

**PLACENTIA
CITY COUNCIL AND REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
October 19, 2010
6:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor Aguirre called the meeting to order at 6:00 p.m. (There was no 5:00 p.m. study session held.)

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; Interim Chief Deputy City Clerk, Vida Barone.

ORAL COMMUNICATIONS: None

The City Council/Redevelopment Agency Board of Directors recessed to the City Council Caucus Room for the purpose of conducting its Executive Session proceedings.

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(b) for Conference with Legal Counsel Regarding Anticipated Litigation – Two (2) Items
2. 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 recessed to their 7:00 p.m. Regular Meeting.

CALL TO ORDER: Mayor Aguirre called the meeting to order at 7:00 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; Assistant City Administrator, Ken Domer; Director of Administrative and Community Services, Steve Pischel; Public Works Director, Steve Drinovsky; Director of Finance, Karen

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

INVOCATION: Gary Drabek, Police Chaplain

PLEDGE OF ALLEGIANCE: Council/Agency Member Underhill

PRESENTATIONS:

- a. State of California Update
Presenter: Senator Bob Huff
- b. Proclamation: Placentia Library Friends Foundation
Recipient: PLFF President Brenda Benner and
Library Board of Trustees President Al Shkoler
Presenter: Mayor Aguirre
- c. Orange County Transportation Authority Report – OC Bridges Project
Presenter: Joel Toolson and Tresa Oliveri
- d. OC Human Relations Commission – Annual report
Presenter: Commissioner Vincent De Vargas

EXECUTIVE SESSION REPORT: The City Attorney/Agency Counsel reported that the Council/Agency met in Closed Session to discuss the items listed on the agenda. There were no reportable actions and nothing further to report.

CITY ADMINISTRATOR REPORT: City Administrator Troy Butzlaff announced the upcoming annual community "shredding and e-waste" event and the Senior Health Fair. He also announced the seasonal "break" of the Placentia Fresh Farmer's Market.

ORAL COMMUNICATIONS:

Pat Alvarez announced the upcoming "Blue Star Banner Salute" event.

Gloria Hebert requested that the City Council revisit the Ordinance related to recreational apparatus. She requested a waiver on the code violation notice that she received at her residence.

Jeff Gerhardt spoke regarding the upcoming November 2, 2010 election. He commented on alleged violations of the Fair Political Practices Commission (FPPC) and the Municipal Code related to campaign signs.

Chad Wanke expressed concerns regarding the City's monitoring and removal of campaign signs.

CITY COUNCIL/AGENCY MEMBER COMMENTS AND REPORTS:

Council/Agency Member Nelson spoke regarding the OCTA's grade separation projects, Proposition 22, which would protect local funds from state raids, a rally which featured Sarah Palin, and the pink ribbon displays in the Police vehicles in support of Breast Cancer prevention.

Council/Agency Member Yamaguchi thanked volunteers and staff for their efforts related to the Placentia Heritage Festival and noted his attendance at the Placentia Westgate Subcommittee meeting.

Mayor Pro Tem/Vice Chair Underhill noted the fee that the State will tack on to each parking ticket issued and requested a proliferation of "no parking" due to street sweeping signs so that the State does not receive extra funding from ticketing.

Council/Agency Member Sowards spoke regarding the Vector Control District's information regarding fire ants. He also commented on the success and attendance at the recent Heritage Festival.

Mayor/Agency Chair Aguirre welcomed his uncle to tonight's meeting, thanked all the volunteers and staff involved in the Heritage Festival, noted his recent ride-a-long with the Placentia Police Department, commented on the streamlining of the agenda, and the upcoming grade separation meetings.

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

A motion was made by Council/Agency Member Sowards, seconded by Mayor Pro Tem/Vice Chair Underhill, and carried (5 - 0) to approve Consent Calendar Item Nos.1.a. through 1.g.

AYES: Nelson, Sowards, Yamaguchi, Underhill, Aguirre
NOES: None.

