003	05/15/2014
MW IP	PRINCIPAL FINANCIAL V000844	APR LIFE INSURANCE PREMIUMS	101511-5163 Life Insurance Premiums	ITK0522B	221.48	124124471000-00		00084038	05/22/2014
MW IP	PRINCIPAL FINANCIAL V000844	APR LIFE INSURANCE PREMIUMS	103650-5163 Life Insurance Premiums	ITK0522B	240.97	124124471000-00		00084038	05/22/2014
MW IP	PRINCIPAL FINANCIAL V000844	APR LIFE INSURANCE PREMIUMS	395083-5163 Life Insurance Premiums	ITK0522B	702.71	124124471000-00		00084038	05/22/2014
MW IP	PRINCIPAL FINANCIAL V000844	APR LIFE INSURANCE PREMIUMS	103040-5163 Life Insurance Premiums	ITK0522B	154.30	124124471000-00		00084038	05/22/2014
MW IP	PRINCIPAL FINANCIAL V000844	APR LIFE INSURANCE PREMIUMS	101512-5163 Life Insurance Premiums	ITK0522B	252.46	124124471000-00		00084038	05/22/2014
				<b>Vendor Total:</b>	<b>3,143.84</b>				
MW IP	PRINCIPAL LIFE V008141	MAY DENTAL PREMIUMS	395083-5162 Dental Insurance Premiums	ITK51514A	705.60	MAY 2014		00084004	05/15/2014
MW IP	PRINCIPAL LIFE V008141	MAY DENTAL PREMIUMS	395000-4720 ISF Dental Ins Reimbursement	ITK51514A	454.72	MAY 2014		00084004	05/15/2014
				<b>Vendor Total:</b>	<b>1,160.32</b>				
MW OH	PUBLIC AGENCY RISK V000241	SELF INS RES PMT	404582-6210 / 10028-6210 Liability Claims	TK0427C	6,514.93	1746230	P10233	00084129	06/03/2014
MW OH	RAGGED ROBIN RANCH INC V009274	INC 4/28-5/8 PLANNING SVS	102531-6290 Dept. Contract Services	TK0427C	4,500.00	5-8-2014	P10143	00084130	06/03/2014

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MW OH	REESE, STACY V009331	SPRING INSTRUCTOR PAYMENT	104071-6060 Instructional Services	Vendor Total: TK0427C	4,500.00 76.50 SPRING 14		00084131	06/03/2014
MW OH	REIMER, DEBORAH V009346	4/28-5/8 BUILDING TECH SVS	102532-6290 Dept. Contract Services	Vendor Total: TK0427C	76.50 2,942.50 0107	P10115	00084132	06/03/2014
MW OH	RELATED VISUAL INC. V004730	PROJECTOR LAMP	0044-2040 / 79396-2040 Special Deposits	Vendor Total: TK0427C	2,942.50 305.80 31211		00084133	06/03/2014
MW IP	RELIANCE STANDARD LIFE V008214	LIFE APRIL LTD/LIFE INSURANCE	395000-4725 ISF Life Ins Reimbursements	Vendor Total: ITK51514A	305.80 1,280.10 APRIL 14		00084005	05/15/2014
MW IP	RELIANCE STANDARD LIFE V008214	LIFE APRIL LTD/LIFE INSURANCE	0010-2186 Optional Life Insurance	ITK51514A	431.03 APRIL 14		00084005	05/15/2014
MW IP	RELIANCE STANDARD LIFE V008214	LIFE APRIL LTD/LIFE INSURANCE	395083-5163 Life Insurance Premiums	ITK51514A	712.81 APRIL 14		00084005	05/15/2014
MW IP	RELIANCE STANDARD LIFE V008214	LIFE APRIL LTD/LIFE INSURANCE	395000-4730 ISF LTD Ins Reimbursements	ITK51514A	2,441.32 APRIL 14		00084005	05/15/2014
MW IP	RELIANCE STANDARD LIFE V008214	LIFE MAY LTD/LIFE INSURANCE	395000-4725 ISF Life Ins Reimbursements	ITK0522B	1,324.24 MAY 14		00084039	05/22/2014
MW IP	RELIANCE STANDARD LIFE V008214	LIFE MAY LTD/LIFE INSURANCE	0010-2186 Optional Life Insurance	ITK0522B	473.11 MAY 14		00084039	05/22/2014
MW IP	RELIANCE STANDARD LIFE V008214	LIFE MAY LTD/LIFE INSURANCE	395083-5163 Life Insurance Premiums	ITK0522B	712.81 MAY 14		00084039	05/22/2014
MW IP	RELIANCE STANDARD LIFE V008214	LIFE MAY LTD/LIFE INSURANCE	395000-4730 ISF LTD Ins Reimbursements	ITK0522B	2,420.02 MAY 14		00084039	05/22/2014
MW IP	REPUBLIC WASTE SERVICES V007205	FEB REFUSE COLLECTION	374386-6101 Disposal	Vendor Total: ITK0522B	9,795.44 207,715.41 FEBRUARY 14	P09118	00084040	05/22/2014

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MW IP	REPUBLIC WASTE SERVICES V007205	MARCH REFUSE COLLECTION	374386-6101 Disposal	ITK0522B	207,715.41	MARCH 14	P09118	00084040	05/22/2014
MW OH	RIPPETOE LAW PC V008778	MARCH LEGAL SERVICES	404582-6006 / 10037-6006 Litigation	<b>Vendor Total:</b> TK0427C	<b>415,430.82</b> 521.01	120254		00084134	06/03/2014
MW OH	RIPPETOE LAW PC V008778	APRIL LEGAL SERVICES	404582-6006 / 10037-6006 Litigation	TK0427C	3,182.70	120287		00084134	06/03/2014
MW OH	RIPPETOE LAW PC V008778	APRIL LEGAL SERVICES	404582-6006 / 10039-6006 Litigation	TK0427C	1,385.77	120288		00084134	06/03/2014
MW OH	SHRED-IT LOS ANGELES V000905	4/23 SHRED DOCUMENTS SVS	374386-6299 Other Purchased Services	<b>Vendor Total:</b> TK0427C	<b>5,089.48</b> 92.74	9403542010	P08883	00084135	06/03/2014
MW OH	SHRED-IT LOS ANGELES V000905	5/7 SHRED DOCUMENTS SVS	374386-6299 Other Purchased Services	TK0427C	92.74	9403606905	P08883	00084135	06/03/2014
MW OH	SHUTTERLAB & CAMERA V007480	PHOTO PRINTING	103043-6301 / 50100-6301 Special Department Supplies	<b>Vendor Total:</b> TK0427C	<b>185.48</b> 15.07	724		00084136	06/03/2014
MW OH	SILVA, LORINA V003238	DEPOSIT REFUND-BACKS	100000-4385 Facility Rental	<b>Vendor Total:</b> TK0427C	<b>15.07</b> 150.00	2000086.02		00084137	06/03/2014
MW OH	SMITH, DONNA V001269	SPRING INSTRUCTOR PAYMENT	104071-6060 Instructional Services	<b>Vendor Total:</b> TK0427C	<b>150.00</b> 77.00	SPRING 14		00084138	06/03/2014
MW OH	SMITH, WARD V002806	JUNE MONTHLY EXPENSES	103040-5001 Salaries/Full-Time Regular	<b>Vendor Total:</b> TK0427C	<b>77.00</b> 50.00	JUNE 14		00084139	06/03/2014
MW OH	SOUTH COAST AQMD V001190	13/14 AQMD FEES	433654-6137 Repair Maint/Equipment	<b>Vendor Total:</b> TK0427C	<b>50.00</b> 118.94	2701096		00084140	06/03/2014

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				<b>Vendor Total:</b>	<b>118.94</b>			
MW IP	SOUTHERN CALIFORNIA V000910	FEB-APR ELECTRICAL CHARGES	0010-1224 AR/City of Fullerton	ITK0522B	122.66 050714		00084041	05/22/2014
MW IP	SOUTHERN CALIFORNIA V000910	FEB-APR ELECTRICAL CHARGES	0010-1226 AR/City of Yorba Linda	ITK0522B	114.79 050714		00084041	05/22/2014
MW IP	SOUTHERN CALIFORNIA V000910	FEB-APR ELECTRICAL CHARGES	0010-1228 AR/County of Orange	ITK0522B	14.91 050714		00084041	05/22/2014
MW IP	SOUTHERN CALIFORNIA V000910	FEB-APR ELECTRICAL CHARGES	0010-1220 Accts Rec/Plac Library Dist	ITK0522B	3,863.24 050714		00084041	05/22/2014
MW IP	SOUTHERN CALIFORNIA V000910	FEB-APR ELECTRICAL CHARGES	0010-1232 Accts Rec/Other Agencies	ITK0522B	20.51 050714		00084041	05/22/2014
MW IP	SOUTHERN CALIFORNIA V000910	FEB-APR ELECTRICAL CHARGES	431010-6330 Electricity	ITK0522B	39,213.02 050714		00084041	05/22/2014
MW IP	SOUTHERN CALIFORNIA V000910	FEB-APR ELECTRICAL CHARGES	286560-6330 Electricity	ITK0522B	30,028.16 050714		00084041	05/22/2014
MW IP	SOUTHERN CALIFORNIA V000910	FEB-APR ELECTRICAL CHARGES	296561-6330 Electricity	ITK0522B	396.33 050714		00084041	05/22/2014
MW IP	SOUTHERN CALIFORNIA V000910	APR-MAY ELECTRICAL CHARGES	0010-1226 AR/City of Yorba Linda	ITK0522B	91.11 051614		00084041	05/22/2014
MW IP	SOUTHERN CALIFORNIA V000910	APR-MAY ELECTRICAL CHARGES	431010-6330 Electricity	ITK0522B	10,746.46 051614		00084041	05/22/2014
				<b>Vendor Total:</b>	<b>84,611.19</b>			
MW IP	SPRINT V006126	APRIL RELAY SERVICES	431010-6215 Telephone	ITK51514A	609.89 95041141000736		00084007	05/15/2014
				<b>Vendor Total:</b>	<b>609.89</b>			
MW IP	SPRINT V006533	MARCH-APRIL RELAY SERVICES	431010-6215 Telephone	ITK51514A	37.99 313574471-030		00084006	05/15/2014
				<b>Vendor Total:</b>	<b>37.99</b>			
MW IP	ST JUDE HERITAGE	MAY PRE EMPLOYMENT EXAMS	101512-6099	ITK51514A	360.00 32600		00084008	05/15/2014

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	V003499		Other Professional Services					
MW OH	SUBURBAN PROPANE V000971	PROPANE	433658-6345 Gasoline & Diesel Fuel	Vendor Total: TK0427C	360.00 15.42 193344	P10000	00084141	06/03/2014
MW OH	SUNGARD PUBLIC SECTOR V005987	JUNE OS/ASP SERVICES	422023-6136 Software Maintenance	Vendor Total: TK0427C	15.42 5,667.06 81026	P08992	00084142	06/03/2014
MW OH	SYNOPTEK INC V007863	FEB IT SUPPORT SVS	422023-6290 Dept. Contract Services	Vendor Total: TK0427C	5,667.06 5,330.03 222428	P08929	00084143	06/03/2014
MW OH	SYNOPTEK INC V007863	APRIL IT SUPPORT SVS	422023-6290 Dept. Contract Services	TK0427C	7,046.26 223185	P08929	00084143	06/03/2014
MW OH	SYNOPTEK INC V007863	APRIL ANTI-VIRUS PROTECTION	422023-6136 Software Maintenance	TK0427C	445.00 223186	P09748	00084143	06/03/2014
MW IP	T-MOBILE V004339	APRIL CELL PHONE CHARGES	431010-6215 Telephone	Vendor Total: ITK51514A	12,821.29 321.07 050214		00084009	05/15/2014
MW IP	T-MOBILE V004339	APRIL CELL PHONE CHARGES	431010-6215 Telephone	ITK51514A	641.81 050314		00084009	05/15/2014
MW OH	T-MOBILE USA V009405	WEB MAPPING FOR PD CASE	103040-6099 Other Professional Services	Vendor Total: TK0427C	962.88 100.00 50610		00084144	06/03/2014
MW OH	THE SAUCE CREATIVE V007476	MOVIES/CONCERTS FLYER	104071-6230 Printing & Binding	Vendor Total: TK0427C	100.00 314.28 1055		00084145	06/03/2014
MW IP	TIME WARNER CABLE V004450	MAY 10 MB CABLE CHARGES	431010-6215 Telephone	Vendor Total: ITK51514A	314.28 1,781.30 050114		00084010	05/15/2014
MW IP	TIME WARNER CABLE	JUNE CABLE CHARGES	431010-6215	ITK0522B	139.93 052214		00084042	05/22/2014

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	V004450		Telephone					
MW OH	TORRES, SAL V009270	ROOFING BOND REFUND	0044-2033 Construction & Demo Deposit	<b>Vendor Total:</b> TK0427C	1,921.23 100.00 301422		00084146	06/03/2014
MW OH	TORRES, SAL V009270	ROOFING BOND REFUND	0044-2033 Construction & Demo Deposit	TK0427C	100.00 301423		00084146	06/03/2014
MW OH	TRAFFIC MANAGEMENT V008463	STREET SIGN SUPPLIES	103652-6301 Special Department Supplies	<b>Vendor Total:</b> TK0427C	200.00 2,803.03 193331	P08971	00084147	06/03/2014
MW OH	TRIEPEI SMITH & V007848	5/2-15 IT CONSULTING SVS	422023-6290 Dept. Contract Services	<b>Vendor Total:</b> TK0427C	2,803.03 562.50 1016	P10126	00084148	06/03/2014
MW OH	TURBO DATA SYSTEMS INC V001238	APRIL CITATION PROCESSING	103041-6099 Other Professional Services	<b>Vendor Total:</b> TK0427C	562.50 1,577.54 21395	P08918	00084149	06/03/2014
MW IP	UNITED OF OMAHA V007716	SERP 4 & 5 INSTALLMENT PAYMENTS	ITK51514A Health Insurance Premiums	<b>Vendor Total:</b> ITK51514A	1,577.54 26,257.00 159592	P10202	00084011	05/15/2014
MW OH	URBAN, ASHLEY V004861	JUNE MONTHLY EXPENSES	103042-5001 Salaries/Full-Time Regular	<b>Vendor Total:</b> TK0427C	26,257.00 50.00 JUNE 14		00084150	06/03/2014
MW IP	US BANK PARS #6746022400 V008781	PARS/ARS P/E 5/10 PD 5/16	0043-2126 Employee PARS/ARS W/H	<b>Vendor Total:</b> ITK51514A	50.00 29.37 51414J		00084012	05/15/2014
MW IP	US BANK PARS #6746022400 V008781	PARS/ARS P/E 5/10 PD 5/16	0010-2131 Employer PARS/ARS Payable	ITK51514A	941.12 51414J		00084012	05/15/2014
MW IP	US BANK PARS #6746022400 V008781	PARS/ARS P/E 5/10 PD 5/16	0010-2126 Employee PARS/ARS W/H	ITK51514A	941.12 51414J		00084012	05/15/2014
MW IP	US BANK PARS #6746022400 V008781	PARS/ARS P/E 5/10 PD 5/16	0043-2131	ITK51514A	29.37 51414J		00084012	05/15/2014

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	V008781		Employer PARS/ARS Payable					
MW IP	US LEGAL SUPPORT INC V008962	LEGAL SERVICES	404582-6006 / 10037-6006 Litigation	<b>Vendor Total:</b> ITK51514A	<b>1,940.98</b> 179.70 697532		00084013	05/15/2014
MW IP	US LEGAL SUPPORT INC V008962	LEGAL SERVICES	404582-6006 / 10037-6006 Litigation	ITK51514A	101.00 698076		00084013	05/15/2014
MW OH	VANTAGEPOINT TRANSFER P/E 5/10/14 PD DATE 5/16/14 V007191		0029-2170 Deferred Comp Payable - ICMA	<b>Vendor Total:</b> PY14010	<b>280.70</b> 13.84 2606/1401010		00083993	05/16/2014
MW OH	VANTAGEPOINT TRANSFER P/E 5/10/14 PD DATE 5/16/14 V007191		0048-2170 Deferred Comp Payable - ICMA	PY14010	20.76 2606/1401010		00083993	05/16/2014
MW OH	VANTAGEPOINT TRANSFER P/E 5/10/14 PD DATE 5/16/14 V007191		0010-2170 Deferred Comp Payable - ICMA	PY14010	1,076.32 2606/1401010		00083993	05/16/2014
MW OH	VERA, SANDRA V009293	JUNE MONTHLY EXPENSES	101512-5001 Salaries/Full-Time Regular	<b>Vendor Total:</b> TK0427C	<b>1,110.92</b> 50.00 JUNE 14		00084151	06/03/2014
MW IP	VERIZON WIRELESS V008735	MAR-APR PD AIRCARD CHARGES	431010-6215 Telephone	<b>Vendor Total:</b> ITK51514A	<b>50.00</b> 1,151.00 9723829533		00084014	05/15/2014
MW IP	VERIZON WIRELESS V008735	PUMP STATION ACTIVATION	433654-6137 Repair Maint/Equipment	ITK0522B	62.54 9723836352		00084043	05/22/2014
MW OH	VORTEX INDUSTRIES INC. V009180	CORP YARD GATE REPAIR	103652-6301 Special Department Supplies	<b>Vendor Total:</b> TK0427C	<b>1,213.54</b> 256.00 08-825059-1		00084152	06/03/2014
MW OH	VULCAN MATERIALS V001102	PAVING ASPHALT	103652-6301 Special Department Supplies	<b>Vendor Total:</b> TK0427C	<b>256.00</b> 298.47 70304566		00084153	06/03/2014
MW OH	VULCAN MATERIALS V001102	PAVING ASPHALT	103652-6301 Special Department Supplies	TK0427C	298.47 70340460		00084153	06/03/2014

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MW OH	VULCAN MATERIALS V001102	PAVING ASPHALT	103652-6301 Special Department Supplies	TK0427C	670.38	70348903		00084153	06/03/2014
			<b>Vendor Total:</b>		<b>1,267.32</b>				
MW OH	WANKER, CHAD P. V007435	TRAVEL REIMBURSEMENT-SCAG	101001-6245 Meetings & Conferences	TK0427C	588.77	051214		00084154	06/03/2014
			<b>Vendor Total:</b>		<b>588.77</b>				
MW OH	WAXIE SANITARY SUPPLY V001132	JANITORIAL SUPPLIES	103652-6301 Special Department Supplies	TK0427C	473.98	74587862		00084155	06/03/2014
			<b>Vendor Total:</b>		<b>473.98</b>				
MW OH	WEST COAST ARBORISTS IN V001124	PR TREE TRIMMING-KOCH PARK	103655-6115 Landscaping	TK0427C	720.00	96437	P09336	00084156	06/03/2014
MW OH	WEST COAST ARBORISTS IN V001124	PR TREE TRIMMING	103655-6115 Landscaping	TK0427C	2,160.00	96523	P09336	00084156	06/03/2014
			<b>Vendor Total:</b>		<b>2,880.00</b>				
MW OH	WESTERN TRANSIT V008280	APR SR. TRANSPORTATION SVS	504071-6401 / 79538-6401 Community Programs	TK0427C	4,085.09	2.2116	P09779	00084157	06/03/2014
			<b>Vendor Total:</b>		<b>4,085.09</b>				
MW OH	WESTMINSTER PRESS V001125	SUMMER QUARTERLY PRINTING	104070-6230 Printing & Binding	TK0427C	4,710.00	0029372-IN		00084158	06/03/2014
			<b>Vendor Total:</b>		<b>4,710.00</b>				
MW IP	WEX BANK V007269	APRIL PD GASOLINE	433658-6345 Gasoline & Diesel Fuel	ITK0522B	3,815.21	36564653	P10238	00084044	05/22/2014
			<b>Vendor Total:</b>		<b>3,815.21</b>				
MW OH	WILLDAN ENGINEERING V007112	APRIL R & D SVS-CATCH BASIN	103550-6015 Engineering Services	TK0427C	258.00	00512789	P09858	00084159	06/03/2014
			<b>Vendor Total:</b>		<b>258.00</b>				
MW OH	WILLDAN FINANCIAL V005723	FEB-MAR PROFESSIONAL SVS	431010-6999 Other Expenditure	TK0427C	2,000.00	010-24029	P10210	00084160	06/03/2014
			<b>Vendor Total:</b>		<b>2,000.00</b>				

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MW IP	YORBA LINDA WATER V001148	MAR-APR WATER CHARGES	431010-6335 Water	ITK51514A	860.52	042814		00084015	05/15/2014
MW IP	YORBA LINDA WATER V001148	APR-MAY WATER CHARGES	431010-6335 Water	ITK0522B	565.93	051214		00084045	05/22/2014
				<b>Vendor Total:</b>	<b>1,426.45</b>				
MW IP	YORBA LINDA WATER V006633	MARCH SEWER CHARGES	484356-6297 Billing Services	ITK51514A	250.00	70164		00084016	05/15/2014
				<b>Vendor Total:</b>	<b>250.00</b>				
MW OH	YORBA REGIONAL ANIMAL K9 MEDICAL SVS-BUDDY V008472		213041-6301 Special Department Supplies	TK0427C	494.37	051914		00084161	06/03/2014
				<b>Vendor Total:</b>	<b>494.37</b>				
				<b>Type Total:</b>	<b>1,235,763.53</b>				
				<b>Warrant Total:</b>	<b>1,235,763.53</b>				

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EP	ACOSTA, JOAQUIN E000017	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	R052114	188.23 JUNE 14		00005868	06/01/2014
			<b>Vendor Total:</b>		<b>188.23</b>			
EP	ALDWIR, MAMOUN E000113	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	R052114	1,069.64 JUNE 14		00005869	06/01/2014
			<b>Vendor Total:</b>		<b>1,069.64</b>			
EP	ANDERSON, MARLA E000071	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	R052114	800.48 JULY 14		00005870	06/01/2014
			<b>Vendor Total:</b>		<b>800.48</b>			
EP	ARMSTRONG, JOHN T E000046	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	R052114	1,293.35 JUNE 14		00005871	06/01/2014
			<b>Vendor Total:</b>		<b>1,293.35</b>			
EP	BABCOCK, CHARLES A E000015	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	R052114	278.00 JUNE 14		00005872	06/01/2014
			<b>Vendor Total:</b>		<b>278.00</b>			
EP	BEALS, SHARLENE E000076	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	R052114	188.23 JUNE 14		00005873	06/01/2014
			<b>Vendor Total:</b>		<b>188.23</b>			
EP	BONESCHANS, DENNIS E000020	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	R052114	188.23 JUNE 14		00005874	06/01/2014
			<b>Vendor Total:</b>		<b>188.23</b>			
EP	BUNNELL, DONALD E000062	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	R052114	495.46 JUNE 14		00005875	06/01/2014
			<b>Vendor Total:</b>		<b>495.46</b>			
EP	BURGNER, ARTHUR E000074	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	R052114	495.46 JUNE 14		00005876	06/01/2014
			<b>Vendor Total:</b>		<b>495.46</b>			
EP	CHANDLER, JOHN P E000109	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	R052114	1,008.00 JUNE 14		00005877	06/01/2014
			<b>Vendor Total:</b>		<b>1,008.00</b>			

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EP	CHANG, ROBERT E000107	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	1,008.00 1,326.00 JUNE 14		00005878	06/01/2014
EP	COBBETT, GEOFFREY E000007	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	1,326.00 787.42 JUNE 14		00005879	06/01/2014
EP	COOK, ARLENE M E000018	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	787.42 495.46 JUNE 14		00005880	06/01/2014
EP	D'AMATO, ROBERT E000056	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	495.46 495.46 JUNE 14		00005881	06/01/2014
EP	DAVID, PRESTON E000112	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	495.46 795.34 JUNE 14		00005882	06/01/2014
EP	DAVIS, CAROLYN E000005	JULY MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	795.34 495.46 JUNE 14		00005883	06/01/2014
EP	DELOS SANTOS, JAMIE E000045	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	495.46 993.00 JUNE 14		00005884	06/01/2014
EP	DICKSON, ROBERTA JO E000011	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	993.00 188.23 JUNE 14		00005885	06/01/2014
EP	DOWNEY, CAROL E000082	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	188.23 495.46 JUNE 14		00005886	06/01/2014
EP	ECKENRODE, NORMAN	JULY MEDICAL REIMBURSEMENT	395083-5161	Vendor Total: R052114	495.46 495.46 JUNE 14		00005887	06/01/2014

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	E000029		Health Insurance Premiums					
EP	ELSTRO, ANN M E000027	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	495.46 495.46 JUNE 14		00005888	06/01/2014
EP	ESCOBOSA, LILLIAN E000055	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	495.46 495.46 JUNE 14		00005889	06/01/2014
EP	ESPINOZA, ROSALINDA E000016	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	495.46 437.00 JUNE 14		00005890	06/01/2014
EP	FISCHER, HAROLD A E000023	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	437.00 672.00 JUNE 14		00005891	06/01/2014
EP	FRICKE, JUERGEN E000075	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	672.00 672.00 JUNE 14		00005892	06/01/2014
EP	FULLER, GLENN H E000081	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	672.00 659.00 JUNE 14		00005893	06/01/2014
EP	GALLANT, KAREN E000008	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	659.00 495.46 JUNE 14		00005894	06/01/2014
EP	GARNER, JO ANN E000047	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	495.46 495.46 JUNE 14		00005895	06/01/2014
EP	GARNER, KITTY E000080	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	495.46 993.00 JUNE 14		00005896	06/01/2014

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EP	GOMEZ, DANIEL E000049	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	993.00 495.46 JUNE 14		00005897	06/01/2014
EP	GRIMM, DENNIS L E000042	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	495.46 442.00 JUNE 14		00005898	06/01/2014
EP	HOCH, ELEANOR M E000078	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	442.00 188.23 JUNE 14		00005899	06/01/2014
EP	HOLTSLAW, KATHERINE E000121	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	188.23 437.00 JUNE 14		00005900	06/01/2014
EP	ICMA RETIREMENT TRUST V000496	P/E 5/10/14 PD DATE 5/16/14	0048-2170 Deferred Comp Payable - ICMA	<b>Vendor Total:</b> PY14010	437.00 105.50 2995/1401010		00005867	05/16/2014
EP	ICMA RETIREMENT TRUST V000496	P/E 5/10/14 PD DATE 5/16/14	0037-2170 Deferred Comp Payable - ICMA	PY14010	53.50 2995/1401010		00005867	05/16/2014
EP	ICMA RETIREMENT TRUST V000496	P/E 5/10/14 PD DATE 5/16/14	0010-2170 Deferred Comp Payable - ICMA	PY14010	9,160.72 2995/1401010		00005867	05/16/2014
EP	ICMA RETIREMENT TRUST V000496	P/E 5/10/14 PD DATE 5/16/14	0029-2170 Deferred Comp Payable - ICMA	PY14010	43.00 2995/1401010		00005867	05/16/2014
EP	ICMA RETIREMENT TRUST V000496	P/E 5/10/14 PD DATE 5/16/14	0043-2170 Deferred Comp Payable - ICMA	PY14010	50.00 2995/1401010		00005867	05/16/2014
EP	IRVINE, SUZETTE E000019	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	9,412.72 800.48 JUNE 14		00005901	06/01/2014
EP	JENKINS, ROBERT E000084	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	800.48 495.46 JUNE 14		00005902	06/01/2014

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EP	JOHNSON, SHARON E000099	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	495.46	495.46 JUNE 14		00005903	06/01/2014
EP	JONES, ROBERT E000053	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	495.46	179.21 JUNE 14		00005904	06/01/2014
EP	JUDD, TERRELL E000115	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	1,069.64	1,069.64 JUNE 14		00005905	06/01/2014
EP	KIRKLAND, RICHARD L E000110	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	338.17	338.17 JUNE 14		00005906	06/01/2014
EP	LITTLE, DIANE M E000098	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	442.00	442.00 JUNE 14		00005907	06/01/2014
EP	LOOMIS, CORINNE E000122	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	442.00	338.17 JUNE 14		00005908	06/01/2014
EP	LOWREY, B J E000041	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	338.17	272.00 JUNE 14		00005909	06/01/2014
EP	MAERTZWEILER, MICHAEL E000032	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	495.46	495.46 JUNE 14		00005910	06/01/2014
EP	MANNING, VEDA M E000063	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	188.23	188.23 JUNE 14		00005911	06/01/2014
EP	MARMOLEJO, PACO	JUNE MEDICAL REIMBURSEMENT	395083-5161	Vendor Total: R052114	1,326.00	1,326.00 JUNE 14		00005912	06/01/2014

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	E000068		Health Insurance Premiums					
EP	MILANO, JAMES E000054	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>1,326.00</b> 495.46 JUNE 14		00005913	06/01/2014
EP	MILLER, RICHARD E000106	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>495.46</b> 1,008.00 JUNE 14		00005914	06/01/2014
EP	MONTTOOTH, MARLENE E000021	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>1,008.00</b> 188.23 JUNE 14		00005915	06/01/2014
EP	MOORE, LARRY W E000044	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>188.23</b> 188.23 JUNE 14		00005916	06/01/2014
EP	NAJERA, ROBERT JR E000065	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>188.23</b> 795.34 JUNE 14		00005917	06/01/2014
EP	NISSEN, JANICE E000073	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>795.34</b> 188.23 JUNE 14		00005918	06/01/2014
EP	OLEA, ARLENE J E000014	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>188.23</b> 1,069.64 JUNE 14		00005919	06/01/2014
EP	PALMER, GEORGE E000094	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>1,069.64</b> 830.00 JUNE 14		00005920	06/01/2014
EP	PASCUA, RAYNALD E000114	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>830.00</b> 1,326.00 JUNE 14		00005921	06/01/2014

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EP	PASPALL, MIHAJLO E000085	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	1,326.00 477.42 JUNE 14		00005922	06/01/2014
EP	PEREZ, ROBERT E000111	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	477.42 179.21 JUNE 14		00005923	06/01/2014
EP	PICHON, WALTER E000103	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	179.21 208.36 JUNE 14		00005924	06/01/2014
EP	PONCE, EDMUND M E000040	JULY MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	208.36 188.23 JUNE 14		00005925	06/01/2014
EP	REDIFER, KIM R E000022	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	188.23 830.00 JUNE 14		00005926	06/01/2014
EP	RENDEN, BRIAN E000083	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	830.00 820.82 JUNE 14		00005927	06/01/2014
EP	REYES, ROGER T E000024	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	820.82 800.48 JUNE 14		00005928	06/01/2014
EP	RICE, RUSSELL J E000059	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	800.48 993.00 JUNE 14		00005929	06/01/2014
EP	RISHER, THOMAS A E000013	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	993.00 807.00 JUNE 14		00005930	06/01/2014
EP	RITCHIE, SYLVIA	JUNE MEDICAL REIMBURSEMENT	395083-5161	Vendor Total: R052114	807.00 495.46 JUNE 14		00005931	06/01/2014

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	E000072		Health Insurance Premiums					
EP	RIVERA, AIDA E000026	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>495.46</b> 188.23 JUNE 14		00005932	06/01/2014
EP	ROACH, MICHAEL E000105	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>188.23</b> 1,008.00 JUNE 14		00005933	06/01/2014
EP	ROBB, SANDRA E000043	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>1,008.00</b> 495.46 JUNE 14		00005934	06/01/2014
EP	ROBERTSON, JAMES S E000093	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>495.46</b> 188.23 JUNE 14		00005935	06/01/2014
EP	ROKOSZ, KEN A E000035	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>188.23</b> 338.17 JUNE 14		00005936	06/01/2014
EP	ROSE, RICHARD D E000050	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>338.17</b> 919.30 JUNE 14		00005937	06/01/2014
EP	SALE, LEE R E000031	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>919.30</b> 495.46 JUNE 14		00005938	06/01/2014
EP	SANCHEZ, LAURA E000058	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>495.46</b> 188.23 JUNE 14		00005939	06/01/2014
EP	SANGOLUISA, ZORA G E000048	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	<b>188.23</b> 188.23 JUNE 14		00005940	06/01/2014

**City of Placentia  
Warrant Register  
For 05/29/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount Invoice#	PO #	Check #	Check Date
EP	SCHLIEDER, BEVERLY E000120	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	188.23 1,326.00 JUNE 14		00005941	06/01/2014
EP	SCHULTZ, DANIEL E000070	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	1,326.00 179.21 JUNE 14		00005942	06/01/2014
EP	SOMOYA, JOHN P E000089	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	179.21 659.00 JUNE 14		00005943	06/01/2014
EP	SOTO, PHILIP J E000052	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	659.00 495.46 JUNE 14		00005944	06/01/2014
EP	SPRAGUE, GARY A E000064	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	495.46 1,313.00 JUNE 14		00005945	06/01/2014
EP	STEPHEN, JEFFREY E000119	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	1,313.00 1,326.00 JUNE 14		00005946	06/01/2014
EP	TAYLOR, DAVID M E000088	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	1,326.00 1,008.00 JUNE 14		00005947	06/01/2014
EP	THOMANN, DARYLL L E000101	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	1,008.00 495.46 JUNE 14		00005948	06/01/2014
EP	TOTH, STEVE E000067	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	<b>Vendor Total:</b> R052114	495.46 830.00 JUNE 14		00005949	06/01/2014
EP	TRIFOS, WILLIAM	JUNE MEDICAL REIMBURSEMENT	395083-5161	<b>Vendor Total:</b> R052114	830.00 1,212.00 JUNE 14		00005950	06/01/2014

**City of Placentia  
Warrant Register  
For 05/29/2014**

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount Invoice#	PO #	Check #	Check Date
	E000104		Health Insurance Premiums					
EP	VALENTINE, THOMAS E000118	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	1,212.00 1,313.00 JUNE 14		00005951	06/01/2014
EP	VERSTYNEN, WILLIAM E000092	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	1,313.00 350.91 JUNE 14		00005952	06/01/2014
EP	WAHL, KATHLEEN A E000030	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	350.91 188.23 JUNE 14		00005953	06/01/2014
EP	WIEST, STEPHEN E000079	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	188.23 495.46 JUNE 14		00005954	06/01/2014
EP	WORDEN, LARRY M E000116	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	495.46 1,102.77 JUNE 14		00005955	06/01/2014
EP	YAMAGUCHI, BRIAN E000123	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	1,102.77 1,313.00 JUNE 14		00005956	06/01/2014
EP	ZAMORA, JERRY E000037	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	1,313.00 830.00 JUNE 14		00005957	06/01/2014
EP	ZINN, JOHN E000009	JUNE MEDICAL REIMBURSEMENT	395083-5161 Health Insurance Premiums	Vendor Total: R052114	830.00 795.34 JUNE 14		00005958	06/01/2014
		Vendor Total:			795.34			
		Type Total:			66,534.16			
		Warrant Total:			66,534.16			



# Placentia City Council

## AGENDA REPORT

**TO:** CITY COUNCIL

**VIA:** CITY ADMINISTRATOR

**FROM:** PUBLIC WORKS MANAGER

**DATE:** JUNE 3, 2014

**SUBJECT:** ADOPTION OF TWO (2) RESOLUTIONS DECLARING INTENT TO FORM LANDSCAPE MAINTENANCE DISTRICT NO. 2014-1, PRELIMINARILY APPROVING THE ENGINEER'S REPORT, PROVIDING NOTICE OF PUBLIC HEARING AND MAILING BALLOTS AND ADOPTING PROPOSITION 218 BALLOT PROCEEDINGS PROCEDURES

**FISCAL IMPACT:** (RECOUPED THROUGH ASSESSMENTS): \$199,557  
SINGLE FAMILY EQUIVALENT RATE: \$92.00/PARCEL (Zone A)  
\$84.80/PARCEL (Zone B)  
\$64.40/PARCEL (Zone C)

### SUMMARY:

Landscape Maintenance District 92-1 (LMD 92-1) was formed in 1992. LMD 92-1 consists of 2,182 parcels and is bounded by Richfield Road to the east, Kraemer Avenue to the west, Orangethorpe to the south and Buena Vista to the north. LMD 92-1 covers perimeter and median landscaping maintenance, as well as other improvements (e.g., entrance signs, traffic and median islands, parkway vistas) within the confines of the maintenance district. The current maximum tax rate per assessment unit is \$154.87 per year. This rate cannot be increased without the approval of the property owners within the maintenance district. Currently LMD 92-1 does not collect sufficient revenues to cover the annual cost to maintain and service the facilities within the maintenance district. Consequently, the City's General Fund has had to subsidize the LMD. Since the LMD provides specific benefit to the properties within the maintenance district it needs to generate sufficient revenues to cover costs or the services within the LMD need to be reduced so the City's General Fund is not being used to cover the shortfall. This action declares the City's intention to form a new Landscape Maintenance District ("LMD") for the purpose of generating additional revenue to cover the cost of maintaining LMD 92-1.

### RECOMMENDATION:

It is recommended that the City Council take the following actions:

1. Adopt Resolution R-2014-\_\_\_, "A Resolution of the City Council of the City of Placentia declaring intention to form Landscape Maintenance District No. 2014-1 and levy assessments.

**1.d.**  
**June 3, 2014**

preliminarily approval of the Engineer's Report, providing notice of Public Hearing and the mailing of the assessment ballots."; and

2. Adopt Resolution R-2014-\_\_\_\_, "A Resolution of the City Council of the City of Placentia adopting Proposition 218 assessment ballot proceedings procedures."

## **DISCUSSION:**

At the April 15<sup>th</sup> meeting, the City Council adopted Resolution No. R-2014-20 initiating proceedings for a proposed landscape maintenance district (LMD) formation and directing the preparation of the Engineer's Report. That Engineer's Report has been prepared by City's assessment engineer, SCI Consulting Group, and is included as Attachment No. 3 to this report. Also attached are the notice of public hearing (Attachment No. 4) and a sample ballot (Attachment No. 5). The notice is an informational document which announces the time and place of the Public Hearing, describes the need for the proposed District, explains the balloting process and provides additional information.

