

**PLACENTIA  
CITY COUNCIL AND REDEVELOPMENT AGENCY  
REGULAR MEETING MINUTES – STUDY SESSION  
April 19, 2011  
4:00 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

**CALL TO ORDER:** Mayor/Chairman Nelson called the meeting to order at 4:05 pm.

**ROLL CALL:**

PRESENT: Council/Agency Members Nelson, Yamaguchi, Underhill

ABSENT: None

Councilmember Wanke arrived at 4:08 p.m.

City Administrator introduced Orange County Division Chief Daniel Drake.

Orange County Division Chief Daniel Drake introduced himself to City Council and staff.

**SS 1. Emergency Operations and Role of City Council**

Management Analyst Eduardo De La Torre provided a presentation.

The PowerPoint presentation slides included: Placentia Emergency Management Plan, Incident Command System Emergency Operations Center Functions, Incident Notification to City Council, Emergency Operation Center Notification, Reporting to City Hall, Proclamation of Emergency, City Council Communication, Public Relations, and Policy Issues Related to the Emergency.

Police Chief James Anderson briefly discussed the role of the Police Department during a disaster and large scale emergency.

Police Sergeant Kenneth Alexander provided a presentation.

The PowerPoint presentation slides included: The primary focus of the Police Department During a Disaster or Large Scale Emergency, Importance of Strong Incident Command Structure, Incident Command System Overview Unified Command Philosophy, and Unified Command Participants.

Orange County Battalion Chief Scott Brown provided a presentation.

The PowerPoint presentation slides included: Fire Services Responsibilities, City's Emergency Operations Center Activities, Fire Services Resources, and Emergency Preparedness Resources.

Discussion ensued among Council and City staff regarding this item.

**ORAL COMMUNICATIONS:** None

**SS 2. Prioritization of City Council Goals from Goal Setting Workshop**

City Administrator Troy Butzlaff provided a staff report.

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 Troy Butzlaff.

Mayor Nelson announced that the Study Session will be continued to the May 3, 2011 Regular City Council meeting.

**RECESS:** The City Council/Redevelopment Agency recessed to Executive Session at 5:30 p.m.

**ROLL CALL:**

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

ABSENT: None

**ORAL COMMUNICATIONS:** None

**CITY COUNCIL:**

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding Existing Litigation - M&H Realty Partners v. Orange County Transportation Authority et.al., Orange County Superior Court, Case No. 30-2010-00407159
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
6. Pursuant to California Government Code Section 54957(b)(1) for Public Employee Appointment – Police Chief

**RDA:**

1. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:
  - A. Property: 738 W. La Jolla, Placentia, CA APN 344-011-12Agency Negotiator: Troy L. Butzlaff  
Negotiating Parties: Patricia Drew, TriMont Real Estate Advisors  
Under Negotiations: Price and Terms of Payment

**RECESS:** The City Council/Redevelopment Agency reconvened the Regular Meeting at 7:05 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; City Clerk/Agency Secretary, Patrick J. Melia; Assistant City Administrator, Ken Domer; Director of Administrative and Community Services, Steve Pischel; Public Works Director, Steve Drinovsky; Finance Director, Karen Ogawa; Police Chief, James Anderson; Recreation Services Manager, Mike Kudron; Police Captain, Ward Smith; Police Sergeant, Kenneth Alexander; Police Dispatcher and Records Supervisor, Beverly Schlieder; Code Enforcement Officer, Susan Craft; Code Enforcement, Rene Macias; Orange County Battalion Chief, Scott Brown; Management Analyst, Eduardo De La Torre; Neighborhood Services Manager, Jon Nicks; CS Coordinator, Felipe Zambrano; CS Coordinator, Veronica Ortiz; Deputy City Clerk, Tania Moreno

**INVOCATION:** Gary Drabek, Police Chaplain

**PLEDGE OF ALLEGIANCE:** Mayor Nelson

**PRESENTATIONS:**

- a. Employee of the Quarter – General Employee recognized: Sara Salazar  
Presenter: City Administrator Troy Butzlaff
- b. Spotlight on Code Enforcement  
Presenter: Code Enforcement Officer Susan Craft
- c. Habitat for Humanity of Orange County  
Recipient: Luis Ortiz and Sharon Ellis Habitat for Humanity of Orange County  
Presenter: Mayor Nelson
- d. Proclamation Designating the Month of April 2011, as the DMV/Donate Life California, in Placentia, California  
Recipient: Stephanie McMackin, Donate Life Ambassador  
Presenter: Mayor Nelson
- e. Proclamation Designating the Week of April 10-16, 2011, as the National Telecommunication Week  
Recipient: Police Dispatcher and Records Supervisor Beverly Schlieder  
Presenter: Police Chief James Anderson