COUNCIL/AGENCY

a. Consideration to Waive Reading in Full of all Ordinances and Resolutions

Financial Impact: None

Recommended Action: Approve

(APPROVED 5-0)

COUNCIL:

**b. Minutes
Regular Meeting – October 5, 2010**

Recommended Action: Approve

(APPROVED 5-0)

c. Warrant Register for October 6, 2010 through October 19, 2010

Financial Impact: \$514,610.01

Recommended Action: Approve

(APPROVED 5-0)

d. Approval of City Policy No. 430 Cash Basis Fund Records and Transfers

Financial Impact: None

Recommended Action: It is recommended that City Council:

- 1) Adopt **Resolution R-2010-61**, A Resolution of the City of Placentia Amending the City of Placentia Policy and Procedure Manual Pertaining to Cash Basis Fund Records and Transfers

(APPROVED 5-0)

e. **Approval of Year-End Fund Transfers for Fiscal Year 2009/2010**

Financial Impact: Refer to Resolution No. R-2010-62 for Impact to Selected Funds

Recommended Action: It is recommended that City Council:

- 1) Adopt **Resolution R-2010-62**, A Resolution of the City of Placentia Authorizing a Budget Amendment in Fiscal Year 2009/10 in the Aggregate Amount of \$223,000.00 in Compliance with City Charter Requiring Sufficient Appropriations for Actual Expenditures

(APPROVED 5-0)

AGENCY:

f. **Minutes**

Regular Meeting – October 5, 2010

Recommended Action: Approve

(APPROVED 5-0)

g. **Warrant Register for October 6, 2010 through October 19, 2010**

Financial Impact: \$5,309.47

Recommended Action: Approve

(APPROVED 5-0)

2. PUBLIC HEARINGS:

COUNCIL:

a. **Consideration of Amendments to the City's Building Codes and Regulations**

Recommended Action: It is recommended that the City Council:

- 1) Conduct a public hearing
- 2) Introduce, for first reading, **Ordinance No. 0-2010-10**, An Ordinance of the City Council of the City of Placentia, California repealing Chapter 18.04 of Title 18 and Chapters 20.03, 20.04, 20.08, 20.12, 20.16, and 20.20 of Title 20 of the Placentia Municipal Code and adopting by reference, the California Fire Code, 2010 Edition, the California Building Code, 2010 Edition, the California Residential Code, 2010 Edition, the California Green Building Standards Code, 2010 Edition, the California Plumbing Code, 2010 Edition, the California Mechanical Code, 2010 Edition, and the California Electrical Code, 2010 Edition, including all appendices, with certain amendments, additions and deletions thereto, including fees and penalties
- 3) Set Second Reading and Adoption for November 16, 2010

(APPROVED 5-0)

A report was provided by City Attorney Arczynski and Assistant City Administrator Domer.

Mayor Aguirre opened the public hearing and public comments. There were no public comments given. Mayor Aguirre closed public comments and the public hearing.

Council consensus was reached in support of the voluntary "Tier 1" program to provide positive incentives for "green" and "sustainable" building.

A motion was made by Councilmember Nelson, seconded by Councilmember Yamaguchi, and carried (5-0) to introduce, for first reading, **Ordinance No. 0-2010-10**, An Ordinance of the City Council of the City of Placentia, California repealing Chapter 18.04 of Title 18 and Chapters 20.03, 20.04, 20.08, 20.12, 20.16, and 20.20 of Title 20 of the Placentia Municipal Code and adopting by reference, the California Fire Code, 2010 Edition, the California Building Code, 2010 Edition, the California Residential Code, 2010 Edition, the California Green Building Standards Code, 2010 Edition, the California Plumbing Code, 2010 Edition, the California Mechanical Code, 2010 Edition, and the California Electrical Code, 2010 Edition, including all appendices, with certain amendments, additions and deletions thereto, including fees and penalties and to set Second Reading and consideration of adoption for November 16, 2010.