The formation of Landscape Maintenance District No. 2014-1 ("District") stems from the need for additional funding above that provided by the existing district (LMD No. 92-1) which was formed 22 years ago without a mechanism for annual cost-of-living adjustments to keep pace with rising costs of labor, materials, supplies and utilities associated with the landscape and park system it supports. Proposition 218, approved by California voters in 1996, limits the ability of local agencies to increase assessments such as LMD No. 92-1. Based on recommendations from the City's community-wide budget stabilization meetings and through discussions with the City's assessment engineer, SCI Consulting Group ("SCI"), the City has decided to create a new LMD (No. 2014-1) that would supplement the existing LMD (No. 92-1). State law requires that any increase in assessments or the formation of a new assessment district be approved by the affected community. By creating a new LMD, the existing LMD is not at risk of being voted away.

A benefit assessment is a funding mechanism outlined in Proposition 218, the "Right to Vote on Taxes Act." The benefit assessment is commonly utilized by public agencies as a local funding mechanism to provide landscaping, lighting and other services within a community. One beneficial aspect of an assessment is that it gives business owners, who normally cannot vote on local tax measures unless they are registered to vote in the City, an opportunity to protest the creation of new benefit assessment districts or any increase in the assessment rate for existing districts.

Proposition 218 requires specific guidelines for the creation of a benefit assessment:

- All special assessments are required to be supported by a detailed engineer's report prepared by a registered professional engineer.
- Properties are assessed proportionate to the special benefit provided to each property.
- Notice of the proposed assessment and ballots are mailed to all property owners subject to the proposed assessment at least forty-five (45) days prior to the date of the public hearing on the proposed assessment.

- The City will hold a public hearing at the end of the balloting period to receive public comment (currently scheduled for August 5, 2014.)
- At the conclusion of the Public Hearing, the ballots will be tabulated. In order for the LMD No. 2014-1 assessments to be imposed, a majority of the returned ballots, weighted by their proposed assessment, must be in support.

The Engineer's Report describes the structure of the benefit assessment including cost estimates for the improvements and assessment rates for the various types of land uses. Those rates are based on the single family residence (by far the most prevalent land use) by creating a single family equivalent ("SFE"), which is then applied to other land uses incorporating appropriate factors. For instance, vacant land is assessed at 0.39 SFE, (39% of a single family home) and commercial and industrial uses are converted using population and land coverage factors.

The total assessment for the proposed LMD No. 2014-1 is estimated to be \$199,557 for Fiscal Year 2014-15, based on the SFE rate ranging from \$64.40 to \$92.00, depending on Zone. The Engineer's Report also includes an annual escalation mechanism based on the Consumer Price Index ("CPI") for the region and is capped at three (3%) percent per annum. The CPI would be applied to the sum of the proposed assessment (LMD No. 2014-1) and the existing assessment (LMD No. 92-1).

The formation process is outlined in law. The major steps include the following:

1. Council considers a Resolution initiating the process to form new district, designating the Engineer of Work and directing the Engineer to prepare a preliminary Engineer's Report and supporting documents (adopted in April).
2. Council considers Resolutions preliminarily approving the Engineer's Report and calling for mailing of ballots, and adopting the Proposition 218 ballot proceedings (June 3<sup>rd</sup>).
3. After a 45-day balloting period, Council conducts a public hearing, closes the balloting period, and directs ballot tabulation (August 5<sup>th</sup>).
4. If balloting is successful, Council orders a levy of assessments (August 5<sup>th</sup>).
5. Engineer submits levies to the County (no later than August 8<sup>th</sup>).

The Proposition 218 balloting process itself is unique. For a benefit assessment such as this, each property owner of record must be mailed a notice and a ballot to mark and mail back. The ballots are required to be out at least forty-five (45) days prior to the Public Hearing, and the outcome is determined only from the ballots returned (not the total number of properties). Each ballot will show the exact amount of that property's assessment. The votes (for and against) are weighted by the amount of each property's assessment. Tabulation of the ballots will be conducted under the supervision and direction of the City Clerk. Specific procedures for the process are included in the second Resolution, which can be seen as Attachment No. 2 to this report.

**FISCAL IMPACT:**

If approved, LMD No. 2014-1 would generate approximately \$199,557 in Fiscal Year 2014-15. Combined with the estimated revenue from LMD No. 92-1 of \$427,925, the total revenue will be adequate for the annual maintenance and servicing of the District Improvements plus a dedicated reserve of \$81,071, which can be used for unforeseen expenses or for capital improvements and upgrades within the District.

Submitted by:



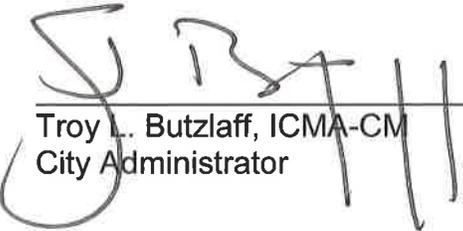
Michael McConaha  
Public Works Manager

Reviewed and approved:



Damien R. Arrula  
Assistant City Administrator

Reviewed and approved:



Troy L. Butzlaff, ICMA-CM  
City Administrator

**Attachments:**

1. Resolution R-2014-\_\_\_, "A Resolution of the City Council of the City of Placentia declaring intention to form Landscape Maintenance District No. 2014-1 and levy assessments, preliminary approval of the Engineer's Report, providing notice of Public Hearing and the mailing of the assessment ballots."
2. Resolution R-2014-\_\_\_, "A Resolution of the City Council of the City of Placentia adopting Proposition 218 assessment ballot proceedings procedures."
3. Engineer's Report, SCI Consulting Group, May 2014.
4. Sample Notice.
5. Sample Ballot.

**RESOLUTION NO. R-2014-xx**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA DECLARING INTENTION TO FORM LANDSCAPE MAINTENANCE DISTRICT NO. 2014-1 AND LEVY ASSESSMENTS, PRELIMINARILY APPROVING THE ENGINEER'S REPORT, PROVIDING NOTICE OF PUBLIC HEARING AND THE MAILING OF THE ASSESSMENT BALLOTS**

**A. Recitals.**

(i). By Resolution No. R-2014-20, approved April 15, 2014, the City Council ordered the initiation of proceedings for the formation of a landscaping maintenance district pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the California Streets and Highways Code (commencing with § 22500 thereof) ("Act").

(ii). Proposition 218 was adopted on November 6, 1996, adding Articles XIIIIC and XIIIID to the California Constitution.

(iii). Articles XIIIIC and XIIIID of the California Constitution and implementing statutes impose certain procedural and substantive requirements relating to assessments (as defined).

(iv). An Engineer's Report ("Report") has been prepared by SCI Consulting Group, registered, professional engineers ("Assessment Engineer"), and submitted to the City Council, in which an assessment is proposed to fund the cost of the installation, maintenance and servicing of improvements within the District boundaries as described in § 3 below. The proposed landscaping maintenance assessment shall be described as "Landscape Maintenance District No. 2014-1" of the City of Placentia (hereinafter the "Assessment District"). Articles XIIIIC and XIIIID of the California Constitution and implementing statutes impose certain procedural and substantive requirements relating to assessments (as defined).

**B. Resolution.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.

2. Reference to Initiation. In accordance with direction from the City Council, SCI Consulting Group, ("Engineer of Work"), prepared an Engineer's Report ("Report") pursuant to the Act and Article XIIID of the California Constitution. The Report has been prepared, filed with the City Clerk, reviewed and duly considered by the City Council and is hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to this Resolution.

3. Description of the Improvements. The purpose of the Assessment District shall be for the installation, maintenance and servicing of improvements. Within the District, the existing and proposed improvements ("Improvements") are generally described as the installation, maintenance and servicing of public areas and public facilities, including, but not limited to, landscaping, sprinkler systems, park grounds, park facilities, landscape corridors, ground cover, shrubs and trees, street frontages, playground equipment and hardcourt areas, community centers, drainage systems, lighting, fencing, entry monuments, basketball courts, tennis courts other recreational facilities, security patrols, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment, as applicable, for property owned and/or maintained by the City of Placentia. Installation means the construction of recreational improvements, including, but not limited to, land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks and drainage, lights, playground equipment, play courts, recreational facilities and public restrooms. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of said improvements, including (a) repair, removal, or replacement of all or part of any improvement; (b) providing for the life, growth, health and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; (c) the removal of trimmings, rubbish, debris, and other solid waste; and (d) the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti. Servicing means the furnishing of (a) electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements, and (b) water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

4. Reference to Engineer's Report. The Report is hereby incorporated by reference. Reference is hereby made to the Report for a full and detailed description of the Improvements, the boundaries of the Assessment District and the proposed assessments upon assessable lots and parcels of land within the Assessment District. Reference is also hereby made to the Report for an estimate of the costs of the Improvements proposed to be financed from the proceeds of the proposed assessment.

5. Report of the Assessment Engineer. The Report is available for public review at the City of Placentia City Hall, located at 401 East Chapman Avenue, Placentia, CA. The Engineer's Report includes:

A. A description of the Improvements to be funded with assessment proceeds, services and incidental costs;

B. An estimate of the annual cost of such Improvements;

C. A description of the assessable parcels of land within the District and proposed to be subject to the assessment;

D. A description of the proportionate special and general benefits conferred on property by the proposed assessment;

E. A description of the boundaries of the proposed Assessment District;

F. A specification of the amount to be assessed upon various types of assessable land to fund the cost of the Improvements, and;

G. The proposed method and formula of assessing the costs and expenses of the Improvements to the properties which will specially benefit from the Improvements.

6. Description of Assessment District. The Assessment District consists of the lots and parcels shown on the boundary map of the Assessment District on file with the City Clerk, and reference is hereby made to such map for further particulars.

7. Proposed Assessment Rate. It is the intention of this City Council to levy and collect assessments within the Assessment District. The estimated fiscal year 2014-15 cost of providing the Improvements is \$207,031. Said estimated cost results in a proposed assessment rate of NINETY TWO DOLLARS AND NO CENTS (\$92.00) per Single Family Equivalent ("SFE") for

fiscal year 2014-15. It is the further intention of the City to have the assessment collected on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, its general taxes.

8. Public Hearing. NOTICE IS HEREBY GIVEN THAT THE PUBLIC HEARING ON THE PROPOSED ASSESSMENT SHALL BE HELD BEFORE THE CITY COUNCIL OF THE CITY OF PLACENTIA IN THE COUNCIL CHAMBERS OF THE CITY OF PLACENTIA CITY HALL, LOCATED AT 401 EAST CHAPMAN AVENUE, PLACENTIA, CA ON TUESDAY, AUGUST 5, 2014 AT THE HOUR OF 7:00 P.M., OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD, FOR THE PURPOSE OF THIS CITY COUNCIL'S DETERMINATION OF WHETHER THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY REQUIRE THE IMPROVEMENTS AND THIS CITY COUNCIL'S FINAL ACTION UPON THE REPORT AND THE ASSESSMENTS THEREIN. All interested persons shall be afforded the opportunity to hear and be heard. Any interested person may file a written protest with the City Clerk, or, having previously filed a protest, may file a written withdrawal of that protest, prior to the conclusion of the public input portion of the public hearing. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by the signer thereof. The City Council shall consider all oral statements and all written protests made or filed by any interested person.

9. Notice and Ballot. The City Clerk hereby is authorized and directed to cause Notice of the hearing ordered under § 8 hereof to be given in accordance with law by United States Mail, and such Notice shall be deemed to have been given when so deposited in the United States Mail. The envelope or cover of the mailing shall include the name of the City. The mailed Notice shall be given to all property owners of assessable parcels within the Assessment District by such mailing by name to those persons whose names and addresses appear on the last equalized secured property tax assessment roll of Orange County, or in the case of any public entity, the representative of such public entity at the address thereof known to the City Clerk. The Notice shall include, but not be limited to, the total amount of assessment proposed to be levied in the Assessment District for fiscal year 2014-15, the assessment proposed for the owner's particular parcel(s) and the duration thereof and the reason for the assessment. Each Notice shall also contain the proposed assessment and the basis upon which the amount of the assessment was calculated. Each Notice shall also contain an assessment ballot, a summary of the procedures applicable to the completion, return and tabulation of assessment ballots, the

date, time, and location of the public hearing and a statement that the existence of a majority protest will result in the assessment not being imposed. The Notice herein provided shall be mailed not less than forty-five (45) days before the date of the public hearing.

10. Additional Information. To obtain additional information about the proposed assessments, the Assessment District or the proposed Improvements contact: Michael McConaha, Public Works Manager, 401 East Chapman Avenue, Placentia, CA 92870, telephone number (714) 993-8120. The Engineer's Report and other written material about the Assessment District may also be reviewed at the Office of the City Clerk during regular business hours.

11. Annual Assessments. The assessments are proposed to be levied annually. If the proposed assessments are approved and confirmed by the City Council, the assessments will increase in future years by an amount up to the change in the Los Angeles-Riverside-Orange County area Consumer Price Index, but not exceeding three percent (3%), multiplied by the proposed assessment plus the existing assessment for LMD No. 92-1, without a further vote or balloting process. In each subsequent year in which the assessments will be levied, an updated Engineer's Report, including a proposed budget and assessment rate, shall be prepared. The updated Engineer's Report shall be considered by the City Council at a noticed public hearing. The updated Engineer's Report shall serve as the basis for the continuation of the assessments.

PASSED, ADOPTED AND APPROVED this 3<sup>rd</sup> day of June, 2014.

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SCOTT W. NELSON,  
MAYOR

ATTEST:

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PATRICK J. MELIA,  
CITY CLERK

I, PATRICK J. MELIA, CITY CLERK of the CITY OF PLACENTIA DO HEREBY CERTIFY that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 3<sup>rd</sup> day of June, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM:

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ANDREW V. ARCZYNSKI,  
CITY ATTORNEY

**RESOLUTION NO. R-2014-xx**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF PLACENTIA ADOPTING PROPOSITION 218  
ASSESSMENT BALLOT PROCEEDINGS PROCEDURES**

**A. Recitals.**

(i). The City Council of the City of Placentia, California ("City") hereby finds, determines, declares, and resolves as follows:

(ii). Proposition 218 was adopted on November 6, 1996, adding Articles XIIIIC and XIIID to the California Constitution.

(iii). Article XIIID of the California Constitution imposes certain procedural and substantive requirements relating to assessments (as defined).

(iv). The City believes it to be in the best interests of the City and its property owners to confirm and memorialize the City's procedures and guidelines regarding implementation of the provisions of Proposition 218 and pertinent statutes relating to assessments.

(v). All legal prerequisites to the adoption of this Resolution have occurred.

**B. Resolution.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.

2. Statement of Legislative Intent. In adopting this resolution, it is the City Council's intent to adopt assessment ballot proceedings, which are consistent and in compliance with Articles XIIIIC and XIIID of the California Constitution and with Government Code §§ 53750 through 53754. It is not the intent of the City Council to vary in any way from the requirements of either the California Constitution or the laws of the State of California. If there is any inconsistency of each between a provision of this resolution and state law, state law will govern.

3. Definition of Assessment. Proposition 218 defines "assessment" as "any levy or charge by an agency upon real property that is based upon the special benefit conferred upon the real property by a public improvement or services, that is imposed to pay the capital cost of the public improvement, the maintenance and operation expenses of the public improvement or the cost of the service being provided." "Assessment" includes, but is not limited to, "special assessment," "benefit assessment," "maintenance assessment," and "special assessment tax."

4. Assessment Ballot Proceeding. The following procedures shall be used in an assessment ballot proceeding that follows the requirements of California Constitution, Article XIIID, § 4:

A. Amount of Assessment. Only special benefits are assessable. The amount of assessment shall be each identified parcel's proportionate share of the cost of the landscape maintenance services based upon that parcel's special benefit from the services provided. The amount shall be proportional to, and no greater than, the special benefits conferred on the property.

B. Engineer's Report. The City Council shall direct the filing of an engineer's report that shall comply with the applicable state statute(s) authorizing the assessment and with California Constitution, Article XIIID, § 4. The engineer's report shall explain the special benefits conferred by the improvements and/or services funded by the assessments. The engineer's report shall also provide the evidence upon which the City Council may find that a special benefit exists. If the improvement or service confers a general benefit, the engineer's report shall describe the general benefit and an alternative funding source for any general benefits. The engineer's report shall be prepared by a registered professional engineer certified by the State of California, ("Assessment Engineer"). The cost of preparing the engineer's report shall be included as a cost of the assessment.

C. Notice. The following guidelines shall apply to giving notice of an assessment:

(1). The record owner(s) of each parcel to be assessed shall be determined from the last equalized property tax roll. If the property tax roll indicates more than one (1) owner, each

owner shall receive notice. Only property owners shall receive notice;

(2). The notice shall be sent at least forty-five (45) days prior to the date set for the public hearing on the assessment;

(3). The notice provided by this section shall contain the following information:

(a). The total amount to be assessed for the entire assessment district;

(b). The amount to be assessed to the owner's particular parcel;

(c). The duration of the payments;

(d). The reason for the assessment;

(e). The basis upon which the amount of the proposed assessment was calculated;

(f). The date, time and location of the public hearing on the proposed assessment;

(g). A summary of the procedures for the completion, return and tabulation of the assessment ballots;

(h). A disclosure statement that the existence of a majority protest will result in the assessment not being imposed; and

(i). A ballot to be completed by the owner, as further described in section D of this resolution.

(4). The notice provided by this section and in accordance with California Code §§ 53753(b) and (c) shall supersede and be in lieu of any other statutes requiring notice to levy or increase an assessment, including but not limited to the notice required by the state statute authorizing the assessment and California Government Code § 54954.6;

(5). Failure of any person to receive notice shall not invalidate the proceedings;

(6). The cost of providing notice shall be included as a cost of the assessment.

D. Assessment Ballot. The following guidelines shall apply to the assessment ballot:

(1). The ballot required by Article XIIID, § 4(d), of the California Constitution shall be mailed to all property owners of record subject to the proposed assessment at least forty-five (45) days prior to the date of the public hearing on the proposed assessment. Said ballot shall comply with the requirements of California Government Code §§ 53753(b) and (c). The ballot shall be designed in such a way that, once sealed, its contents are concealed.

(2). All ballots must be returned either by mail or by hand delivery; not later than the date for return of ballots stated on the notice and ballot described in this section. Mailed ballots must be returned to City of Placentia, City Clerk, 401 East Chapman Avenue, Placentia, CA 92870, or, if delivered at the time and location of the public hearing, to be held at the City of Placentia City Council Chambers, located at 401 East Chapman Avenue, Placentia, CA, and handed to the City Clerk. Ballots must be returned either by mail or by hand delivery prior to the conclusion of the public input portion of the public hearing. The City Clerk shall tabulate the ballots ("Tabulator") at a time and location which will be accessible to the public.

(3). Each ballot must be signed under penalty of perjury. In the event that more than one (1) of the record owners of a parcel submits an assessment ballot, the amount of the proposed assessment to be imposed upon the parcel shall be allocated to each ballot submitted in proportion to the respective record ownership interests or, if the ownership interests are not shown on the record, as established to the satisfaction of the City Council or Assessment Engineer by documentation provided by the record owners. If two (2) or more persons own a parcel subject to the assessment, any one (1) owner may cast an assessment ballot for all owners.

(4). If a parcel has multiple owners, any owner may request a proportional assessment ballot. If the ownership interest of the owner is not shown on the last equalized secured property tax assessment roll, such request must include evidence, satisfactory to the City, of the owner's proportional

rights in the parcel. The Assessment Engineer will provide the proportional ballot to the owner at the address shown on the assessment roll. Any request for a ballot to be mailed to another location must include evidence, satisfactory to the City, of the identity of the person requesting the ballot. Each proportional ballot will be marked to identify it as a proportional ballot and to indicate the owner's proportional rights in the parcel. The Assessment Engineer shall keep a record of each proportional ballot provided to an owner.

(5). The City will only accept official ballots mailed or otherwise provided to owners by the Assessment Engineer.

(6). If an assessment ballot is lost, withdrawn, destroyed or never received, the Assessment Engineer will mail or otherwise provide a replacement ballot to the owner upon receipt of a request delivered to the City or the Assessment Engineer. The replacement ballot will be marked to identify it as a replacement ballot or a replacement proportional ballot. Any request for a replacement or replacement proportional ballot to be mailed to another location must include evidence, satisfactory to the City or the Assessment Engineer, of the identity of the person requesting the ballot. The same procedure applies to replacement ballots or replacement proportional ballots, which are lost, withdrawn, destroyed, or never received.

(7). If an assessment ballot is returned by the United States Post Office as undeliverable, the Assessment Engineer may mail a redelivered ballot to the current property owner, if updated ownership or owner mailing address can be determined. The redelivered ballot will be marked to identify it as a redelivered ballot.

(8). An assessment ballot proceeding is not an election.

(9). An assessment ballot is a disclosable "public record" as that phrase is defined by California Government Code § 6252 during and after tabulation of the ballots.

(10). The California Government Code requires that assessment ballots be signed by property owners. However, property owner names and corresponding votes will remain strictly confidential, except as necessary to count the votes or as disclosure is required by California law.

(11). To complete an assessment ballot, the owner of the parcel or his or her authorized representative must (1) mark the appropriate box (or circle) supporting or opposing the proposed assessment, and (2) sign, under penalty of perjury, the statement on the ballot that the person completing the ballot is the owner of the parcel or the owner's authorized representative. Only one (1) box (or circle) may be stamped or marked on each ballot. All incomplete or improperly marked ballots shall be disqualified from balloting. The Tabulator will retain all such invalid ballots.

(12). After returning an assessment ballot to the City, or the Tabulator on behalf of the City, the person who signed the ballot may withdraw the ballot by submitting a written statement to the City directing the City to withdraw the ballot. Such statement must be received by the City or the Tabulator prior to the close of the public input portion of the public hearing on the proposed assessment. When ballots for the assessment are tabulated, the Tabulator will segregate withdrawn ballots from all other returned ballots. The Tabulator will retain all withdrawn ballots and will indicate on the face of such withdrawn ballots that they have been withdrawn.

(13). In order to change the contents of a ballot that has been submitted, the person who has signed that ballot may (1) request that such ballot be withdrawn, (2) request that a replacement ballot be issued, and (3) return the replacement ballot fully completed. Each of these steps must be completed according to the procedures set forth above.

E. Tabulating Ballots. The following guidelines shall apply to tabulating assessment ballots:

(1). Assessment ballots shall remain sealed until tabulation commences.

(2). The City Clerk shall oversee and direct the tabulation of the assessment ballots. The Tabulator shall follow the rules and procedures of the laws of the State of California, this Resolution and any other rules and procedures of the City Council. If the Tabulator needs clarification, then he or she shall inquire of the City Council, which is the final arbiter. All ballots shall be accepted as valid except those in the following categories:

(a). A photocopy of a ballot, a letter or other form of a

ballot that is not an official ballot provided by the City or the Assessment Engineer on behalf of the City;

(b). An unsigned ballot, or ballot signed by an unauthorized individual;

(c). A ballot which lacks an identifiable mark in the box for a "yes" or "no" vote or with more than one (1) box marked, will not be counted;

(d). A ballot which appears tampered with or otherwise invalid based upon its appearance or method of delivery or other circumstances;

(e). A ballot for which the barcode representing the parcel number is damaged or obstructed, unless the parcel number or property ownership information is legible and allows the Tabulator to clearly determine the property(s) identified on the ballot.

(f). A ballot received after the close of the balloting time period. The Tabulator's decision, after consultation with the City Council's legal counsel, that a ballot is invalid shall be final and may not be appealed to the City Council.

(3). If more than one (1) of the record owners of a parcel submits an assessment ballot, the amount of the proposed assessment to be imposed upon the parcel shall be allocated to each ballot in proportion to the respective record ownership interests, as shown on the record or as established to the City's satisfaction by documentation provided by the record owners.

(4). In the event of a dispute regarding whether the signer of a ballot is the owner of the parcel to which the ballot applies, the City Council will make such determination from the official County Assessor records and any evidence of ownership submitted to the City Council prior to the conclusion of the public hearing. The City Council shall be under no duty to obtain or consider any other evidence as to ownership of property and its determination of ownership will be final and conclusive.

(5). In the event of a dispute regarding whether the signer of a ballot is an authorized representative of the owner of the parcel, the City Council may rely on the statement on the ballot signed under penalty of perjury that the person

completing the ballot is the owner's authorized representative and any evidence submitted to the City Council prior to the conclusion of the public hearing. The City Council will be under no duty to obtain or consider any other evidence as to whether the signer of the ballot is an authorized representative of the owner and its determination will be final and conclusive.

(6). A property owner who has submitted an assessment ballot may withdraw the ballot and submit a new or changed ballot up until the conclusion of the public input portion of the public hearing on the assessment. Assessment ballots may be withdrawn and newer changed ballots submitted up until the conclusion of the public input portion of the public hearing on the assessment.

(7). A property owner's failure to receive an assessment ballot shall not invalidate the proceedings conducted under this section and California Constitution Article XIIIID, § 4.

(8). The City shall retain all ballots for a period of two (2) years from the date of the public hearing.

#### F. Public Hearing.

(1). At the public hearing, the City Council shall hear and consider all public testimony, objections and protests regarding the proposed assessment and accept ballots until the close of the public input portion of the public hearing.

(2) Reasonable time limits may be imposed on both the length of the entire hearing and the length of each speaker's testimony.

(3). At the conclusion of the public input portion of the hearing, but prior to the conclusion of the public hearing, the Tabulator shall begin tabulation of the ballots at the direction of the City Council, including those received during the public hearing.

(4). If it is not possible to tabulate the ballots on the day of the public hearing, or if additional time is necessary for public testimony, the City Council may continue the public hearing from time to time in order to receive additional testimony, information, or to finish tabulating the ballots.

(5). If, according to the final tabulation of the ballots, ballots submitted against the assessment exceed the ballots

submitted in favor of the assessment, weighted according to the proportional financial obligation of the affected property, a "majority protest" exists and the City Council shall not impose the assessment.

PASSED, ADOPTED AND APPROVED this 3<sup>rd</sup> day of June, 2014.

---

SCOTT W. NELSON,  
MAYOR

ATTEST:

---

PATRICK J. MELIA,  
CITY CLERK

I, PATRICK J. MELIA, CITY CLERK of the CITY OF PLACENTIA DO HEREBY CERTIFY that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 3<sup>rd</sup> day of June, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

PATRICK J. MELIA,  
CITY CLERK

APPROVED AS TO FORM:

---

ANDREW V. ARCZYNSKI,  
CITY ATTORNEY



**CITY OF PLACENTIA**

**LANDSCAPE MAINTENANCE DISTRICT No. 2014-1**

**ENGINEER'S REPORT**

FISCAL YEAR 2014-15

MAY 2014

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972,  
GOVERNMENT CODE AND ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:

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**CITY OF PLACENTIA**

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**CITY COUNCIL**

Scott W. Nelson, Mayor  
Joseph V. Aquirre, Mayor Pro Tem  
Constance Underhill, Councilmember  
Chad P. Wanke, Councilmember  
Jeremy B. Yamaguchi, Councilmember

**CITY ADMINISTRATOR**

Troy L. Butzlaff

**PUBLIC WORKS MANAGER**

Michael McConaha

**CITY ATTORNEY**

Andrew V. Arczynski

**ENGINEER OF WORK**

SCI Consulting Group

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## INTRODUCTION

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### OVERVIEW

The City of Placentia (the "City") services and maintains perimeter and median landscaping, and other improvements ("Improvements") to various parts of the City. This Engineer's Report ("Report") was prepared to establish the budget for the Improvements (as described below) that will be funded by the 2014-15 assessments, if approved, and other revenue, and to determine the general and special benefits received from the Improvements by property within the Improvement District ("District") and the method of assessment apportionment to lots and parcels. This Report and the assessments have been made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act") and Article XIIID of the California Constitution (the "Article").

This Report is the basis for the formation of a new assessment district. The City has decided to structure this assessment to be identical to the existing Landscape Maintenance District No. 92-1 in its geographic boundaries and assessed parcels, and service the same physical improvements and facilities.

### DISTRICT'S FACILITIES

The City's landscape facilities to be funded by assessments within this District are located in various parts of the City. These facilities were built and have been serviced and maintained over the past two decades as part of new developments since the formation of a previous landscape maintenance district, No. 92-1. The improvements generally include entrance signs, traffic islands and medians, parkway vistas, public right-of-way screen planting around various oil well lots, street rights-of-way, public easements, and the Placentia Champions Sports Complex.

### ASSESSMENT BACKGROUND

The City formed Landscape Maintenance District No. 92-1 in May of 1992 to service and maintain the specific landscape facilities and improvements relevant to this report. Revenues from that district remain relatively flat - there is not a consumer price index adjustment provision - while the costs to maintain and service these facilities and improvements have risen steadily.

In order to maintain and improve the current service level while constrained by static revenues and increasing costs, the City proposes the formation of a new assessment district. If this assessment is not approved, the City will reduce the service level and defer maintenance, renovation and replacement, resulting in a continuing deterioration of the improvements.

### ASSESSMENT PROCESS

This Engineer's Report ("Report") describes Landscape Maintenance District No. 2014-1 (the "District"), along with the proposed boundaries, a description of the facilities and public

improvements to be improved, serviced and maintained by the assessments (the "Improvements"), and the proposed assessments for Fiscal Year 2014-15 (the "Assessments").

Following submittal of this Report to City of Placentia City Council ("Council") for preliminary approval, the Council may, by Resolution, call for an assessment ballot proceeding and public hearing on the proposed establishment of Assessments for the provision of the Improvements.

If the Council so directs, a notice of assessment and assessment ballot will be mailed to property owners within the District boundaries who receive special benefit from the Improvements. Such notice will include a description of the Improvements to be funded by the proposed Assessments, the proposed assessment amount for each parcel owned, and an explanation of the method of submitting a ballot on the Assessments. Each notice will include a ballot on which the property owner would mark his or her approval or disapproval of the proposed Assessments and signature, as well as a postage prepaid envelope in which to return the ballot. Ballots are tentatively scheduled to be mailed on or about Thursday, June 19, 2014.

After the ballots are mailed to property owners in the District, a minimum 45-day time period must be provided for the return of the assessment ballots. Following this 45-day time period, a public hearing must be held for the purpose of allowing public testimony regarding the proposed Assessments. The Public Hearing is tentatively scheduled for Tuesday, August 5, 2014 at 7:00 pm. At the Public Hearing, the public will have the opportunity to speak on the issue, voice any concerns or protests, and obtain further information about the proposed Assessments.

Tabulation of the returned ballots will begin after the close of the public input portion of the Public Hearing. The Public Hearing will be continued to allow time for the tabulation of the ballots until later that evening or until a date to be determined by the Council. At that time, it is anticipated the tabulation results will be announced. If it is determined that the assessment ballots submitted in opposition to the proposed Assessments do not exceed the assessment ballots submitted in favor of the Assessments (each ballot is weighted by the proportional financial obligation of the property for which the ballot is submitted) the Council may take action to approve the levying of Assessments for Fiscal Year 2014-15. If the Assessments are so confirmed and approved, the assessment information will be submitted to the County Auditor/Controller. The County Auditor/Controller will include the Assessments on the property tax roll for Fiscal Year 2014-15.

## **LEGAL REQUIREMENTS**

### **PROPOSITION 218**

This assessment will be formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now codified as Articles XIII C and XIII D of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services,

improvements, as well as maintenance and operation expenses to a public improvement which directly benefits the assessed property.

Proposition 218 describes a number of important requirements, including property-owner balloting, for the imposition, increase and extension of assessments, and these requirements are satisfied by the process used to establish this assessment.

**SILICON VALLEY TAXPAYERS ASSOCIATION, INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY (2008) 44 CAL. 4TH 431**

In July of 2008, the California Supreme Court issued its ruling on the *Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority* ("SVTA"). This ruling is significant in that the Court clarified how Proposition 218 made changes to the determination of special benefit. The Court also found that:

- Benefit assessments are for special, not general, benefit
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the Improvement District
- The assessment paid by property should be proportional to the special benefits it receives from the Improvements

**DAHMS V. DOWNTOWN POMONA PROPERTY (2009) 174 CAL. APP. 4TH 708**

In *Dahms v. Downtown Pomona Property* ("Dahms") the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

**TOWN OF TIBURON V. BONANDER (2009) 180 CAL. APP. 4TH 103**

In *Town of Tiburon v. Bonander* ("Bonander"), the 1<sup>st</sup> District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments primarily on the grounds that the assessments had been apportioned to assessed property based on the costs within sub-areas of the assessment district instead of the overall cost of the improvements and the overall proportional special benefits.

**BEUTZ V. COUNTY OF RIVERSIDE (2010) 184 CAL. APP. 4TH 1516**

In *Steven Beutz v. County of Riverside* ("Beutz") the Court overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

**GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO (2011) 199 CAL. APP. 4<sup>TH</sup> 416**

In *Golden Hill Neighborhood Association v. City of San Diego* ("Golden Hill"), the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in *Beutz*, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

**COMPLIANCE WITH CURRENT LAW**

This Engineer's Report is consistent with the SVTA decision and with the requirements of Article XIIC and XIID of the California Constitution because the Improvements to be funded are clearly defined; the benefiting property in the District enjoys close and unique proximity, access and views to the Improvements; the Improvements serve as an extension of usable land area for benefiting properties in the District and such special benefits provide a direct advantage to property in the District that is not enjoyed by the public at large or other property.

This Engineer's Report is consistent with *Beutz*, *Dahms* and *Golden Hill* because the Improvements will directly benefit property in the Improvement District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property, rather than the proportional cost to the District to provide the Improvements to specific properties.

## PLANS & SPECIFICATIONS

---

The City maintains landscaping and other improvements in locations within the proposed Assessment District's boundaries. The work and improvements proposed to be undertaken by the Landscape Maintenance District No. 2014-1 and the cost thereof paid from the levy of the annual Assessment provide special benefit to Assessor Parcels within the District as defined in the Method of Assessment herein. In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the "Act") the work and improvements are generally described as follows:

### ENTRANCE SIGNS

The entrance signs with landscape improvements to be maintained are to be located at the following locations within the District:

- Central Avenue at Chapman Avenue (northeast corner)
- Central Avenue at Gordon Drive
- Central Avenue at Buck Place
- Buena Vista Street at Dressel Drive
- Buena Vista Street at Petry Drive
- Alta Vista Street at Change Drive
- Alta Vista Street at Swail Drive
- Alta Vista Street at Terry Drive

### ISLANDS

The landscaped islands to be maintained by the District are located as follows:

- Kraemer Blvd from Alta Vista Street to n/o<sup>1</sup> City Hall
- Connecticut Way e/o Kraemer Blvd
- Rose Drive from Alta Vista Street to Buena Vista Street

### PARKWAY VISTAS

The landscaped parkway vistas to be maintained by the District are located as follows:

- Kraemer Blvd. e/s<sup>2</sup> (n/o City Hall to Connecticut Way)
- Kraemer Blvd. e/s (Connecticut Way to Alta Vista St.)
- Alta Vista Street n/s (from 900' w/o to 800' e/o Dunnavant Dr.)
- Alta Vista Street n/s (Rose Dr. to Jefferson St.)

---

<sup>1</sup> "n/o" refers to "north of". Similarly, "e/o", "s/o" and "w/o" refer to "east of", "south of" and "west of", respectively.

<sup>2</sup> "e/s" refers to "east side". Similarly, "n/s", "s/s" and "w/s" refer to "north side", "south side" and "west side", respectively.

- Alta Vista Street n/s (Jefferson St. to Van Buren St.)
- Alta Vista Street s/s (Kraemer Blvd. to All America Way)
- Alta Vista Street s/s (Central Ave. to Dunnivant Dr.)
- Alta Vista Street s/s (Dunnivant Dr. to Rose Dr.)
- Alta Vista Street s/s (Rose Dr. to Jefferson St.)
- Alta Vista Street s/s (Jefferson St. to Van Buren St.)
- Rose Drive w/s (Alta Vista St. to 500'+ n/o Orangethorpe Ave.)
- Rose Drive e/s (Alta Vista St. to north boundary of Shopping Center)
- Rose Drive e/s (Alta Vista St. to 200' s/o Castner Dr.)

#### **UNOCAL/FIELDSTONE OIL WELL LOTS – RIGHT-OF-WAY SCREEN PLANTING**

The landscaped screen planting areas to be maintained by the District are located as follows:

- Dressel Drive / Howard Place
- Mykannen Circle / Cisneros Lane
- Tidland Circle
- Nevin Lane / Tucker Place
- Nevin Lane / Evans Lane
- Gerhold Lane
- Hill Street / Granger Drive
- Larson Lane / Evans Lane

#### **STREET RIGHT-OF-WAY LANDSCAPING**

The street landscaping to be maintained by the District is located as follows:

- Jefferson Street e/s (Alta Vista St. to Garten Dr.)
- Buena Vista s/s (320'± w/o Petry Dr. to 500'± e/o Dressel Dr.)
- Van Buren Street w/s (750' n/o Alta Vista St. to Orchard Dr.)
- Chang Drive (Alta Vista St. to Evans Ln.)
- Dressel Drive (Buena Vista St. to Munoz Pl.)
- Central Avenue (Alta Vista St. to Chapman Ave.)
- Chapman Avenue (Central Ave. to 1130'± east)
- Chapman Avenue (Mission Way to All America Way)
- All America Way w/s (City Hall to Alta Vista St.)
- All America Way e/s (Chapman Ave. 100'± s/o Dartmouth Dr.)
- Van Buren Street e/s (Richfield Channel to 200' s/o Alta Vista St.)
- Dunnivant Drive (Alta Vista to 1300'± south) (does not include Lot "F", Tract 15139)
- Other minor areas that front non-contiguous assessed parcels

#### **EASEMENTS – PUBLIC STORM DRAIN AND SEWER**

Landscaped easements to be maintained by the District are located as follows:

- At various locations within TM 14161 (Fieldstone and Van Daele Tracts and TM 15699 Placentia Development Company)
- Does not include Lot "F," Tract 15139

#### **PLACENTIA CHAMPIONS SPORTS COMPLEX**

Maintenance and service includes (but is not limited to) the following:

- Payments for electrical energy and water usage
- Repair, replacement or enhancement of community building, parking lots, fencing, signage, lighting and fixed recreational structures such as playgrounds, play fields, courts, walkways, dugouts, bleachers, scoreboards, restrooms, drinking fountains, picnic tables and shelters, and ancillary items such as storage and utility structures
- Irrigation, cultivation, pest control and replacement of plant material, trees, shrubs, ground cover, turf, supplies
- Personnel, utility and equipment costs
- Contract services where applicable

Installation, maintenance and servicing of Improvements, may include, but are not limited to, turf and play areas, landscaping, ground cover, shrubs and trees, irrigation systems, sidewalks, parking lots, drainage systems, lighting, fencing, entry monuments, basketball courts, tennis courts, other recreational facilities, security patrols to protect the Improvements, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment, as applicable, at each of the locations owned, operated or maintained by the District.