City Administrator Troy Butzlaff announced that Code Enforcement Officer Susan Craft and Recreation Services Manager Michael Kudron will be taking a promotional job at a different agency. The Mayor thanked them for their hard work and presented each employee with a recognition plaque.

**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 reported that staff will follow up immediately on item one of executive session and report to City Council. A demand for defense and indemnity will be presented to OCTA. He noted that there was no other reportable action from Executive Session this evening.

**CITY ADMINISTRATOR REPORT:** City Administrator Butzlaff reported on the following items: Drug Take-Back event on April 30, 2011 at the Placentia Police Department.

**ORAL COMMUNICATIONS:**

Greg Sowards thanked DMV/Donate Life for the recognition and encouraged everyone to support DMV/Donate Life. He presented the City, on behalf of Orange County Supervisor Shawn Nelson, a check of \$10,999, plus \$1.00 to bring the contribution to \$11,000, from Fund 130 to support programs at the Edwin T. Powell Building.

Eilleen Harris, resident, expressed her concerns regarding item 4a.

**CITY COUNCIL/AGENCY MEMBER COMMENTS AND REPORTS:**

Councilmember Aguirre commented and reported as follows: Grand Opening of the Senior Center at the Edwin T. Powell Building and commended the Police Department for their excellent work in resolving a case.

Councilmember Wanke commented and reported as follows: Mayor Pro Tem Yamaguchi and he attended a FEMA training at El Toro Marine Base on April 8, 2011.

Councilmember Underhill commented and reported as follows: The importance of emergency preparedness and encouraged everyone to participate in the CERT program.

Mayor Pro Tem Yamaguchi commented and reported as follows: Thanked everyone involved in the Edwin T. Powell renovation project, Councilmember Wanke and he attended the Tri-Annual Flight Fire Drill, and Shred Day event.

Mayor Nelson commented and reported as follows: He wished Linda Lucio a quick recovery from surgery, Placentia Downtown revitalization, Councilmember Underhill and he attended an Audit Oversight Committee meeting, Councilmember Wanke and he attended an Association of California Cities meeting, thanked Supervisor Shawn Nelson for his work, and attended Supervisor Shawn Nelson's community meeting.

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

A motion was made by Mayor Pro Tem Yamaguchi, seconded by Councilmember Wanke, to approve Consent Calendar Item Nos. 1.a. through 1.i. Item 1.g. was pulled for separate consideration by Mayor Pro Tem Yamaguchi. Item 1.b. was pulled separate consideration by Councilmember Wanke.

**COUNCIL/AGENCY 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/Agency Special & Regular Meetings – April 4, 2011 and April 5, 2011**  
Recommended Action: Approve

Councilmember Wanke requested to continue item 1.b. to the next scheduled City Council meeting.

Discussion ensued among Council and City staff regarding this item.

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, was carried (5 - 0) to continue item 1.b. to the next schedule City Council meeting.

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

**(APPROVED 5 – 0)**

- c. **City Warrant Register for April 6, 2011 through April 19, 2011**  
Financial Impact: \$410,291.59  
Recommended Action: Approve  
**(APPROVED 5 – 0, as recommended)**
- d. **Agency Warrant Register for April 6, 2011 through April 19, 2011**  
Financial Impact: \$46,922.62  
Recommended Action: Approve  
**(APPROVED 5 – 0, as recommended)**

