

**PLACENTIA CITY COUNCIL
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – STUDY SESSION**

June 7, 2011

**5:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor/Board Chair Nelson called the meeting to order at 5:00 p.m.

ROLL CALL:

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

City Clerk Patrick Melia was absent.

ORAL COMMUNICATIONS: None

SS 1. Prioritization of City Council Goals from Goal Setting Workshop (continued from April 19, 2011)

City Administrator Butzlaff provided an introduction.

A study session took place as City Council and Staff went through a handout titled Prioritization of Goals Fiscal Year 2011-12 distributed by City Administrator Butzlaff.

RECESS: The City Council/Redevelopment Agency recessed to Executive Session at 5:35 p.m.

ROLL CALL:

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

ORAL COMMUNICATIONS:

Craig Green, resident, submitted his public comments in writing.

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding Existing Litigation – One (1) Item
 - a. Mega Lighting, Inc. v. City of Placentia, Orange County Superior Court No. 30-2010-00385719
2. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – Two (2) Items
3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding Potential Litigation – Two (2) Items
4. Pursuant to Government Code Section 54957.6 for Conference with City's Labor Negotiator as follows:

City Representatives: Troy L. Butzlaff, City Administrator
Stephen D. Pischel, Director of Administrative Services and
Community Services

Employee Group: Placentia City Employees Association (PCEA)

5. Pursuant to Government Code Section 54957 for Public Employee Performance Evaluation –
 - A. City Administrator
 - B. City Attorney

RDA: None

ICDA: None

RECESS: The City Council/Redevelopment Agency reconvened the Regular Meeting at 7:12 p.m.

ROLL CALL:

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

ABSENT: None

STAFF PRESENT: City Administrator/Executive Director, Troy L. Butzlaff; City Attorney/Agency Counsel, Andrew V. Arczynski; Assistant City Administrator, Ken Domer; Director of Administrative and Community Services, Steve Pischel; Public Works Director, Steve Drinovsky; Finance Director, Karen Ogawa; Police Chief, Rick Hicks; Recreation Services Manager, Jon Nicks; Police Captain, Ward Smith; Finance Services Manager, Michael Nguyen; Management Analyst, Maggie Le; Accountant, Eric Hendrickson; Management Analyst, Eduardo De La Torre; Community Services Coordinator, Felipe Zambrano; Office Specialist, Kelliagh Brown; Deputy City Clerk, Tania Moreno

INVOCATION: Richard Kryder, Police Chaplain

PLEDGE OF ALLEGIANCE: Councilmember Aguirre

PRESENTATIONS:

- a. Recognition of City of Placentia for Orange County Transportation Authority Measure M Partnership
Recipient: Mayor Nelson
Presenter: OCTA Chief Executive Director Will Kempton
- b. Cultural Arts Commission Photography Contest Winners
Recipients: Carl Morrison, Grant Bagne, Norman Noss and John Walcek
Presenters: Allan Stark, Cultural Arts Commission Vice Chair and Evelyn Lawrence, Cultural Arts Commission Member
- c. Purple Pirates Soccer Team - American Youth Soccer Organization (AYSO) Regional Champions
Recipients: Coach Steve Frisone and Coach Jason Wellendorf
Presenter: Mayor Nelson

EXECUTIVE SESSION REPORT: City Attorney/Agency Counsel Arczynski reported the Council/Agency met in Executive Session to discuss the items listed on the agenda. He noted that there was no other reportable action from Executive Session this evening. He stated that the 4th District Court of Appeal ruled in favor of the City in the case of the Del Cerro Mobile Home Park Estates.

CITY ADMINISTRATOR REPORT: None

ORAL COMMUNICATIONS:

Jeff Buchanan, resident, spoke in regards to item 4b. He expressed his concerns regarding the City's street tree maintenance policy and ordinance.

Michael Holliday, resident, spoke in regards to item 4b. He expressed his concerns regarding the City's street tree maintenance responsibility. He recommended that the City reduces street sweeping services and allocate the funds to street tree maintenance.

Teri Niebuhr, Placentia Rotary Club Representative, announced an upcoming scholarship event held by Placentia Rotary Club on June 17th.

Richard Ybarra, American Legion Post 277 Representative, requested that City Council take action on the Legion's request to be allowed to play electronic bingo at their post.

Gary Bird, resident, spoke in regards to item 4b. He noted that the City should continue to maintain all street trees.