As applied herein, "Installation" means the construction of Improvements, including, but not limited to, land preparation (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, walkways and drainage, lights, playground equipment, play courts, playing fields, recreational facilities and public restrooms.

"Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal or replacement of all or any part of any improvement; providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste, and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

"Servicing" means the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements; or water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of

printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and servicing of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment (Streets & Highways Code §22526).

Modifications to the District structure could include, but are not limited to, substantial changes or expansion of the Improvements provided, substantial changes in the service provided, modifications or restructuring of the District including annexation or detachment of specific parcels, revisions in the method of apportionment, or proposed new or increased assessments.

The assessment proceeds will be exclusively used for Improvements within the District plus incidental expenses.

## FISCAL YEAR 2014-15 ESTIMATE OF COST AND BUDGET

### BUDGET FOR FISCAL YEAR 2014-15

The following budget shows the cost of the Improvements that would be funded by the District in Fiscal Year 2014-15.

**TABLE 1 – ESTIMATE OF COSTS  
LANDSCAPE MAINTENANCE DISTRICT No. 2014-1**

<b>Expenditure Item</b>	<b>Amount</b>
Salaries & Benefits	\$135,761
Legal Services	1,500
Engineering Services	19,650
Special Studies	10,000
Other Professional Services	0
Landscaping	166,000
Repair / Maintenance Services	20,000
Construction Services	0
Telephone	10,000
Advertising	500
City Administrative Services	0
Electricity	30,000
Water	153,000
<b>Estimated Expenditures</b>	<b>\$546,411</b>
<b>Reveue Item</b>	<b>Amount</b>
Direct Benefit Assessments FY 2014/15	\$199,557
Other Assessments (LMD 92-1)	\$427,925
General Fund Contribution	\$0
Amount from (to) Dedicated Reserves	(\$81,071)
<b>Estimated Revenues</b>	<b>\$546,411</b>
<b>Budget Allocation to Parcels</b>	<b>Amount</b>
Total Assessment Budget <sup>1</sup>	\$199,557
Single Family Equivalents - Zone A	1759.910
Single Family Equivalents - Zone B	329.430
Single Family Equivalents - Zone C	161.000
Total Single Family Equivalents (Zone A + 90% of Zone B + 70% of Zone C)	2,169.097
<b>Assessment per Single Family Equivalent (SFE)<sup>2</sup></b>	<b>\$92.00</b>

Notes to Estimate of Costs:

1. The Act requires that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the Fiscal Year, June 30, must be carried over to the next Fiscal Year. The District may also establish a reserve fund for contingencies and special projects as well as a capital improvement fund for accumulating funds for larger capital improvement projects or capital renovation needs. Any remaining balance would either be placed in the reserve fund, the capital improvement fund, or would be used to reduce future years' assessments.
2. The rate shown here is for a single family home or its equivalent. For the definition of the term SFE and rates for other types of property, see the section titled, "Method of Assessment" and the sections following it in this report.

## METHOD OF ASSESSMENT APPORTIONMENT

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report explains the benefits to be derived from the Improvements and the methodology used to apportion the total assessment to properties within the District.

The method used for apportioning the Assessment is based upon the relative special benefits to be derived by the properties in the District over and above general benefits conferred on real property or to the public at large. The Assessment is apportioned to lots and parcels in proportion to the relative special benefit from the Improvements. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the Improvements and the second step is to allocate the Assessments to property based on the estimated relative special benefit for each type of property.

This section of the Engineer's report includes a discussion of the benefits to be provided by the proposed improvements and the method of apportionment of assessments within the District. The formula below identifies the final level of service as the sum of the baseline level of service (without this proposed assessment) and the enhanced level of service to be funded by the proposed assessment.

<b>Final Level of Service</b>	=	<b>Baseline Level of Service</b>	+	<b>Enhanced Level of Service</b>
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### DISCUSSION OF BENEFIT

In summary, the Assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

*"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that assessments must be based on the special benefit to property and that the value of the special benefits must exceed the cost of the assessment:

*"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."*

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the Improvements to be provided with the assessment proceeds. These types of special benefit are summarized as follows:

- A. Proximity to Improved Landscaped Areas and Other Public Improvements within the District.
- B. Access to Improved landscaped areas and Other Public Improvements within the District.
- C. Improved Views within the District.
- D. Extension of a property's outdoor areas and green spaces for properties within close proximity to the Improvements.
- E. Creation of individual lots for residential and commercial use that, in absence of the Assessments, would not have been created.

In this case, the recent SVTA decision provides enhanced clarity to the definitions of special benefits to properties from similar improvements in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The SVTA decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The SVTA decision also provides specific guidance that park improvements are a direct advantage and special benefit to property that is proximate to a park that is improved by an assessment:

*The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).*

Proximity, improved access and views, in addition to the other special benefits listed herein further strengthen the basis of these assessments.

Moreover, the *Dahms* decision further clarified that certain services and improvements funded by assessments, that are over and above what otherwise would be provided and that other property in general and the public do not share or receive are 100% special

benefit. The assessment-funded services upheld by *Dahms* included streetscape maintenance and security services.

## **BENEFIT FACTORS**

The special benefits from the Improvements are further detailed below:

### **PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE DISTRICT**

Only the specific properties within close proximity to the Improvements are included in the District. The District has been narrowly drawn to include the properties that receive special benefits from the Improvements. Therefore, property in the District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the District do not share.

In absence of the Assessments, the Improvements would not be provided and the public improvements funded in the District would be degraded due to insufficient funding for maintenance, upkeep and repair. Therefore, the Assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits but when combined with the unique proximity and access enjoyed by parcels in the District, they provide a direct advantage and special benefit to property in the District.

### **ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE DISTRICT**

Since the parcels in the District are nearly the only parcels that enjoy close access to the Improvements, they directly benefit from the unique close access to improved landscaping areas and other public improvements that are provided by the Assessments. This is a direct advantage and special benefit to property in the District.

### **IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICTS**

The City, by maintaining permanent public improvements funded by the Assessments in the District, provides improved views to properties in the District. The properties in the District enjoy close and unique proximity, access and views of the specific Improvements funded in the District; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the District.

### **EXTENSION OF A PROPERTY'S OUTDOOR AREAS AND GREEN SPACES FOR PROPERTIES WITHIN CLOSE PROXIMITY TO THE IMPROVEMENTS**

In large part because it is cost prohibitive to provide large open land areas on property in the District, the residential, commercial and other benefiting properties in the District do not have large outdoor areas and green spaces. The Improvements within the District provide additional outdoor areas that serve as an effective extension of the land area for proximate properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements. The Improvements, therefore, provide an important, valuable and desirable extension of usable land area for the direct advantage and special

benefit of properties in the District because such properties have uniquely good and close proximity to the Improvements.

**CREATION OF INDIVIDUAL LOTS FOR RESIDENTIAL AND COMMERCIAL USE THAT, IN ABSENCE OF THE ASSESSMENTS, WOULD NOT HAVE BEEN CREATED**

In most of the District, the original owner/developer(s) of the property within the District agreed unanimously to the Assessments. The Assessments provide the necessary funding for public improvements that were required as a condition of development and subdivision approval. Therefore, such Assessments allowed the original property to be subdivided and for development of the parcels to occur. As parcels were sold, new owners were informed of the Assessments through the title reports, and in some cases, through Department of Real Estate "White Paper" reports that the parcels were subject to assessment. Purchase of property was also an "agreement" to pay the Assessment. Therefore, in absence of the Assessments, the lots within most of the District would not have been created. These parcels, and the improvements that were constructed on the parcels, receive direct advantage and special benefit from the Assessments.

**GENERAL VERSUS SPECIAL BENEFIT**

Article XIII C of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to "separate the general benefits from the special benefits conferred on a parcel." The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. An assessment can fund special benefits but cannot fund general benefits. Accordingly, a separate estimate of the special and general benefit is given in this section.

In other words:

<b>Total Benefit</b>	<b>=</b>	<b>General Benefit</b>	<b>+</b>	<b>Special Benefit</b>
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There is no widely-accepted or statutory formula for general benefit. General benefits are benefits from improvements or services that are not special in nature, are not "particular and distinct" and are not "over and above" benefits received by other properties. SVTA provides some clarification by indicating that general benefits provide "an indirect, derivative advantage" and are not necessarily proximate to the improvements.

In this Report, the general benefit is liberally estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

The starting point for evaluating general and special benefits is the current, baseline level of service. The Assessment will fund Improvements "over and above" this general,

baseline level and the general benefits estimated in this section are over and above the baseline.

A formula to estimate the general benefit is listed below:

<b>General Benefit</b>	=	<b>Benefit to Real Property Outside the Assessment District</b>	+	<b>Benefit to Real Property Inside the Assessment District that is Indirect and Derivative</b>	+	<b>Benefit to the Public at Large</b>
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Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” The *SVTA* decision indicates that a special benefit is conferred to a property if it “receives a direct advantage from the improvement (e.g., proximity to a park).” In these Assessments, as noted, properties in the District have close and unique proximity, views and access to the Improvements and uniquely improved desirability from the Improvements and other properties and the public at large do not receive significant benefits because they do not have proximity, access or views of the Improvements. Therefore, the overwhelming proportion of the benefits conferred to property is special, and is only minimally received by property outside the Assessment Districts or the public at large.

## **BENEFIT FINDING**

The District contains the Placentia Champions Sports Complex, which is distinct from other landscape improvements in the District. Due to significantly different characteristics between the two types of improvements, benefits will be discussed and calculated separately under the categories of “Park” and “Landscaping.”

### **PARK – QUANTIFICATION OF GENERAL BENEFIT**

In this section, the general benefit from park Improvements is liberally estimated and described, and then budgeted so that it is funded by sources other than the Assessment. This Park section is focused on the Placentia Champions Sports Complex. Other District Improvements are discussed below in Landscaping Improvements - Quantification of General Benefit.

### **PARK – BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICTS**

For the purposes of calculating benefit to properties outside the District, the Park will be considered as a neighborhood park inasmuch as it provides amenities for nearby properties. While it functions as a community (or even regional) facility for organized sports such as baseball and soccer, the general benefit derived from those activities will be discussed under the “Benefit to the General Public” below.

Properties within the District receive much of the special benefits from the park Improvements because properties in the District enjoy unique close proximity and access

to the park Improvements that is not enjoyed by other properties or the public at large. However, certain properties within the proximity/access radius of the park Improvements, but outside of the boundaries of the District, may receive some benefit from the park Improvements. Since this benefit is conferred to properties outside the District boundaries, it contributes to the overall general benefit calculation and will not be funded by the Assessments.

Since the properties outside the District but within the effective proximity radii are not assessed for their benefits because they are outside of the area that can be assessed by the District, this is a form of general benefit to other property. A 50% reduction factor is applied to these properties because they are all on only one side of the Improvements and properties in the District enjoy the advantage of over twice the average proximity to the park Improvements. The general benefit to property outside of the District is calculated as follows with the parcel and data analysis performed by SCI Consulting Group.

**ASSUMPTIONS:**

- 651 parcels outside the District but within 0.5 miles of the Park
- 2,214 parcels in the District
- 50% relative benefit compared to property with the District

**CALCULATION:**

General Benefit to property outside the District =  
 $651 / (651 + 2,214) * 0.5 = 11.36\%$

**PARK – BENEFIT TO PROPERTY *INSIDE* THE ASSESSMENT DISTRICTS THAT IS *INDIRECT AND DERIVATIVE***

The “indirect and derivative” benefit to property within the District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment Districts is special, because the Improvements are clearly “over and above” and “particular and distinct” when compared with the baseline level of service and the unique proximity, access and views of the Improvements enjoyed by benefiting properties in the District.

Nevertheless, the SVTA decision indicates there may be general benefit “conferred on real property located in the district” A measure of the general benefits to property within the Assessment area is the percentage of land area within or directly abutting the District that is publicly owned and used for regional purposes such as major roads, rail lines and other regional facilities because such properties used for regional purposes could provide indirect benefits to the public at large. Approximately 2.91% of the land area in the District is used for such regional purposes, so this is a measure of the general benefits to property within the District.

### **PARK – BENEFIT TO THE PUBLIC AT LARGE**

The general benefit to the public at large can be estimated by the proportionate amount of time that the District's parks facilities are used and enjoyed by individuals who are not residents, employees, customers or property owners in the District. In this District, there is only one park facility: Placentia Champions Sports Complex ("Complex"). The Complex serves the needs of many people in two primary ways: as a neighborhood park serving nearby residents for shorter and more frequent visits; and as a community or regional park serving people from all over Placentia and the surrounding areas as a destination for organized sports such as soccer and baseball league play. The general benefit of the former was discussed above; the general benefit of the latter is discussed here.

When the Complex functions as a community or regional park, it becomes a destination for longer and less frequent visits (for example, scheduled league play). Of the five ways benefits are conferred (proximity, access, views, extension of a property's green space, and creation of lots), the community or regional function confers benefits only in the "access" and "extension of a property's green space" categories (proximity does not apply as these trips are from outside the District; people do not come for the views; and the facility was not tied to the creation of faraway lots). Therefore the general benefit is no more than 40%. That figure, however, is reduced by the percentage that the community or regional park benefits property owners within the district (special benefit). The City estimates that approximately 71% of participants in these organized sports are from the City of Placentia. However, only 15.11% of Placentia parcels lie inside the district, so it is estimated that (15% of 71% =) 10.73% of the users are from within the District. Conversely, 89.27% are from outside the District. Therefore (40% x 89.27% =) 35.71% of the benefits from the Parks Improvements are general benefits to the public at large.

### **PARK – TOTAL GENERAL BENEFITS**

Using a sum of these three measures of general benefit, we find that approximately 49.98% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the assessment.

<b>PARK GENERAL BENEFIT CALCULATION</b>	
11.36%	(Outside the District)
+	2.91% (Property within the District)
+	35.71% (Public at Large)
=	49.98% (Total General Benefit)

### **LANDSCAPING – QUANTIFICATION OF GENERAL BENEFIT**

In this section, the general benefit from landscaping and other types of Improvements (other than park Improvements) is liberally estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

### LANDSCAPING – BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICTS

Properties within the District receive almost all of the special benefits from the other Improvements because properties in the District enjoy unique close proximity and access to the Improvements that is not enjoyed by other properties or the public at large. However, certain properties within the proximity/access radius of the Improvements, but outside of the boundaries of the District, may receive some benefit from the Improvements. Since this benefit is conferred to properties outside the District boundaries, it contributes to the overall general benefit calculation and will not be funded by the Assessments. The general benefit to property outside of the District is calculated with the parcel and data analysis performed by SCI Consulting Group.

Since the properties outside the District but with frontage abutting the Improvements cannot be assessed by the District, this is a form of general benefit to other property. The primary way that parcels outside the district benefit by the Improvements is from views. Therefore, parcels that abut the landscape areas and are not separated from the Improvements by a privacy fence are counted for this general benefit. The general benefit to property outside of the District is calculated as follows.

#### ASSUMPTIONS:

- 22 parcels outside the District
- 2,214 parcels in the District

#### CALCULATION:

$$\text{General Benefit to property outside the District} = \frac{22}{(22+2,214)} = 0.98\%$$

### LANDSCAPING – BENEFIT TO PROPERTY *INSIDE* THE ASSESSMENT DISTRICTS THAT IS *INDIRECT AND DERIVATIVE*

The “indirect and derivative” benefit to property within the District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment Districts is special, because the other Improvements are clearly “over and above” and “particular and distinct” when compared with the baseline level of service and the unique proximity, access and views of the other Improvements enjoyed by benefiting properties in the District.

Nevertheless, the SVTA decision indicates there may be general benefit “conferred on real property located in the district” A measure of the general benefits to property within the Assessment area is the percentage of land area within or directly abutting the District that is publicly owned and used for regional purposes such as major roads, rail lines and other regional facilities because such properties used for regional purposes could provide indirect benefits to the public at large. Approximately 2.91% of the land area in the District is used for such regional purposes, so this is a measure of the general benefits to property within the District.

**LANDSCAPING – BENEFIT TO THE PUBLIC AT LARGE**

The general benefit to the public at large can be estimated by the proportionate amount of time that the Assessment District's other Improvements including landscaping are used and enjoyed by individuals who are not residents, employees, customers or property owners in the District. It should be noted that these other Improvements do not attract the public at large in the same way as park improvements – and they confer far less benefit to the public at large than do similar park improvements. In essence, the public does not visit an area to enjoy setback landscaping in the same way as they may visit a park.

One way to measure the special benefit to the general public is by the car trips through an area with Improvements. Of the five ways benefits are conferred (proximity, access, views, extension of a property's green space, and creation of lots), the only benefit that is conferred by way of pass-by car trips is views, which accounts for 10% of the total benefits, since views are less critically important and are enjoyed much less often to the average non-resident driver than to a resident.

Next, the views factors are weighted by the relevant number of car trips. Using the lane miles as representative of pass-by traffic, an analysis shows that 90% of the lane miles are on arterial or collector streets where the general public has views of the landscaping. Therefore (90% of 10% =) 9.0% of the benefits from the other Improvements are general benefits to the public at large.

**LANDSCAPING – TOTAL GENERAL BENEFITS**

Using a sum of these three measures of general benefit, we find that approximately 12.89% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the assessment.

<b>LANDSCAPING GENERAL BENEFIT CALCULATION</b>	
	0.98% (Outside the District)
+	2.91% (Property within the District)
+	9.00% (Public at Large)
=	12.89% (Total General Benefit)

**TOTAL COMBINED GENERAL BENEFITS**

The total general benefit for Parks is 49.98% and for Landscaping and other Improvements is 12.89%. The City estimates that approximately 20% of its District budget is for Parks and the remainder is for Landscaping and other Improvements. It is reasonable to assume that the ratio will remain relatively constant in the foreseeable future barring significant modifications to the Improvements. Therefore, using those proportions to calculate a weighted average of the general benefits for each type of Improvement, the resulting total combined general benefit is (0.20 x 49.98%) + (0.80 x 12.89%) = 20.31%.

Although this analysis finds that 20.31% of the assessment may provide general benefits from the Improvements, the Assessment Engineer establishes a requirement for a minimum contribution from sources other than the assessments of 21%. This minimum contribution above the measure of general benefits will serve to provide additional coverage for any other general benefits.

**FINAL STEP – CALCULATE THE CURRENT GENERAL BENEFIT CONTRIBUTION FROM THE CITY**

This general benefit cannot be funded from the Assessments; it must be funded from other sources such as the City's General Fund or other non-District funds. These contributions can also be in the form of in-lieu contributions to the installation and maintenance of the Improvements such as other City assets that support and protect the Improvements. The City of Placentia will contribute both monetary and in-lieu resources to ensure that the general benefits conferred by the proposed Improvements are not funded by the District's property owners.

A summary and quantification of these other contributions from the City is discussed below:

The City of Placentia owns, maintains, rehabilitates and replaces curb and gutter along the border of the District Improvements. This curb and gutter serves to support, contain, retain, manage irrigation flow and growth, and provide a boundary for the Improvements. The contribution from the City towards general benefit from the maintenance, rehabilitation, and replacement of the curb and gutter is conservatively estimated to be 5%.

The City owns and maintains a storm drainage system along the border of the District Improvements. This system serves to prevent flooding and associated damage to the Improvements, and manage urban runoff including local pollutants loading from the Improvements. The contribution from the City towards general benefit from the maintenance, and operation of the local storm drainage system is conservatively estimated to be 5%.

The City owns and maintains local public streets along the border of the District Improvements. These public streets provide access to the Improvements for its enjoyment as well as efficient maintenance. The contribution from the City towards general benefit from the maintenance of local public streets is conservatively estimated to be 5%.

The value of the construction of the improvements can be quantified and monetized as an annuity. Since this construction was performed and paid for by non-assessment funds, this "annuity" can be used to offset general benefit costs, and is conservatively estimated to contribute 10%.

The total General Benefit is liberally quantified at 21% which is entirely offset by the conservatively quantified total non-assessment contribution towards general benefit described above of 25%. Therefore, no additional General Benefit must be funded by the City.

## ZONES OF BENEFIT

The boundaries of the District have been carefully drawn to only include the properties in Placentia that are proximate to the Improvements and that would materially benefit from the Improvements. Certain other properties surrounding the District were excluded from the Improvement area because these properties are generally less proximate to the Improvements. In other words, the boundaries of the District have been narrowly drawn to include only properties that will specially benefit from the Improvements, and would receive a declining level of service if the Assessments were not approved.

The SVTA decision indicates:

*In a well-drawn district — limited to only parcels receiving special benefits from the improvement — every parcel within that district receives a shared special benefit. Under section 2, subdivision (i), these benefits can be construed as being general benefits since they are not “particular and distinct” and are not “over and above” the benefits received by other properties “located in the district.”*

*We do not believe that the voters intended to invalidate an assessment district that is narrowly drawn to include only properties directly benefiting from an improvement. Indeed, the ballot materials reflect otherwise. Thus, if an assessment district is narrowly drawn, the fact that a benefit is conferred throughout the district does not make it general rather than special. In that circumstance, the characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g., proximity to park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g., general enhancement of the district’s property values).*

In the District, the advantage that each parcel receives from the Improvements is direct, and the boundaries are narrowly drawn to include only parcels that benefit from the Assessment. Therefore, the even spread of Assessment throughout the narrowly drawn district is indeed consistent with the SVTA decision. For the most part, the benefits from the Improvements within the District do not vary further based on proximity of the parcels to the Improvements because the increased benefits of greater proximity to the Improvements are generally offset by a parallel increase in negative factors such as higher levels of traffic, noise, etc. that comes with increased proximity.

The Improvements have previously been divided into two categories: park and landscape. In the case of the park (Placentia Champions Sports Complex), those properties that lie within approximately one half mile of the park receive special benefit of the facility as a neighborhood park. Therefore, in order to most conservatively assure that Assessments are proportional to the relative level of special benefits in the District, two zones have been created. Zone of Benefit A (or “Zone A”) consists of all of the parcels that lie within approximately one half mile of the Placentia Champions Sports Complex. Certain

adjustments have been made to the one-half mile radius to account for path-of-travel effects on access, proximity and other factors. Zone of Benefit B ("Zone B") consists of all other parcels receiving similar landscaping special benefits but are outside of Zone A. Benefits related to the park Improvements comprise approximately 20% of the total benefits imparted by the collective Improvements (both park and landscape). A 50% reduction factor of the park portion of benefit is applied to Zone B parcels due to their reduced proximity. Therefore assessments for parcels in Zone B are reduced (50% of 20% =) 10%.

The landscape improvements are spread throughout the District relatively uniformly and in close proximity to the assessed parcels. Generally the quantity and intensity of the landscape Improvements funded by the District closely relate to the size and intensity of the various neighborhoods; whether large or small, residential or commercial. However, two distinct neighborhoods provide maintenance of the abutting parkway vistas through their home-owners associations (HOA). Therefore, in order to most conservatively assure that Assessments are proportional to the relative level of special benefits funded by the District, an additional zone, Zone of Benefit C ("Zone C"), has been created. There are five categories of special benefits described above that apply to landscaping: Proximity, access, views, extension of green areas, and original creation of the parcels. The HOA funding provides for much of the special benefit of the first four items, while the final item (creation of parcels) is not associated with ongoing funding by the HOA. The parcels could not have been created without participation in the District, and that continues to underpin the viability of the other four items, lot creation is given a 75% weight factor. It follows then that a 25% reduction factor of the landscaping portion of benefit is applied to Zone C parcels due to their home owners associations' funding. Benefits related to landscaping Improvements comprise approximately 80% of the total benefits imparted by the collective improvements (both park and landscape). Therefore assessments for parcels in Zone C are reduced (25% of 80% =) 20%. Further, both Zone C neighborhoods lie outside the half-mile proximity to the park, so they will receive an additional reduction of 10% as calculated for Zone B, for a total reduction of 30%.

#### **METHOD OF ASSESSMENT**

As previously discussed, the proposed Assessments will provide comprehensive Improvements that will clearly confer special benefits to properties in the proposed District. The allocation of special benefits to property is partially based on the type of property and the size of property. These benefits can also partially be measured by the occupants on property in the District because such parcel population density is a measure of the relative benefit a parcel receives from the Improvements. It should be noted that many other types of "traditional" assessments also use parcel population densities to apportion the assessments. For example, the assessments for sewer systems, roads and water systems are typically allocated based on the population density of the parcels assessed. Therefore, the apportionment of benefit is reasonably based on the type of parcel, the size of parcels and the population density of parcels.

The next step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a single family home, or, in other words, on the basis of Single Family Equivalent (SFE). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. For the purposes of this Engineer's Report, all properties are designated a SFE value, which is each property's relative benefit in relation to a single family home on one parcel. In this case, the "benchmark" property is the single family detached dwelling which is one Single Family Equivalent or one SFE.

Not only residential improved property will be assessed, because commercial, industrial and other properties also receive direct benefits from the Improvements, and will be assessed.

A fixed or flat assessment is proposed for all single family residential properties regardless of occupancy or parcel size. Assessments on multi-family residential parcels vary based on the number of dwelling units. Assessments on commercial and industrial property are levied on an acreage basis because larger properties generally support larger buildings and have higher numbers of employees, customers and guests who would benefit from proximity and improved access to well-maintained and improved landscaping, parks facilities.

Finally, the special benefits to be derived from the proposed Assessments will be conferred on property and are not based on a specific property owner's use of the improvements, a specific property owner's occupancy of property, or the property owner's demographic status such as age or number of dependents. The benefits conferred to property are related to the average number of people who could potentially live on, work at, or otherwise could occupy a property, not how the property is currently used by the present owner. Therefore, the number of people who could or potentially live on, work at or otherwise occupy a property is one indicator of the relative level of benefit received by a property.

In conclusion, the Assessment Engineer determined that the appropriate method of assessment apportionment should be based on the type of property, the relative size of the property, property location, its relative population and its proximity to parks facilities. This method is further described below.

## **RESIDENTIAL PROPERTIES**

Certain residential properties in the District that contain a single residential dwelling unit are assigned one Single Family Equivalent or 1.0 SFE. Detached or attached houses and zero-lot line houses are included in this category of single family residential property. If there is more than one single family detached dwelling on a parcel, it will be charged one SFE per single family detached dwelling.

Properties with more than one residential unit (other than parcels with more than one detached single family dwelling as described above) are designated as multi-family residential properties. These properties benefit from the Improvements in proportion to the number of dwelling units that occupy each property, the average number of people who reside in multi-family residential units versus the average number of people who reside in a single family home and the relative size of each type of residential dwelling unit. The population density factors for the area in Orange County encompassing the District, as depicted in the following table, provide the basis for determining the SFE factors for residential properties. Using the total population in a certain property type in the area of the District from the 2010 Census and dividing it by the total number of such households, finds that approximately 3.37 persons occupy each single family residence, whereas an average of 2.73 persons occupy each condominium. The ratio of 3.37 people on average for a single family residence and 2.73 people per dwelling unit in a condominium unit results in a population density equivalent of 0.81 for condominiums. Next, the relative building areas are factored into the analysis because special benefits are related to the average size of a property, in addition to average population densities. For a condominium, this calculation results in an SFE factor of 0.63 per dwelling unit. A similar calculation is used for the SFE Factors for other residential property types.

**TABLE 2 – RESIDENTIAL DENSITY AND ASSESSMENT FACTORS**

Type of Residential Property	Pop. Density Equivalent	SqFt Factor	SFE Factor
Single Family Residential	1.00	1.00	1.00
Condominium	0.81	0.78	0.63
Duplex, Triplex, Fourplex	1.19	0.63	0.75
Multi-Family Residential (5+ Units)	0.76	0.59	0.45
Mobile Home on Separate Lot	0.70	0.72	0.51

The single family equivalency factor of 0.45 per dwelling unit for multifamily residential properties of 5 or more units applies to such properties with 20 or fewer units. Properties in excess of 20 units typically offer on-site park amenities and other facilities that tend to offset some of the benefits provided by the improvements. Therefore the benefit for properties in excess of 20 units is determined to be 0.45 SFE per unit for the first 20 units and 0.10 SFE per each additional unit in excess of 20 dwelling units.

#### **COMMERCIAL/INDUSTRIAL PROPERTIES**

SFE values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single family residential property and the average commercial/industrial property. The SFE values for various commercial and industrial land uses are further defined by using average employee densities because the special benefit factors described previously can be measured by the average number of people who work at commercial/industrial properties.

In order to determine employee density factors, the findings from the San Diego Association of Governments Traffic Generators Study (the "SANDAG Study") are used because these findings were approved by the State Legislature as being a good representation of the average number of employees per acre of land area for commercial and industrial properties. As determined by the SANDAG Study, the average number of employees per acre for commercial and industrial property is 24.

In comparison, the average number of people residing in a single family home in the area is 3.37. Since the average lot size for a single family home in the District is approximately 0.15 acres, the average number of residents per acre of residential property is 22.5.

The employee density per acre is roughly equal to (1.1 times) the population density of single family residential property per acre (24 employees per acre / 22.5 residents per acre). However, the benefit derived by employees on commercial and industrial properties is less than that derived by a resident on residential property, generally due to less time of use of services and improvements. The Assessment Engineer determines that this factor is 0.5 for commercial and industrial to 1 for residential. Table 3 below shows the average

employees per acre of land area or portion thereof for commercial and industrial properties and lists the relative SFE factors per quarter acre for properties in each land use category.

Commercial and industrial properties in excess of 5 acres generally involve uses that are more land intensive relative to building areas and number of employees (lower coverage ratios). As a result, the benefit factors for commercial and industrial property land area in excess of 5 acres is determined to be the SFE rate per 0.15 acre for the first 5 acres and the relevant SFE rate per each additional acre over 5 acres.

Institutional properties that are used for residential, commercial or industrial purposes are also assessed at the appropriate residential, commercial or industrial rate.

**TABLE 3 – COMMERCIAL/INDUSTRIAL DENSITY AND ASSESSMENT FACTORS**

Type of Commercial/Industrial Land Use	Average	
	Employees per Acre <sup>1</sup>	SFE Units per 0.15 Acre <sup>2</sup>
Commercial	24	0.500
Office	68	1.420
Shopping Center	24	0.500
Industrial	24	0.500
Self Storage or Parking Lot	1	0.020

1. Source: San Diego Association of Governments Traffic Generators Study.

2. The SFE factors for commercial and industrial parcels are applied by the 0.15 acre of land area or portion thereof. (Therefore, the minimum assessment for any assessable parcel in these categories is the SFE Units listed herein.) The rates apply up to first 5 acres of parcel size. Additional acreage is benefited at the rate shown above per acre or portion thereof.

**VACANT/UNDEVELOPED PROPERTIES**

The benefit to undeveloped properties is determined to be proportional to the corresponding benefits for similar type developed properties, but at a lower rate due to the lack of improvements on the property. A measure of the benefits accruing to the underlying land is the average value of land in relation to Improvements for developed property. An analysis of the assessed valuation data from the County of Orange found that approximately 39% of the assessed value of improved properties is classified as the land value. It is reasonable to assume, therefore, that approximately 39% of the benefits are related to the underlying land and 61% are related to the improvements and the day-to-day use of the property. Using this ratio, the SFE factor for vacant/undeveloped parcels is 0.39 per parcel.

## **OTHER PROPERTIES**

Article XIID stipulates that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the Assessment.

All properties that are specially benefited are assessed. Other publicly owned property that is used for purposes similar to private residential, commercial, industrial or institutional uses is benefited and assessed at the same rate as such privately owned property.

Miscellaneous, small and other parcels such as roads, right-of-way parcels, and common areas typically do not generate significant numbers of employees, residents, customers or guests, and have limited economic value. These miscellaneous parcels receive minimal, if any, benefit from the Improvements and are assessed an SFE benefit factor of zero SFEs.

## **ANNUAL COST INDEXING**

The Assessment is subject to an annual adjustment tied to the Consumer Price Index-U for the Los Angeles-Riverside-Orange County area as of December of each succeeding year (the "CPI"), with a maximum annual adjustment not to exceed 3%. The basis for the CPI calculation shall be the sum of this proposed Assessment plus the City of Placentia Landscape Maintenance District 92-1 assessment. Any change in the CPI in excess of 3% shall be cumulatively reserved as the "Unused CPI" and shall be used to increase the maximum authorized assessment rate in years in which the CPI is less than 3%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the Assessment was levied adjusted annually by the minimum of 1) 3% or 2) the change in the CPI plus any Unused CPI as described above.

## **APPEALS OF ASSESSMENTS LEVIED TO PROPERTY**

Any property owner who feels that the Assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the City of Placentia City Administrator or his or her designee. Any such appeal is limited to correction of an Assessment during the then-current Fiscal Year and applicable law. Upon the filing of any such appeal, the City Administrator or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Administrator or his or her designee finds that the Assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the Assessment Roll has been filed with the County for collection, the City Administrator or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the City Administrator or his or her designee shall be referred to the Placentia City Council, and the decision of the City Council shall be final.

## **ASSESSMENT FUNDS MUST BE EXPENDED WITHIN THE DISTRICT AREA**

The net available Assessment funds, after incidental, administrative, financing and other costs shall be expended exclusively for Improvements within the boundaries of the District

or as described herein, and appropriate incidental and administrative costs as defined in the Plans and Specifications section.

**ASSESSMENT**

**WHEREAS**, The City of Placentia, by its Resolution 2014-20 adopted on May 6, 2014 ordered the initiation of the proceedings for Fiscal Year 2014-15 for the formation of the Landscape Maintenance District within the City of Placentia, County of Orange, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972 (the "Act") and Article XIID of the California Constitution; and

**WHEREAS**, the Resolution directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the District;

**NOW, THEREFORE**, the undersigned, by virtue of the power vested in me under the Act, Article XIID of the California Constitution, and the order of the Placentia City Council, hereby makes the following Assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the District.

The amount to be paid for said Improvements and the expense incidental thereto, to be paid by the District for the Fiscal Year 2014-15 is generally as follows:

**TABLE 4 – SUMMARY COST ESTIMATE  
FOR LANDSCAPE MAINTENANCE DISTRICT NO. 2014 -1  
FOR FISCAL YEAR 2014-15**

Salaries & Benefits	\$135,761
Operating Expenses	389,000
Capital Expenses	0
Administration and Project Management	21,650
<b>Total for Services</b>	<b>\$546,411</b>
Less General Fund Contribution	0
Less Other Revenue	(427,925)
Amount to (from) Dedicated Reserves	81,071
<b>Net Amount to Assessments</b>	<b>\$199,557</b>

As required by the Act, an Assessment Diagram showing the exterior boundaries of the Improvement District is hereto attached and incorporated herein by reference. The distinctive number of each parcel or lot of land in the District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion the net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Estimate of Cost and Method of Assessment in the Report.

The Assessment is made upon the parcels or lots of land within the District in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

The Assessment is subject to an annual adjustment tied to the Consumer Price Index-U for the Los Angeles-Riverside-Orange County area as of December of each succeeding year (the "CPI"), with a maximum annual adjustment not to exceed 3%. The basis for the CPI calculation shall be the sum of this proposed Assessment plus the City of Placentia Landscape Maintenance District 92-1 assessment. Any change in the CPI in excess of 3% shall be cumulatively reserved as the "Unused CPI" and shall be used to increase the maximum authorized assessment rate in years in which the CPI is less than 3%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the Assessment was levied adjusted annually by the minimum of 1) 3% or 2) the change in the CPI plus any Unused CPI as described above.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as will be shown on the Assessor's Maps of the County of Orange for the Fiscal Year 2014-15. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County.

I hereby will place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the Fiscal Year 2014-15 for each parcel or lot of land within the Improvement District.

Dated: May 21, 2014

Engineer of Work



By John W. Bliss  
John W. Bliss, License No. C052091

## ASSESSMENT DIAGRAM

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The District boundary is conterminous with the City Limits. The parcels proposed to be assessed in Landscape Maintenance District No. 2014-1 are shown on the Assessment Diagram, which is on file with the City Clerk of the City of Placentia, and includes all those properties included in the original formation of LMD No. 92-1 and subsequent annexations. The following Assessment Diagram is for general location only and is not to be considered the official boundary map. The lines and dimensions of each lot or parcel within the District are those lines and dimensions as shown on the maps of the Assessor of the County of Orange, for Fiscal Year 2014-15, and are incorporated herein by reference, and made a part of this Diagram and this Report.

