

**PLACENTIA  
REDEVELOPMENT AGENCY  
REGULAR MEETING MINUTES – STUDY SESSION  
September 21, 2010  
5:00 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

**CALL TO ORDER:** Mayor Aguirre called the meeting to order at 5:00 p.m.

**ROLL CALL:**

**PRESENT:** Agency Members Scott Nelson, Greg Sowards, Jeremy Yamaguchi,  
Vice Chair Constance Underhill, Chairman Joseph 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; Director of Finance, Steve Drinovsky; Recreation Services Manager, Mike Kudron; Neighborhood Services Manager, Jon Nicks; Management Analyst, Eddie DeLaTorre; Deputy Finance Director, Mike Nguyen; and Interim Deputy Clerk, Tania Moreno

**ORAL COMMUNICATIONS:** None.

**SS 1. Update of Westgate Specific Plan**

Recommended Action: Receive and file report and provide appropriate direction to staff.

The City Council and Redevelopment Agency adjourned to their 6:00 p.m. regular meeting for the purpose of conducting a Closed Session.

**CALL TO ORDER:**

Mayor/Chair Aguirre called the Regular Meeting to order at 6:00 p.m.

**ROLL CALL:**

**PRESENT:** Council Members Scott Nelson, Greg Sowards, Jeremy Yamaguchi,  
Mayor Pro Tem Constance Underhill, Mayor Joseph 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; and Interim Deputy Clerk, Tania Moreno

**ORAL COMMUNICATIONS:** None

**CITY COUNCIL:**

1. Pursuant to Government Code Section 549569(a) for Conference with Legal Counsel Regarding Two (2) Items of Existing Litigation.
  - a. Del Cerro Mobile Estates and S&D Associates v. City of Placentia, et. al., Orange County Superior Court Case No. 00180072

b. Arnie Pike v. City of Placentia, United States District Court of California, Case No. CV-08-8582

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
4. Pursuant to Government Code Section 54957.6 Conference with City Labor Negotiator Concerning Labor Negotiations with PCEA, PPOA, PPMA and Unrepresented Mid-Management and Management.  
City Representatives: Troy L. Butzlaff, City Administrator  
Steve Pischel, Director of Administrative and Community Services
5. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:  
Property: 312 S. Melrose Street, APN 339-393-10  
City Negotiator: Troy Butzlaff, City Administrator/Executive Director  
Negotiating Parties: Dayne Wagoner, Edge Development  
Under Negotiations: Price and Terms of Payment

**RDA:**

1. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:  
Property: 312 S. Melrose Street, APN 339-393-10  
City Negotiator: Troy Butzlaff, City Administrator/Executive Director  
Property: 226 West Santa Fe Avenue, APN 339-393-02  
Negotiating Parties: Dayne Wagoner, Edge Development  
Under Negotiations: Price and Terms of Payment

**CALL TO ORDER:**

Chair Aguirre called the Regular Meeting to order at 7:00 p.m.

**ROLL CALL:**

PRESENT: Council/Agency Members Scott Nelson, Greg Sowards, Jeremy Yamaguchi, Mayor Pro Tem/Vice Chair Constance Underhill, Mayor/Chair Joseph 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; Director of Finance, Steve Drinovsky; Recreation Services Manager, Mike Kudron; Neighborhood Services Manager, Jon Nicks; Management Analyst, Eddie DeLaTorre; Deputy Finance Director, Mike Nguyen; and Interim Deputy Clerk, Tania Moreno

**INVOCATION:** Ed Faulk, Police Chaplain

**PLEDGE OF ALLEGIANCE:** Councilmember Scott Nelson

**EXECUTIVE (CLOSED) SESSION REPORT:**

City Attorney Andrew V. Arczynski announced that the City Council/Redevelopment Agency met in Closed Session pursuant to the items listed on the agenda and that there were no reportable actions taken.

**CITY ADMINISTRATOR REPORT:**

City Administrator Troy Butzlaff announced the Police Department's upcoming "prescription medication" drop off event and the Placentia Fresh Market. Jon Nicks, Neighborhood Services Manager announced the upcoming "Neighborhood Conversation" program.

**ORAL COMMUNICATIONS:**

Erna Smith, resident, expressed concerns regarding City trees on her private property.

