

**PLACENTIA  
CITY COUNCIL AND REDEVELOPMENT AGENCY  
REGULAR MEETING MINUTES – EXECUTIVE SESSION  
December 7, 2010  
6:00 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

**CALL TO ORDER:** Mayor/Chair Aguirre called the meeting to order at 6:04 p.m.

**ROLL CALL:**

PRESENT: Council/Agency Members Nelson, Sowards, Yamaguchi, Underhill, Aguirre  
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; Steve Pischel; Interim Chief Deputy City Clerk, Vida Barone

**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. Peter Small, Faith Pantel, Philip Kruger, Jeffery Kruger v. City of Placentia, et.al., Orange County Superior Court, Case No. 30-2009-00325206-CU-PO-CJC
2. Pursuant to Government Code Section 54956.9(b) for Conference with Legal Counsel Regarding Anticipated Litigation – Two (2) Items
3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – Two (2) Items

**RDA:**

1. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8: Property: 738 W. La Jolla, Placentia, CA 92870 APN 344-011-12  
Agency Negotiator: Troy Butzlaff, City Administrator/Executive Director  
Property Negotiator: Patricia Drew, TriMont Real Estate Advisors  
Under Negotiations: Price and Terms of Payment

**RECESS:** - The City Council/Redevelopment Agency will recess to their 7:00 p.m. Regular Meeting.

**ROLL CALL:**

PRESENT: Council/Agency Members Nelson, Sowards, Yamaguchi, Underhill, Aguirre  
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 Manager, Mike

Nguyen; Police Chief, James Anderson; Recreation Services Manager, Mike Kudron; Neighborhood Services Manager, Jon Nicks; Interim Chief Deputy City Clerk, Vida Barone

**INVOCATION:** Richard Kryder, Police Chaplain

**PLEDGE OF ALLEGIANCE:**

**CERTIFICATION OF NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION RESULTS**

a. **Certification of canvass for the November 2, 2010 General Municipal Election**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Receive the statement of the Certificate of Register of Voters to result of the Canvass of the General Election returns read into the record by the City Clerk
- 2) Approve Resolution No. R-2010-71, A Resolution of City Council of the City of Placentia, California, reciting the fact of the General Municipal Election held on Tuesday, November 2, 2010 declaring the result and such other matters as provided by law.

**(APPROVED 5 – 0)**

A motion was made by Mayor Pro Tem Underhill, seconded by Councilmember Yamaguchi and carried (5 – 0) to receive the statement of the Certificate of Register of Voters to result of the Canvass of the General Election returns and approve Resolution No. R-2010-71.

**RECOGNITION OF OUTGOING COUNCILMEMBER AND CITY TREASURER**

- a. Congressman Gary Miller's Office  
Presenter: Shaun S. Rundle
- b. Congressman Ed Royce's Office  
Presenter: Ryan Holmes
- c. Senator Bob Huff's Office  
Presenter: Tim Shaw
- d. Assemblymember Chris Norby's Office  
Presenter: Craig Green
- e. Supervisor Shawn Nelson's Office  
Presenter: Steve Spernak
- f. City of Placentia  
Presenter: Mayor Aguirre
- g. Dennis Blake recognized outgoing Councilmember Greg Sowards
- h. Ed Garcia recognized outgoing Councilmember Greg Sowards

**COUNCILMEMBER COMMENTS:**

On behalf of the City Council, Mayor Aguirre recognized outgoing Councilmember Greg Sowards.

Councilmember Nelson, Councilmember Yamaguchi, Mayor Pro Tem Underhill, and Mayor Aguirre individually recognized outgoing Councilmember Greg Sowards.

Councilmember Sowards offered his outgoing comments to the City.

### **OATHS OF OFFICE, PRESENTATION OF CERTIFICATES OF ELECTION AND SEATING OF OFFICIALS**

- a. City Clerk Patrick Melia – administered by City Attorney Andrew V. Arczynski
- b. Councilmember Chad Wanke – administered by City Clerk Patrick Melia
- c. Councilmember Joseph Aguirre – administered by City Clerk Patrick Melia

### **ROLL CALL:**

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

### **COMMENTS – NEWLY ELECTED OFFICIALS**

- a. City Clerk Patrick Melia offered his comments.
- b. Councilmember Chad Wanke offered his comments.
- c. Councilmember Joseph Aguirre offered his comments.

### **REORGANIZATION OF THE CITY COUNCIL**

- a. City Clerk calls for the selection of Mayor of the City of Placentia

City Clerk Melia called for nominations for the Office of Mayor.

Councilmember Yamaguchi nominated Councilmember Nelson to serve as Mayor.