*Intentionally Blank*

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF PLACENTIA, COUNTY OF ORANGE, CALIFORNIA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

CITY CLERK

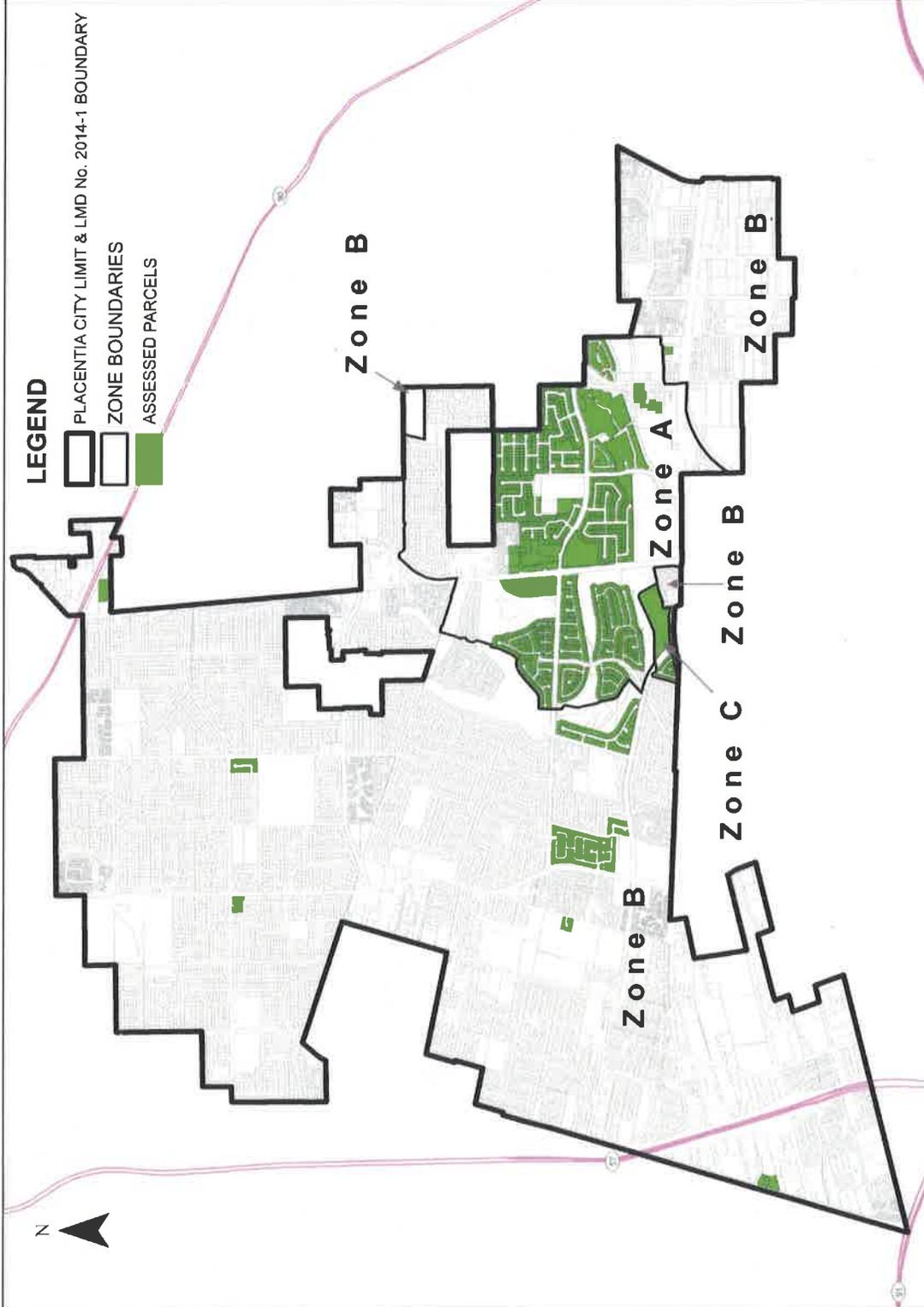
AN ASSESSMENT WAS CONFIRMED AND LEVIED BY THE CITY COUNCIL OF THE CITY OF PLACENTIA, COUNTY OF ORANGE, ON THE LOTS, PIECES AND PARCELS OF LAND ON THIS ASSESSMENT DIAGRAM ON THE DAY OF \_\_\_\_\_, 2014 FOR THE FISCAL YEAR 2014-15 AND SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL FOR SAID FISCAL YEAR WERE FILED IN THE OFFICE OF THE COUNTY AUDITOR OF THE COUNTY OF ORANGE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

REFERENCE IS HEREBY MADE TO SAID RECORDED ASSESSMENT ROLL FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND

CITY CLERK

Note:

REFERENCE IS HEREBY MADE TO THE MAPS AND DEEDS OF RECORD IN THE OFFICE OF THE ASSESSOR OF THE COUNTY OF ORANGE FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCEL SHOWN HEREIN. THOSE MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS. EACH PARCEL IS IDENTIFIED IN SAID MAPS BY ITS DISTINCTIVE ASSESSOR'S PARCEL NUMBER.



PREPARED BY SCI CONSULTING GROUP  
4745 MANGELS BLVD  
FAIRFIELD CA 94534  
(707)430-4300

CITY OF PLACENTIA LANDSCAPING MAINTENANCE DISTRICT No. 2014-1  
ASSESSMENT DIAGRAM

## ASSESSMENT ROLL

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An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the Assessment) will be filed with the City Clerk and is, by reference, made part of this Report and is available for public inspection during normal office hours at the City Hall at 401 East Chapman Avenue, Placentia, California 92870.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference made part of this Report. These records shall govern for all details concerning the description of the lots or parcels.



# CITY OF PLACENTIA

## LANDSCAPE MAINTENANCE DISTRICT No. 2014 - 1

### OFFICIAL NOTICE AND BALLOT

### INFORMATION GUIDE

#### ***Landscape Maintenance in Placentia***

The City of Placentia maintains landscaping and parks built over the past two decades primarily associated with new residential developments. The funding for this landscaping and park maintenance comes from an annual assessment on each property in the vicinity of these improvements. These property assessment rates have not increased since they were established in 1992, and there is no mechanism for "cost of living" adjustments. However, the costs of utilities (water, electricity and gas) as well as labor, equipment, and materials have risen significantly over the past 20 years and the assessments are no longer sufficient to adequately fund the required maintenance.

#### ***Why Did You Receive This Ballot?***

In order to continue the maintenance of the landscaping and park improvements, and to protect other critical city services, a new landscaping maintenance assessment is being proposed. These new assessment funds would supplement the existing assessment and would pay for the maintenance and servicing of the street landscaping, shrubs and trees, irrigation systems, neighborhood signage, and the local share of the maintenance and repair of the Placentia Park Champions Sports Complex.

The original Landscape Maintenance District No. 92-1 will remain in effect whether or not this new proposed assessment is approved. If the new assessment is approved, it will be in addition to the existing assessment.

The enclosed ballot allows property owners to decide if the proposed new assessment, called the "Landscape Maintenance District No. 2014-1," should be formed so that your neighborhood landscaping and parks can be preserved and maintained at the current service level.



*Family and youth sports in our local community*

#### ***Public Accountability Safeguards***

If approved by property owners, funds from this assessment can only be used to provide maintenance and services within the Landscape Maintenance District No. 2014-1 boundaries. No funds from this assessment can go to the City's General Fund. The budget for maintenance and services funded by this assessment will be presented to the public annually.

#### ***What Would This Measure Provide?***

If approved, the new assessment would provide funding to maintain the landscaping and park improvements in your neighborhood at current service levels.

Funding would pay for the *maintenance, beautification, and repairs* of local improvements including:

- Street medians
- Parkway vistas and public rights-of-way
- Screen plantings around oil well lots
- Placentia Park Champions Sports Complex



*Landscaping along Rose Drive*

#### ***Proposed Landscaping Maintenance Services***

1. Maintenance and beautification of street medians, parkway vistas, public rights-of-way, screen planting around oil well lots, and public easements.
2. Continued maintenance, replacement, and repair to neighborhood entrance signs, traffic islands, and street rights-of-way.
3. Repair, replacement and enhancement of the facilities and landscaping at the Placentia Champions Sports Complex.

#### ***Additional Detailed Information Available***

For additional information concerning the proposed Landscape Maintenance District No. 2014-1, please contact Michael McConaha, Public Works Manager with the City of Placentia at (714) 993-8120.

An Engineer's Report describing the proposed improvements, method of assessment, budgets and proposed assessments is available for review at the City of Placentia, City Clerk located at 401 East Chapman Avenue, Placentia, California, at (714) 993-8217.



*Street median landscaping*

***Please complete your Ballot and mail it back promptly.***

***All Ballots must be received on or before August 5, 2014 to be counted.***



**CITY OF PLACENTIA  
LANDSCAPE MAINTENANCE DISTRICT No. 2014 - 1  
OFFICIAL NOTICE AND BALLOT INFORMATION GUIDE**

Continued from front page

***How Was the Assessment Determined?***

The total annual cost of maintenance and servicing of improvements within the Landscape Maintenance District No. 2014-1 to be funded by the assessments is allocated to each property based on the special benefit received. The benefit to each parcel was estimated based on the property type, parcel size, and location.

An Engineer's Report describing the proposed services and improvements, method of assessment, special benefits, budgets, and proposed assessment for each parcel is available for review from the Placentia City Clerk.

**Public Hearing on August 5, 2014**

***How Much Is the Proposed Assessment?***

The proposed assessment is printed on the Official Ballot included with this notice and information guide. For single-family homes, the annual assessment is proposed to range between \$64.40 to \$92.00, depending on zone. The proposed assessment for other residential, commercial and other property types is based on the number of dwelling units and parcel size. If the measure is approved, the total estimated amount that would be raised for fiscal year 2014-15 is approximately \$199,557.



*Keeping our kids active in healthy activities*

***Will This Assessment Increase in the Future?***

If approved, the assessment may be continued in future years. In future years after 2014-15, the assessment can only be adjusted for inflation by an amount up to the change in the Los Angeles-Riverside-Orange County area Consumer Price Index (this "CPI" inflation indicator is used throughout the region), but cannot exceed 3% in any year. The basis for the CPI calculation will be the sum of the proposed assessment plus the existing assessment for LMD No. 92-1. This annual adjustment, which must be reviewed and approved annually at a public meeting, will help keep the assessment revenues in line with the cost of providing landscaping and park maintenance and improvements in future years.

***Ballot Instructions***

Your ballot on this matter is important because only returned ballots will be counted. To complete the enclosed ballot, mark the oval next to either Yes or No, sign the ballot, fold it in half, place it in the provided postage paid return envelope, and mail it prior to the public hearing date. Only official ballots which are signed and marked with the property owner's support or opposition, and are received before the end of the public input portion of the public hearing on Tuesday, August 5, 2014, will be counted.

If you lose your ballot, require a replacement ballot, or want to change your vote, call the Placentia City Clerk at (714) 993-8217 for another ballot. See the enclosed ballot for additional instructions. Ballots are weighted by the proposed amount of assessment and will be tabulated accordingly. The assessment shall not be imposed if, upon the conclusion of the public hearing, weighted ballots submitted in opposition to the assessment exceed the weighted ballots submitted in favor of the assessment.



*Movies in the Park*

***Public Hearing***

A public hearing will be held on Tuesday, August 5, 2014, at 7:00 p.m. at the Placentia City Council Chambers at 401 East Chapman Avenue, Placentia, California. You are invited to attend the public hearing. Tabulation of the returned ballots will commence after the close of the public input portion of the hearing, and the results of the tabulation are expected to be announced at the City Council meeting later that evening.



*Well-maintained landscaping in our neighborhoods*

***All Ballots must be received on or before August 5, 2014 to be counted.***

CITY OF PLACENTIA  
CITY CLERK

401 EAST CHAPMAN AVENUE  
PLACENTIA, CA 92870

**Official Assessment Ballot**  
**LANDSCAPE MAINTENANCE DISTRICT No. 2014-1 ASSESSMENT**  
**BY THE CITY OF PLACENTIA**

- YES**, I approve the proposed assessment for Landscape Maintenance Services.
- NO**, I do not approve the proposed assessment for Landscape Maintenance Services.

**Signed** \_\_\_\_\_ **Date** \_\_\_\_\_  
*Signature of Record Property Owner, or Authorized Representative*

**Print Name** \_\_\_\_\_  
*I hereby declare, under penalty of perjury, that I am the property owner or owner's authorized representative of the parcel(s) identified on this official assessment ballot.*

**INSTRUCTIONS FOR THE COMPLETION AND RETURN OF OFFICIAL ASSESSMENT BALLOTS**

This assessment ballot may be completed by the persons or firms owning the property or properties identified by parcel number on this ballot. An explanation of who may complete the assessment ballot on behalf of the recorded property owner and additional instructions are provided on the other side of this Official Assessment Ballot.

To be tabulated, assessment ballots **MUST** be received before the end of the public input portion of the public hearing scheduled for **Tuesday, August 5, 2014 at 7:00 p.m. at the Placentia City Council Chambers, 401 East Chapman Avenue, Placentia, CA 92870.**

You are invited to attend the public hearing. You may return your assessment ballot in the following ways:

- 1) Mail your assessment ballot to the address shown on the enclosed return envelope. Ballots are due on August 5, 2014.
- 2) Deliver it in person at the August 5, 2014 public hearing.

**FOLD SO THAT THIS SIDE IS ON THE INSIDE OF THE FOLD BEFORE PLACING THIS BALLOT IN THE RETURN ENVELOPE**

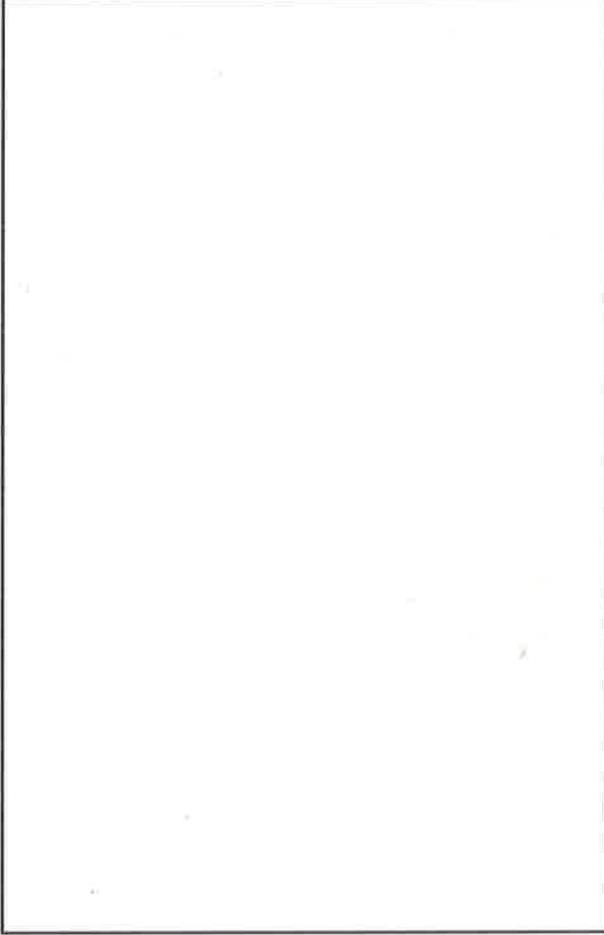
**Who May Complete This Official Assessment Ballot**

1. If the property is owned by an individual, the individual may sign.
2. If a property is held by more than one person, any one may sign for all.
3. If the property is owned by a corporation, the assessment ballot may be signed for the corporation by an officer or officers authorized to make contracts or by resolution of the corporation's Board of Directors.
4. If the property is owned by another legal entity, the assessment ballot may be signed by any person authorized by law to make contracts for the entity.
5. If the property is owned by a public agency, the assessment ballot may be signed by any person authorized by law to make contracts for the agency or by resolution of the agency's Governing Board.

**Please see other side to complete this assessment ballot.**

**Steps for Completing the Official Assessment Ballot**

1. Verify that the owner name and parcel number(s) listed on the assessment ballot are correct. If they are not correct, please call (714) 993-8217.
2. Fill in or clearly mark the oval next to the word "YES" or "NO" to approve or disapprove of the proposed assessment. You may use a pencil or pen.
3. Sign and date the assessment ballot. Only official assessment ballots which are signed and marked with the property owner's support or opposition will be counted. **After marking your vote, simply FOLD the assessment ballot so that your vote is on the inside of the fold. Then place the assessment ballot in the return envelope provided.** No postage is necessary to mail back your assessment ballot.
4. If you make a mistake in completing your assessment ballot or wish to change or withdraw your assessment ballot, please call (714) 993-8217.  
(See enclosed notice for further information)



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# Placentia City Council

## AGENDA REPORT

**TO:** CITY COUNCIL

**VIA:** CITY ADMINISTRATOR

**FROM:** CITY ENGINEER

**DATE:** JUNE 3, 2014

**SUBJECT:** ADOPTION OF RESOLUTION RELATING TO FISCAL YEAR 2014/15 LEVY OF ASSESSMENTS TO THE CITY OF PLACENTIA STREET LIGHTING DISTRICT NO. 81-1 AND SETTING PUBLIC HEARING FOR AUGUST 5, 2014 AT 7:00 P.M.

**FISCAL**

<b>IMPACT:</b>	RECOUPED THROUGH ASSESSMENTS	\$153,056.77
	SINGLE FAMILY RESIDENTIAL:	\$27.38/PARCEL
	COMMERCIAL/INDUSTRIAL:	\$164.28/ACRE
	TENTATIVE/FINAL MAP:	\$8.21/UNIT

**SUMMARY:**

Annually, the City must conduct a Public Hearing to provide for the Annual Levy of Assessments for the City of Placentia Street Lighting District No. 81-1 (SLD No. 81-1), development of an Engineer's Report and providing for any annexations to the District as proposed. This action will adopt resolutions necessary to set a Public Hearing on August 5, 2014, to provide for the annual levy of assessments for SLD No. 81-1.

**RECOMMENDATION:**

It is recommended that City Council take the following actions:

1. Adopt Resolution R-2014-\_\_\_, "A Resolution of the City Council of the City of Placentia directing preparation of the Engineer's Report for Fiscal Year 2014-15 for the continuation of the annual assessments for Street Lighting District No. 81-1" and,
2. Adopt Resolution R-2014-\_\_\_, "A Resolution of the City Council of the City of Placentia declaring its intention to provide for the annual levy and collection of assessments for certain maintenance in an existing district pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California, and setting a time and place for public hearing thereon."

**DISCUSSION:**

Per Resolution No. 81-R-133, adopted by City Council on June 2, 1981, the City of Placentia SLD No. 81-1 was established pursuant to provisions of the "Landscaping and Lighting Act of 1972," Division 15 of the Streets and Highway Code. SLD No. 81-1 consists of 814 street lights located along arterial streets throughout the City. SLD No. 81-1 is broken into five distinct zones. Zone A is made up of 3,814 residential parcels. Zone B consists of 183.187 acres of commercial and industrial land. Zone C, which included parcels in the former Santa Fe Lighting District No. 1, no longer exists and has been folded into

**1.e.**  
**June 3, 2014**

Zone B. Zone D includes parcels that have a recorded tentative or final map, but are not yet developed. Finally Zone E includes open space, streets, or landscaped parcels and is exempt from the assessment. The assessment rate charged varies by zone. Zone A properties pay \$27.38 per parcel per year. Zone B pays \$164.28 per acre and Zone C property pays a rate of \$8.21 per unit.

The legal authority for setting the assessments in SLD No. 81-1 is set forth in the Landscape and Lighting Act of 1972 found at Streets and Highways Code § 22500, *et seq.* and pertinent provisions of the California Government Code. The Annual Levy is for the purpose of providing street lighting, and means of assessment for maintenance of same in those existing and newly developing properties designated on the Boundary Map of the District, which is on file in the offices of the City Engineer and City Clerk. SLD No. 81-1 is exempt, and not subject to the procedures and approval processes set forth in Article XIII D, Section 4 of the California Constitution enacted by Proposition 218 on November 5, 1996. The reason SLD No. 81-1 is not subject to Proposition 218 can be attributed to the fact that Proposition 218 also enacted Article XIII D, Sections 5 and 5(b) which exempt assessment districts formed prior to November 6, 1996 and which were formed pursuant to a petition signed by those owning all of the parcels subject to the assessment at the time the assessment was initially imposed, provided there is no increase in the amount assessed on a property owner in a particular category from the prior year. Since SLD No. 81-1 was formed prior to November 6, 1996 pursuant to a petition signed by those owning all of the parcels subject to the assessment at the time the assessment was initially imposed, the District is exempt from the procedures and approval process set forth by Proposition 218.

Two resolutions have been prepared for Council consideration. The first resolution (Attachment No. 1) orders the preparation of plans, specification, cost estimate and diagram to prepare an "Engineer's Report". The second resolution (Attachment No. 2) declares the Council's intention to provide for the annual levy and collection of assessments, and establishes August 5, 2014, as the Public Hearing date.

**FISCAL IMPACT:**

SLD No. 81-1 has estimated expenditures of \$392,850. The largest cost is for electricity which totals \$343,000. The proposed assessment rates for FY 2014/15 will generate \$153,057 in revenue leaving an unfunded balance of \$239,793 which will be covered by the City's General Fund.

Submitted by:



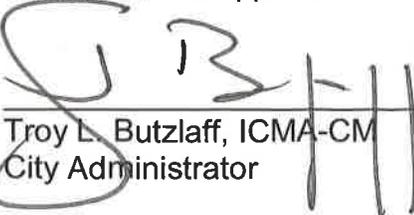
Michael McConaha  
Public Works Manager

Reviewed and approved:



Damien R. Arrula  
Assistant City Administrator

Reviewed and approved:



Troy L. Butzlaff, ICMA-CM  
City Administrator

Attachments:

1. Resolution R-2014-\_\_\_, "A Resolution of the City Council of the City of Placentia directing preparation of the Engineer's Report for Fiscal Year 2014-15 for the continuation of the annual assessments for Street Lighting District No. 81-1."
2. Resolution R-2014-\_\_\_, "A Resolution of the City Council of the City of Placentia declaring its intention to provide for the annual levy and collection of assessments for certain maintenance in an existing district pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California, and setting a time and place for the public hearing thereon."
3. Engineer's Report, SCI Consulting Group, May 2014.

**RESOLUTION NO. R-2014-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA DIRECTING PREPARATION OF THE ENGINEER'S REPORT FOR FISCAL YEAR 2014-15 FOR THE CONTINUATION OF THE ANNUAL ASSESSMENTS FOR STREET LIGHTING DISTRICT NO. 81-1.**

**A. Recitals.**

(i). On June 2, 1981, by its Resolution No. 81-R-133, this Council ordered the formation of and levied the first assessment within the Placentia Street Lighting District No. 81-1 ("District") in accordance with the provisions of Article XIIID of the California Constitution, and the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with § 22500).

(ii). The City Council of the City of Placentia, California, desires to initiate proceedings for the annual levy of assessments for said District.

(iii). The proceedings for the annual levy of assessments shall relate to the fiscal year commencing July 1, 2014, and ending June 30, 2015.

(iv). The provisions of said Division 15, Part 2, require a written Report, consisting of the following:

1. Plans and specifications of the area of the works of improvement to be maintained;

2. An estimate of the costs for maintaining the improvements for the above-referenced fiscal year;

3. A diagram of the area proposed to be assessed;

4. An assessment of the estimated costs for maintenance work for said fiscal year.

(v). All legal prerequisites to the adoption of this Resolution have occurred.

**B. Resolution.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., above.

2. The purpose of the District is for the installation, maintenance and servicing of street lighting improvements, as described in Section 3 below.

3. Within the street lighting district, the existing and proposed improvements to be undertaken by the City are generally described as the installation, maintenance and servicing of public facilities including, but not limited to, street lighting owned or maintained by the City. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of said improvements, including repair, removal, or replacement of all or part of any improvement. Servicing means the furnishing of electric current or energy for the operation or lighting of any improvements.

4. SCI Consulting Group hereby is designated as Engineer of Work for purposes of these proceedings and is hereby ordered to prepare an Engineer's Report in accordance with Article 4 of Chapter 1 of the Act and Article XIIIID of the California Constitution. Upon completion, the Engineer shall file the Engineer's Report with the City Clerk for submission to the Council.

PASSED, ADOPTED and APPROVED this 3<sup>rd</sup> day of June, 2014.

---

SCOTT W. NELSON,  
MAYOR

ATTEST:

---

PATRICK J. MELIA, CITY CLERK  
STATE OF CALIFORNIA  
COUNTY OF ORANGE

I, PATRICK J. MELIA, CITY CLERK of the CITY OF PLACENTIA DO HEREBY CERTIFY that the foregoing Resolution No. R-

2014- was adopted at a regular meeting of the City Council held on the 3<sup>rd</sup> day of June, 2014 by the following vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

---

PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM:

---

ANDREW V. ARCZYNSKI,  
CITY ATTORNEY

RESOLUTION NO. R-2014-

**A RESOLUTION OF CITY COUNCIL OF THE CITY OF PLACENTIA DECLARING ITS INTENTION TO PROVIDE FOR THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR CERTAIN MAINTENANCE WITHIN AN EXISTING DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING THEREON.**

**A. Recitals.**

(i). The City Council of the City of Placentia, in 1981, formed a street lighting district pursuant to the terms and provisions of the Landscaping and Lighting Act of 1972 ("Act"), Division 15, Part 2, of the California Streets and Highways Code, in what is known and designated as:

CITY OF PLACENTIA  
STREET LIGHTING DISTRICT NO. 81-1

(hereinafter the "District").

(ii). Proposition 218 adopted November 5, 1996 added Articles XIII C and XIII D to the California Constitution providing, at Article XIII D, § 5, that new assessment districts formed after November 6, 1996 and assessment increases in existing assessment districts be subject to specified procedures and approval processes set forth in Article XIII D, § 4.

(iii). California Constitution Article XIII D, §§ 5 and 5 (b), provides that any assessment imposed in an assessment district formed prior to November 6, 1996 pursuant to a petition signed by those owning all of the parcels subject to the assessment at the time such district was formed and the assessment initially imposed, provided there is no increase in the amount assessed on an owner in a particular category of assessment unit, shall be exempt from the procedures and approval process set forth in Article XIII D, § 4.

(iv). The District was formed prior to November 6, 1996 pursuant to a petition signed by those owning all of the parcels subject to the assessment at the time the assessment was initially imposed.

(v). There is no increase in the amount proposed to be assessed on any parcel within the District in any category of

assessment unit, for the period from Fiscal Year 2013-14 to Fiscal Year 2014-15, thereby rendering the District exempt from the procedures and approval process set forth in Article XIII D, § 4.

(vi). The City Council desires, pursuant to the provisions of the Act to provide for the annual levy of assessments for the 2014-15 Fiscal Year, to provide for the costs and expenses reasonably necessary for the maintenance of improvements within said District.

(vii). The assessment engineer has presented a report ("Report"), as required by law, setting forth the reasonably necessary maintenance for Fiscal Year 2014-2015 and setting forth the recommended levy therefor.

(viii). All legal prerequisites to the adoption of this Resolution have occurred.

#### **B. Resolution.**

NOW, THEREFORE, the City Council of the City of Placentia does hereby find, determine and resolve as follows:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.

2. The Report has been made, filed with the City Clerk and duly considered by the City Council and is hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.

3. The public interest and convenience require the annual levy and collection of special assessments for the continual maintenance of improvements, to serve and benefit said District as set forth in the Report of the Engineer, incorporated herein as a part hereof.

4. The Report, setting forth the reasonably necessary maintenance for Fiscal Year 2014-15 and setting forth the recommended levy therefore, hereby is received and is directed to be filed in the Office of the City Clerk.

5. The public interest and convenience require, and it is the intention of this City Council to order, reasonably necessary maintenance for Fiscal Year 2014-15, and further it is determined to be in the public interest and convenience to levy

and collect annual assessments to pay the costs and expenses of said maintenance and improvements as estimated in said Report.

6. The assessments levied and collected shall be for the maintenance of certain street light improvements, maintenance, and servicing as set forth in the Engineer's Report, referenced and so incorporated herein.

7. NOTICE IS HEREBY GIVEN THAT ON TUESDAY, AUGUST 5, 2014, AT 7:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD, IN THE COUNCIL CHAMBERS LOCATED AT 401 E. CHAPMAN AVENUE, PLACENTIA, THE CITY COUNCIL SHALL CONDUCT A PUBLIC HEARING TO RECEIVE PROTESTS OR OBJECTIONS, IF ANY THERE BE, REGARDING THE LEVEL OF MAINTENANCE AND THE LEVY OF ASSESSMENTS WITHIN AND UPON ALL PROPERTY WITHIN STREET LIGHTING DISTRICT NO. 81-1. ANY PERSON WHO WISHES TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

8. The City Council hereby directs the City Clerk to give notice of a public hearing, pursuant to California Government Code § 6061, in a newspaper of general circulation within the City.

9. The City Clerk is further directed to cause a copy of this Resolution to be posted upon the official bulletin board customarily used for the posting of notices and to mail, by first class mail, a copy of the notice to those interested parties who have filed written requests.

10. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed:

Michael McConaha  
Engineering Department  
City of Placentia  
401 East Chapman Avenue  
Placentia, California 92870  
(714) 993-8131

PASSED, ADOPTED AND APPROVED this 3<sup>RD</sup> day of June, 2014.

SCOTT W. NELSON,  
MAYOR

ATTEST:

---

PATRICK J. MELIA, CITY CLERK

I, PATRICK J. MELIA, CITY CLERK of the CITY OF PLACENTIA DO  
HEREBY CERTIFY that the foregoing Resolution was adopted at a  
regular meeting of the City Council held on the 3<sup>RD</sup> day of June,  
2014 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

---

PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM:

---

ANDREW V. ARCZYNSKI,  
CITY ATTORNEY



**CITY OF PLACENTIA**  
**STREET LIGHTING DISTRICT No. 81-1**

**ENGINEER'S REPORT**

MAY 2014

FISCAL YEAR 2014/2015

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND  
ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:  
**SCIConsultingGroup**  
4745 MANGELS BOULEVARD  
FAIRFIELD, CALIFORNIA 94534  
PHONE 707.430.4300  
FAX 707.430.4319  
WWW.SCI-CG.COM

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**CITY OF PLACENTIA**

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**CITY COUNCIL**

Scott W. Nelson, Mayor  
Joseph V. Aquirre, Mayor Pro Tem  
Constance Underhill, Councilmember  
Chad P. Wanke, Councilmember  
Jeremy B. Yamaguchi, Councilmember

**CITY ADMINISTRATOR**

Troy L. Butzlaff

**PUBLIC WORKS MANAGER**

Michael McConaha

**CITY ATTORNEY**

Andrew V. Arczynski

**ENGINEER OF WORK**

SCI Consulting Group  
Lead Assessment Engineer, John Bliss, M.Eng., P.E.

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## INTRODUCTION

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### OVERVIEW

The City of Placentia (the "City") serves and maintains streetlights and associated improvements (the "Improvements") in certain parts of the City. In order to fund the maintenance and operation (the "Services") of these projects and improvements, the City has formed Street Lighting District No. 81-1 ("District"). This Engineer's Report ("Report") was prepared to establish the budget for maintenance and operation of the Improvements (as described below) that will be funded by the 2014-15 assessments and other revenue, and to determine the general and special benefits received from the Improvements by property within the District and the method of assessment apportionment to lots and parcels. This Report and the assessments have been made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act") and Article XIID of the California Constitution (the "Article").

### ENGINEER'S REPORT AND CONTINUATION OF ASSESSMENTS

The assessment has been continued for over 30 years. In each subsequent year for which the assessments will be continued, the Placentia City Council (the "Council") must direct the preparation of an Engineer's Report, budgets, and proposed assessments for the upcoming fiscal year. After the report is completed, the City Council may preliminarily approve the Engineer's Report and the continued assessments and establish the date for a public hearing on the continuation of the assessments. Accordingly, this Engineer's Report (the "Report") was prepared pursuant to the direction of the City Council.

As required by the Act, this Report includes plans and specifications, a diagram or map of the District, the benefits received by property from the Improvements within the District, and the method of assessment apportionment to lots and parcels within the District.

If the Council approves this Engineer's Report and the continuation of the Assessments by resolution, a notice of public hearing must be published in a local newspaper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is typically used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the proposed continuation of the Assessments. This hearing is currently scheduled for July 15, 2014. At this hearing, the Council will consider approval of a resolution confirming the continuation of the Assessments for fiscal year 2014-15. If so confirmed and approved, the Assessments would be submitted to the Orange County Auditor/Controller for inclusion on the property tax rolls for fiscal year 2014-15.

Beginning in 2014, SCI Consulting Group became the Assessment Engineer for the District. To maintain an accurate reference and legally defensible record of the District, pertinent language used in previous engineer's reports has been retained herein and is cited in italics as appropriate.

### **STREET LIGHTING DISTRICT BACKGROUND**

Street Lighting District No. 81-1 was formed in 1981. Prior to that, the County of Orange had established and maintained street lighting assessment districts within the City of Placentia. After the passage of Proposition 13 in 1978, the County decided to cease annexations to its existing districts. In response to that, the City formed its own district (No. 81-1) to allow for future development to be included in an assessment district providing street lighting services.

The portions of the City previously included in the County's street light assessment remained under the County's jurisdiction until 1996, when the City took over management of those areas. However, they were not annexed into District No. 81-1, and continue to be funded and operated separately from the District. Therefore, those areas and the parcels therein are not included in this report or the assessment calculations herein.

### **LEGISLATIVE ANALYSIS**

#### **PROPOSITION 218**

The Right to Vote on Taxes Act was approved by the voters of California on November 6, 1996, and is now Article XIII C and XIII D of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property

#### **SILICON VALLEY TAXPAYERS ASSOCIATION, INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY**

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA"). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special benefits to property, not general benefits.
- The services and/or improvements funded by assessments must be clearly defined.
- Assessment districts must be drawn to contain all parcels that receive a special benefit from a proposed public improvement.
- Assessments paid in each assessment district must be proportional to the special benefit received by each such parcel from the improvements and services funded by the assessment.

This Engineer's Report and the process used to establish the continuation of the assessments for fiscal year 2014/2015 are consistent with the SVTA decision and with the requirements of Article XIII C and XIII D of the California Constitution based on the following factors:

1. The District is drawn to include the entire City; although only parcels deriving special benefits are included in the assessment rolls. Thus, zones of benefit are not required and the assessment revenue derived from real property in the District is extended only on the Improvements in the District.
2. The Improvements which are constructed and maintained with assessment proceeds in the District are located in close proximity to the real property subject to the assessment. The Improvements provide illumination to streets and sidewalks enabling improved access to the residents of such assessed property. The proximity of the Improvements to the assessed parcels and the improved access and increased safety provided to of the residents of the assessed parcels by the Improvements provides a special benefit to the parcel being assessed pursuant to the factors outlined by the Supreme Court in that decision.
3. Due to their proximity to the assessed parcels, the Improvements financed with assessment revenues in the District benefit the properties in that District in a manner different in kind from the benefit that other parcels of real property in the City derive from such Improvements, and the benefits conferred on such property in the District are more extensive than a general increase in property values.
4. The assessments paid in the District are proportional to the special benefit that each parcel within that Assessment District receives from the Improvements because:
  - a. The specific lighting Improvements and maintenance and utility costs thereof in the District and the costs thereof are specified in this Report; and
  - b. Such Improvement and maintenance costs in the District are allocated among different types of property located within the District, and equally among those properties which have similar characteristics, such as single-family residential parcels, multi-family residential parcels, commercial parcels, industrial parcels, etc.

#### **DAHMS V. DOWNTOWN POMONA PROPERTY**

On June 8, 2009, the 4<sup>th</sup> Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona in Dahms v. Downtown Pomona Property ("*Dahms*"). On July 22, 2009, the California Supreme Court denied review. In Dahms the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

**BONANDER V. TOWN OF TIBURON**

On December 31, 2009, in *Bonander v. Town of Tiburon* (“*Bonander*”), the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments primarily on the grounds that the assessments had been apportioned to assessed property based in part on relative costs within sub-areas of the assessment district instead of the overall cost of the improvements and the overall proportional special benefits.

**BEUTZ V. COUNTY OF RIVERSIDE**

On May 26, 2010 the 4th District Court of Appeals issued a decision in the *Steven Beutz v. County of Riverside* (“*Beutz*”). This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services was not explicitly calculated, quantified and separated from the special benefits.

**GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO**

On September 22, 2011, the San Diego Court of Appeal issued a decision on the *Golden Hill Neighborhood Association v. City of San Diego* appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in *Beutz*, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

**COMPLIANCE WITH CURRENT LAW**

This Engineer’s Report is consistent with the requirements of Article XIIC and XIID of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the District; and the Improvements provide a direct advantage to property in the District that would not be received in absence of the Assessments.

This Engineer’s Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in the District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer’s Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and Services and proportional special benefit to each property, rather than the proportional cost to the District to provide the Improvements to specific properties.