**COUNCIL CONSENT CALENDAR:**

- e. **Approval of Agreement between County of Orange and City of Placentia to Provide Funds for the Edwin T. Powell Building**  
Financial Impact:  
Revenue: \$10,999 Fund 130 District Community Priorities and Projects  
Recommended Action: It is recommended that the City Council:  
1) Authorize the City Administrator to execute the agreement with the County of Orange, in a form approved by City Attorney, to receive \$10,999 from Fund 130 for equipment to support programs at the Edwin T. Powell Building  
**(APPROVED 5 – 0, as recommended)**
- f. **Approve Easement Agreement for Placentia Avenue Grade Separation Project with Southern California Edison Company**  
Financial Impact: None  
Recommended Action: It is recommended that the City Council:  
1) Approve the attached anchor easement agreement between the City of Placentia and the Southern California Edison Company for a 6 foot anchor easement for the Placentia Avenue Underpass  
2) Authorize the Mayor to sign the subject easement agreement on behalf of the City  
3) Direct the City Clerk to endorse on the easement agreement which embodies the acceptance of said right-of-way easement, and cause the document to be submitted to the County Recorder of the Orange County for recording of the document  
**(APPROVED 5 – 0, as recommended)**
- g. **Approve Amendment to Attorney-Client Fee Agreement**  
Financial Impact: Increase of \$10.00/hour and \$200 per month for retainer services

Recommended Action: It is recommended that the City Council:

- 1) Approve the amendment to the Attorney-Client Fee Agreement with Andrew Arczynski and authorize the Mayor to execute the amendment on behalf of the City

Mayor Pro Tem Yamaguchi requested to continue item 1.g. to the next scheduled City Council meeting.

Discussion ensued among Council and City staff regarding this item.

A motion was made by Mayor Pro Tem Yamaguchi, seconded by Councilmember Wanke, was carried (5 - 0) to continue item 1.g. to the next scheduled City Council meeting.

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

**(APPROVED 5 – 0)**

- h. **Authorization to Purchase a Prefabricated Restroom, Public Restroom Company Model 7366, for the Kraemer Memorial Park Restroom Renovation and Park Amenities Improvement Project**  
Financial Impact: \$211,100 Utilizing State Park Grant Funding  
Account#: 333555/6104915023-6015  
Recommended Action: It is recommended that the City Council:  
1) Authorize the purchase of a prefabricated restroom, Public Restroom Company model 7366, for the Kraemer Memorial Park Restroom Renovation and Park Amenities Improvement Project utilizing Buyboard, a national purchasing cooperative, in an amount not to exceed \$211,100  
**(APPROVED 5 – 0, as recommended)**

**AGENCY CONSENT CALENDAR:**

- i. **Approval of Process to Dispose of Agency Owned Property Located at 229 Alta Street**  
Financial Impact: \$400.00 (347536-6197 Purchased Appraisal Services)  
Recommended Action: It is recommended that the Board of Directors:  
1) Adopt Resolution RA-2011-08, A resolution of the Board of Directors of the Redevelopment agency of the City of Placentia approving the initiation of proceedings to dispose of agency-owned property located at 229 Alta Street  
**(APPROVED 5 – 0, as recommended)**

**2. PUBLIC HEARINGS:**

**COUNCIL:** None

**AGENCY:** None

**3. OLD BUSINESS:** None

**4. NEW BUSINESS:**

**COUNCIL/AGENCY:** None

**COUNCIL NEW BUSINESS:**

a. **Amendment to City Ordinance to Prohibit Dogs From Athletic Fields and Playground Areas**

Financial Impact: Negligible

Recommended Action: It is recommended that the City Council:

- 1) Introduce for first reading, Ordinance O-2011-03, An ordinance of the City Council of the City of Placentia, California, adding a new section 14.08.090(5) to Chapter 14.08 of Title 14 of the Placentia Municipal Code Relating to the prohibition of dogs in specified areas of City parks, including exceptions thereto

**(APPROVED 5 – 0, as recommended)**

City Administrator Troy Butzlaff provided a staff report.

Recreation Services Manager Mike Kudron provided a staff report on Item 4a. He discussed the prohibition of dogs in specified areas of City parks and the update to the violation penalties.

Discussion ensued among Council and City staff regarding this item.

City Attorney Andrew Arczynski noted that City park areas will be designated by signs.

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, was carried (5 - 0) to introduce for first reading Ordinance O-2011-03, an ordinance of the City Council of the City of Placentia, California, adding a new section 14.08.090(5) to Chapter 14.08 of Title 14 of the Placentia Municipal Code Relating to the prohibition of dogs in specified areas of City parks, including exceptions thereto.