Beverly Cardwell, Senior Advisory Committee member, spoke in regards to item 4b. She noted that the lack of street tree maintenance will increase the City's liability and compromising the esthetics of the community.

Greg Sowards, resident, invited everyone to attend a concert at Rose Drive Friends.

Sharon Killen, resident, requested that street trees be maintained and not cut down.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Wanke commented and reported as follows: Attended the Orange County Vector Control District Board meeting on May 19th and congratulated the Purple Pirates Soccer Team champions. He expressed his interest in hearing the citizen's opinions, the importance of street trees maintenance, and encouraged the community to contact him if they had any concerns.

Councilmember Aguirre commented and reported as follows: Thanked citizens for voicing their opinions, Mayor Nelson and he attended the Annual Orange County Government Leaders' Prayer Breakfast, and the increase of gang graffiti in the Old Town area.

Councilmember Underhill commented and reported as follows: She noted that street trees maintenance is a priority.

Mayor Pro Tem Yamaguchi commented and reported as follows: Thanked citizens for voicing their opinions, attended the Miss Placentia mock interviews panel, announced Miss Placentia and Yorba Linda joint Bon Voyage celebration on June 9th, Neighborhood Services Manager Jon Nicks and he attended the Move More Eat Healthy Summit at California State University of Fullerton, attended the last meeting held by the Orange County Fire Authority in which

their Cash Contract Financial Relief was adopted, and Mayor Nelson and he attended the Placentia Community Foundation Summit. He noted he was a guest speaker at the Norco High School Senior Government class graduation.

Mayor Nelson commented and reported as follows: He noted that the street trees maintenance item will be addressed.

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

A motion was made by Councilmember Underhill, seconded by Councilmember Aguirre, to approve Consent Calendar Item Nos. 1.a. through 1.g.

COUNCIL/AGENCY/ICDA CONSENT CALENDAR:

- a. **Consideration to Waive Reading in Full of all Ordinances and Resolutions**
Financial Impact: None
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)
- b. **Minutes**
City Council/RDA/ICDA Regular Meeting - May 17, 2011
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)
- c. **City Warrant Register for May 18, 2011 Through June 7, 2011**
Financial Impact: \$836,329.16
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)
- d. **Agency Warrant Register for May 18, 2011 Through June 7, 2011**
Financial Impact: \$15,292.76
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)
- e. **Resolution of Support for the Bastanchury Road Traffic Light Synchronization Program Project**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Adopt Resolution No. R-2011-21, A Resolution of the City Council of the City of Placentia authorizing application(s) for funds to the Orange County Transportation Authority under the competitive Measure M2 Regional Transportation Signal Synchronization Program**(APPROVED 5 – 0, as recommended)**
- f. **Award of Contract for Sewer Line Cleaning and CCTV Inspection Services**
Financial Impact: 483556-6120 – (Sanitary Sewer Fund)
Approx. \$120,000 – Annually
Recommended Action:
 - 1) Award an agreement to Empire Pipe Cleaning and Equipment, Inc., for sewer line cleaning and CCTV services
 - 2) Authorize the City Administrator to sign the required documents in a form approved by the City Attorney

- 3) Authorize the City Administrator to renew existing contract for an additional three years, after the initial term, dependent upon approval in the annual budget, contractor performance, and sewer system necessity
(APPROVED 5 – 0, as recommended)

COUNCIL CONSENT CALENDAR:

- g. **Approval of Change Order for Sylvania Lighting Services Regarding Energy Efficient Lighting Replacement Project at City Hall and Police Department**

Financial Impact:

Increase: \$28,917

New Expenditure: \$73,171

Revenue: \$80,000 Federal Energy Efficiency Block Grant

Recommended Action: It is recommended that the City Council:

- 1) Approve a change order of \$28,917 for Sylvania Lighting Services for a new expenditure of \$73,171 utilizing Federal Energy Efficiency and Conservation Block Grant funds

(APPROVED 5 – 0, as recommended)

AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL: None

AGENCY: None

ICDA: None

3. OLD BUSINESS:

COUNCIL/AGENCY/ICDA OLD BUSINESS: None

COUNCIL OLD BUSINESS:

- a. **Second Reading and Adoption of An Ordinance Adding Chapter 8.44 of Title VIII of the Placentia Municipal Code Relating to Business Licensing Standards and Regulations for Massage Practitioners and Massage Establishments, Repealing Chapter 8.40 of the Placentia Municipal Code and Repealing Ordinance No. O-2010-07**

Financial Impact: Not applicable

Recommended Action: It is recommended that the City Council:

- 1) Conduct second reading by title only and adopt, Ordinance O-2011-04, An Ordinance of the City Council of the City of Placentia, California, adding a new Chapter 8.44 to the Placentia Municipal Code regarding the licensing and regulation of massage practitioners and massage establishments, repealing Chapter 8.40 of the Placentia Municipal Code and repealing Ordinance No. O-2010-07

(APPROVED 5 – 0, as recommended)

City Administrator Butzlaff provided a staff report.

A motion was made by Councilmember Underhill, seconded by Councilmember Wanke, was carried (5 - 0) to conduct second reading by title only and adopt, Ordinance O-2011-04, an Ordinance of the City Council of the City of Placentia, California, adding a new Chapter 8.44 to the Placentia Municipal Code regarding the licensing and regulation of massage practitioners and massage establishments, repealing Chapter 8.40 of the Placentia Municipal Code and repealing Ordinance No. O-2010-07.

AYES: Aguirre, Underhill, Wanke, Yamaguchi, Nelson
NOES: None

AGENCY OLD BUSINESS: None

ICDA OLD BUSINESS: None

4. NEW BUSINESS:

COUNCIL/AGENCY/ICDA NEW BUSINESS:

a. Review of the Preliminary Draft of Fiscal Year 2011-12 Operating Budget

Financial Impact: Not applicable

Recommended Action: It is recommended that the City Council:

- 1) Receive and provide direction on the Preliminary Draft of Fiscal Year 2011-12 Operating Budget
- 2) Set a Public Hearing for adoption of the proposed Fiscal Year 2011-12 Operating Budget, Capital Improvement Program Budget, and Redevelopment Agency Budget for Tuesday, June 21, 2011

(APPROVED 5 – 0, as recommended)

City Administrator Butzlaff provided an introduction and overview of the Preliminary Draft of Fiscal Year 2011-12 Operating Budget presentation. He provided a PowerPoint presentation. The PowerPoint presentation slides included: Preliminary Budget, Review Fiscal Year 2011-12, Purpose, Overview of Presentation, Economic Outlook Nationwide Recovery, Economic Outlook Dismal Local Picture, Budget Highlights Fiscal Year 2010-11, Aggressive Cost Containment Efforts (Personnel), Aggressive Cost Containment Efforts (Operations), Revenue Enhancements, Budget Assumptions 2011-12, Assumptions Revenues, Assumptions Personnel, Assumptions Personnel Staff Reorganization, Assumptions Reallocation of Personnel Costs, Assumptions Operations, Assumptions Capital Outlay, and Budget Projections 2011-12.

Director of Finance Ogawa provided a PowerPoint presentation. The PowerPoint presentation slides included: General Fund Reserves 2011-12, General Fund Reserves, Major Sources of Funds 2011-12, General Fund Revenues by Category, Major Revenues, General Cost Per Capita, General Fund Property Taxes, Top Uses of Funds 2011-12, General Fund Expenditures by Category, General Fund Expenditures Trend, and Revenues and Expenditures General Fund.

Director of Administrative Services & Community Services Pischel provided a PowerPoint Presentation. The PowerPoint presentation slides included: Personnel 2011-12, History of Personnel Cost Containment Efforts, Position Allocation Cost Containment Efforts, Vacant Positions (Unfunded), Personnel PERS Costs, Personnel Cost Containment Efforts, and General Fund Administration Department Budget.

Discussion ensued among Council and City staff regarding this item.

Director of Finance Ogawa presented the General Fund Finance Department Budget.

Assistant City Administrator Domer presented the General Fund Development Services Department Budget.

Chief of Police Hicks presented the General Fund Public Safety Department Budget.

Director of Public Works Drinovsky presented the General Fund Public Works Department Budget.

Director of Administrative Services & Community Services Pischel presented the General Fund Community Services Department Budget.

Discussion ensued among Council and City Staff regarding this item. City Council directed Staff to conduct a comparison study of consulting services as compare to City personnel cost.

Finance Services Manager Nguyen continued the PowerPoint presentation. The PowerPoint presentation slides included: General Fund Debt Service and General Fund ISF (Operating Transfers).