## PLANS AND SPECIFICATIONS

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The work and Improvements proposed to be undertaken by the City and the cost thereof paid from the levy of the annual assessment provide special benefit to Assessor Parcels within the District defined in the Method of Assessment herein. Consistent with the Act, the Improvements are generally described as follows:

### *Facilities and Improvements*

*The facilities and improvements within the District are defined as street light standards, their appurtenances and energy and maintenance costs to operate them. Street lighting systems in the District consist of Edison-owned lights as of the date of this report, as shown below.*

**TABLE 1 – DISTRICT FACILITIES**

<b>No. of Lights</b>	<b>Size of Lumens</b>	<b>Type of Light</b>	<b>Owner</b>
31	5800	Sodium Vapor	S.C.E.
43	9500	Sodium Vapor	S.C.E.
222	16000	Sodium Vapor	S.C.E.
518	22000	Sodium Vapor	S.C.E.
<b>Total</b>	<b>814</b>		

### *Scope of Work*

*Southern California Edison company (S.C.E) shall be the supplier of electrical energy for all of the above listed street lights as well as providing needed maintenance and replacements for those street lights owned by S.C.E. Costs for electrical energy and maintenance of S.C.E-owned street lights shall be billed to the City by S.C.E. The City shall disburse payments to S.C.E. from the Special Fund established for the District. Costs incurred by the City for: administration, engineering, operations and other related requirements shall be paid from the District's Special Fund for those costs.*

### *Changes and Modifications to the District*

*Modifications to the District structure could include but are not limited to:*

- *Substantial changes or expansion of the improvements provided*
- *Substantial changes in the service provided*

- *Modifications or restructuring of the district including annexation or detachment of specific parcels*
- *Revisions in the method of apportionment*
- *Proposed new or increased assessments <sup>1</sup>*

---

<sup>1</sup> From the 2013-14 Engineer's Annual Levy Report, City of Placentia, Street Lighting District No 81-1, dated June 4, 2013.

## FISCAL YEAR 2014-15 ESTIMATE OF COST AND BUDGET

### BUDGET FOR FISCAL YEAR 2014-15

The 1972 Act provides that the total costs for providing the maintenance and servicing of the District Improvements and facilities can be recovered in the assessment spread including incidental expenses. The latter can include engineering fees, legal fees, printing, mailing, postage, publishing and all other costs identified with the District proceedings.

An estimate of District costs for fiscal year 2014-15 for the maintenance and servicing of the Improvements is provided below.

**TABLE 2 – FY 2014-15 ESTIMATE OF COSTS**

<b>Expenditure Item</b>	<b>Amount</b>
Legal Services	\$ 1,200
Engineering Services	19,650
Other Professional Services	0
Repair / Maintenance Services	20,000
City Administrative Services	8,500
Postage	500
Electricity	343,000
Estimated Expenditures	<u>\$ 392,850</u>
<b>Revenue Item</b>	<b>Amount</b>
Direct Benefit Assessments FY 2014/15	\$ 153,057
General Fund Contribution	239,793
Estimated Revenues	<u>\$ 392,850</u>
<b>Budget Allocation to Parcels</b>	<b>Amount</b>
Total Assessment Budget <sup>1</sup>	\$ 153,057
Total Assessment Units (AUs)	5,590.094
Assessment per Assessment Unit (AU) <sup>2</sup>	<u>\$ 27.38</u>

Notes to Estimate of Costs:

1. The Act requires that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the Fiscal Year, June 30, must be carried over to the next Fiscal Year. The District may also establish a reserve fund for contingencies and special projects as well as a capital improvement fund for accumulating funds for larger capital improvement projects or capital renovation needs. Any remaining

balance would either be placed in the reserve fund, the capital improvement fund, or would be used to reduce future years' assessments.

2. The rate shown here is for an Assessment Unit (single family home or its equivalent). For the definition of the term AU and rates for other types of property, see the section titled, "Method of Assessment" and the sections following it in this report.

## METHOD OF ASSESSMENT

---

### METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the benefits to be derived from the installation, maintenance and servicing of the Improvements throughout the District and the Assessment methodology used to apportion the total Assessment to properties within the Assessment District.

The District consists of certain assessor parcels within the boundaries as defined by the Assessment Diagram referenced in this report and the parcels identified by the Assessor Parcel Numbers listed with the levy roll. The parcel list includes all privately and publically owned parcels as shown. The method used for apportioning the Assessment is based on the proportional special benefits to be derived by the properties in the District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the Improvements, and the second step is to allocate the Assessments to property based on the estimated relative special benefit for each type of property.

### DISCUSSION OF BENEFIT

In summary, the Assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the Improvements or a property owner's specific demographic status. With reference to the requirements for Assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

*The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.*

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that Assessments must be based on the special benefit to property and that the special benefits must exceed the cost of the assessment:

*No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.*

The SVTA decision clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits.

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the Improvements to be provided with the assessment proceeds. These types of special benefit are summarized as follows:

- A. Creation of individual lots for residential and commercial use that, in absence of the Assessments, would not have been created
- B. Improved visibility and safety
- C. Improved access
- D. Improved community character and vitality

### **SPECIAL BENEFIT**

The special benefits from the Improvements are further detailed below:

#### **CREATION OF INDIVIDUAL LOTS FOR RESIDENTIAL AND COMMERCIAL USE THAT, IN ABSENCE OF THE ASSESSMENTS, WOULD NOT HAVE BEEN CREATED**

In most of the District, the original owner/developer(s) of the property within the District agreed unanimously to the Assessments. The Assessments provide the necessary funding for public improvements that were required as a condition of development and subdivision approval. Therefore, such Assessments allowed the original property to be subdivided and for development of the parcels to occur. As parcels were sold, new owners were informed of the Assessments through the title reports, and in some cases, through Department of Real Estate "White Paper" reports that the parcels were subject to assessment. Purchase of property was also an "agreement" to pay the Assessment. Therefore, in absence of the Assessments, the lots within most of the District would not have been created. These parcels, and the improvements that were constructed on the parcels, receive direct advantage and special benefit from the Assessments.

#### **IMPROVED VISIBILITY AND SAFETY**

Well maintained, effective street lighting provides special benefit to proximate parcels, within the range of the light, because it allows for safer and improved use of the property in the evenings and at night. Street lighting provides special benefit as it increases neighborhood safety and reduces the likelihood of crime on the proximate parcels. Over time, the Improvements continue to confer a particular and distinct special benefit upon parcels within the District because of the nature of the Improvements. The proper maintenance of the streetlights and appurtenant facilities reduces property-related crimes, especially vandalism, against assessed properties in the District.

#### **IMPROVED ACCESS**

Well maintained, effective street lighting enhances ingress, egress and accessibility of all forms to the assessed parcels in the evening and at night by increasing visibility. Improved

visibility also helps prevent local and pedestrian traffic accidents related to the assessed parcels.

#### **IMPROVED COMMUNITY CHARACTER AND VITALITY**

Well maintained, effective street lighting promotes evening and nighttime social interaction of residents and customers of businesses and industry. This creates a positive atmosphere and enhanced community image in the evening and at night for the assessed parcels.

All of the above-mentioned items also contribute to a specific enhancement to each of the parcels within the District. The proximate street lights clearly make each parcel safer, more visible, more accessible, more useful, more valuable and more desirable; and this further strengthens the basis of these Assessments.

#### **GENERAL VERSUS SPECIAL BENEFIT**

The proceeds from the District are used to fund Improvements and increased levels of maintenance to the public facilities that serve and benefit the assessed properties in the District. In absence of the District, such Improvements would not be properly maintained. Therefore, the District's purpose is to ensure that the necessary and beneficial public facilities for property in the District are properly maintained and repaired over time. The assessments will ensure that street lighting and associated improvements within and adjacent to the District are functional, well maintained and safe. These public resources directly benefit the property in the District and will confer distinct and special benefits to the assessed properties within the District. Moreover, in absence of the assessments, a condition of development would not be met and future construction in the District could be denied. The creation of individual lots, if any, and the approval for construction in the District, is the overriding clear and distinct special benefit conferred exclusively on property in the District and not enjoyed by other properties outside the District. Therefore, the assessments solely provide special benefit to assessed property in the District over and above the general benefits conferred to the public at large or properties outside the District.

Although the Improvements maintained by the Services may be available to the general public at large, the Improvements and Services are specifically designed, located and created to provide additional and improved resources for property inside the District, and not the public at large. Other properties that are outside the District do not enjoy the unique proximity and other special benefit factors described previously. These Improvements and Services are of special benefit to properties located within the District because they provide a direct advantage to properties in the District that would not be provided in absence of the Assessments. Any general benefits to surrounding properties outside of the District, if any there were, are collateral and conferred concomitantly.

### QUANTIFICATION OF GENERAL BENEFIT

Although the analysis used to support these assessments concludes that the benefits are solely special, as described above, consideration is made for the suggestion that a portion of the benefits are general. General benefits cannot be funded by these assessments – the funding must come from other sources.

The maintenance and servicing of these improvements is also partially funded, directly and indirectly from other sources including the City of Placentia, Orange County, and the State of California. This funding comes in the form of grants, development fees, special programs, and general funds, as well as direct maintenance and servicing of other co-located facilities (e.g., curbs, gutters, streets, drainage systems, etc.). This funding from other sources more than compensates for general benefits, if any, received by the properties within the District.

In the 2009 Dahms case, the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided within the assessment district. It is also important to note that the improvements and services funded by the assessments in Pomona are similar to the improvements and services funded by the Assessments described in this Engineer's Report, and the Court found these improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer's Report fund Improvements and Services directly provided within the District, and every benefiting property in the District enjoys proximity and access to the Improvements. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Assessments.

#### STEP 1 – CALCULATE GENERAL BENEFIT

The General Benefits from this assessment may be quantified as illustrated in the following table.

**TABLE 3 – CALCULATION OF GENERAL BENEFIT**

<b>Benefit Factor</b>	<b>Relative Weight</b>	<b>General Benefit Contribution</b>	<b>Relative General Benefit</b>
Creation of individual lots for development or approval of building permits	85	0%	0
Improved nighttime visibility and safety	5	25%	1.25
Improved Access	5	25%	1.25
Improved Community Character and Vitality	5	25%	1.25
<b>Total</b>	<b>100</b>		<b>3.75</b>
		<b>Total Calculated General Benefit</b>	<b>3.75%</b>

As a result, the City of Placentia will contribute at least 2.5% of the total budget from sources other than the assessment. This contribution offsets any general benefits from the Assessment Services.

#### **STEP 2 – CALCULATE THE CURRENT GENERAL BENEFIT CONTRIBUTION FROM THE CITY**

This general benefit contribution is the sum of the following components:

The City of Placentia owns, maintains, rehabilitates and replaces curb and gutter along the border of the District improvements. This curb and gutter serves to support, contain, retain, manage irrigation flow and growth, and provide a boundary for the Improvements. The contribution from the City of Placentia towards general benefit from the maintenance, rehabilitation, and replacement of the curb and gutter is conservatively estimated to be 1%.

The City of Placentia owns and maintains a storm drainage system along the border of the District Improvements. This system serves to prevent flooding and associated damage to the improvements, and manage urban runoff including local pollutants loading from the Improvements. The contribution from the City of Placentia towards general benefit from the maintenance, and operation of the local storm drainage system is conservatively estimated to be 1%.

The City of Placentia owns and maintains local public streets along the border of the District Improvements. These public streets provide access to the Improvements for its enjoyment as well as efficient maintenance. The contribution from the City of Placentia towards general benefit from the maintenance of local public streets is conservatively estimated to be 1%.

The value of the construction of the improvements can be quantified and monetized as an annuity. Since this construction was performed and paid for by non-assessment funds, this “annuity” can be used to offset general benefit costs, and is conservatively estimated to contribute 10%.

Therefore the total General Benefit is conservatively quantified at 2.5% which is more than offset by the total non-assessment contribution towards general benefit of 13%.

#### **METHOD OF APPORTIONMENT**

The development of an Assessment methodology requires apportioning to determine the relative special benefit for each property. As the District was formed by a different engineer of record, the precise language from the most recent Engineer's Report is included below:

*The methodology used fairly distributes the cost of the street lighting system in relation to the benefits received. For Fiscal Year 2014/15 there are 3,948 parcels of property in the District, grouped into one of three benefit zones for assessment purposes. The District was originally established with five benefit zones (A through E) to distinguish variations in benefit. However, Zone C is no longer applicable. The five benefit zones originally established for the District include the following:*

- Zone A: Single Family residential, whether detached or condominium.*
- Zone B: Commercial, industrial, churches, apartments, etc., either developed or in process of development.*
- Zone C: Parcels in the former Santa Fe Lighting District No. 1. This zone designation was originally established to distinguish specific non-residential parcels that were previously part of the Santa Fe Lighting District No. 1 and were annexed to this District. Originally, the assessments for these parcels included a temporary loan. The loan recoupment has been satisfied and these parcels are now included as part of Zone B.*
- Zone D: Parcels that have a recorded tentative or final map, but are not yet developed.*
- Zone E: Open Space, street areas, or landscape strip parcels are considered to receive no benefit. Parcels within this zone are exempt from assessment.*

*The basic methodology of apportionment developed for this District in 1981/1982 is based on assessment unit. This methodology assigns each residential parcel in Zone A one assessment unit (AU). The relationship between residential parcels in Zone A and acreage parcels in Zone B was established at a six to one ratio based on general density figures for the City. Zone C originally designated parcels that were part of the former Santa Fe Street Lighting District No. 1. The assessments for parcels in Zone C originally included the conversion improvement costs associated with these parcels and were spread over a two-year period. These conversion costs have been satisfied and the Zone C parcels are now included in Zone B. Zone C has been eliminated. Zone D designates parcels where the final tract or parcel maps have been approved and recorded, however construction is not yet in progress. This zone is*

assessed at 30% of one assessment unit per parcel or proposed parcels based on the approved tract map, whichever is the greater of the two.<sup>2</sup>

**ANNUAL ASSESSMENT CALCULATION**

For fiscal year 2014-15, the amount of Assessments for the District is not increased from prior years. The calculations for maintenance, service and incidentals follows:

**TABLE 4 – ASSESSMENT CALCULATION**

Zone	Quantity	AU Ratio Factor	Assessment Units
A	3,814 parcels	x 1.00	= 3,814.000 AU
B	183.187 acres	x 6.00	= 1,099.122 AU
D	0 units	x 0.30	= 0.000 AU
<b>TOTAL Assessment Units</b>			<b>4,913.122 AU</b>
<b>AU Cost</b>	<b>\$134,521.28</b>	<b>/ 4,913.122 AU</b>	<b>= \$27.38 /AU</b>
<b>Zone Assessments</b>			
<u>Zone A</u>	<u>Each parcel is assessed at one assessment unit:</u>		
	\$27.38	x 1.00	= 27.380 /Parcel
<u>Zone B</u>	<u>Each acre is assessed at six assessment units:</u>		
	\$27.38	x 6.00	= 164.280 /Acre
<u>Zone D</u>	<u>Each unit or parcel (the greater) is assessed at 0.30 assessment units</u>		
	\$27.38	x 0.30	= 8.214 /Unit

<sup>2</sup> From the 2013-14 Engineer's Annual Levy Report, City of Placentia, Street Lighting District No 81-1, dated June 4, 2013. Zone E was reported to have 33 parcels, but they were not identified in the accompanying data. Therefore those parcels are not included in the current data. Because they are exempt from assessment, there is no effect on the assessment apportionment calculations.

**DURATION OF ASSESSMENT**

The District was formed or annexed in previous years. It is proposed that the Assessments be continued every year after their formation or annexation, so long as the public Improvements need to be maintained and improved, and the City requires funding from the Assessments for these Improvements in the Assessment Districts. As noted previously, the Assessment can continue to be levied annually after the City Council approves an annually updated Engineer's Report, budget for the Assessment, Improvements to be provided, and other specifics of the Assessment. In addition, the City Council must hold an annual public hearing to continue the Assessment.

**APPEALS AND INTERPRETATION**

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the City of Placentia Public Works department. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City of Placentia City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer of the City of Placentia or her or his designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the City Engineer or her or his designee shall be referred to the Public Works Manager, whose decision shall be final.

## ASSESSMENT STATEMENT

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**WHEREAS**, the City of Placentia directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the District, and an assessment of the estimated costs of the Improvements upon all assessable parcels within the District;

**NOW, THEREFORE**, the undersigned, by virtue of the power vested in me under the Act, Article XIID of the California Constitution, and the order of the Placentia City Council, hereby makes the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the District.

The amount to be paid for the Improvements and the expense incidental thereto, to be paid by the District for the fiscal year 2014-15 is generally as follows:

**TABLE 5 – FY 2014-15 SUMMARY COSTS ESTIMATE  
FOR STREET LIGHTING DISTRICT No.81 -1**

Operating Expenses	\$ 363,000
Capital Expenses	0
Administration and Project Management	29,850
Total for Services	<u>\$ 392,850</u>
Less General Fund Contribution	\$ (239,793)
Less Other Revenue	0.00
Amount to (from) Dedicated Reserves	0.00
Net Amount to Assessments	<u>\$ 153,057</u>

As required by the Act, an Assessment Diagram of the District is hereto attached and incorporated herein by reference. The distinctive number of each parcel or lot of land in the District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion the net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Estimate of Cost and Method of Assessment in the Report.

The Assessments are made upon the parcels or lots of land within the District in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Orange for the Fiscal Year 2014-15. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2014-15 for each parcel or lot of land within the District.

Dated: May , 2014

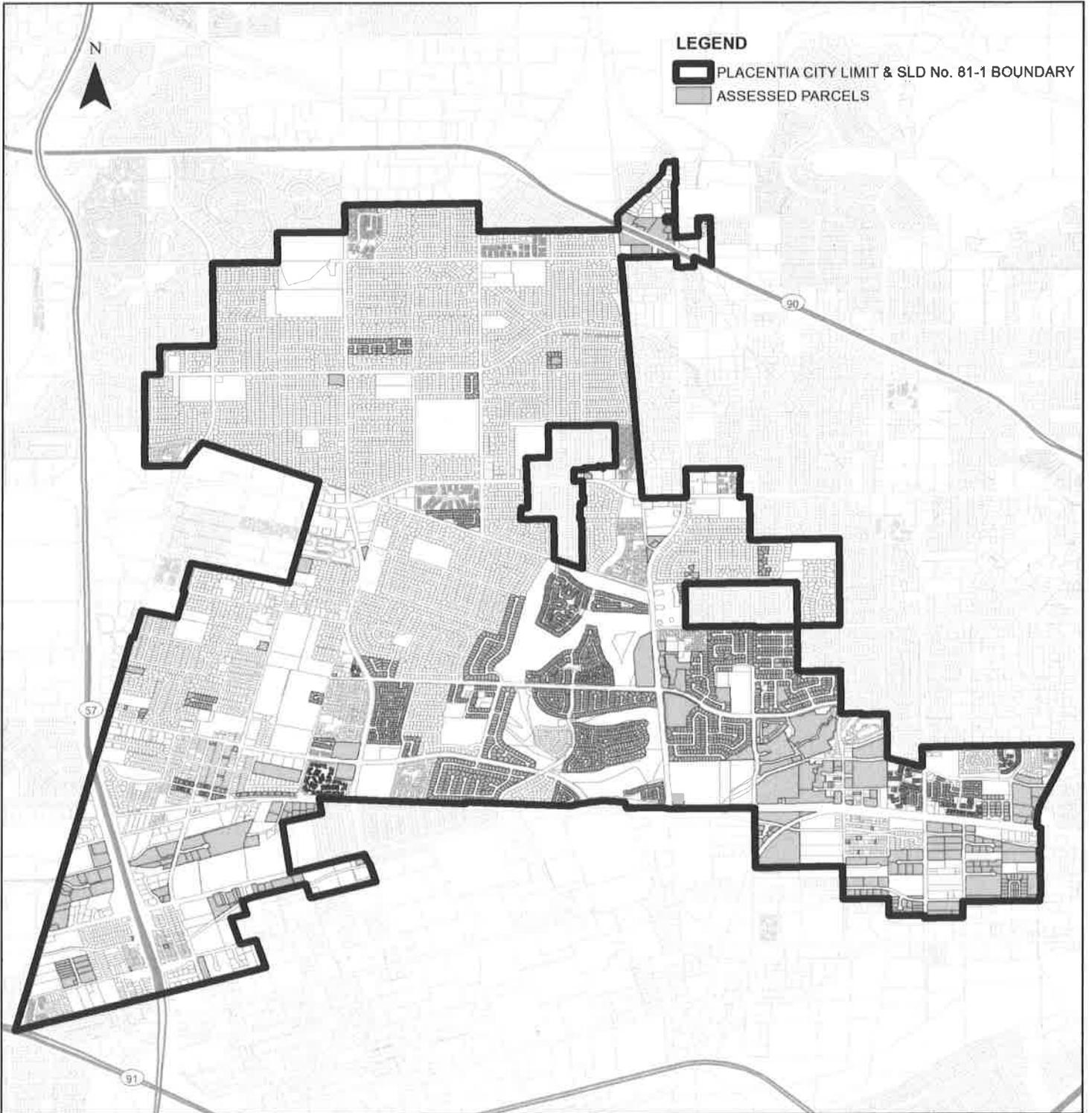
Engineer of Work

By \_\_\_\_\_  
John W. Bliss, License No. C052091

## **ASSESSMENT DIAGRAM**

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The District boundary is conterminous with the City Limits. The parcels to be assessed in Street Lighting District No. 81-1 are shown on the Assessment Diagram, which is on file with the City Clerk of the City of Placentia, and includes all those properties included in the original formation of the District and subsequent annexations. The following Assessment Diagram is for general location only and is not to be considered the official boundary map. The lines and dimensions of each lot or parcel within the District are those lines and dimensions as shown on the maps of the Assessor of the County of Orange, for Fiscal Year 2014-15, and are incorporated herein by reference, and made a part of this Diagram and this Report.



## **ASSESSMENT ROLL**

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An Assessment Roll (a listing of all parcels assessed within the District and the amount of the Assessment) will be filed with the City Clerk and is, by reference, made part of this Report and is available for public inspection during normal office hours at the City Hall at 401 East Chapman Avenue, Placentia, California 92870.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference made part of this Report. These records shall govern for all details concerning the description of the lots or parcels.





# Placentia City Council

## AGENDA REPORT

**TO:** CITY COUNCIL

**VIA:** CITY ADMINISTRATOR

**FROM:** CITY ENGINEER

**DATE:** JUNE 3, 2014

**SUBJECT:** ADOPTION OF RESOLUTION RELATING TO FISCAL YEAR 2014/15 LEVY OF ASSESSMENTS TO THE CITY OF PLACENTIA LANDSCAPE MAINTENANCE DISTRICT NO. 92-1 AND SETTING PUBLIC HEARING FOR AUGUST 5, 2014 AT 7:00 P.M.

**FISCAL**

<b>IMPACT:</b>	RECOUPED THROUGH ASSESSMENTS	\$427,925.94
	SINGLE FAMILY RESIDENTIAL:	\$154.87/PARCEL
	COMMERCIAL/INDUSTRIAL:	\$1548.70/ACRE
	MULTIPLE FAMILY RESIDENTIAL:	\$108.41/UNIT
	UNDEVELOPED:	\$774.35/PARCEL

**SUMMARY:**

Annually, the City must conduct a Public Hearing to provide for the Annual Levy of Assessments for the City of Placentia Landscape Maintenance District No. 92-1 (LMD No. 92-1), direct development of an Engineer's Report and provide for any annexations to the District as proposed. This action will adopt resolutions necessary to set a Public Hearing on August 5, 2014, to provide for the annual levy of assessments for the District.

**RECOMMENDATION:**

It is recommended that City Council take the following actions:

1. Adopt Resolution R-2014-\_\_\_, "A Resolution of the City Council of the City of Placentia directing preparation of the Engineer's Report for Fiscal Year 2014-15 for the continuation of the annual assessments for Landscape Maintenance District No. 92-1" and,
2. Adopt Resolution R-2014-\_\_\_, "A Resolution of the City Council of the City of Placentia declaring its intention to provide for the annual levy and collection of assessments for certain maintenance in an existing district pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California, and setting a time and place for public hearing thereon."

**DISCUSSION:**

LMD No. 92-1 was formed in 1992 and consists of 2,182 parcels and is bounded by Richfield Road to the east, Kraemer Avenue to the west, Orangethorpe to the south and Buena Vista to the north. LMD No. 92-1 covers perimeter and median landscaping maintenance, as well as other improvements (e.g.,

**1.f.**  
**June 3, 2014**

entrance signs, traffic and median islands, parkway vistas) within the confines of the maintenance district. The current maximum tax rate per assessment unit for single-family parcels is \$154.87 per year. This rate cannot be increased without the approval of the property owners within the maintenance district.

LMD No. 92-1 was established pursuant to the provisions of the "Landscaping and Lighting Act of 1972," Division 15 of the Streets and Highway Code. The Annual Levy of Assessments is for the purpose of providing landscape maintenance, and means of assessments for maintenance of same in those newly developing areas designated on the Boundary Map of the District, which is on file in the offices of the City Engineer and City Clerk. An Engineer's Report will be prepared as required by law.

The legal authority for setting the assessments in LMD No. 92-1 is set forth in the Landscape and Lighting Act of 1972 found at Streets and Highways Code § 22500, *et seq.*, and pertinent provisions of the California Government Code. The District is exempt from and not subject to the procedures and approval processes set forth in Article XIII D, Section 4 of the California Constitution enacted by Proposition 218 on November 5, 1996. The reason LMD No. 92-1 is not subject to Proposition 218 is due to the fact that Proposition 218 also enacted Article XIII D, Sections 5 and 5(b) which exempts assessment districts formed prior to November 6, 1996 and which were formed pursuant to a petition signed by those owning all of the parcels subject to the assessment at the time the assessment was initially imposed, provided there is no increase in the amount assessed on a property owner in a particular category from the prior year. In Placentia, LMD No. 92-1 was formed prior to November 6, 1996 and pursuant to a petition signed by those owning all of the parcels subject to the assessment at the time the assessment was initially imposed. In addition, there is no increase in the amount assessed on a property owner in a particular category of assessment unit for the FY 2014/15 as compared to FY 2013/14. Therefore, the District is exempt from the procedures and approval processes of Proposition 218 for FY 2014/15.

Two resolutions have been prepared for Council consideration. The first resolution orders the preparation of plans, specification, cost estimate and diagram to prepare an "Engineer's Report". The second resolution declares the Council's intention to provide for the annual levy and collection of assessments, as well as establishes August 5, 2014, as the Public Hearing date.

**FISCAL IMPACT:**

A total of \$427,925.94 will be recouped through the 2014/15 assessment for LMD No. 92-1. Currently LMD 92-1 does not collect sufficient revenues to cover the annual cost to maintain and service the facilities within the maintenance district. Consequently, approximately \$170,000 a year has to be transferred from the City's General Fund to subsidize the cost of the LMD.

Submitted by:

Reviewed and approved:

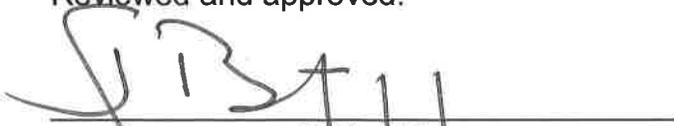


Michael McConaha  
Public Works Manager



Damien R. Arrula  
Assistant City Administrator

Reviewed and approved:



---

Troy L. Butzlaff, ICMA-CM  
City Administrator

Attachments:

1. Resolution R-2014-\_\_, "A Resolution of the City Council of the City of Placentia directing preparation of the Engineer's Report for Fiscal Year 2014-15 for the continuation of the annual assessments for Landscape Maintenance District No. 92-1."
2. Resolution R-2014-\_\_, "A Resolution of the City Council of the City of Placentia declaring its intention to provide for the annual levy and collection of assessments for certain maintenance in an existing district pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California, and setting a time and place for public hearing thereon."
3. Engineer's Report, SCI Consulting Group, May 2014.

**RESOLUTION NO. R-2014-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA DIRECTING PREPARATION OF THE ENGINEER'S REPORT FOR FISCAL YEAR 2014-15 FOR THE CONTINUATION OF THE ANNUAL ASSESSMENTS FOR LANDSCAPE MAINTENANCE DISTRICT NO. 92-1**

**A. Recitals.**

(i). On May 5, 1992, by its Resolution No. 92-R-123, this Council ordered the formation of and levied the first assessment within the Placentia Landscape Maintenance District No. 92-1 ("District") in accordance with the provisions of Article XIIID of the California Constitution, and the Landscaping and Lighting Act of 1972 ("Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with § 22500).

(ii) The City Council of the City of Placentia, California, desires to initiate proceedings for the annual levy of assessments for said District.

(iii). The proceedings for the annual levy of assessments shall relate to the fiscal year commencing July 1, 2014, and ending June 30, 2015.

(iv). The provisions of said Division 15, Part 2, require a written Report, consisting of the following:

1. Plans and specifications of the area of the works of improvement to be maintained;
2. An estimate of the costs for maintaining the improvements for the above-referenced fiscal year;
3. A diagram of the area proposed to be assessed;
4. An assessment of the estimated costs for maintenance work for said fiscal year.

(v). All legal prerequisites to the adoption of this Resolution have occurred.

**B. Resolution.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., above.
2. The purpose of the District is for the installation, maintenance and servicing of landscape improvements, as described in Section 3 below.
3. Within the landscape maintenance district, the existing and proposed improvements to be undertaken by the City are generally described as the installation, maintenance and servicing of public facilities, including but not limited to, landscaping, sprinkler systems, park facilities, play fields, landscape corridors, publicly owned trees, street frontages, playground equipment and hardcourt areas, as applicable, for property owned and maintained by the City. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of said improvements, including repair, removal, or replacement of all or part of any improvement; providing for the life, growth, health and beauty of landscaping; and cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti. Servicing means the furnishing of electric current or energy for the operation or lighting of any improvements, and water for irrigation of any landscaping or the maintenance of any other improvements.
4. SCI Consulting Group hereby is designated as Engineer of Work for purposes of these proceedings and is hereby ordered to prepare an Engineer's Report in accordance with Article 4 of Chapter 1 of the Act and Article XIIIID of the California Constitution. Upon completion, the Engineer shall file the Engineer's Report with the City Clerk for submission to the Council.

PASSED, ADOPTED AND APPROVED this 3<sup>rd</sup> day of June,  
2014.

SCOTT W. NELSON,  
MAYOR

ATTEST:

---

PATRICK J. MELIA, CITY CLERK  
STATE OF CALIFORNIA  
COUNTY OF ORANGE

I, PATRICK J. MELIA, CITY CLERK of the CITY OF PLACENTIA DO HEREBY CERTIFY that the foregoing Resolution No. was adopted at a regular meeting of the City Council held on the 3<sup>rd</sup> day of June, 2014 by the following vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

---

PATRICK J. MELIA,  
CITY CLERK

APPROVED AS TO FORM:

---

ANDREW V. ARCZYNSKI,  
CITY ATTORNEY

RESOLUTION NO. R-2014-

A RESOLUTION OF CITY COUNCIL OF THE CITY OF PLACENTIA DECLARING ITS INTENTION TO PROVIDE FOR THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR CERTAIN MAINTENANCE WITHIN AN EXISTING DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING THEREON.

**A. Recitals.**

(i). The City Council of the City of Placentia, in 1992, formed a landscape maintenance district pursuant to the terms and provisions of the Landscaping and Lighting Act of 1972 ("Act"), Division 15, Part 2, of the California Streets and Highways Code, in what is known and designated as:

CITY OF PLACENTIA  
LANDSCAPE MAINTENANCE DISTRICT NO. 92-1

(hereinafter the "District").

(ii). Proposition 218 adopted November 5, 1996 added Articles XIII C and XIII D to the California Constitution providing, at Article XIII D, § 5, that assessment districts formed after November 6, 1996 and assessment increases in existing assessment districts be subject to specified procedures and approval processes set forth in Article XIII D, § 4.

(iii). California Constitution Article XIII D, §§ 5 and 5 (b), provides that any assessment imposed in an assessment district formed prior to November 6, 1996 pursuant to a petition signed by those owning all of the parcels subject to the assessment at the time such district was formed and the assessment initially imposed, provided there is no increase in the amount assessed on an owner in a particular category of assessment unit, shall be exempt from the procedures and approval process set forth in Article XIII D, § 4.

(iv). The District was formed prior to November 6, 1996 pursuant to a petition signed by those owning all of the parcels subject to the assessment at the time the assessment was initially imposed.

(v). There is no increase in the amount proposed to be assessed on any parcel within the District in any category of

assessment unit, for the period from Fiscal Year 2013-14 to Fiscal Year 2014-15, thereby rendering the District exempt from the procedures and approval process set forth in Article XIII D, § 4.

(vi). The City Council desires, pursuant to the provisions of the Act to provide for the annual levy of assessments for the 2014-15 Fiscal Year, to provide for the costs and expenses reasonably necessary for the maintenance of improvements within said District.

(vii). The assessment engineer has presented a report ("Report"), as required by law, setting forth the reasonably necessary maintenance for Fiscal Year 2014-15 and setting forth the recommended levy therefor.

(viii). All legal prerequisites to the adoption of this Resolution have occurred.

## **B. Resolution.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.

2. The Report has been made, filed with the City Clerk and duly considered by the City Council and hereby is deemed sufficient and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.

3. The public interest and convenience require the annual levy and collection of special assessments for the continual maintenance of improvements, to serve and benefit said District as set forth in the Report of the Engineer, incorporated herein as a part hereof.

4. The Report, setting forth the reasonably necessary maintenance for Fiscal Year 2014-15 and setting forth the recommended levy therefore, hereby is received and is directed to be filed in the Office of the City Clerk.

5. The public interest and convenience require, and it is the intention of this City Council to order, reasonably necessary maintenance for Fiscal Year 2014-15, and further it is determined to be in the public interest and convenience to levy

and collect annual assessments to pay the costs and expenses of said maintenance and improvements as estimated in said Report.

6. The assessments levied and collected shall be for the maintenance of certain landscape improvements, maintenance, and servicing as set forth in the Engineer's Report, referenced and so incorporated herein.

7. NOTICE IS HEREBY GIVEN THAT ON TUESDAY, AUGUST 5, 2014, AT 7:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD, IN THE COUNCIL CHAMBERS LOCATED AT 401 E. CHAPMAN AVENUE, PLACENTIA, THE CITY COUNCIL SHALL CONDUCT A PUBLIC HEARING TO RECEIVE PROTESTS OR OBJECTIONS, IF ANY THERE BE, REGARDING THE LEVEL OF MAINTENANCE AND THE LEVY OF ASSESSMENTS WITHIN AND UPON ALL PROPERTY WITHIN LANDSCAPE MAINTENANDFE DISTRICT NO. 92-1. ANY PERSON WHO WISHES TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

8. The City Council hereby directs the City Clerk to give notice of a public hearing, pursuant to California Government Code § 6061, in a newspaper of general circulation within the City.

9. The City Clerk is further directed to cause a copy of this Resolution to be posted upon the official bulletin board customarily used for the posting of notices and to mail, by first class mail, a copy of the notice to those interested parties who have filed written requests.

10. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed:

Michael McConaha  
Engineering Department  
City of Placentia  
401 East Chapman Avenue  
Placentia, California 92870  
(714) 993-8131

PASSED, ADOPTED AND APPROVED this 3<sup>RD</sup> day of June, 2014.

\_\_\_\_\_  
SCOTT W. NELSON,  
MAYOR

ATTEST:

\_\_\_\_\_  
PATRICK J. MELIA,  
CITY CLERK

I, PATRICK J. MELIA, CITY CLERK of the CITY OF PLACENTIA DO  
HEREBY CERTIFY that the foregoing Resolution was adopted at a  
regular meeting of the City Council held on the 3<sup>RD</sup> day of June,  
2014 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

\_\_\_\_\_  
PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
ANDREW V. ARCZYNSKI,  
CITY ATTORNEY



**CITY OF PLACENTIA**  
**LANDSCAPE MAINTENANCE DISTRICT No. 92-1**

**ENGINEER'S REPORT**

FISCAL YEAR 2014-15

MAY 2014

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972,  
GOVERNMENT CODE AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:  
**SCIConsultingGroup**  
4745 MANGELS BOULEVARD  
FAIRFIELD, CALIFORNIA 94534  
PHONE 707.430.4300  
FAX 707.430.4319  
WWW.SCI-CG.COM

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**CITY OF PLACENTIA**

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**CITY COUNCIL**

Scott W. Nelson, Mayor  
Joseph V. Aquirre, Mayor Pro Tem  
Constance Underhill, Councilmember  
Chad P. Wanke, Councilmember  
Jeremy B. Yamaguchi, Councilmember

**CITY ADMINISTRATOR**

Troy L. Butzlaff

**PUBLIC WORKS MANAGER**

Michael McConaha

**CITY ATTORNEY**

Andrew V. Arczynski

**ENGINEER OF WORK**

SCI Consulting Group

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## INTRODUCTION

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### OVERVIEW

The City of Placentia (the "City") services and maintains perimeter and median landscaping, and other improvements ("Improvements") to various parts of the City. In order to fund the maintenance and operation (the "Services") of these projects and improvements, the City has formed Landscape Maintenance District No. 92-1, ("District"). This Engineer's Report ("Report") was prepared to establish the budget for the Improvements (as described below) that will be funded by the 2014-15 assessments and other revenue, and to determine the general and special benefits received from the Improvements by property within the District and the method of assessment apportionment to lots and parcels. This Report and the assessments have been made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act") and Article XIID of the California Constitution (the "Article").

### ENGINEER'S REPORT AND CONTINUATION OF ASSESSMENTS

The assessment has been continued for over 20 years. In each subsequent year for which the assessments will be continued, the Placentia City Council (the "Council") must direct the preparation of an Engineer's Report, budgets, and proposed assessments for the upcoming fiscal year. After the report is completed, the City Council may preliminarily approve the Engineer's Report and the continued assessments and establish the date for a public hearing on the continuation of the assessments. Accordingly, this Engineer's Report (the "Report") was prepared pursuant to the direction of the City Council.

As required by the Act, this Report includes plans and specifications, a diagram or map of the District, the benefits received by property from the Improvements within the District, and the method of assessment apportionment to lots and parcels within the District.

If the Council approves this Engineer's Report and the continuation of the Assessments by resolution, a notice of public hearing must be published in a local newspaper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is typically used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the proposed continuation of the Assessments. This hearing is currently scheduled for July 15, 2014. At this hearing, the Council will consider approval of a resolution confirming the continuation of the Assessments for fiscal year 2014-15. If so confirmed and approved, the Assessments would be submitted to the Orange County Auditor/Controller for inclusion on the property tax rolls for fiscal year 2014-15.