Pursuant to a unanimous roll call vote, Councilmember Nelson was selected to serve as Mayor of the City of Placentia.

- b. Mayor calls for the selection of Mayor Pro Tem of the City of Placentia

Mayor Nelson called for nominations for the selection of Mayor Pro Tem.

Councilmember Wanke nominated Councilmember Yamaguchi to serve as Mayor Pro Tem.

Pursuant to a unanimous roll call vote, Councilmember Yamaguchi was selected to serve as Mayor Pro Tem of the City of Placentia.

- c. Recognition of Mayor Joseph Aguirre

On behalf of the City Council, Mayor Nelson presented a recognition plaque to outgoing Mayor Aguirre.

Mayor Nelson called for a recess of the City Council and invited meeting participants to a reception honoring the reorganization of the City Council.

Mayor Nelson reconvened the City Council meeting.

## **PRESENTATIONS:**

- a. Participants and hosts of the Las Posadas and Tamale Festival made a presentation announcing the event to the members of the public.
- b. Supervisor Shawn Nelson's Office – Presentation of a Certificate of Recognition for Outstanding Police Investigatory Work  
Recipient: Police Chief James Anderson  
Presenter: Policy Advisor Steve Spernak

**EXECUTIVE SESSION REPORT:** City Attorney Arczynski reported the City Council/Agency met in Executive Session to discuss the items listed on the agenda. He announced there were no reportable actions taken in Executive Session.

**CITY ADMINISTRATOR REPORT:** City Administrator Butzlaff announced the Tamale Festival and Los Posadas event.

## **ORAL COMMUNICATIONS:**

Mike Fenton, Yorba Linda Post of the American Legion, noted the "Homes for our Troops" project which is seeking to find a suitable home for a disabled veteran in Placentia or North Orange County.

James Gaffney acknowledged the incoming and outgoing Councilmembers and spoke regarding the "Combat Veterans Court" in Santa Ana. He also inquired about the ambulance services issue he had mentioned at a previous City Council meeting.

Greg Santos expressed concerns regarding a citation he received in the City of Placentia.

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

Councilmember Aguirre noted the anniversary of the attack on Pearl Harbor and acknowledged all Veterans in the audience.

Councilmember Underhill acknowledged the success of last week's Tree Lighting Ceremony at City Hall, the History Wall unveiling, the certification of the election results and the passage of Measure W.

Mayor Pro Tem Yamaguchi announced Calvin Nakamura for his Eagle Scout project, the History Wall unveiling at City Hall, the Tree Lighting Ceremony at City Hall, and made a report from his attendance at the recent OCFA meeting.

Mayor Nelson announced his attendance at the Mobile Home Trust annual breakfast meeting and acknowledged the election results.

Marie Schmitt announced that today was the City of Placentia 84<sup>th</sup> Anniversary of Cityhood.

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

A motion was made by Council/Agency member Underhill, seconded by Councilmember Aguirre, and carried (5 – 0) to approve Consent Calendar Items 1.a. through 1.i., with the Councilmember Wanke abstaining on item 1.b. (minutes).

AYES: Council/Agency Members Aguirre, Underhill, Wanke, Yamaguchi, Nelson  
NOES: None

**CONSENT CALENDAR CONTINUED:**

**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 Regular Meeting – November 16, 2010**  
Recommended Action: Approve  
**(APPROVED 5 – 0, as recommended)**
- c. **City Warrant Register for November 16, 2010 through December 7, 2010**  
Financial Impact: \$1,076,512.39  
Recommended Action: Approve  
**(APPROVED 5 – 0, as recommended)**
- d. **Agency Warrant Register for November 16, 2010 through December 7, 2010**  
Financial Impact: \$  
Recommended Action: Approve  
**(APPROVED 5 – 0, as recommended)**

**COUNCIL CONSENT CALENDAR:**

- e. **Second Reading - An Ordinance repealing Chapter 13.82 of the Placentia Municipal Code related to parking violations-penalties**  
Financial Impact: None  
Recommendation: It is recommended that the City Council:  
1) Conduct a second reading and approve Ordinance O-2010-12, An Ordinance of the City Council of the City of Placentia, California, repealing Chapter 13.82 of the Placentia Municipal Code  
**(APPROVED 5 – 0, as recommended)**
- f. **Approval of Measure M2 Local Signal Synchronization Plan**  
Financial Impact: None  
Recommendation: It is recommended that the City Council:  
1) Approve and direct Staff to submit a Local Signal Synchronization Plan to Orange County Transportation Authority (OCTA) for compliance with Measure M2 requirements  
2) Approve Resolution No. R-2010-72, A Resolution of the City Council of the City of Placentia concerning the adoption of a Local Signal Synchronization Plan for the City of Placentia  
**(APPROVED 5 – 0, as recommended)**