City Administrator Butzlaff continued the PowerPoint presentation. The PowerPoint presentation slides included: General Fund Proposed Budget 2011-12, Budget Solutions, General Fund Projected Reserves, General Fund Projected Revenues and Expenditures, General Fund Projected Reserves, Multi-year Perspective, Budget Schedule Next Steps, and Questions.

City Administrator Butzlaff noted that the Preliminary Draft Budget Review Fiscal Year 2011-12 is available at the City Clerk's Office and on the City's website.

A five minute break was taken.

City Council set a Public Hearing for Tuesday, June 21, 2011.

COUNCIL NEW BUSINESS:

- b. **First Reading and Introduction of Ordinances – Addition of a New Article VI to Chapter 14.04 and Revising Chapter 14.12 of Title 14 of the Placentia Municipal Code Relating to Sidewalks and Street Trees; Resolution Adopting Interim Regulations Regarding Removal of Street Trees**

Financial Impact: Not applicable

Recommended Action: It is recommended that the City Council:

- 1) Waive full reading, reading by title only and adopt, Ordinance No. O-2011-05, An Ordinance of the City Council of the City of Placentia, California adding a new Article VI to Chapter 14.04 to the Placentia Municipal Code reaffirming sidewalk maintenance and repair obligations and liability of adjacent property owners
- 2) Waive full reading, reading by title only and adopt, Ordinance No.

O-2011-06, An Ordinance of the City Council of the City of Placentia, California amending Sections 14.12.040, 14.12.080, 14.12.100 and 14.12.110 of Chapter 14.12 of Title 14 of the Placentia Municipal Code pertaining to tree maintenance, installation and removal

- 3) Adopt Resolution No. R-2011-22, A Resolution of the City Council of the City of Placentia adopting interim regulations regarding removal of street trees be adopted

(APPROVED 4 – 1, as recommended)

City Administrator Butzlaff provided an introduction and overview on the maintenance of street trees and sidewalks.

City Attorney Arczynski provided a staff report on the City's Municipal Code and State law pertaining to street trees and sidewalk maintenance. He noted that the Ordinance No. O-2011-05 relates to existing provisions of State law. He noted that Ordinance No. O-2011-06 amends the City's Municipal Code pertaining to tree maintenance, installation and removal. He noted that Resolution No. R-2011-22 relates to the adoption of interim regulations regarding removal of street trees. He provided an overview of the current administrative citation process.

Discussion ensued among Council and City staff regarding this item.

Director of Public Works Drinovsky provided an overview of the Master Street Tree Plan concept, economic crisis that the City is facing, and the current street tree maintenance policies. He recommended the City Council adopt new policies to correct the current conflicts.

Discussion ensued among Council and City Staff regarding this item.

Mayor Pro Tem Yamaguchi proposed an amendment to Ordinance No. O-2011-05 on Section 14.12.110 Subsection (a) on page four.

Discussion ensued among Council and City staff regarding this item.

A motion was made by Councilmember Underhill, seconded by Mayor Nelson, was carried (4 – 1) approve first reading of Ordinance No. O-2011-05, first reading of Ordinance No. O-2011-06 with the amendment proposed by Mayor Pro Tem Yamaguchi on page four, and to approve Resolution No. R-2011-22.

AYES: Aguirre, Underhill, Yamaguchi, Nelson
NOES: Wanke

AGENCY NEW BUSINESS: None

ICDA NEW BUSINESS: None

CITY COUNCIL/AGENCY MEMBER REQUESTS:

Councilmember Wanke requested that the Council give direction to Staff to adjust the order of items on future agenda. He requested that the employee review pertaining to the City Administrator and City Attorney be placed permanently on the agenda.

Mayor Pro Tem Yamaguchi requested that the Council give direction to Staff to bring back a draft briefing sheet pertaining to electronic bingo.

Mayor Nelson requested that the Council give direction to Staff to draft a briefing sheet pertaining to electronic bingo. He requested that Staff review the Landscape Assessment District and how to get the Landscape Assessment District on a mail ballot.

ADJOURNMENT:

The City Council/Redevelopment Agency/ICDA Board of Directors adjourned at 11:10 p.m. to the next regular meeting of June 21, 2011 in memory of Noreen Hand, retired City employee.

PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY

ATTEST:

SCOTT W. NELSON, MAYOR/AGENCY CHAIR