Beginning in 2014, SCI Consulting Group became the Assessment Engineer for the District. To maintain an accurate reference and legally defensible record of the District,

pertinent language used in previous engineer's reports has been retained herein and is cited in italics as appropriate.

## LEGISLATIVE ANALYSIS

### PROPOSITION 218

The Right to Vote on Taxes Act was approved by the voters of California on November 6, 1996, and is now Article XIIC and XIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services and improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

### SILICON VALLEY TAXPAYERS ASSOCIATION, INC. V SANTA CLARA COUNTY OPEN SPACE

**AUTHORITY** (2008) 44 CAL. 4<sup>TH</sup> 431

In July of 2008, the California Supreme Court issued its ruling on the *Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority* ("SVTA"). This ruling is significant in that the Court clarified how Proposition 218 made changes to the determination of special benefit. The Court also found that:

- Benefit assessments are for special, not general, benefit
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the Improvement District
- The assessment paid by property should be proportional to the special benefits it receives from the Improvements

This Engineer's Report and the process used to establish the continuation of the assessments for fiscal year 2014-15 are consistent with the SVTA decision and with the requirements of Article XIIC and XIID of the California Constitution based on the following factors:

1. The District is drawn to include the entire City; although only parcels deriving special benefits are included in the assessment rolls. Thus, zones of benefit are not required and the assessment revenue derived from real property in the District is expended only on the Improvements in the District.
2. The Improvements which are constructed and maintained with assessment proceeds in the District are located in close proximity to the real property subject to the assessment. The Improvements provide landscaping and other services to the residents of such assessed property. The proximity of the Improvements to the assessed parcels provides a special benefit to the parcel being assessed pursuant to the factors outlined by the Supreme Court in that decision.

3. Due to their proximity to the assessed parcels, the Improvements financed with assessment revenues in the District benefit the properties in that District in a manner different in kind from the benefit that other parcels of real property in the City derive from such Improvements, and the benefits conferred on such property in the District are more extensive than a general increase in property values.
4. The assessments paid in the District are proportional to the special benefit that each parcel within that Assessment District receives from the Improvements because:
  - a. The specific landscaping Improvements and maintenance and utility costs thereof in the District are specified in this Report; and
  - b. Such Improvement and maintenance costs in the District are allocated among different types of property located within the District, and equally among those properties which have similar characteristics, such as single-family residential parcels, multi-family residential parcels, commercial parcels, industrial parcels, etc.

**DAHMS V. DOWNTOWN POMONA PROPERTY (2009) 174 CAL. APP. 4<sup>TH</sup> 708**

In *Dahms v. Downtown Pomona Property* ("Dahms") the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

**BONANDER V. TOWN OF TIBURON (2009) 180 CAL. APP. 4<sup>TH</sup> 103**

*Bonander v. Town of Tiburon* ("Bonander"), the 1<sup>st</sup> District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments primarily on the grounds that the assessments had been apportioned to assessed property based on the costs within sub-areas of the assessment district instead of the overall cost of the improvements and the overall proportional special benefits.

**BEUTZ V. COUNTY OF RIVERSIDE (2010) 184 CAL. APP. 4<sup>TH</sup> 1516**

*Steven Beutz v. County of Riverside* ("Beutz") the Court overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

**GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO (2011) 199 CAL. APP. 4<sup>TH</sup> 416**

On September 22, 2011, the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in Beutz, the court found the general benefits associated with services

were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

#### **COMPLIANCE WITH CURRENT LAW**

This Engineer's Report is consistent with the *SVTA* decision and with the requirements of Article XIII C and XIII D of the California Constitution because the Improvements to be funded are clearly defined; the benefiting property in the District enjoys close and unique proximity, access and views to the Improvements; the Improvements serve as an extension of usable land area for benefiting properties in the District and such special benefits provide a direct advantage to property in the District that is not enjoyed by the public at large or other property.

This Engineer's Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in the District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and Services proportional special benefit to each property, rather than the proportional cost to the District to provide the Improvements to specific properties.

## PLANS & SPECIFICATIONS

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The City maintains landscaping and other improvements in locations within the District's boundaries. The work and improvements to be undertaken by the Landscape Maintenance District No. 92-1 and the cost thereof paid from the levy of the annual Assessment provide special benefit to Assessor Parcels within the District as defined in the Method of Assessment herein. In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the "Act") the work and improvements are generally described as follows:

### ENTRANCE SIGNS

The entrance signs with landscape improvements to be maintained are to be located at the following locations within the District:

- Central Avenue at Chapman Avenue (n/e corner)
- Central Avenue at Gordon Drive
- Central Avenue at Buck Place
- Buena Vista Street at Dressel Drive
- Buena Vista Street at Petry Drive
- Alta Vista Street at Chang Drive
- Alta Vista Street at Swail Drive
- Alta Vista Street at Terry Drive

### ISLANDS

The landscaped islands to be maintained by the District are located as follows:

- Kraemer Blvd. from Alta Vista Street to n/o City Hall
- Connecticut Way e/o Kraemer Blvd
- Rose Drive from Alta Vista Street to Buena Vista Street

### PARKWAY VISTAS

The landscaped parkway vistas to be maintained by the District are located as follows:

- Kraemer Blvd. e/s (n/o City Hall to Connecticut Way)
- Kraemer Blvd. e/s (Connecticut Way to Alta Vista St.)
- Alta Vista Street n/s (from 900' w/o to 800' e/o Dunnavant Dr.)
- Alta Vista Street n/s (Rose Dr. to Jefferson St.)
- Alta Vista Street n/s (Jefferson St. to Van Buren St.)
- Alta Vista Street s/s (Kraemer Blvd. to All America Way)
- Alta Vista Street s/s (Central Ave. to Dunnavant Dr.)
- Alta Vista Street s/s (Dunnavant Dr. to Rose Dr.)
- Alta Vista Street s/s (Rose Dr. to Jefferson St.)
- Alta Vista Street s/s (Jefferson St. to Van Buren St.)
- Rose Drive w/s (Alta Vista St. to 500'+ n/o Orangethorpe Ave.)

- Rose Drive e/s (Alta Vista St. to north boundary of Shopping Center)
- Rose Drive e/s (Alta Vista St. to 200' s/o Castner Dr.)

#### **UNOCAL/FIELDSTONE OIL WELL LOTS – RIGHT-OF-WAY SCREEN PLANTING**

The landscaped screen planting areas to be maintained by the District are located as follows:

- Dressel Drive / Howard Place
- Mykannen Circle / Cisneros Lane
- Tidland Circle
- Nevin Lane / Tucker Place
- Nevin Lane / Evans Lane
- Gerhold Lane
- Hill Street / Granger Drive
- Larson Lane / Evans Lane

#### **STREET RIGHT-OF-WAY LANDSCAPING**

The street landscaping to be maintained by the District is located as follows:

- Jefferson Street e/s (Alta Vista St. to Garten Dr.)
- Buena Vista s/s (320'± w/o Petry Dr. to 500'± e/o Dressel Dr.)
- Van Buren Street w/s (750' n/o Alta Vista St. to Orchard Dr.)
- Chang Drive (Alta Vista St. to Evans Ln.)
- Dressel Drive (Buena Vista St. to Munoz Pl.)
- Central Avenue (Alta Vista St. to Chapman Ave.)
- Chapman Avenue (Central Ave. to 1130'± east)
- Chapman Avenue (Mission Way to All America Way)
- All America Way w/s (City Hall to Alta Vista St.)
- All America Way e/s (Chapman Ave. 100'± s/o Dartmouth Dr.)
- Van Buren Street e/s (Richfield Channel to 200' s/o Alta Vista St.)
- Dunnavant Drive (Alta Vista to 1300'± south) (does not include Lot "F", Tract 15139)
- Other minor areas that front non-contiguous assessed parcels

#### **EASEMENTS – PUBLIC STORM DRAIN AND SEWER**

Landscaped easements to be maintained by the District are located as follows:

- At various locations within TM 14161 (Fieldstone and Van Daele Tracts and TM 15699 Placentia Development Company)
- Does not include Lot "F," Tract 15139

### PLACENTIA CHAMPIONS SPORTS COMPLEX

Maintenance and service includes (but is not limited to) the following:

- Payments for electrical energy and water usage
- Repair, replacement or enhancement of community building, parking lots, fencing, signage, lighting and fixed recreational structures such as playgrounds, play fields, courts, walkways, dugouts, bleachers, scoreboards, restrooms, drinking fountains, picnic tables and shelters, and ancillary items such as storage and utility structures
- Irrigation, cultivation, pest control and replacement of plant material, trees, shrubs, ground cover, turf, supplies
- Personnel, utility and equipment costs
- Contract services where applicable

Installation, maintenance and servicing of Improvements, may include, but are not limited to, turf and play areas, landscaping, ground cover, shrubs and trees, irrigation systems, sidewalks, parking lots, drainage systems, lighting, fencing, entry monuments, basketball courts, tennis courts, other recreational facilities, security patrols to protect the Improvements, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment, as applicable, at each of the locations owned, operated or maintained by the District.

As applied herein, "Installation" means the construction of Improvements, including, but not limited to, land preparation (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, walkways and drainage, lights, playground equipment, play courts, playing fields, recreational facilities and public restrooms.

"Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal or replacement of all or any part of any improvement; providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste, and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

"Servicing" means the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements; or water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and

servicing of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment (Streets & Highways Code §22526).

Modifications to the District structure could include, but are not limited to, substantial changes or expansion of the Improvements provided, substantial changes in the service provided, modifications or restructuring of the District including annexation or detachment of specific parcels, revisions in the method of apportionment, or proposed new or increased assessments.

The assessment proceeds will be exclusively used for Improvements within the District plus incidental expenses.

## FISCAL YEAR 2014-15 ESTIMATE OF COST AND BUDGET

### BUDGET FOR FISCAL YEAR 2014-15

The 1972 Act provides that the total costs for providing the maintenance and servicing of the District Improvements and facilities can be recovered in the assessment spread including incidental expenses. The latter can include engineering fees, legal fees, printing, mailing, postage, publishing and all other costs identified with the District proceedings.

An estimate of District costs for fiscal year 2014-15 for the maintenance and servicing of the Improvements is provided below.

**TABLE 1 – FY 2014-15 ESTIMATE OF COSTS**

<b>Expenditure Item</b>	<b>Amount</b>
Salaries & Benefits	\$ 135,761
Legal Services	1,500
Engineering Services	19,650
Special Studies	10,000
Other Professional Services	0
Landscaping	166,000
Repair / Maintenance Services	20,000
Construction Services	0
Telephone	10,000
Advertising	500
City Administrative Services	0
Electricity	30,000
Water	153,000
Estimated Expenditures	<u>\$ 546,411</u>
<b>Revenue Item</b>	<b>Amount</b>
Direct Benefit Assessments FY 2014/15	\$ 427,926
General Fund Contribution <sup>1</sup>	\$199,557
Amount from (to) Dedicated Reserves	(\$81,072)
Estimated Revenues	<u>\$ 546,411</u>
<b>Budget Allocation to Parcels</b>	<b>Amount</b>
Total Assessment Budget <sup>2</sup>	\$ 427,926
Total Assessment Units (AUs)	2,763.130
Assessment per Assessment Unit (AU) <sup>3</sup>	<u>\$ 154.87</u>

Notes to Estimate of Costs:

1. The City is currently conducting a ballot proceeding to form a new landscape maintenance district (No. 2014-1). If that District is formed for Fiscal Year 2014-15, the amount shown for General Fund Contribution would instead come from LMD 2014-1.

2. The Act requires that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the Fiscal Year, June 30, must be carried over to the next Fiscal Year. The District may also establish a reserve fund for contingencies and special projects as well as a capital improvement fund for accumulating funds for larger capital improvement projects or capital renovation needs. Any remaining balance would either be placed in the reserve fund, the capital improvement fund, or would be used to reduce future years' assessments.

3. The rate shown here is for an Assessment Unit (single family home or its equivalent). For the definition of the term AU and rates for other types of property, see the section titled, "Method of Assessment" and the sections following it in this report.

## METHOD OF ASSESSMENT APPORTIONMENT

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report explains the benefits to be derived from the Improvements and the methodology used to apportion the total assessment to properties within the District.

The District consists of certain assessor parcels within the boundaries as defined by the Assessment Diagram referenced in this report and the parcels identified by the Assessor Parcel Numbers listed with the levy roll. The parcel list includes all privately and publically owned parcels as shown. The method used for apportioning the Assessment is based upon the relative special benefits to be derived by the properties in the District over and above general benefits conferred on real property or to the public at large. The Assessment is apportioned to lots and parcels in proportion to the relative special benefit from the Improvements. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the Improvements and the second step is to allocate the Assessments to property based on the estimated relative special benefit for each type of property.

### DISCUSSION OF BENEFIT

In summary, the Assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

*"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that assessments must be based on the special benefit to property and that the value of the special benefits must exceed the cost of the assessment:

*"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."*

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the Improvements to be provided with the assessment proceeds. These types of special benefit are summarized as follows:

- A. Proximity to Improved Landscaped Areas and Other Public Improvements within the District.
- B. Access to Improved landscaped areas and Other Public Improvements within the District.
- C. Improved Views within the District.
- D. Extension of a property's outdoor areas and green spaces for properties within close proximity to the Improvements.
- E. Creation of individual lots for residential and commercial use that, in absence of the Assessments, would not have been created.

In this case, the recent SVTA v. SCCOSA decision provides enhanced clarity to the definitions of special benefits to properties from similar improvements in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The SVTA v. SCCOSA decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The SVTA v. SCCOSA decision also provides specific guidance that park improvements are a direct advantage and special benefit to property that is proximate to a park that is improved by an assessment:

*The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).*

Proximity, improved access and views, in addition to the other special benefits listed herein further strengthen the basis of these assessments.

Moreover, the Dahms decision further clarified that certain services and improvements funded by assessments, that are over and above what otherwise would be provided and that other property in general and the public do not share or receive are 100% special benefit. The assessment-funded services upheld by Dahms included streetscape maintenance and security services.

### **SPECIAL BENEFIT**

The special benefits from the Improvements are further detailed below:

#### **PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE DISTRICT**

Only the specific properties within close proximity to the Improvements are included in the District. The District has been narrowly drawn to include the properties that receive special benefits from the Improvements. Therefore, property in the District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the District do not share.

In absence of the Assessments, the Improvements would not be provided and the public improvements funded in the District would be degraded due to insufficient funding for maintenance, upkeep and repair. Therefore, the Assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits but when combined with the unique proximity and access enjoyed by parcels in the District, they provide a direct advantage and special benefit to property in the District.

#### **ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE DISTRICT**

Since the parcels in the District are nearly the only parcels that enjoy close access to the Improvements, they directly benefit from the unique close access to improved landscaping areas and other public improvements that are provided by the Assessments. This is a direct advantage and special benefit to property in the District.

#### **IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICTS**

The City, by maintaining permanent public improvements funded by the Assessments in the District, provides improved views to properties in the District. The properties in the District enjoy close and unique proximity, access and views of the specific Improvements funded in the District; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the District.

#### **EXTENSION OF A PROPERTY'S OUTDOOR AREAS AND GREEN SPACES FOR PROPERTIES WITHIN CLOSE PROXIMITY TO THE IMPROVEMENTS**

In large part because it is cost prohibitive to provide large open land areas on property in the District, the residential, commercial and other benefiting properties in the District do not have large outdoor areas and green spaces. The Improvements within the District provide additional outdoor areas that serve as an effective extension of the land area for proximate properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements. The Improvements, therefore, provide an important, valuable and desirable extension of usable land area for the direct advantage and special benefit of properties in the District because such properties have uniquely good and close proximity to the Improvements.

**CREATION OF INDIVIDUAL LOTS FOR RESIDENTIAL AND COMMERCIAL USE THAT, IN ABSENCE OF THE ASSESSMENTS, WOULD NOT HAVE BEEN CREATED**

In most of the District, the original owner/developer(s) of the property within the District agreed unanimously to the Assessments. The Assessments provide the necessary funding for public improvements that were required as a condition of development and subdivision approval. Therefore, such Assessments allowed the original property to be subdivided and for development of the parcels to occur. As parcels were sold, new owners were informed of the Assessments through the title reports, and in some cases, through Department of Real Estate "White Paper" reports that the parcels were subject to assessment. Purchase of property was also an "agreement" to pay the Assessment. Therefore, in absence of the Assessments, the lots within most of the District would not have been created. These parcels, and the improvements that were constructed on the parcels, receive direct advantage and special benefit from the Assessments.

**GENERAL VERSUS SPECIAL BENEFIT**

Article XIIC of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to "separate the general benefits from the special benefits conferred on a parcel." The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. An assessment can fund special benefits but cannot fund general benefits. Accordingly, a separate estimate of the special and general benefit is given in this section.

In other words:

<b>Total Benefit</b>	<b>=</b>	<b>General Benefit</b>	<b>+</b>	<b>Special Benefit</b>
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There is no widely-accepted or statutory formula for general benefit. General benefits are benefits from improvements or services that are not special in nature, are not "particular and distinct" and are not "over and above" benefits received by other properties. SVTA vs. SCCOSA provides some clarification by indicating that general benefits provide "an indirect, derivative advantage" and are not necessarily proximate to the improvements.

In this Report, the general benefit is liberally estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

The starting point for evaluating general and special benefits is the current, baseline level of service. The Assessment will fund Improvements "over and above" this general, baseline level and the general benefits estimated in this section are over and above the baseline.

A formula to estimate the general benefit is listed below:

<b>General Benefit</b>	=	<b>Benefit to Real Property Outside the Assessment District</b>	+	<b>Benefit to Real Property Inside the Assessment District that is Indirect and Derivative</b>	+	<b>Benefit to the Public at Large</b>
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Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” The SVTA v. SCCOSA decision indicates that a special benefit is conferred to a property if it “receives a direct advantage from the improvement (e.g., proximity to a park).” In these Assessments, as noted, properties in the District have close and unique proximity, views and access to the Improvements and uniquely improved desirability from the Improvements and other properties and the public at large do not receive significant benefits because they do not have proximity, access or views of the Improvements. Therefore, the overwhelming proportion of the benefits conferred to property is special, and is only minimally received by property outside the Districts or the public at large.

### **BENEFIT FINDING**

The District contains the Placentia Champions Sports Complex, which is distinct from other landscape improvements in the District. Due to significantly different characteristics between the two types of improvements, benefits will be discussed and calculated separately under the categories of “Park Improvements” and “Landscaping Improvements.”

#### **PARK IMPROVEMENTS - QUANTIFICATION OF GENERAL BENEFIT**

In this section, the general benefit from park Improvements is liberally estimated and described, and then budgeted so that it is funded by sources other than the Assessment. This Park section is focused on the Placentia Champions Sports Complex. Other District Improvements are discussed below in “*Landscaping Improvements - Quantification of General Benefit.*”

#### **BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICTS**

For the purposes of calculating benefit to properties outside the District, the Park will be considered as a neighborhood park inasmuch as it provides amenities for nearby properties. While it functions as a community (or even regional) facility for organized sports such as baseball and soccer, the general benefit derived from those activities will be discussed under the “*Benefit to the General Public*” below.

Properties within the District receive much of the special benefits from the park Improvements because properties in the District enjoy unique close proximity and access to the park Improvements that is not necessarily enjoyed by other properties or the public at large. However, certain properties within the proximity/access radius of the park Improvements, but outside of the boundaries of the District, may receive some benefit from the park Improvements. Since this benefit is conferred to properties outside the District

boundaries, it contributes to the overall general benefit calculation and will not be funded by the Assessments.

Since the properties outside the District but within the effective proximity radii are not assessed for their benefits because they are outside of the area that can be assessed by the District, this is a form of general benefit to other property. A 50% reduction factor is applied to these properties because they are all on only one side of the Improvements and properties in the District enjoy the advantage of over twice the average proximity to the park Improvements. The general benefit to property outside of the District is calculated as follows with the parcel and data analysis performed by SCI Consulting Group.

**ASSUMPTIONS:**

- 651 parcels outside the District but within 0.5 miles of the Park
- 2,214 parcels in the District
- 50% relative benefit compared to property with the District

**CALCULATION:**

$$\text{General Benefit to property outside the District} = \frac{651}{651+2,214} \times 0.5 = 11.36\%$$

**BENEFIT TO PROPERTY *INSIDE* THE ASSESSMENT DISTRICTS THAT IS *INDIRECT AND DERIVATIVE***

The "indirect and derivative" benefit to property within the District is particularly difficult to calculate. A solid argument can be presented that all benefit within the District is special, because the Improvements are clearly "over and above" and "particular and distinct" when compared with the baseline level of service and the unique proximity, access and views of the Improvements enjoyed by benefiting properties in the District.

Nevertheless, the SVTA vs. SCCOSA decision indicates there may be general benefit "conferred on real property located in the district" A measure of the general benefits to property within the Assessment area is the percentage of land area within or directly abutting the District that is publicly owned and used for regional purposes such as major roads, rail lines and other regional facilities because such properties used for regional purposes could provide indirect benefits to the public at large. Approximately 2.91% of the land area in the District is used for such regional purposes, so this is a measure of the general benefits to property within the District.

**BENEFIT TO THE PUBLIC AT LARGE**

The general benefit to the public at large can be estimated by the proportionate amount of time that the District's parks facilities are used and enjoyed by individuals who are not residents, employees, customers or property owners in the District. In this District, there is only one park facility: Placentia Champions Sports Complex ("Complex"). The Complex serves the needs of many people in two primary ways: as a neighborhood park serving

nearby residents for shorter and more frequent visits; and as a community or regional park serving people from all over Placentia and the surrounding areas as a destination for organized sports such as soccer and baseball league play. The general benefit of the former was discussed above; the general benefit of the latter is discussed here.

When the Complex functions as a community or regional park, it becomes a destination for longer and less frequent visits (for example, scheduled league play). Of the five ways benefits are conferred (proximity, access, views, extension of a property's green space, and creation of lots), the community or regional function confers benefits only in the "access" and "extension of a property's green space" categories (proximity does not apply as these trips are from outside the District; people do not come for the views; and the facility was not tied to the creation of faraway lots). Therefore the general benefit is no more than 40%. That figure, however, is reduced by the percentage that the community or regional park benefits property owners within the district (special benefit). The City estimates that approximately 71% of participants in these organized sports are from the City of Placentia. However, only 15.11% of Placentia parcels lie inside the district, so it is estimated that (15% of 71% =) 10.73% of the users are from within the District. Conversely, 89.27% are from outside the District. Therefore (40% x 89.27% =) 35.71% of the benefits from the Parks Improvements are general benefits to the public at large

**TOTAL PARK IMPROVEMENTS GENERAL BENEFITS**

Using a sum of these three measures of general benefit, we find that approximately 49.98% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the assessment.

<b>PARKS GENERAL BENEFIT CALCULATION</b>	
	11.36% (Outside the District)
+	2.91% (Property within the District)
+	35.71% (Public at Large)
=	49.98% (Total General Benefit)

**LANDSCAPING AND OTHER IMPROVEMENTS - QUANTIFICATION OF GENERAL BENEFIT**

In this section, the general benefit from landscaping and other types of Improvements (other than park Improvements) is liberally estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

**BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICTS**

Properties within the District receive almost all of the special benefits from the other Improvements because properties in the District enjoy unique close proximity and access to the Improvements that is not enjoyed by other properties or the public at large. However, certain properties within the proximity/access radius of the Improvements, but outside of the boundaries of the District, may receive some benefit from the Improvements. Since this benefit is conferred to properties outside the District boundaries, it contributes to

the overall general benefit calculation and will not be funded by the Assessments. The general benefit to property outside of the District is calculated with the parcel and data analysis performed by SCI Consulting Group.

Since the properties outside the District but with frontage abutting the Improvements cannot be assessed by the District, this is a form of general benefit to other property. The primary way that parcels outside the district benefit by the Improvements is from views. Therefore, parcels that abut the landscape areas and are not separated from the Improvements by a privacy fence are counted for this general benefit. The general benefit to property outside of the District is calculated as follows.

**ASSUMPTIONS:**

- 22 parcels outside the District
- 2,214 parcels in the District

**CALCULATION:**

$$\text{General Benefit to property outside the District} = \frac{22}{22+2,214} = 0.98\%$$

**BENEFIT TO PROPERTY *INSIDE* THE ASSESSMENT DISTRICTS THAT IS *INDIRECT AND DERIVATIVE***

The “indirect and derivative” benefit to property within the District is particularly difficult to calculate. A solid argument can be presented that all benefit within the District is special, because the other Improvements are clearly “over and above” and “particular and distinct” when compared with the baseline level of service and the unique proximity, access and views of the other Improvements enjoyed by benefiting properties in the District.

Nevertheless, the SVTA vs. SCCOSA decision indicates there may be general benefit “conferred on real property located in the district” A measure of the general benefits to property within the Assessment area is the percentage of land area within or directly abutting the District that is publicly owned and used for regional purposes such as major roads, rail lines and other regional facilities because such properties used for regional purposes could provide indirect benefits to the public at large. Approximately 2.91% of the land area in the District is used for such regional purposes, so this is a measure of the general benefits to property within the District.

**BENEFIT TO THE PUBLIC AT LARGE**

The general benefit to the public at large can be estimated by the proportionate amount of time that the District’s other Improvements including landscaping are used and enjoyed by individuals who are not residents, employees, customers or property owners in the District. It should be noted that these other Improvements do not attract the public at large in the same way as park improvements – and they confer far less benefit to the public at large than do similar park improvements. In essence, the public does not visit an area to enjoy setback landscaping in the same way as they may visit a park.

One way to measure the special benefit to the general public is by the car trips through an area with Improvements. Of the five ways benefits are conferred (proximity, access, views, extension of a property's green space, and creation of lots), the only benefit that is conferred by way of pass-by car trips is views, which accounts for 10% of the total benefits, since views are less critically important and are enjoyed much less often to the average non-resident driver than to a resident.

Next, the views factors are weighted by the relevant number of car trips. Using the lane miles as representative of pass-by traffic, an analysis shows that 90% of the lane miles are on arterial or collector streets where the general public has views of the landscaping. Therefore (90% of 10% =) 9.0% of the benefits from the other Improvements are general benefits to the public at large.

#### **TOTAL OTHER IMPROVEMENTS GENERAL BENEFITS**

Using a sum of these three measures of general benefit, we find that approximately 12.89% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the assessment.

<b>LANDSCAPING GENERAL BENEFIT CALCULATION</b>	
	0.98% (Outside the District)
+	2.91% (Property within the District)
+	9.00% (Public at Large)
=	12.89% (Total General Benefit)

#### **TOTAL COMBINED GENERAL BENEFITS**

The total general benefit for Parks is 49.98% and for Landscaping and other Improvements is 12.89%. The City estimates that approximately 20% of its District budget is for Parks and the remainder is for Landscaping and other Improvements. It is reasonable to assume that the ratio will remain relatively constant in the foreseeable future barring significant modifications to the Improvements. Therefore, using those proportions to calculate a weighted average of the general benefits for each type of Improvement, the resulting total combined general benefit is  $(0.20 \times 49.98\%) + (0.80 \times 12.89\%) = 20.31\%$ .

Although this analysis finds that 20.31% of the assessment may provide general benefits from the Improvements, the Assessment Engineer establishes a requirement for a minimum contribution from sources other than the assessments of 21%. This minimum contribution above the measure of general benefits will serve to provide additional coverage for any other general benefits.

#### **FINAL STEP – CALCULATE THE CURRENT GENERAL BENEFIT CONTRIBUTION FROM THE CITY**

This general benefit cannot be funded from the Assessments; it must be funded from other sources such as the City's General Fund or other non-District funds. These contributions can also be in the form of in-lieu contributions to the installation and maintenance of the

Improvements such as other City assets that support and protect the Improvements. The City of Placentia will contribute both monetary and in-lieu resources to ensure that the general benefits conferred by the proposed Improvements are not funded by the District's Assessments.

A summary and quantification of these other contributions from the City is discussed below:

The City of Placentia owns, maintains, rehabilitates and replaces curb and gutter along the border of the District Improvements. This curb and gutter serves to support, contain, retain, manage irrigation flow and growth, and provide a boundary for the Improvements. The contribution from the City towards general benefit from the maintenance, rehabilitation, and replacement of the curb and gutter is conservatively estimated to be 5%.

The City owns and maintains a storm drainage system along the border of the District Improvements. This system serves to prevent flooding and associated damage to the Improvements, and manage urban runoff including local pollutants loading from the Improvements. The contribution from the City towards general benefit from the maintenance, and operation of the local storm drainage system is conservatively estimated to be 5%.

The City owns and maintains local public streets along the border of the District Improvements. These public streets provide access to the Improvements for its enjoyment as well as efficient maintenance. The contribution from the City towards general benefit from the maintenance of local public streets is conservatively estimated to be 5%.

The value of the construction of the improvements can be quantified and monetized as an annuity. Since this construction was performed and paid for by non-assessment funds, this "annuity" can be used to offset general benefit costs, and is conservatively estimated to contribute 10%.

The total General Benefit is liberally quantified at 21% which is entirely offset by the conservatively quantified total non-assessment contribution towards general benefit described above of 25%. Therefore, no additional General Benefit must be funded by the City.

#### **METHOD OF APPORTIONMENT**

The development of an Assessment methodology requires apportioning to determine the relative special benefit for each property. As the District was formed by a different engineer of record, the precise language from the most recent Engineer's Report is included below:

*It has been determined that the improvements provide a specific and special benefit to all assessed parcels of land in the development area. Landscaping and irrigation of street rights-of-way, entryways, islands, sewer and storm drain*

easements, areas surrounding existing oil wells and the parkway vistas aesthetically enhances the development areas. The landscaped pedestrian corridor along Alta Vista Street also provides pedestrian access throughout the development area. The aesthetic enhancement and use of the parkway vistas increases the desirability of the properties located within the boundaries of the District mainly because of the property's close proximity and accessibility to the improvements. Therefore, maintenance of these public improvements renders a special and direct benefit to the parcels located throughout the District and the levy of a special assessment for the maintenance of the improvements is deemed appropriate.

The method of apportionment (Method of Assessment) set forth in the Report is based on the premise that each assessed property receives special benefits from the landscape improvements within the District, and the assessment obligation for each parcel reflects that parcel's proportional special benefits as compared to other properties that receive special benefits.

The assessment method used in spreading the annual landscape maintenance costs is based on an assessment unit (AU) factor as follows:

Each **Single Family Detached Residential Unit** is considered to be one AU and is assessed the cost attributable to one AU.

**Multi-Family Residential Units** are assessed 0.70 or 70% of an AU since they have a higher density than Single Family Detached Units (number of dwelling units/acres). The decrease in assessment is a direct result of the reduced amount of assessable acreage per Multi-Family Unit and the reduction in occupancy per unit.

In converting **Developed Commercial, Industrial, Institutional and Other Non-Residential** properties to AUs, the factor used is based on the City of Placentia average single-family residential density of ten dwelling units per acre. Therefore, the parcels in this Class will be assessed 10 AU per acre or any portion thereof. These properties benefit from the maintenance of improvements because of the enhanced desirability resulting from well-kept landscape areas. Improved aesthetic appeal also increases the draw of businesses to purchase or lease property and the increased opportunity to draw clientele.

**Assessable Undeveloped Acreage** also benefits from the maintenance and service of the landscape improvements. This benefit comes in the form of enhanced desirability due to the improved aesthetics of the area resulting from improvements. The enhanced aesthetics increases the desirability of the property to future homeowners and future commercial property owners or lessors. However, because the property is vacant, less use will be made of the improvements. It is reasonable to derive that vacant property, when compared to

*developed property, receives about half of the benefit of developed properties, therefore the Single Family Residence acreage equivalent used for developed non-residential properties of 10 AU per acres is reduced to 5 AU per acre for undeveloped land.<sup>1</sup>*

Further clarification on the four benefit classes is provided below:

***Class I*** - Single family detached residential, including condominium form of ownership of single-family detached dwellings.

***Class II*** - Developed commercial, industrial, and institutional where a map or a building permit for construction has been issued as of March 15 of the prior Fiscal Year.

***Class III*** – Multi-family residential and attached residential, approved project where a map has been recorded or a building permit for construction of dwelling units has been issued as of March 15 of the prior Fiscal Year.

***Class IV*** – Undeveloped and all other properties that are not in Class I, II, or III regardless if they have been approved for future development or are in the process of securing development approval as of June 15 of the prior Fiscal Year.<sup>2</sup>

#### **ANNUAL ASSESSMENT CALCULATION**

For fiscal year 2014-15 the amount of Assessments for the District is not increased from prior years. The Calculations for maintenance, service and incidentals follows:

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<sup>1</sup> From the 2013-14 Engineer's Annual Levy Report, City of Placentia, Landscape Maintenance District No. 92-1, dated June 4, 2013

<sup>2</sup> From the 2013-14 Engineer's Annual Levy Report, City of Placentia, Landscape Maintenance District No. 92-1, dated June 4, 2013

**Table 2 – ASSESSMENT CALCULATION**

Class	Description	Quantity	AU Ratio		Assessment	Units
			Factor			
I	Single Family	1,988 parcels	x	1.00	=	1,988.000 AU
II	Comm, Indust	27.927 acres	x	10.00	=	279.270 AU
III	Multi-Family	648 units	x	0.70	=	453.600 AU
IV	Undeveloped	8.452 acres	x	5.00	=	42.260 AU
<b>TOTAL Assessment Units</b>						<b>2,763.130 AU</b>

Proposed Assessment Rate		
	<b>\$427,925.94</b>	<b>/ 2,763.130 AU = \$154.87 /AU</b>

Class Assessments		
<u>Class I</u>	Single Family	<u>Each parcel is assessed at one assessment unit:</u> \$ 154.87 x 1.00 = \$ 154.87 /Parcel
<u>Class II</u>	Comm, Indust	<u>Each Acre is assessed at 10 assessment units:</u> \$ 154.87 x 10.00 = \$ 1,548.70 /Acre
<u>Class III</u>	Multi-Family	<u>Each Unit is assessed at 0.70 assessment units:</u> \$ 154.87 x 0.70 = \$ 108.41 /Unit
<u>Class IV</u>	Undeveloped	<u>Each Acre is assessed at 5 assessment units:</u> \$ 154.87 x 5.00 = \$ 774.35 /Acre

### DURATION OF ASSESSMENT

The District was formed or annexed in previous years. It is proposed that the Assessments be continued every year after their formation or annexation, so long as the public Improvements need to be maintained and improved, and the City requires funding from the Assessments for these Improvements in the District. As noted previously, the Assessment can continue to be levied annually after the City Council approves an annually updated Engineer's Report, budget for the Assessment, Improvements to be provided, and other specifics of the Assessment. In addition, the City Council must hold an annual public hearing to continue the Assessment.

### APPEALS OF ASSESSMENTS LEVIED TO PROPERTY

Any property owner who feels that the Assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the City of Placentia City Administrator or his or

her designee. Any such appeal is limited to correction of an Assessment during the then-current Fiscal Year and applicable law. Upon the filing of any such appeal, the City Administrator or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Administrator or his or her designee finds that the Assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the Assessment Roll has been filed with the County for collection, the City Administrator or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the City Administrator or his or her designee shall be referred to the Placentia City Council, and the decision of the City Council shall be final.

**ASSESSMENT FUNDS MUST BE EXPENDED WITHIN THE DISTRICT AREA**

The net available Assessment funds, after incidental, administrative, financing and other costs shall be expended exclusively for Improvements within the boundaries of the District or as described herein, and appropriate incidental and administrative costs as defined in the Plans and Specifications section.

## ASSESSMENT

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**WHEREAS**, the City of Placentia directed the undersigned engineer of Work to prepare and file a report presenting an estimate of costs, a Diagram for the District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the District;

**NOW, THEREFORE**, the undersigned, by virtue of the power vested in me under the Act, Article XIID of the California Constitution, and the order of the Placentia City Council, hereby makes the following Assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the District.

The amount to be paid for said Improvements and the expense incidental thereto, to be paid by the District for the Fiscal Year 2014-15 is generally as follows:

**TABLE 3 – FY 2014-15 SUMMARY COST ESTIMATE  
FOR LANDSCAPE MAINTENANCE DISTRICT NO. 92 -1**

Salaries & Benefits	\$ 135,761
Operating Expenses	389,000
Capital Expenses	0
Administration and Project Management	21,650
<b>Total for Services</b>	<b>\$ 546,411</b>
Less General Fund Contribution	(199,557)
Less Other Revenue	0
Amount to (from) Dedicated Reserves	81,072
<b>Net Amount to Assessments</b>	<b>\$ 427,926</b>

As required by the Act, an Assessment Diagram of the District is hereto attached and incorporated herein by reference. The distinctive number of each parcel or lot of land in the District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion the net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Estimate of Cost and Method of Assessment in the Report.

The Assessment is made upon the parcels or lots of land within the District in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

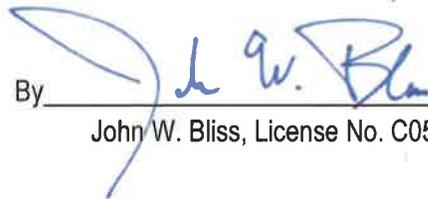
Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Orange for the Fiscal Year 2014-15. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County.

I hereby will place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the Fiscal Year 2014-15 for each parcel or lot of land within the District.