AYES: Nelson, Sowards, Yamaguchi, Underhill, Aguirre
NOES: None.

b. **Public Hearing for an Ordinance of the City Council of the City of Placentia Amending Chapters 23.04 and 23.78 of Title 23 (Zoning Ordinance) of the Placentia Municipal Code Pertaining to Parking Structures and Parking Structures Design Regulations**

Recommended Action: It is recommended that the City Council:

- 1) Conduct a public hearing
- 2) Introduce, for first reading, **Ordinance No. 0-2010-11**, "An Ordinance of the City Council of the City of Placentia Amending Chapters 23.04 and 23.78 of Title 23 (Zoning Ordinance) of the Placentia Municipal Code Pertaining to Parking Structure Design Regulations;" and
- 3) Set a Second Reading and Adoption for November 16, 2010

A report was provided by City Administrator Butzlaff and Assistant City Administrator Domer.

Mayor Aguirre opened the public hearing and public comments. There were no public comments given. Mayor Aguirre closed public comments and the public hearing.

A motion was made by Mayor Pro Tem Underhill, seconded by Councilmember Nelson , and carried (5-0) to Introduce, for first reading, **Ordinance No. 0-2010-11**, "An Ordinance of the City Council of the City of Placentia Amending Chapters 23.04 and 23.78 of Title 23 (Zoning Ordinance) of the Placentia Municipal Code Pertaining to Parking Structure Design Regulations;" and set second reading and consideration of adoption for November 16, 2010.

AYES: Nelson, Sowards, Yamaguchi, Underhill, Aguirre
NOES: None.

3. OLD BUSINESS: None

4. NEW BUSINESS:

COUNCIL:

a. **Orange County Fire Authority Budget Update**

Councilmember Yamaguchi provided a brief update from the recent Orange County Fire Authority (OCFA) Budget Meeting. The PowerPoint slide presented was entitled: Orange

County Fire Authority Five-Year Financial Forecast (Scenario A – New Baseline with property Tax Ledger Data).

Council directed Councilmember Yamaguchi as to input on the proposed OCFA budget options and concessions with labor negotiations and tier 2 reductions.

b. **Consideration of E.T. Powell Building Renovation Project Options**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Review the different options for the Edwin T. Powell Building Renovation Project and provide appropriate direction to staff

A report was provided by Neighborhood Services Manager Nicks.

A motion was made by Councilmember Sowards, seconded by Mayor Pro Tem Underhill, and carried (5-0) to move forward with Option 5, as outlined in the staff report.

AYES: Nelson, Sowards, Yamaguchi, Underhill, Aguirre

NOES: None.

c. **Award of Franchise Agreement for Graffiti Removal, Downtown Maintenance and other Related Services**

Financial Impact:

Net annual cost reduction of \$60,000 to \$70,000

Revenue Generated \$25,000 to \$45,000 annually

Recommended Action: It is recommended that the City Council:

- 1) Award a franchise agreement to Clean City, Incorporated, for graffiti removal, downtown maintenance, and other related services and authorize the City Administrator to sign the required documents in a form approved by the City Attorney

A report was provided by Public Works Director Drinovsky.

Bill Taormina, owner of Clean City, introduced members of his staff, and spoke regarding his company's efforts to reducing graffiti in the Placentia community.

A motion was made by Councilmember Nelson, seconded by Councilmember Sowards, and carried (5-0) to Award a franchise agreement to Clean City, Incorporated, for graffiti removal, downtown maintenance, and other related services and authorize the City Administrator to sign the required documents in a form approved by the City Attorney.

AYES: Nelson, Sowards, Yamaguchi, Underhill, Aguirre

NOES: None.

CITY COUNCIL/AGENCY MEMBER REQUESTS:

Council/Agency members may make requests or ask questions of staff. If a Council/Agency member would like to have formal action taken on a requested matter, it will be placed on a future Council/Agency Agenda.

ADJOURNMENT: The City Council and the Redevelopment Agency Board of Directors adjourned to November 2, 2010 at 5:00 p.m.