- g. **Request to Remove Resident-Only Permit Parking on Steinbeck Street**  
Financial Impact: None  
Recommendation: It is recommended that the City Council:  
 1) Approve Resolution No. R-2010-73, A Resolution of the City Council of the City of Placentia rescinding Resolution 97-R-152, and removing preferential parking privileges for residents residing on Steinbeck Street  
**(APPROVED 5 – 0, as recommended)**
  
- h. **Earthquake Insurance for Specified City Facilities**  
Financial Impact: Expense not-to-exceed: \$35,000 funds available in 001-431010-6999  
Recommendation: It is recommended that the City Council:  
 1) Approve Resolution No. R-2010-74, A Resolution of the City Council of the City of Placentia, California, approving the purchase of earthquake insurance for specified City facilities from Alliant Insurance Services in an amount not-to-exceed \$35,000 for Policy Year 2010-2011  
 2) Authorize the City Administrator to execute all documents necessary to effectuate insurance coverage  
**(APPROVED 5 – 0, as recommended)**
  
- i. **A Resolution Approving Investment Policy For 2011**  
Financial Impact: None  
Recommendation: It is recommended that the City Council:  
 1) Approve Resolution No. R-2010-75, A Resolution of the City Council of the City of Placentia acknowledging the receipt and filing of the Annual Statement of Investment Policy for the Year 2011  
**(APPROVED 5 – 0, as recommended)**

**AGENCY CONSENT CALENDAR:** None

**2. PUBLIC HEARINGS:**

**COUNCIL:** None

**3. OLD BUSINESS:** None

**4. NEW BUSINESS:**

**COUNCIL NEW BUSINESS:** None

**AGENCY NEW BUSINESS:**

- a. **Approval of Fiscal Year 2009-10 Redevelopment Agency Annual Report**  
Financial Impact: Not Applicable  
Recommendation: It is recommended that the Agency Board:  
**(APPROVED 5 – 0)**

A motion was made by Council/Agency member Underhill, seconded by Mayor Pro Tem Yamaguchi, and carried (5 – 0) to Approve the Redevelopment Agency of the City of Placentia’s Annual Report for 2009-10 and direct staff to required documents to the State of California in compliance with California Health and Safety Code 33080, et al.

AYES: Council/Agency Members Aguirre, Underhill, Wanke, Yamaguchi, Nelson  
NOES: None

b. **Award a contract to American Wrecking Inc. for demolition of Agency-owned property at 307 Baker Street**

Financial Impact:

Expenditure: \$44,280 (347536-6499)

Recommendation: It is recommended that the Agency Board:

**(APPROVED 5 – 0, as recommended)**

A motion was made by Council/Agency member Underhill, seconded by Councilmember Wanke, and carried (5 – 0) to: 1) rescind the award of a contract to Orange County Demolition Inc., made November 16, 2010 in the amount of \$36,900, 2) Award contract to American Wrecking, Inc., in the amount of \$39,294, 3) Approve a construction contingency amount of \$4,986 for construction related contingencies, if required, 4) Authorize the Executive Director, or his designee, to approve construction change orders pursuant to the requirements set forth in the construction contract in an aggregate amount not to exceed 20% of the project construction cost, 5) Authorize the Executive Director to execute contract documents on behalf of the City, in a form approved by Agency Counsel, and Approve **Resolution RA-2010-09**, A Resolution of the Board of Directors of the Redevelopment Agency of the City of Placentia authorizing expenditure of low and moderate housing income funds for demolition of agency-owned property at 307 Baker Street and awarding a contract for demolition and related site clearance.

AYES: Council/Agency Members Aguirre, Underhill, Wanke, Yamaguchi, Nelson  
NOES: None

**CITY COUNCIL/AGENCY MEMBER REQUESTS:**

Councilmember Wanke requested that staff inquire into Mr. Santos concerns and return to Council with a report.

Councilmember Nelson requested staff to refer Mr. Fenton's

**ADJOURNMENT:**

The City Council/Redevelopment Agency Board of Directors adjourned at 9:07 p.m. to December 14, 2010 at 5:30 p.m. in memory of Joe Samaniego, Josie Cortez Jimenez, and Frank Dunnivant.

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PATRICK J. MELIA, CITY CLERK/AGENCY  
SECRETARY

ATTEST:

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SCOTT W. NELSON, MAYOR/AGENCY CHAIR