AYES: Aguirre, Underhill, Wanke, Yamaguchi, Nelson

NOES: None

b. **Adoption of City Council Resolution Approving and Adopting the City of Placentia Policy No. 430 Pertaining to Purchasing**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2011-11, A resolution of the City Council of the City of Placentia approving and adopting a revised policy and procedure for the purchasing of goods and services
- 2) Authorize staff to finalize documents for hard copy and electronic distribution and utilization

**(APPROVED 5 – 0, as recommended)**

City Administrator Troy Butzlaff provided a staff report.

Discussion ensued among Council and City staff regarding this item.

A motion was made by Councilmember Underhill, seconded by Councilmember Aguirre, was carried (5 - 0) to adopt Resolution R-2011-11, a resolution of the City Council of the City of Placentia approving and adopting a revised policy and procedure for the purchasing of goods and services, and to authorize staff to finalize documents for hard copy and electronic distribution and utilization.

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

c. **Execution and Delivery of California Communities Gas Tax Revenue Certificates of Participation, Series 2011A**

Financial Impact: Annual debt service payment of \$482,500 on a \$4.66 million issuance

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2011-12, A resolution of the City Council of the City of Placentia reconfirming its prior approval of the execution and delivery of California Communities Gas Tax Revenue Certificates of Participation and authorizing the preparation of an official statement and other matters related thereto

**(APPROVED 5 – 0, as recommended)**

City Administrator Troy Butzlaff provided a staff report. He discussed the issuance of the Gas Tax Revenue Certificates.

Urban Futures Representative Michael Bush provided a presentation.

The PowerPoint Presentation slides included: Gas Tax Revenue Certificates of Participation, Financing Team, Overview of Gas Tax Revenues, Recent Legislation Changes Have Improved the Program, Judicial Validation, How Streets Deteriorate and Repair Costs Increase, Pay Now or Pay More Later, Financing Future Gas Tax Revenues, Summary of Recent Gas Tax COP Deals, Project Goals, Proposed Financing Plan, Debt Service Coverage and Left Over Revenue Projections, and Timeline.

Discussion ensued among Council and City staff regarding this item.

A motion was made by Mayor Nelson, seconded by Councilmember Yamaguchi, was carried (5 - 0) to adopt Resolution R-2011-12, a resolution of the City Council of the City of Placentia reconfirming its prior approval of the execution and delivery of California Communities Gas Tax Revenue Certificates of Participation and authorizing the preparation of an official statement and other matters related thereto.

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

d. **Reactivation of the Industrial/Commercial Development Authority**

Financial Impact: Not applicable

Recommended Action: It is recommended that the City Council, acting as the Board of Directors of the ICDA:

- 1) Adopt Resolution ICDA-R-2011-01, A resolution of the Board of Directors of the Industrial/Commercial Development Authority of the City of Placentia adopting By-Laws, setting meeting dates and designating counsel to the Authority

**(APPROVED 5 – 0, as recommended)**

City Administrator Troy Butzlaff provided a staff report. He discussed the reactivation of the Industrial/Commercial Development Authority.

Discussion ensued among Council and City staff regarding this item.

Mayor Nelson noted City Council's intention of not supporting eminent domain on private properties.

City Attorney Andrew discussed the right of eminent domain.

A motion was made by Councilmember Wanke, seconded by Mayor Nelson, was carried (5 – 0) to adopt Resolution ICDA-R-2011-01, a resolution of the Board of Directors of the Industrial/Commercial Development Authority of the City of Placentia adopting By-Laws, setting meeting dates and designating counsel to the Authority.

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

**AGENCY NEW BUSINESS:** None

**CITY COUNCIL/AGENCY MEMBER REQUESTS:**

Councilmember Wanke expressed his condolences to De La Torre family.

Mayor Nelson acknowledged the presence of SCE Representative and expressed his condolences to the De La Torre family.

**ADJOURNMENT:**

The City Council/Redevelopment Agency Board of Directors adjourned at 8:40 p.m. to the next regular meeting of May 3, 2011 in memory of Jose De La Torre and Jerry Young.

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PATRICK J. MELIA, CITY CLERK/AGENCY  
SECRETARY

ATTEST:

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SCOTT W. NELSON, MAYOR/AGENCY CHAIR