Dated: May 22, 2014



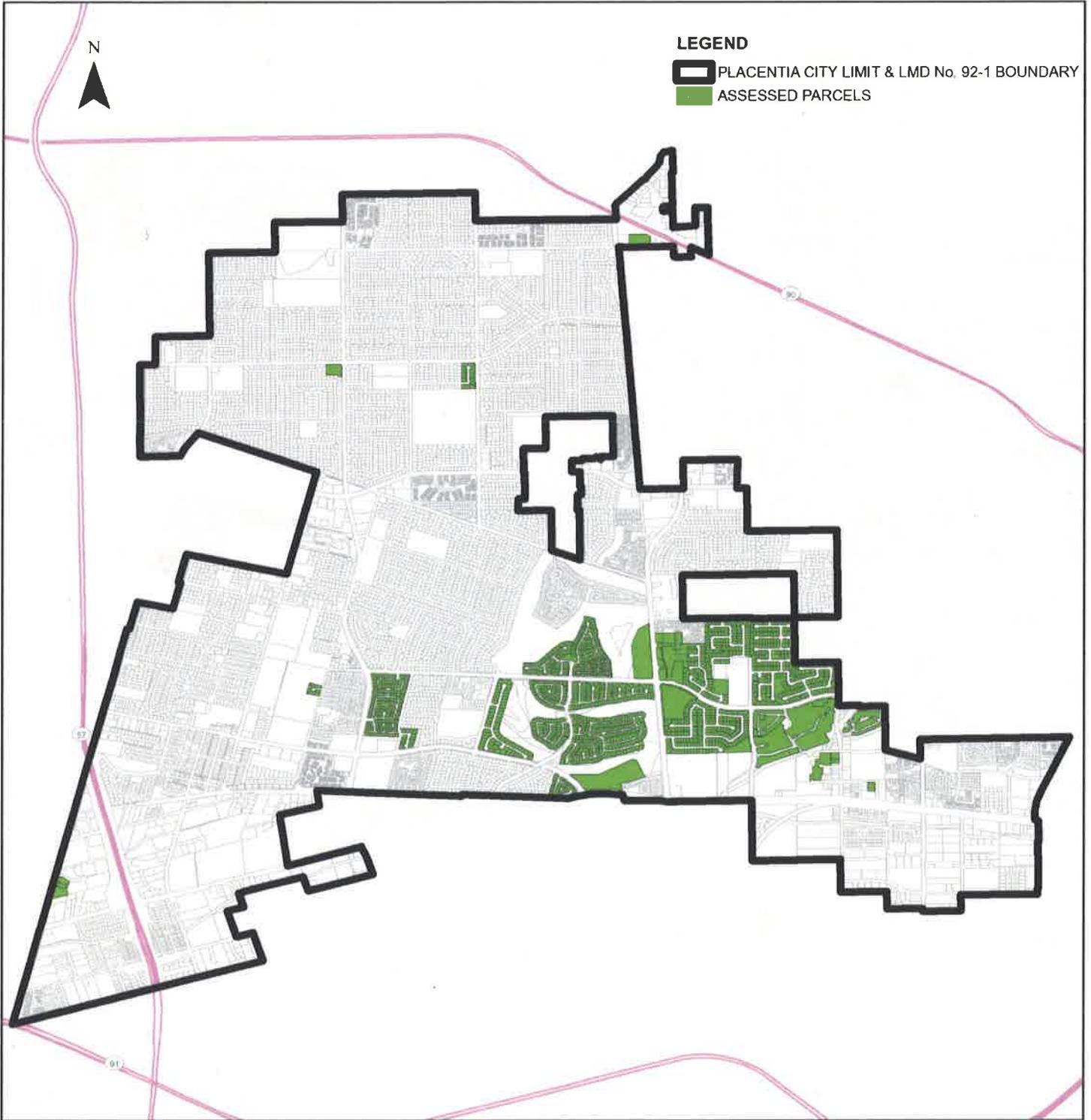
Engineer of Work

By  \_\_\_\_\_  
John W. Bliss, License No. C052091

## ASSESSMENT DIAGRAM

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The District boundary is conterminous with the City Limits. The parcels to be assessed in Landscape Maintenance District No. 92-1 are shown on the Assessment Diagram, which is on file with the City Clerk of the City of Placentia, and includes all those properties included in the original formation of the District and subsequent annexations. The following Assessment Diagram is for general location only and is not to be considered the official boundary map. The lines and dimensions of each lot or parcel within the District are those lines and dimensions as shown on the maps of the Assessor of the County of Orange, for Fiscal Year 2014-15, and are incorporated herein by reference, and made a part of this Diagram and this Report.



## **ASSESSMENT ROLL**

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An Assessment Roll (a listing of all parcels assessed within the District and the amount of the Assessment) will be filed with the City Clerk and is, by reference, made part of this Report and is available for public inspection during normal office hours at the City Hall at 401 East Chapman Avenue, Placentia, California 92870.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference made part of this Report. These records shall govern for all details concerning the description of the lots or parcels.



# Placentia City Council

## AGENDA REPORT

TO: CITY COUNCIL

VIA: CITY ADMINISTRATOR

FROM: DIRECTOR OF ADMINISTRATIVE SERVICES/COMMUNITY SERVICES

DATE: JUNE 3, 2014

SUBJECT: **MANDATED BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE**

FISCAL  
IMPACT: NONE

### **SUMMARY:**

The Political Reform Act (California Government Code § 87306.5) requires every local government agency to review, and if necessary, amend its Conflict of Interest Code (Code) biennially. A Conflict of Interest Code designates which City officials and employees must file a Form 700 disclosing certain financial interest. This action directs Staff to review the City's Conflict of Interest Code and to prepare any necessary amendments to said code.

### **RECOMMENDATION:**

It is recommended that the City Council take the following action:

1. Direct Staff to review the City's Conflict of Interest Code and submit, no later than October 1, 2014, a notice indicating whether amendments are necessary.

### **DISCUSSION:**

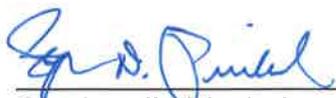
State law requires every public agency in California to review their Code every two (2) years (biennially). The City last amended its Code in 2012. City Staff will begin reviewing each City position to determine whether it should be included on the list of designated Statement of Economic Interests (Form 700) filers. By October 1, 2014, a report will advise the City Council whether or not amendments need to be made to the existing Code. If amendments are necessary, the revised Code will be placed on a City Council agenda for review no later than December 31, 2014. A City's amended Code is not effective until it has been approved by the City Council.

**1.g.**  
**June 3, 2014**

**FISCAL IMPACT:**

None

Prepared by:



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Stephen D. Pischel  
Director of Administrative Services/  
Community Services

Reviewed and approved:



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Damien R. Arrula  
Assistant City Administrator

Reviewed and approved:



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Troy L. Butzlaff, ICMA-CM  
City Administrator



# Placentia City Council

## AGENDA REPORT

TO: CITY COUNCIL

VIA: CITY ADMINISTRATOR

FROM: DIRECTOR OF ADMINISTRATIVE SERVICES AND COMMUNITY SERVICES

DATE: JUNE 3, 2014

SUBJECT: **ADOPTION OF RESOLUTION ESTABLISHING THE NUMBER OF HISTORICAL COMMITTEE MEMBERS AND DATE AND TIME OF THE MEETINGS**

FISCAL  
IMPACT: NONE

### **SUMMARY:**

In accordance with the City's Commission, Committee and Board Handbook, the Historical Committee consists of ten (10) members. At the May 27, 2014 Historical Committee Meeting, the Committee Members discussed the number of members, and date and time of the meetings. The Committee Members recommended reducing the number of members from ten (10) to nine (9) and establishing a meeting date of every fourth Tuesday of every month at 6:00 p.m. This action will approve Resolution No. R-2014-\_\_ to reduce the membership of the Placentia Historical Committee from ten (10) members to nine (9) members and setting the meeting date as the fourth Tuesday of every month at 6:00 p.m.

### **RECOMMENDATION:**

It is recommended that the City Council take the following action:

1. Adopt Resolution No. R-2014-\_\_, A Resolution of the City Council of the City of Placentia, California, establishing the number of the members of the Historical Committee at nine (9) and setting the meeting date and time.

### **DISCUSSION:**

The Historical Committee meets monthly to discuss matters related to the historical structures and/or sites located in Placentia. The Committee nominates buildings, sites or districts within the City for designation as local landmarks per Policy No 703. The Committee also serves to make recommendations to City Council on items related to Placentia's history. The Placentia Historical Committee currently consists of ten (10) regular members who are appointed by the City Council. The Committee currently has nine (9) members serving the board. The board has been meeting on the fourth Tuesday of the month. It is recommended that City Council reduce the

**1.h.**  
**June 3, 2014**

number of members of the Placentia Historical Committee from ten (10) members to nine (9) members and establish the meeting date as the fourth Tuesday of every month at 6:00 p.m.

Prepared by:



Jeannette Ortega  
Neighborhood Services Coordinator

Reviewed and approved:



Troy L. Butzlaff, ICMA-CM  
City Administrator

Reviewed and approved:



Stephen D. Pischel  
Director of Administrative Services and  
Community Services

Reviewed and approved:



Damien R. Arrula  
Assistant City Administrator

Attachment: Resolution No. R-2014-\_\_

RESOLUTION NO. R-2014-\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PLACENTIA, CALIFORNIA  
ESTABLISHING THE NUMBER OF MEMBERS OF  
THE HISTORICAL COMMITTEE AT NINE (9)  
AND SETTING THE MEETING DATE AND TIME.

**A. Recitals.**

(i). The Commission, Committee, and Board Handbook states the number of Historical Committee members and meeting date and time.

(ii). The City Council deems it appropriate to reduce the number of members of the Historical Committee from ten (10) to nine (9).

(iii). The City Council deems it appropriate to establish the meeting date as the fourth Tuesday of every month at 6:00 p.m.

(iv). All legal prerequisites to the adoption of this Resolution have occurred.

**B. Resolution.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.

2. The number of committee members on the Historical Committee hereby is fixed at nine (9).

3. The meeting date and time of the Historical Committee hereby is set as the fourth Tuesday of every month at 6:00 p.m.

PASSED AND ADOPTED this 3<sup>rd</sup> day of June, 2014.

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SCOTT W. NELSON,  
MAYOR

ATTEST:

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PATRICK J. MELIA,  
CITY CLERK

I, Patrick J. Melia, City Clerk of the City of Placentia, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Placentia, held on the 3<sup>rd</sup> day of June, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM:

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ANDREW V. ARCZYNSKI, CITY ATTORNEY



# Placentia City Council

## AGENDA REPORT

TO: CITY COUNCIL

VIA: CITY ADMINISTRATOR

FROM: DEPUTY DIRECTOR OF COMMUNITY SERVICES

DATE: JUNE 3, 2014

SUBJECT: **APPROVAL OF AGREEMENT WITH THE BOYS AND GIRLS CLUB OF BREA, PLACENTIA, AND YORBA LINDA FOR USE OF KRAEMER MEMORIAL PARK AND THE TEEN CENTER FOR YOUTH PROGRAMS**

FISCAL  
IMPACT: NONE

### **SUMMARY:**

The Boys and Girls Club of Brea, Placentia, and Yorba Linda has provided a proposal to the City's Community Services Department to offer free youth programs at Kraemer Memorial Park and the Teen Center. The Boys and Girls Club's proposal includes fully funding all aspects of the program including providing staffing, materials, supplies, and insurance. The Boys and Girls Club has also proposed to partner with the Muckenthaler Cultural Center to provide free art programs to youth in the community at the Teen Center. This action approves an agreement to allow the Boys and Girls Club of Brea, Placentia, and Yorba Linda to use Kraemer Memorial Park and the Teen Center for youth programs.

### **RECOMMENDATION:**

It is recommended that the City Council take the following actions:

1. Approve an agreement with the Boys and Girls Club of Brea, Placentia, and Yorba Linda to use Kraemer Memorial Park and the Teen Center for youth programs; and
2. Authorize the City Administrator or designee to execute all applicable documents in a form approved by the City Attorney.

### **DISCUSSION:**

The Boys and Girls Club of Brea, Placentia, and Yorba Linda (BGC) previously provided youth services through various agreements. With the construction of a new clubhouse in Brea, the BGC has not utilized the Teen Center for several years. Recently, BGC has approached the City's Community Service Department with a new proposal to use the Teen Center facility and Kraemer Memorial Park for programs geared towards youth ages 12 to 17 years old (Attachment 1). The program would include youth development, mentoring, tutoring, and sports

**1.i.**  
**June 3, 2014**

programs. Additionally, BGC is partnering with the Muckenthaler Cultural Center to provide workshops in the areas of fine arts such as dance, music, and visual arts, which would ideally expand into a weekly arts component of the BGC program. The program would be offered to youth at no cost except for fees for excursions or transportation to the site if requested. BGC proposes to cover all direct program cost including staffing, materials, supplies, and insurance.

BGC and Muckenthaler Center representatives presented the program concept to the Recreation and Parks Commission during their regular meeting on Monday, May 12, 2014. After reviewing the presentations from both BGC and Muckenthaler, the Commission supported moving forward with the proposal to provide additional services to teens that are not currently offered by the City. An agreement with the BGC has been prepared and is attached as Attachment 2.

**FINANCIAL IMPACT:**

BGC will cover all direct program costs and is not requesting any direct financial contributions from the City. The City will incur a few additional indirect costs such as an increase in utilities for the Teen Center due to the increased use, but the overall financial impact should be nominal. In addition to providing expanded programming for our teens during after-school hours will aid in the potential reduction of negative juvenile activity, which may create financial savings in the long-term.

Prepared by:

  
Jonathan Nicks  
Deputy Director of Community Services

Reviewed by:

  
Stephen D. Pischel  
Director of Administrative Services/  
Community Services

Reviewed and approved:

  
Damien R. Arrula  
Assistant City Administrator

Reviewed and approved:

  
Troy L. Butzlaff, ICMA-CM  
City Administrator

Attachments:

1. Proposal from Boys and Girls Club of Brea, Placentia, and Yorba Linda
2. Agreement with Boys and Girls Club of Brea, Placentia, and Yorba Linda



Administrative Office  
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(714) 990-0215  
(714) 990-5036

Brea  
(714) 990-0215

Mabel Paine  
(714) 364-7207

Yorba Linda  
Middle School Sunrise  
(714) 287-7437

Yorba Linda Sunrise  
Rotary Bernardo-Yorba  
(714) 345-9842

After-school Programs  
Melrose-Rio Vista-Ruby  
Topaz-Tynes  
(714) 990-0215, Ext. 117

[www.everykid.org](http://www.everykid.org)

Karie Armstrong  
President

Sylvia Bianchi  
1st Vice President  
Resource Development

Ted Anderson  
2nd Vice President  
Board Development

Lucy Rau  
Secretary  
Operations & HR Chair

Hugh Wood  
Treasurer  
Budget, Finance & Audit  
Chair

Ward Smith  
Immediate Past President

Bonnie Butler  
Special Events Chair

Board Members at Large  
Shawn Fogarty  
Rick Henry  
Corey Leyton  
Mitch Leyton  
Susan Leyton Olmo  
Roger Rosenberg  
Ted Stutz

Proposal for use of the Kraemer Clubhouse-  
116 N. Walnut Avenue. & 201 N. Bradford Avenue.

The Boys & Girls Clubs of Brea- Placentia- Yorba Linda (BGC) is seeking permission to use the Kraemer Club House and Kraemer Memorial Park. The BGC would like approval of the following:

- Use of the Clubhouse for use as a Teen Center, and use of the park for additional program activities.
- Summer program would begin Monday, June 23, 2014 thru Friday, August 8, 2014.
- Proposed hours of operation are Monday thru Friday 11:00a.m. – 5:00p.m.
- If the program is successful, the Club is interested in continuing the program in the fall (September – June). The BGC would open the Teen Center afterschool Monday thru Friday from 2:00p.m. – 7:00p.m.
- We plan to have 2-3 trained Staff on site at all times. These Staff would be CPR/ First-aid certified and trained in youth development.
- The age range will be 12 - 17 years old.
- During the summer there would be no program fee (except for excursions). During the school year the only fee would be for transportation from school to the Teen Center (nominal fee \$5.00).
- Here are some examples of activities that we are planning for the teens. We want to start a Hip-Hop dance class, a music class, an art class, and sports leagues.
- Resources the Club will commit.
- The program would be covered under the BGC insurance policy and the City of Placentia would be listed as an additional insured on the policy.

Thank you for your consideration,

Daniel Rodriguez  
Chief Professional Officer

**BE GREAT**

## **AGREEMENT FOR USE OF CITY FACILITIES**

This Agreement for Use of City Facilities (“Agreement”) is made and entered into this \_\_\_\_\_ day of June, 2014, by and between the City of Placentia, a Municipal Corporation and Charter City (“CITY” hereinafter) and Boys and Girls Club of Brea-Placentia-Yorba Linda, a non-profit corporation (“BGC” hereinafter).

### **A. Recitals.**

(i) BGC desires to provide family resource programs and services to CITY residents.

(ii) CITY is willing to allow BGC to utilize CITY facilities without facility rental fees for the provision of said programs and services.

(iii) All legal prerequisites to the making of this Agreement have occurred.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein it is agreed by and between CITY and BGC as follows:

### **B. Agreement.**

1. BGC hereby is granted non-exclusive use of the following CITY facilities to conduct family resource programs and services for low-income families and their children at:

- Teen Center, 116 N. Walnut Street
- Kraemer Memorial Park, 201 N. Bradford Avenue

2. Programs and services include BGC’s youth development programs including, but not limited to: Afterschool programs, dance classes, music classes, academic tutoring, art classes, and sports leagues, *etc.*

3. CITY will provide use of the above-referenced facilities, including furniture currently in the facilities, for the purpose of providing said programs and services Monday through Friday and occasional weekend and evenings beginning June 23, 2014. All BGC programs and facility uses will be reviewed, scheduled, and approved by CITY prior to implementation.

4. The use of CITY facilities by BGC shall comply with the requirements of the terms in Exhibit “A” that align with the CITY’s Facility Permit Policy, a full, true and correct copy of which is attached hereto as Exhibit “A” and by this reference incorporated herein.

5. BGC will provide qualified staff and volunteers to oversee the implementation of programs and services, will recruit and conduct background checks on all volunteers and staff and will provide program supplies.

6. CITY will provide live scan and background check services to BGC volunteers that are providing services in CITY.

7. BGC shall defend, indemnify and save harmless CITY, its elected and appointed officials, officers, agents and employees ("Indemnitees"), from all liability from loss, damage or injury to persons or property, including the payment by BGC of any and all legal costs and attorneys' fees, in any manner arising out of the acts and/or omissions of BGC pursuant to this Agreement, including, but not limited to, all consequential damages, to the maximum extent permitted by law. Further in that regard, it shall be the sole responsibility and duty of BGC to fully pay for and indemnify the Indemnitees for the costs of defense, including but not limited to attorneys' fees and costs, for all Claims against CITY and the Indemnitees, whether covered or uncovered by BGC's insurance, against the CITY and/or the Indemnitees which arise out of any type of omission or error, negligent or wrongful act, of BGC, its officers, agents, employees, or subcontractors. CITY shall have the right to select defense counsel.

8. No assignment of this Agreement or of any part or obligation of performance hereunder shall be made, either in whole or in part, nor any monies due hereunder, by BGC without the prior written consent of CITY.

9. This Agreement may be terminated by BGC upon giving of a 30 day written notice to CITY. CITY reserves the right to reschedule BGC's use hereunder upon 30 days written notice and may terminate this Agreement upon 30 days written notice.

10. Any and all notices and written communications between the parties hereto shall be addressed as set forth in this ¶ 10. The below-named individuals, furthermore, shall be those persons primarily responsible for the performance by the parties under this Agreement:

To City: City of Placentia  
401 E. Chapman Ave.  
Placentia, California 92870-6101  
Attention: Director of Community Services

To BGC: Boys & Girls Clubs of Brea - Placentia - Yorba Linda  
Administrative Offices - Brea Clubhouse  
502 S. Sievers Avenue  
Brea, CA 92821  
Attention: Chief Professional Officer

Any such notices, demands, invoices and written communications, by mail, shall be deemed to have been received by the addressee forty-eight (48) hours after deposit thereof in the United States mail, postage prepaid and properly addressed as set forth above.

[ALL SIGNATURES APPEAR ON PAGE 3]

BGC



## **CITY FACILITY USE**

The following terms align with the City of Placentia Facility Permit policy and will apply to the Friendly Center, Inc. during use of any City Facilities

### **I. General Use of City Facilities:**

- A. Boys & Girls Clubs of Brea - Placentia - Yorba Linda, is categorized as a non-profit non-resident organization, which includes Non-profit organizations, community groups, and civic oriented functions. These service organizations reside outside of the City of Placentia boundaries. Groups are required to submit form with State of California Non-profit Tax ID Number.
- B. Users of the facilities shall observe, obey and comply with all applicable City, County, State and Federal laws, rules, and regulations. Facilities shall not be used for purposes of advancing any doctrine or theory under the Constitution of the United States of America.
- C. The City reserves the right to refuse use of any facility if applicant fails to comply with City Rules and Regulations or if the planned event is not appropriate usage of the facility.
- D. Events / Activities times agreed upon by both BGC and the CITY will be strictly adhered to. BGC shall include time necessary to decorate, set-up, and properly clean-up facility for events / activities. Any problems or questions should be addressed to the City staff. They are available to assist in any way they can, within the limits of the agreement.
- E. Use of facilities adjacent to City Park's will also comply with Park regulations. Park restrooms are open to the public Monday through Friday 7:00am – 4:00pm and weekends 8:00am to dusk. No private vehicle shall be permitted on park premises other than the parking lot.
- F. Any events / activities may be cancelled by the City for a City sponsored program. In the event of such cancellation, notice shall be given as far in advance of the scheduled usage as possible. City facilities are not available for use on City recognized holidays.

### **II. Supervision of Events and Activities**

- A. Designated BGC staff will be considered to be in charge of the event/activities during facility use and must be present during the entire use of the building or facility. This individual will be responsible for the conduct of participants of events / activities and other BGC employees.
- B. It is the responsibility of the user to check with staff to make sure that all conditions of the facility(s) regarding clean-up, any possible damages, and scheduled usage time have met with acceptable standards as established by the City. This must be completed prior to the user leaving the facility at the end of events / activities.
- C. City property must be protected from damage and ordinary precautions for cleanliness maintained. No leftover foods of any kind shall be left on the premises. The facility used must be returned to the condition in which it was found and all lights, faucets and gas

connections turned off before the facility is closed. In cases where property has been damaged and abused beyond normal wear, the user is responsible for replacement.

- D. No objects are to be suspended or attached to the ceiling, light fixtures, walls, windows, curtains, etc. unless authorized by City Staff. Nails, staples, tape etc., will not be permitted on these surfaces. No candles, glitter, rice, bird seed, confetti, and other like materials are allowed in or around the facility. All decorations must be flameproof. All decorations for special events / activities must be removed at the conclusion of the event by the user.
- E. Clean-up is the user's responsibility. This includes wiping off table tops, ensuring chairs are clean; removing all trash from floors, wiping off all counter-tops and kitchen equipment, removal of all supplies/food, and ensuring all property/equipment is undamaged. Restrooms must be checked for running water, papers, etc.

### **III. Compliance with City Municipal Code and Facility Regulations**

- A. Noise Level. All noise and amplification must be kept to a reasonable sound level as stated in the Placentia Municipal Code 10.32.030. Reasonable sound level is defined as not to disturb the peace, quiet, and comfort of the neighboring properties or other persons. If volume exceeds a reasonable level as dictated by staff based upon PMC, the deposit will be forfeited and the event will be cancelled immediately.
- B. Alcoholic Beverages & Smoking Regulations. Alcoholic beverages are prohibited in and around all City facilities. Smoking is prohibited in all City facilities. Both regulations will be strictly enforced. All groups must abide by all laws pertaining to smoking, drinking, and illegal drugs. Placentia Municipal Code 14.08.120.
- C. Religious services shall not be held in City owned facilities. This policy applies to all religions and is based upon separation of Church and State found within the United States and California Constitutions.
- D. Any infraction of the rules and regulations shall be cause for refusal of any further use of City facilities.
- E. Any user desiring to charge an admission fee/donation or sell any items, must submit a written request in advance. No monies can be exchanged at the facility without prior written authorization. All fundraising events including raffles or donations must have prior approval from the City.
- F. EXCEPTIONS. There shall be no exceptions to this policy unless authorized by the Director of Administrative Services and Community Services.



# Placentia City Council

## AGENDA REPORT

**TO:** CITY COUNCIL

**VIA:** CITY ADMINISTRATOR

**FROM:** ASSISTANT CITY ADMINISTRATOR

**DATE:** JUNE 3, 2014

**SUBJECT:** LETTER TO ORANGE COUNTY BOARD OF SUPERVISORS TO SUPPORT THE ORANGE COUNTY ANIMAL CONTROL FEE SCHEDULE

**FISCAL IMPACT:** None at this time.

### **SUMMARY:**

The City contracts with Orange County Animal Control (OCAC) for animal control services. The OCAC budget is operating at a deficit due to an outdated fee schedule (Fee Schedule). OCAC staff will be presenting an updated cost-recovery based Fee Schedule to the Orange County Board of Supervisors (Board) at their June 10<sup>th</sup> meeting. If the updated Fee Schedule is not adopted, OCAC will be required to reduce service levels countywide and the increase service fees they charge to contract cities like Placentia. This action would authorize the Mayor to sign a letter of support (Attachment No. 1) on behalf of the City, urging the Board to approve the updated Fee Schedule.

### **RECOMMENDATION:**

It is recommended that City Council take the following action:

1. Authorize the Mayor to sign a letter of support on behalf of the City, urging the Orange County Board of Supervisors to approve the updated OCAC Fee Schedule.

### **DISCUSSION:**

On December 10, 2013, at a meeting of the Board, a public hearing was held and the Board considered adopting a resolution approving the OCAC Fee Schedule update for all animal license fees and other service fees. The matter was continued to the January 14, 2014 Board meeting, then subsequently continued to the January 28, 2014 Board meeting. The matter was heard recently at an April Board meeting and is now scheduled for review at the June 10<sup>th</sup> Board meeting. The purpose of the updated Fee Schedule that has been consistently presented to the Board is to ensure cost recovery for OCAC related services.

The City has historically encouraged and supported fee schedules which continue to work toward full cost-recovery while simultaneously serving the public interest, and ensuring animal welfare through low cost spay/neutering and adoption rates. Adoption of the OCAC Fee Schedule serves this purpose and is a step in the right direction in OCAC meeting its cost recovery objectives.

**1.j.**  
**June 3, 2014**

If the Board does not approve the proposed Fee Schedule, OCAC will likely reduce service levels during after hours and weekends, thereby increasing the amount of public safety (Police Department) calls for animal service related incidents. This change in service level will reduce public safety operations in other areas and may result in increased officer/animal contacts, in which the City is not properly equipped nor trained to handle animal control service related calls. As it currently stands, the average response time for OCAC calls for service is approximately thirty-three minutes. A reduction in service levels may increase this time to hours if not days, depending on the nature of the call. In addition, if the fees are not increased, the OCAC has already indicated that the fees for service charged to contract cities will have to be increased to make up their projected shortfall. It is estimated that the City's costs may increase by as much as \$28,000 if the new fee schedule is not adopted.

**FISCAL IMPACT:**

Currently, OCAC operates at a deficit. The City along with several other Orange County cities, which receive OCAC services, is a member of the OCAC Financial Oversight Advisory Board (FOAB). The FOAB has met regularly to examine alternatives to reducing costs and increases revenues in order to provide fiscal sustainability for OCAC services. While significant cost reductions have been achieved, the OCAC operational budget is still not sustainable and requires an updated Fee Schedule based on cost recovery in order to obtain fiscal solvency.

Submitted by:



---

Damien R. Arrula  
Assistant City Administrator

Reviewed and approved:



---

Troy L. Butzlaff, ICMA-CM  
City Administrator

Attachments:

1. Letter of Support for updated Fee Schedule to Board Chairman Nelson and other Board Members

The People are the City

**Mayor**

SCOTT W. NELSON

**Mayor Pro Tem**

JOSEPH V. AGUIRRE

**Councilmembers:**

CONSTANCE M. UNDERHILL

CHAD P. WANKE

JEREMY B. YAMAGUCHI



**City Clerk:**

PATRICK J. MELIA

**City Treasurer:**

CRAIG S. GREEN

**City Administrator**

TROY L. BUTZLAFF, ICMA-CM

401 East Chapman Avenue – Placentia, California 92870

June 3, 2014

Honorable Supervisor Shawn Nelson, Chairman  
Orange County Board of Supervisors  
10 Civic Center Plaza  
Santa Ana, CA 92701

RE: Support of OC Animal Care Fee Schedule Update

Dear Supervisor Nelson:

I am writing this letter to personally ask that you support the OC Animal Care fee schedule that will be considered by the Board of Supervisors at your June 10, 2014 meeting. At your May 6th Board meeting, the Supervisors discussed several options to balance the Orange County Animal Care ("OCAC") budget. After considerable public comment and Board discussion, direction was given to bring the OCAC Fee Schedule ("Fee Schedule") back for consideration at the June 10<sup>th</sup> Board meeting.

The adoption of the Fee Schedule is important to the City of Placentia ("City") since that decision will have a direct impact on our current Animal Care service levels and or our annual General Fund budget. Currently, the City budgets over \$100,000 for Animal Care services, which is based on the direct services received by Placentia residents. In January 2014, OCAC staff presented a new fee structure to the Board of Supervisors which reflected the need to charge the appropriate fees to the owners of dogs; however, at that time the new Fee Schedule was not approved. Operational cost increases and the absence of a new Fee Schedule have combined to generate an estimated \$1.4 million shortfall (expenses over revenues).

The City sits on the Financial Oversight Advisory Board (the "FOAB") and has worked collaboratively with other cities to identify other operational reductions to address the shortfall. However, even with significant cost reductions there is still a deficiency of \$626,300. The City and the FOAB would like the Board to implement the new Fee Schedule which places the costs of dog ownership on those that have animals, while helping to maintain current service levels.

The City does not support any reduction in OCAC services that will directly impact our Public Safety officers, by requiring them to respond to animal control-related calls. The City will continue to work with the FOAB and OCAC staff on examining ways to reduce costs; however we urge the Board to approve the Fee Schedule, which is the right and fiscally prudent thing to do.

Sincerely,

Scott W. Nelson  
Mayor

cc: Board Members



# Placentia City Council

## AGENDA REPORT

TO: CITY COUNCIL  
VIA: CITY ADMINISTRATOR  
FROM: MANAGEMENT ANALYST  
DATE: JUNE 3, 2014  
SUBJECT: **SOLID WASTE HANDLING SERVICES RATE ADJUSTMENT AND RELATED RESOLUTIONS FOR FISCAL YEAR 2014-15**

FISCAL  
IMPACT: EXPENSE: N/A  
OFFSETTING REVENUE: N/A

### **SUMMARY:**

The City has entered into a Franchise Agreement with Republic Waste Services (Republic) of Southern California, LLC, for solid waste and recycling services. Solid waste rates are reviewed annually to determine if any adjustments are required. The last residential rate adjustment took place on July 1, 2013. Republic is proposing an adjustment to residential and commercial rates effective July 1, 2014. The recommended action approves solid waste handling rates for both residential and commercial customers, authorizes the placement of revised residential rates on the County of Orange tax roll for 2014-15, and approves an amendment to the Agreement which includes the proposed rate schedule.

### **RECOMMENDATION:**

It is recommended that the City Council take the following actions:

1. Adopt Resolution No. R-2014-XX, A Resolution of the City Council of the City of Placentia, California approving the schedule of rates for solid waste handling services for FY 2014-15; and
2. Adopt Resolution No. R-2014-XX, A Resolution of the City Council of the City of Placentia, California authorizing and determining residential solid waste handling service charges and directing placement thereof on the Orange County tax rolls; and
3. Approve Amendment No. 4 to the Agreement approving the revised residential and commercial rate schedule.

### **DISCUSSION:**

In accordance with the City's current Franchise with Republic, the company is entitled to an annual rate adjustment for inflation. The agreed upon methodology for making this adjustment is determined by the Consumer Price Index (CPI) as stated in §24.3 of the Agreement. Republic is allowed to adjust the rates in July based on any change in the CPI for *all Urban Consumers* for the twelve (12) month period ending January 31<sup>st</sup> of each year. The change in CPI for the most recent twelve (12) month period was .77%. Adjustment to the residential and commercial rates would go into effect July 1, 2014.

**1.k.**  
**June 3, 2014**

Another component of the rate includes landfill "tipping fees," which are passed through directly to the customer. Beginning in 2010, the County of Orange (County) increased the landfill gate tipping fees from \$22.00 per ton to \$31.37 per ton. This year, the County has increased the fee to \$32.36, which represents a 0.97% increase. The proposed 2014-15 residential and commercial rate schedule reflects this increase in costs associated with the disposal of refuse at landfills operated and maintained by the County.

The City Council Recycling Subcommittee, which is comprised of Councilmembers Underhill and Wanke, met with representatives from Republic and City staff on May 27, 2014 to discuss the proposed schedule of rates. The Recycling Subcommittee reviewed the justification for the increase and found that it is consistent with the Agreement. The total adjusted rate, which includes the CPI and tipping fee increase, will increase residential rates by \$0.18 per month. Commercial rates will experience an average increase of \$1.18 per month. Staff is recommending the City Council adopt the attached Resolutions and Amendment to the Franchise Agreement.

**FISCAL IMPACT:**

None

Prepared by:



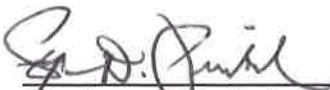
Eddie De La Torre  
Management Analyst

Reviewed and approved:



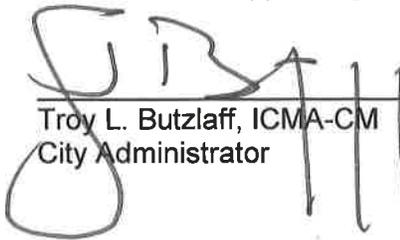
Damien R. Arrula  
Assistant City Administrator

Reviewed and approved:



Stephen D. Pischel  
Director of Administrative and  
Community Services

Reviewed and approved:



Troy L. Butzlaff, ICMA-CM  
City Administrator

Attachments:

- Resolution Amending Rates
- Resolution Authorizing Residential Billing on the Orange County Tax Roll
- Amendment No. 4 to amended, revised, and restated agreement for solid waste handling services
- Exhibit "A"- Rate Summary

**RESOLUTION NO. R-2014-  
A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PLACENTIA, CALIFORNIA APPROVING  
RATES FOR SOLID WASTE HANDLING SERVICES**

**A. Recitals.**

(i). The Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989 ("AB 939"), has declared that it is in the public interest to authorize and require local agencies to make adequate provision for the disposal of all solid waste within their jurisdictions.

(ii). Pursuant to California Public Resources Code §40059 (a)(1), the City Council of the City of Placentia has determined that the public health, safety, and welfare require that an exclusive franchise agreement be awarded to qualified solid waste enterprise for solid waste handling services within city limits.

(iii). City and Contractor are mindful of the provisions of the laws governing the safe collection, transport, recycling, and disposal of solid waste, including AB 939, the Resource Conservation and Recovery Act ("RCRA"), and the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), all may be amended from time to time hereinafter.

(iv). City desires, among other things, to ensure adequate landfill space remains available to meet the public's need for the safe handling and disposal of solid waste, and further desires to ensure its citizens do not incur undue costs in safely disposing of solid waste and has entered into that certain waste disposal agreement by and among various Orange County cities, including City, and the County of Orange, relating to the use of County landfills for the disposal of solid waste. Contractor has proposed to provide such services and take such actions as are necessary or desirable to ensure City complies with its obligations pursuant to the County Agreement, as the same may be amended from time to time hereinafter.

(v.). All legal prerequisites to the adoption of this Resolution have occurred.

**B. Resolution.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., above.

2. Solid waste handling service charges for residential services as set forth in "Exhibit A," attached hereto and incorporated by this reference as though fully set forth herein.

APPROVED and ADOPTED this 3<sup>rd</sup> day of June 2014.

SCOTT W. NELSON, MAYOR

ATTEST:

PATRICK J. MELIA, CITY CLERK

I, PATRICK J. MELIA, CITY CLERK of the CITY OF PLACENTIA DO HEREBY CERTIFY that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 3<sup>rd</sup> day of June 2014 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM:

ANDREW V. ARCZYNSKI, CITY ATTORNEY

RESOLUTION NO.

PAGE 2 OF 2

RESOLUTION NO. R-2014-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA AUTHORIZING AND DETERMINING RESIDENTIAL SOLID WASTE HANDLING SERVICE CHARGES AND DIRECTING PLACEMENT THEREOF ON THE ORANGE COUNTY TAX ROLLS

**A. Recitals.**

(i). Section 8.04.240 of the Placentia Municipal Code provides that the City Council may, by resolution, cause solid waste handling service charges be collected with the Orange County tax bills.

(ii). The City Council has received and analyzed proposed refuse collection charges for residential services and has determined appropriate residential solid waste handling service charges to be set for the 2014-15 Fiscal Year.

(iii). The City Council has determined that residential solid waste and handling service charges collected via the tax rolls affords the least costly mechanism for the residential taxpayers of the City of Placentia and users of the solid waste handling services.

(iv). All legal prerequisites to the adoption of this Resolution have occurred.

**B. Resolution.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., above.

2. Solid waste handling service charges for residential services as set forth in Exhibit "A," attached hereto and incorporated by this reference as though fully set forth herein.

3. Solid waste handling service charges for residential services be placed on the Orange County Property Tax Rolls for the Fiscal Year 2014-15, and such charges be collected in the same manner as the Property Tax.

4.A copy of this Resolution be transmitted by the City Clerk to the Auditor-Controller of the County of Orange.

APPROVED and ADOPTED this 3rd day of June, 2014.

SCOTT W. NELSON, MAYOR

ATTEST:

PATRICK J. MELIA, CITY CLERK

I, PATRICK J. MELIA, CITY CLERK of the CITY OF PLACENTIA DO HEREBY CERTIFY that the foregoing Resolution No. was adopted at a regular meeting of the City Council held on the 3rd day of June, 2014 by the following vote:

AYES:COUNCILMEMBERS:

NOES:COUNCILMEMBERS:

ABSENT:COUNCILMEMBERS:

ABSTAIN:COUNCILMEMBERS:

PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM:

ANDREW V. ARCZYNSKI, CITY ATTORNEY

**AMENDMENT NO.4 TO AMENDED, REVISED AND RESTATED  
AGREEMENT FOR SOLID WASTE HANDLING SERVICES**

This Amendment No. 4 to that certain Amended, Revised and Restated Agreement for Solid Waste Handling Services (“Amendment”) is made and entered into as of the 3<sup>rd</sup> day of June, 2014, by and between City of Placentia, a Charter City and municipal corporation (“City”) and Republic Waste Services of Southern California, LLC, a wholly owned subsidiary of Republic Services, Inc. a Delaware Limited Liability Company, doing business as Placentia Disposal (“Contractor”). City and Contractor are sometimes hereinafter individually referred to as “Party” and collectively as the “Parties”.

**A. Recitals.**

(i) CITY and Contractor previously entered into that certain Amended, Revised and Restated Agreement for Solid Waste Handling Services, effective July 20, 2010 (“Agreement”) whereby Contractor is to provide solid waste handling services for City’s residents and commercial, industrial and municipal entities and agencies within the City.

(ii) City and Contractor have determined that this Amendment is required to provide for increased costs and expenses to be incurred in connection with solid waste handling services for City’s residents and commercial, industrial and municipal entities and agencies within the City.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein the Parties agree as follows:

**B. Agreement.**

1. In all respects as set forth in the Recitals, Part A., above.
2. Contractor shall continue to provide solid waste handling services for City’s residents and commercial, industrial and municipal entities and agencies within the City in accordance with the Agreement.
3. Exhibit “A” of the Agreement hereby is amended to reflect the rates and charges permitted to be charged by Contractor during the 2014-15 Fiscal Year as set forth in Exhibit “A” hereto captioned “City of Placentia Rate Summary – Effective July 1, 2014.”
4. All of the terms, conditions and provisions of the Agreement, unless specifically modified herein, shall continue in full force and effect.
5. In the event of any conflict or inconsistency between the provisions of this Amendment and the provisions of the Agreement, the provisions of this Amendment shall be controlling.

6. The Agreement, together with this Amendment, shall constitute the entire Agreement between the Parties and supersedes all prior negotiations, arrangements, representations, and understandings, if any, made by or among the Parties with respect to the subject matter hereof. No amendments or other modifications of the Agreement, as hereby amended, shall be binding unless executed in writing by both Parties hereto, or their respective successors, assigns, or grantees.

7. Each of the undersigned represents and warrants that he or she is duly authorized to execute and deliver this Amendment and that such execution is binding upon the entity for which he or she is executing this document.

IN WITNESS WHEREOF, the Parties have caused Amendment No. 4 to the Agreement to be executed as of the date first written above.

CONTRACTOR

CITY

By: \_\_\_\_\_  
Dan Capener,  
General Manager

By: \_\_\_\_\_  
Troy L. Butzlaff  
City Administrator

ATTEST:

By: \_\_\_\_\_  
Patrick J. Melia,  
City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Andrew V. Arczynski,  
City Attorney

**CITY OF PLACENTIA EXHIBIT "A"**  
**RATE SUMMARY - EFFECTIVE JULY 1, 2014**

	Service Fee	Landfill	Total Rate
<b>Residential</b>			
<b><u>Single Family</u></b>	\$19.81	\$3.03	\$22.84
Additional Containers			
Black "Trash" Container	\$5.21	\$3.03	\$8.24
Brown "Yard Waste" Container	\$4.52	n/a	\$4.52
Green "Recycling" Container	\$0.00	n/a	\$0.00
Pull Out Service			
Extra Dump - All Three Containers	\$10.64	n/a	\$10.64
Exchange of All Three Containers	\$22.60	n/a	\$22.60
Container Replacement - Misuse	\$34.96	n/a	\$34.96
Bulky Item Collection	\$61.84	n/a	\$61.84
Additional Pick-ups over 3x p/Year	\$43.75	n/a	\$43.75
Charge for Each Item over 10	\$6.25	n/a	\$6.25
Additional Gas Recovery Fee	\$43.75	n/a	\$43.75
Temp Three Yard Container			
3 Days + Dump	\$80.87	\$5.36	\$86.23
Each Additional Day Rental	\$6.61	n/a	\$6.61
<b><u>Commercial</u></b>			
Commercial Barrel (Each)			
1 x p/wk (Max of Four)	\$17.40	\$5.61	\$23.02
Two Yard Containers			
One Pick-up Only	\$104.13	\$15.51	\$119.64
Non-Scheduled Pick-up	\$49.54	\$3.58	\$53.12
Three Yard Containers			
First Pick-up	\$130.26	\$23.24	\$153.50
Each Additional Pick-up Freq.	\$70.38	\$23.24	\$93.62
Non-Scheduled Pick-up	\$60.90	\$5.36	\$66.26
Three Yard Manure Containers			
First Pick-up	\$130.26	\$35.02	\$165.28
Each Additional Pick-up Freq.	\$70.38	\$35.02	\$105.40
Non-Scheduled Pick-up	\$60.89	\$5.36	\$66.25
Three Yard Compactors			
First Pick-up	\$160.71	\$57.38	\$218.09
Each Additional Pick-up Freq.	\$101.03	\$57.38	\$158.41
Non-Scheduled Pick-up	\$92.54	\$13.24	\$105.78
Four Yard Containers			
First Pick-up	\$143.29	\$31.37	\$174.66
Each Additional Pick-up Freq.	\$77.42	\$31.37	\$108.80
Non-Scheduled Pick-up	\$66.98	\$7.24	\$74.22
Six Yard Containers			
First Pick-up	\$149.80	\$46.49	\$196.29
Each Additional Pick-up Freq.	\$80.94	\$46.49	\$127.43
Non-Scheduled Pick-up	\$70.04	\$10.73	\$80.77
Three Yard Construction Bins			
First Pick-up	\$169.74	\$23.24	\$192.99
Each Additional Pick-up Freq.	\$82.87	\$23.24	\$106.11
Non-Scheduled Pick-up	\$60.90	\$5.36	\$66.26

**CITY OF PLACENTIA EXHIBIT "A"**  
**RATE SUMMARY - EFFECTIVE JULY 1, 2014**

	Service Fee	Landfill	Total Rate
<b><u>Commercial Continued</u></b>			
Three Yard "Recycle" Bins			
First Pick-up	\$46.24	n/a	\$46.24
Each Additional Pick-up Freq.	\$46.24	n/a	\$46.24
Non-Scheduled Pick-up	\$60.90	n/a	\$60.90
Contaminated Bin (Trash)	\$66.22	n/a	\$66.22
Surcharge - Sunday Service	\$12.15	n/a	\$12.15
Bin Exchange after One-Time p/Year	\$77.06	n/a	\$77.06
Redelivery of Bin(s) - Non-Payment	\$78.13	n/a	\$78.13
Locking Latch Bins			
Set-up One Time Cost	\$92.72	n/a	\$92.72
Monthly Maintenance Fee p/Tip Freq.	\$2.06	n/a	\$2.06
Special Access / Code or Key Fee	\$10.28	n/a	\$10.28
Container Steam Cleaning after 1x p/Year	\$98.97	n/a	\$98.97
Clean-Up & Disposal "Over the Top"	\$35.97	n/a	\$35.97
Commercial Bulky-Item Pick-ups			
Basic Charge - Two Items	\$43.75	n/a	\$43.75
Charge for Each Item over Two	\$6.25	n/a	\$6.25
Additional Fee Gas Recovery	\$43.75	n/a	\$43.75
<b><u>Industrial Roll-Off Services</u></b>			
<b><u>Permanent Services</u></b>			
15-Yard Demo Container	\$344.18	\$194.16	\$538.34
15-Yard Demo Container - Clean Inerts	\$313.39	n/a	\$313.39
30-Yard Drop Off Container	\$325.40	\$161.80	\$487.20
30-Yard Container - Green Waste	\$451.63	n/a	\$451.63
40-Yard Compactor	\$408.80	\$226.52	\$635.32
<b><u>Temporary Services</u></b>			
15-Yard Demo Container	\$351.51	\$194.16	\$545.67
15-Yard Demo Container - Clean Inerts	\$323.66	n/a	\$323.66
30-Yard Drop Off Container	\$341.85	\$161.80	\$503.65
30-Yard Container - Green Waste	\$461.91	n/a	\$461.91
Overweight Surcharge p/Ton (Actual Weight over 8 Tons)			
Trash Loads	\$16.72	\$32.36	\$49.08
Clean Inerts	\$30.83	n/a	\$30.83
Green Waste	\$40.36	n/a	\$40.36
Saturday Service - Per Pull	\$32.61	n/a	\$32.61
Mandatory Signature Required - Per Pull	\$5.14	n/a	\$5.14
Additional Days - Temp R/O Per Day	\$12.48	n/a	\$12.48
Stand-By Hourly Rate	\$78.13	n/a	\$78.13
Heavy-Duty Truck Service - Per Pull	\$359.62	n/a	\$359.62
R/O Container Steam Cleaning after 1x/Year	\$102.75	n/a	\$102.75
Storage Container Rental / Delivery p/Mo.	\$81.17	n/a	\$81.17
Storage Container Return - Per Mile	\$1.13	n/a	\$1.13



# Placentia City Council

## AGENDA REPORT

TO: CITY COUNCIL

VIA: CITY ADMINISTRATOR

FROM: DEPUTY DIRECTOR OF COMMUNITY SERVICES

DATE: JUNE 3, 2014

SUBJECT: **APPROVAL OF RESOLUTION AUTHORIZING TEMPORARY SUSPENSION OF REGULATORY ORDINANCE PERTAINING TO THE OPERATION OF THE PLACENTIA CHAMBER OF COMMERCE AND PLACENTIA COMMUNITY FOUNDATION TASTE OF THE TOWN FUNDRAISER AT TRI-CITY PARK ON THURSDAY, AUGUST 14, 2014**

FISCAL  
IMPACT: \$1,200 CONTRIBUTION TOWARDS THE CONCERT IN THE PARK EVENT

### **SUMMARY:**

The Placentia Chamber of Commerce and Placentia Community Foundation are requesting to host a "Taste of the Town" event on Thursday, August 14, 2014 at Tri-City Park in conjunction with the City's Concert in the Park already scheduled for that day. The event will encompass one of the parking lots and picnic shelter areas adding food areas and a beer and wine garden that coincide with the Concert in the Park entertainment. The sale and consumption of alcohol on public property requires the temporary suspension of a regulatory ordinance. This item requests the adoption of a resolution temporarily suspending the regulatory ordinance and approval of an agreement with the Placentia Chamber of Commerce and Placentia Community Foundation for the Taste of the Town event.

### **RECOMMENDATION:**

It is recommended that the City Council take the following actions:

1. Approve an agreement with both the Placentia Chamber of Commerce and Placentia Community Foundation to host a Taste of the Town event at Tri-City Park in conjunction with the City's Concert's in the Park event and authorize the City Administrator or designee to execute all applicable documents, and
2. Adopt Resolution No. R-2014- , A Resolution of the City Council of the City of Placentia Authorizing the Temporary Suspension of Regulatory Section 10.28.010 of the Placentia Municipal Code for the Operation of the Taste of the Town event Fundraiser Event on Thursday, August 14, 2014 at Tri-City Park, 2301 N. Kraemer Boulevard.

### **DISCUSSION:**

The Placentia Chamber of Commerce and Placentia Community Foundation plan to work together to host a "Taste of the Town" event. The event will showcase many local restaurants

**1.1.**

**June 3, 2014**

that will provide samples or a “taste” of a featured menu item along with many other local business displays. The goal of the event is to raise funds for both organizations to support community activities and programs in Placentia. The Chamber of Commerce and Community Foundation have proposed to build attendance for this event by hosting it in conjunction with the City’s Concert in the Park already scheduled for Thursday, August 14, 2014 at Tri-City Park. The Taste of the Town portion of the event would encompass the southern parking lot adjacent to the playground area and meander up to the picnic shelters where a beer garden area is planned. The event would extend the timeframe of a normal Concert in the Park event and operate between the hours of 5:00 p.m. and 9:00 p.m. The fundraising portion of the event would include sales of wristbands to participate in the all you can eat “taste” portion of the event and proceeds from the beer and wine garden. The event will also feature the live band from the concert and a D.J. when the band is not performing. It is expected that the event would draw a larger crowd than a typical Concert in the Park event with possibly one thousand five hundred (1,500) participants.

The attached resolution temporarily suspends (for the duration of the event) the Municipal Code section pertaining to the controlled use of alcohol on public property. The Chamber of Commerce and Community Foundation have met with City staff and agreed to follow all City guidelines, obtain adequate insurance for the event, and obtain all necessary permits and follow associated regulations from the State Department of Alcohol Beverage Control and Orange County Health Department.

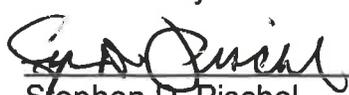
**FINANCIAL IMPACT:**

The City already has several resources planned for the normal Concerts in the Park operation such as staff support from the City Police, Public Works, and Community Services Departments and covering the cost of entertainment. Since the Taste of the Town will be held in conjunction with the Concert in the park, the Chamber of Commerce and Community Foundation have proposed to provide a contribution of \$1,200 to offset the cost of the band and a portion of the City’s event expenses.

Prepared by:

  
Jonathan Nicks  
Deputy Director of Community Services

Reviewed by:

  
Stephen D. Pischel  
Director of Administrative Services/  
Community Services

Reviewed and approved:

  
Damien R. Arrula  
Assistant City Administrator

Reviewed and approved:

  
Troy L. Butzlaff, ICMA-CM  
City Administrator

- Attachment: 1. Resolution R-2014-\_\_\_\_  
2. Taste of the Town agreement

RESOLUTION NO.R-2014-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA AUTHORIZING THE TEMPORARY SUSPENSION OF REGULATORY SECTION 10.28.010 OF THE PLACENTIA MUNICIPAL CODE FOR THE OPERATION OF THE TASTE OF THE TOWN EVENT ON THURSDAY, AUGUST 14, 2014 AT TRI-CITY PARK 2301 N. KRAEMER BOULEVARD.

**A. Recitals.**

(i).The City of Placentia adopted Ordinance No. O-2008-10 which amended Title 1 of the Placentia Municipal Code by adding Chapter 1.14 allowing the City Council the discretion to temporarily suspend specific Ordinances during special events when it has been determined that the public welfare and interest will be served by such suspension.

(ii). The City Council finds that certain events of broad public interest may benefit the City and the City's economy by attracting large numbers of visitors, by generating favorable publicity, and by enhancing a marketable image for the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.

2. The City hereby temporarily suspends Placentia Municipal Code §10.28.010 relative to the controlled use of alcohol in a public place during the Taste of the Town event at Tri-City Park 2301 N. Kraemer Boulevard on Thursday, August 14, 2014 from 5:00 p.m. to 9:00 p.m.

4. The specified section of the Placentia Municipal Code (Sectionss 10.28.010) shall remain in full force and effect throughout the remainder of the City.

5.This Resolution shall take effect from and after its date of adoption.

PASSED, ADOPTED and APPROVED this 3<sup>rd</sup> day of June, 2014.

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SCOTT W. NELSON,  
MAYOR

ATTEST:

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PATRICK J. MELIA,  
CITY CLERK

I, PATRICK J. MELIA, City Clerk of the City of Placentia, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Placentia, held on the 3<sup>rd</sup> day of June 2014, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

---

PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM:

---

ANDREW ARCZYNSKI,  
CITY ATTORNEY

## **Memorandum of Understanding**

This Memorandum of Understanding (MOU) is made and entered into by the Placentia Chamber of Commerce (CHAMBER) and Placentia Community Foundation (FOUNDATION) with the City of Placentia (CITY) to facilitate the Taste of the Town (Event). The Event will be held on Thursday, August 14, 2014 at Tri-City Park 2301 N. Kraemer Boulevard in Placentia. The hours of the Event for participants will be 5:00 - 9:00 p.m. exclusive of set-up and clean-up requirements.

This MOU shall be entered into to provide a venue for the CHAMBER and FOUNDATION Event that will include food areas, a beer and wine garden, and a live band performance as a fundraising event for community programs.

**Upon execution of the Memorandum of Understanding, FOUNDATION and CHAMBER agrees to:**

- Provide a sponsorship contribution of \$1,200 towards the live entertainment provided by the City's Concert in the Park.
- Designate a FOUNDATION AND CHAMBER member to act as the FOUNDATION AND CHAMBER representative for all matters related to the EVENT and its participation in the EVENT. Designee will communicate directly with the designated City Staff representative.
- Require each vendor attending to comply with all EVENT rules and regulations for participants as outlined in this MOU.
- Have a maximum of fifty (50) vendor displays at the Event.
- Ensure that any food vendors and/or food booths at the event comply with all Orange County Health Care Agency and City Requirements such as having current and valid Health Care Agency Permits and City Business Licenses.
- Operate the Beer and Wine Garden in compliance with all State and City regulations including obtaining appropriate permits from the Department of Alcoholic Beverage Control (ABC).
- The FOUNDATION AND CHAMBER at their own expense will provide the participants of the EVENT, the necessary items such as all canopies, tables, chairs, decorations, and other needed equipment to facilitate the EVENT in a uniform and business professional manner per the CITY'S approval (unless otherwise specified below).
- Coordinate all EVENT set up with the City., with the event open to public from 5:00 to 9:00 p.m., and clean up of all EVENT related booths and supplies no later than 11:00 p.m. Any questions regarding set-up procedures to be pre-arranged with City of Placentia staff representative.
- Work with City staff on any logistical issues to ensure smooth execution.
- Coordinate with designated City Staff representatives the EVENT layout and submit a scale plot map of the layout to City staff by Wednesday, July 23, 2014. EVENT booths cannot obstruct walkways and cannot be placed in designated parking areas, driveways or areas with vehicle traffic.
- Coordinate with designated City of Placentia staff representative arrivals times and procedures for EVENT participants including arrival time of vendors, offsite parking for vendors, and parking areas for participants.
- Ensure all participants of the EVENT are informed of and follow any logistical set-up and egress of the event established by the City.
- Utilize professional and business like decorations and signage for the EVENT.
- Provide CITY a copy of all promotional material for the EVENT.
- Provide comprehensive general liability insurance policy in the amount of one million dollars (\$1,000,000) covering EVENT related activities naming CITY and their respective elected and appointed officials, officers, employees, agents and representatives as additional insured by endorsement to the policy.

- Defend, indemnify and save harmless CITY their respective elected and appointed officials, officers, employees, agents and representatives ("Indemnitees"), from all liability from loss, damage or injury to persons or property, including the payment of FOUNDATION AND CHAMBER by any and all legal costs and attorneys' fees, in any manner arising out of the acts and/or omissions of FOUNDATION AND CHAMBER pursuant to this MOU, including, but not limited to, all consequential damages, to the maximum extent permitted by law.
- Be responsible for its independent operation, execution, planning and accounting of the Event as a separately governed operation by FOUNDATION and CHAMBER.

**CITY agrees to:**

- Provide an appropriate venue at Tri-City Park to the FOUNDATION AND CHAMBER to host the EVENT.
- Coordinate with a designated FOUNDATION AND CHAMBER representative all arrival and set up information for all EVENT participants.
- Coordinate the live band and sound engineer for the event.
- Provide Community Services, Public Works, and Police Department Staff to assist with event coordination and monitoring.
- Provide two (2) light towers along with truck to place the towers for the end of the event and during event clean up.
- Provide Police Reserve Officer or Volunteers in Police (VIPs) to monitor the Beer and Wine Garden area and provide general event monitoring.
- Provide a Community Services Staff from to operate a first aid station during the event.
- Allow the FOUNDATION and CHAMBER to promote the Event during the Concert in the Park Series, Movies in the Park Series, and other City venues.

**FOUNDATION AND CHAMBER Designees:**

Dwayne DeRose, CHAMBER President  
 Susan Wan-Ross, FOUNDATION Chairperson  
 Cande Avila, Chamber Representative

**CITY Staff Representatives:**

Felipe Zambrano Community Services Coordinator  
 Jonathan Nicks, Deputy Director of Community Services

**IN WITNESS WHEREOF**, the Parties herein have caused this Memorandum of Understanding for the Placentia FOUNDATION and CHAMBER Taste of the Town to be executed as of the date last written below.

**CITY OF PLACENTIA**

**FOUNDATION AND CHAMBER**

\_\_\_\_\_  
 Troy L. Butzlaff, ICMA-CM      Date  
 City Administrator

\_\_\_\_\_  
 Dwayne DeRose                                      Date  
 Placentia Chamber of Commerce President

\_\_\_\_\_  
 Susan Wan-Ross                                      Date  
 Placentia Community Foundation Chairperson

**APPROVED AS TO FORM:**

\_\_\_\_\_  
 Andrew V. Arczynski, City Attorney



# Placentia City Council

## AGENDA REPORT

TO: CITY COUNCIL  
VIA: CITY ADMINISTRATOR  
FROM: CONTRACT CITY PLANNER  
DATE: JUNE 3, 2014  
SUBJECT: **MODIFICATIONS TO THE ZONING CODE REGARDING DEVELOPMENT PLAN REVIEW**

**FISCAL IMPACT:** Not applicable

### **SUMMARY:**

The proposed zoning code amendment updates Section 23.75.010 – Development Plan Review of the Placentia Municipal Code (PMC) to exempt from the Planning Commission review process, small additions, commercial or industrial projects of less than one acre, and multi-family projects of four or less units. These projects would instead, be reviewed by staff and be subject to all City development standards and processes.

### **RECOMMENDATION:**

It is recommended that the City Council take the following actions:

1. Open the Public Hearing, receive testimony and close Public Hearing; and
2. Approve and introduce for first reading by title only, "An Ordinance fo the City Council of the City of Placentia amending Section 23.75.010 of Chapter 23.75 of Title 23 (Zoning Ordinance) of the Placentia Municipal Code pertaining to development plan review. [Zoning Code Amendment 2014-XX]":

### **DISCUSSION:**

The City Council recently approved an Economic Development Plan (Plan) for Placentia. A key aspect of the Plan is the concept of the City becoming more "business-friendly" by providing streamlined development plan review and/or permit processing for certain types of small developments. The proposed zoning code amendment (ZCA) updates Section 23.75.010 – Development Plan Review to exempt from the Planning Commission review process, small additions, commercial or industrial projects of less than one acre, and multi-family projects of four or less units. These projects would instead, be reviewed by staff and still be subject to all City development standards and processes.

Currently, the Placentia Municipal Code (PMC) requires that all development projects receive Planning Commission review in a noticed public hearing to make a finding that the proposed

**2.a.**  
**June 3, 2014**

development meets the intent and provisions of the City's zoning code. Per Section 23.75.010, exceptions to this requirement are:

- a. Exterior additions of less than two hundred fifty (250) square feet to buildings in commercial and industrial zones;
- b. Construction of one (1) single-family residence on a legal parcel within the residential agricultural district, single-family residential district, or low-medium density residential district; and
- c. Accessory buildings or buildings less than two hundred fifty (250) square feet in all zones.

All projects, whether or not exempted from the public Development Plan Review (DPR) process, are required to meet all development regulations. The PMC as written, requires that relatively minor investments and/or smaller projects which meet all regulations must go through the time and expense of a public hearing before the Planning Commission.

The DPR code section was last amended in 2009. At that time, exemptions (b) and (c) shown above for single-family residences and small accessory buildings were added. To further streamline the DPR process and encourage investment, it is recommended that the types of development projects exempt from DPR be expanded in the following ways:

1. Modify the exemption for exterior additions in the commercial and industrial zones from less than 250 square feet to less than 10% of the total square footage of an existing building.
2. Exempt construction of commercial or industrial facilities on parcels of one acre or less.
3. Exempt construction of four or less dwelling units in a residential zone;
4. Modify the exemption for accessory buildings from less than 250 square feet to less than 500 square feet.

The recommended ZCA modifications will allow relatively minor expansions and/or small projects to be reviewed administratively. After staff review of exempted DPR projects, if all development regulations are met and no other discretionary actions are required, the projects could then proceed into plan check. If, however, there are code deviations or a use proposed that is not allowed by right within the zoning district, the project would be noticed for Planning Commission consideration.

During the May 13, 2014 Planning Commission meeting, discussion ensued as to why an expansion of 10% of the total square footage of an existing building in the commercial and industrial zones is being proposed, since this allows a variable maximum rather than a specific threshold such as 500 square feet. Staff explained that the less than 10% threshold allows some proportional flexibility since other limiting factors such as size of the parcel, setback from the property line, and parking requirements will ultimately dictate the maximum building footprint limits, and therefore not compromise the overall integrity of the original entitled development. During the meeting, testimony was also heard that the City of Placentia's entitlement process is

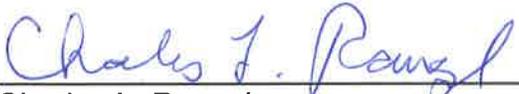
too onerous and costly. Development Services Department staff explained to the public and Commission that this proposed change is the first step in trying to foster more economic development opportunities by being more business friendly in our development review process. The Planning Commission voted 5-1 in favor of the ZCA and recommended approval to the City Council. Attachment No. 1 to this report is a copy of the Planning Commission recommended ZCA 2014-02.

The proposed change in our DPR process sends a signal to the investment community that the City is looking to improve its development process to recruit and retain businesses. In addition to facilitating a streamlined DPR process, the proposed ZCA will expedite permit processing, and save applicants considerable time and expense during the Placentia development review process.

**FISCAL IMPACT:**

There is no direct financial impact to the City by adopting the proposed ZCA. The economic development objective of the amendment is to spur development, and recruit and retain businesses, thereby increasing property values and the overall economic health of the City.

Prepared by:

  
\_\_\_\_\_  
Charles L. Rangel  
City Contract Planner

Reviewed and approved:

  
\_\_\_\_\_  
Damien R. Arrula  
Assistant City Administrator

Reviewed and approved:

  
\_\_\_\_\_  
Troy L. Butzlaff, ICMA-CM  
City Administrator

**Attachments:**

1. ZCA 2014-02  
Ordinance No. O-2014-\_\_, "An Ordinance of the City Council of the City of Placentia amending Section 23.75.010 of Chapter 23.75 of Title 23 (Zoning Ordinance) of the Placentia Municipal Code pertaining to Development Plan Review [Zoning Code Amendment 2014-XX]".

ORDINANCE NO. O-2014-XX

AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF PLACENTIA AMENDING SECTION  
23.75.010 OF CHAPTER 23.75 OF TITLE 23  
(ZONING ORDINANCE) OF THE PLACENTIA MUNICIPAL  
CODE PERTAINING TO DEVELOPMENT PLAN REVIEW  
[Zoning Code Amendment 2014-XX]

City Attorney's Summary

This Ordinance amends § 23.75.010 of Chapter 23.75 of Title 23 of the Placentia Municipal Code revising the development review procedure for small projects meeting all development standards, including additions and accessory buildings in all zones.

**A. Recitals.**

(i). The City Council desires to enable the development of new, small scope projects and in-fill projects as well as additions and accessory buildings.

(ii). Such development projects which meet all zoning and related criteria and regulations should be allowed to proceed without being subjected to time consuming and costly review procedures.

(iii). The City desires to amend the provisions of § 23.75.010 of Chapter 23.75 of Title 23 of the Placentia Municipal Code ("Zoning Ordinance") to ensure prompt review and approval of such projects.

(iv). On XXXXXXXX XX, 2014, the Planning Commission of the City of Placentia conducted, and concluded, a duly noticed public hearing, as required by law, to amend the Zoning Ordinance to comport with California law and recommended adoption of this Ordinance to the City Council [Zoning Code Amendment 2014-XX].

(v). This City Council has reviewed and considered all elements of amendments to the Zoning Code as recommended by the Planning Commission, including written staff reports and verbal testimony presented during a duly noticed public hearing, which hearing was concluded prior to the adoption of this Ordinance.

(vi). All legal prerequisites to the adoption of this Ordinance have occurred.

**B. Ordinance.**

NOW, THEREFORE, the City Council of the City of Placentia does hereby find, determine and ordain as follows:

SECTION 1. In all respects, as set forth in the Recitals, Part A, of this Ordinance.

SECTION 2. The City Council hereby finds and certifies that the amendments set forth below have been reviewed and considered in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder and City Guidelines and, further, finds that it can be seen with certainty that there is no possibility that the amendments set forth below may have a significant effect on the environment and said amendments are therefore not subject to the requirements of the California Environmental Quality act pursuant to the provisions of §15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations and hereby directs that a Notice of Exemption be filed with the Orange County Clerk/Recorder, as required by law.

SECTION 3. Section 23.75.010 of Chapter 23.90 of Title 23 of the Placentia Municipal Code, hereby is amended to read, in words and figures, as follows:

**"Section 23.75.010 - Development Plan Review.**

"(a). Construction of new buildings in all zones, and exterior additions to existing buildings in all commercial and industrial zones shall require that the planning commission first make a finding that the proposed new building/exterior addition is in conformity with both the intent and provisions of this title. Structures associated with the drilling for and/or production, handling, storage, extraction and removal of oil, gas and other hydrocarbons shall be subject to development plan review regardless of the zone within which they are located.

"(b). Exceptions.

"(1). Exterior additions less than ten percent (10%) of total square footage of existing buildings in commercial and industrial zones may be approved pursuant to the provisions of § 23.75.015 of this code.

"(2). Construction of commercial or industrial facilities on a legal parcel consisting of one (1) acre or less as long as all development standards of the zoning district are met and upon approval pursuant to the provisions of § 23.75.015 of this code.

"(3). Construction of four or less dwelling units in a residential zone as long as all development standards of the zoning district are met and upon approval pursuant to the provisions of § 23.75.015 of this code.

"(4). Accessory buildings or buildings less than five hundred (500) square feet in all zones subject to compliance with all development standards and upon approval pursuant to the provisions of § 23.75.015 of this code."

#### SECTION 4. Penalty for Violation.

It shall be unlawful for any person, firm, partnership or corporation to violate any provision or to fail to comply with any of the requirements of this Ordinance hereby adopted. Any person, firm, partnership or corporation violating any provision of this Ordinance or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment. Each and every person, firm, partnership, or corporation shall be deemed guilty of a separate offense for each and every day or any portion thereof during which any violation of any of the provisions of this Ordinance is committed, continued or permitted by such person, firm, partnership or corporation, and shall be deemed punishable therefore as provided in this Ordinance.

#### SECTION 5. Civil Remedies Available.

The violation of any of the provisions of this Ordinance hereby adopted shall constitute a nuisance and may be abated by the City through civil process by means of restraining order, preliminary or permanent injunction or in any other manner provided by law for the abatement of such nuisances.

#### SECTION 6. Severability.

The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

SECTION 7. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED and ADOPTED this \_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
SCOTT W. NELSON, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICK J. MELIA, CITY CLERK

I, PATRICK J. MELIA, City Clerk of the City of Placentia, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 and was finally adopted at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

\_\_\_\_\_  
PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM

\_\_\_\_\_  
ANDREW V. ARCZYNSKI,  
CITY ATTORNEY



# Placentia City Council

## AGENDA REPORT

TO: CITY COUNCIL  
VIA: CITY ADMINISTRATOR  
FROM: CITY ATTORNEY  
DATE: JUNE 3, 2014  
SUBJECT: DESIGN-BUILD CONTRACTS ORDINANCE AMENDMENT  
FINANCIAL  
IMPACT: EXPENSE: N/A

### INTRODUCTION:

The City Charter contains provisions in § 608 authorizing the City Council to utilize "best value processes," including, but not limited to use of, design-build and construction manager at risk approaches when such procedures are approved and adopted by ordinance. Such procedures are intended for use where the City Council finds such processes will reduce project cost, expedite project completion, or provide unique design features. In 2010 the City Council approved an ordinance adding Chapter 1.18 to the Placentia Municipal Code to implement the provisions of the Charter. In reviewing this Chapter of the Municipal Code, Staff has determined that there are instances where a design-build process could be advantageous and cost-effective on smaller projects that are less than \$2 Million in value. This action would approve an amendment adding language to Section 1.18.020 of Chapter 1.18 of the City's Municipal Code enabling the City Council to take advantage of design-build and construction manager at risk approaches to public projects when the City Council determines it is in the City's best interest to utilize design-build and construction manager at risk approaches.

### RECOMMENDATION:

It is recommended that the City Council take the following action:

1. Approve and introduce for first reading, by title only, an Ordinance of the City Council of the City of Placentia, California, amending Section 1.18.020 of Chapter 1.18 of the Placentia Municipal Code relating to competitive design-build processes.

### DISCUSSION:

The City Charter allows for the use of "best value processes," including, but not limited to, use of design-build and construction manager at risk approaches in lieu of standard public works bidding procedures. However, in order to take advantage of such processes, the Charter requires the City Council to adopt, by ordinance, procedures to implement the authorization. Recent discussions pertaining to significant projects, including the Metrolink Station and related parking structures, have revealed the fact that such processes may also be applicable to smaller projects in order to take advantage of such approaches to specialized public works.

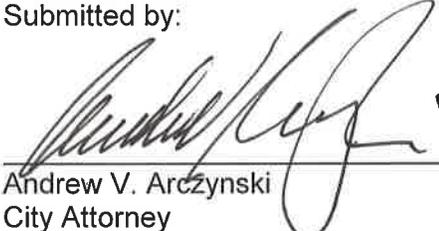
As noted, there are circumstances where utilizing a design-build approach provides for a superior final project and often results in substantial savings in time and money. Design-build projects can more effectively coordinate the various professionals and trades involved in the design and construction of public projects and, when properly vetted prior to award of a final contract, ensure that the team with

**4.a.**  
**June 3, 2014**

which the City contracts has the background, experience and financial wherewithal to cause the project to be completed in a timely fashion. The draft ordinance presented for consideration requires that any project proposed to utilize the design-build process be first presented to the City Council for preliminary approval and requires staff to provide information regarding the proposed project, as well as the criteria for selection. Staff believes that certain projects which will likely be presented for consideration and funding, such as the Emergency Operations Center and parking lots in the downtown area would likely benefit from the design-build process and result in potential cost savings.

In order to take advantage of the Charter authorization, staff recommends the proposed ordinance (Attachment No.1) to provide appropriate direction in the preparation, review and ultimate award of future projects valued at lesser amounts than currently specified (\$2,000,000.00). The proposed ordinance amendment continues the objective, systematic approach for approval of important projects.

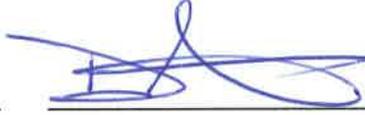
Submitted by:



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Andrew V. Arczynski  
City Attorney

Reviewed and approved:



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Damien R. Arrula  
Assistant City Administrator

Reviewed and approved:



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Troy L. Butzlaff, ICMA-CM  
City Administrator

**ATTACHMENTS:**

1. Design-Build Contracts Ordinance Amendment

ORDINANCE NO.0-2014-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
PLACENTIA, CALIFORNIA, AMENDING SECTION 1.18.020  
OF CHAPTER 1.18 OF THE PLACENTIA MUNICIPAL CODE  
RELATING TO COMPETITIVE DESIGN-BUILD PROCESSES

City Attorney's Summary

This Ordinance amends § 1.18.020 of Chapter 1.18 of the Placentia Municipal Code to implement the provisions of § 608 of the Charter of the City of Placentia to enable the City Council to take advantage of design-build and construction manager at risk approaches to public projects when the City Council determines it is in the City's best interests to utilize design-build and construction manager at risk approaches.

**A. Recitals.**

(i). Section 608 of the Charter of the City of Placentia provides, in relevant part, that contracts on public works and projects shall be let pursuant to competitive bidding procedures except where best value processes, including but not limited to use of design-build and construction manager at risk approaches, adopted by the City Council by ordinance in such cases as the City Council finds such processes will reduce project cost, expedite project completion, or provide unique design features.

(ii). The City Council desires to establish policies and procedures to utilize best value processes in specified circumstances.

(iii). All legal prerequisites to the adoption of this ordinance have occurred.

**B. Ordinance.**

The City Council of the City of Placentia does ordain as follows:

Section 1. In all respects as set forth in the Recitals, Part A., of this Ordinance.

Section 2. Section 1.18.020 of Chapter 1.18 of the Placentia Municipal Code hereby is amended to read, in words and figures, as follows:

"1.18.020 Purpose.

"The purpose of this chapter is to implement the provisions of § 608 of the Charter of the City of Placentia which authorizes the use of design-build and construction manager at risk approaches to public works, when, by ordinance, the City Council of the City of Placentia finds such processes will reduce project cost, expedite project completion, or provide unique design features. It defines 'design-build' as a procurement process in which both the design and construction of the public works project are procured from a single entity.

"The City Council desires that any 'design-build' contract awarded hereunder be the result of a competitive, objective process. The intent of this Chapter is to set forth the requirements, including the competitive process, the City will follow whenever it awards a 'design-build' contract pursuant to the Charter § 608 exemption from competitive bidding for such contracts.

"The design-build approach authorized by § 608 of the Charter and implemented by the provisions of this Chapter shall only apply to public works and public projects when approved by affirmative vote of the City Council."

Section 3. Severability.

The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

Section 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and

posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED and ADOPTED this \_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
SCOTT W. NELSON,  
MAYOR

ATTEST:

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PATRICK J. MELIA, CITY CLERK

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