Erin Coggins, Placentia Chamber of Commerce, announced the Thursday "Network Connection" meeting, Grand Opening/Mixer at Placentia Linda facility, September 29, 2010 Candidate's Forum, Heritage Festival on October 9, 2010, and the reopening of CTS appliances.

Shaun Rundle, District Representative for Congressman Miller (42<sup>nd</sup> District), announcing the Service Academy process event.

Dennis Blake spoke regarding the Parking Permit program.

Ed Garcia spoke regarding the Parking Permit program.

Craig Green spoke regarding Council Item Nos. CC10 and CC14.

Rosalina Davis spoke regarding the Parking Permit program.

**REDEVELOPMENT AGENCY CONSENT CALENDAR:**

A motion was made by Agency Member Sowards, seconded by Vice Chair Underhill and carried (5-0) to approve Redevelopment Agency Consent Calendar Item Nos. RA1 through RA4.

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

**RA1 Warrant Register for August 18, 2010 through September 21, 2010**

Financial Impact: \$6,300.06  
Recommended Action: Approve

**(APPROVED 5-0)**

**RA2 Consideration to Waive Reading in Full of all Ordinances and Resolutions**

Financial Impact: None  
Recommended Action: Approve

**(APPROVED 5-0)**

**RA3 Minutes  
Regular Meeting – August 17, 2010**

Recommended Action: Approve

**(APPROVED 5-0)**

**RA4 Fiscal Year 2010-11 Budget Amendment – Low and Moderate Housing Fund**

Financial Impact: Appropriation (RDA 347536-6130) \$20,000  
(RDA 347536-6199) \$10,000

(RDA 347536-6499) \$35,000

Recommended Action: It is recommended that the Agency Board approve **Resolution RA 2010-05**, A Resolution of the Board of Directors of the Placentia Redevelopment Agency authorizing a budget amendment in Fiscal Year 2010/11 in the aggregate amount of \$65,000.00 in compliance with City Charter requiring sufficient appropriations for actual expenditures.

**(APPROVED 5-0)**

**PUBLIC HEARINGS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY ITEM:**

**CC15/RA5 Extension to Exclusive Negotiating Agreement with Edge**

Financial Impact: None

Recommended Action: It is recommended that the City Council and Agency Board do the following:

- 1) Approve the Second Extension to the Exclusive Negotiating Agreement ("ENA") with EDGE which will allow for six (6) month period of exclusive negotiation between the City/Agency and EDGE to evaluate the potential size, design, construction and operational costs, and financing options available to construct a downtown parking structure and retail plaza; and
- 2) Authorize the Mayor/Chairman to execute the Second Extension to the ENA on behalf of the City/Agency.

A brief report was provided by City Administrator/Executive Director Troy Butzlaff.

A motion was made by Council/Agency Member Sowards, seconded by Mayor Pro Tem/Vice Chair Underhill, and carried (5-0) to approve Approve the Second Extension to the Exclusive Negotiating Agreement ("ENA") with EDGE which will allow for six (6) month period of exclusive negotiation between the City/Agency and EDGE to evaluate the potential size, design, construction and operational costs, and financing options available to construct a downtown parking structure and retail plaza; and authorize the Mayor/Chairman to execute the Second Extension to the ENA on behalf of the City/Agency.

AYES: Nelson, Sowards, Yamaguchi, Underhill, Aguirre

NOES: None

**ADJOURNMENT:**

The City Council and the Redevelopment Agency Board of Directors adjourned to their Regular Meeting on October 5, 2010 at 5:00 p.m., in memory of Andrea Andreeff, Elliot Mora and Terry Turner.

\_\_\_\_\_  
PATRICK J. MELIA, SECRETARY

ATTEST:

\_\_\_\_\_  
JOSEPH V. AGUIRRE, AGENCY CHAIRMAN

**PLACENTIA**  
**CITY COUNCIL REGULAR MEETING MINUTES – STUDY SESSION**  
**September 21, 2010**  
**5:00 p.m. – City Council Chambers**  
**401 E. Chapman Avenue, Placentia, CA**

**CALL TO ORDER:** Mayor Aguirre called the meeting to order at 5:00 p.m.

**ROLL CALL:**

**PRESENT:** Council Members Scott Nelson, Greg Sowards, Jeremy Yamaguchi,  
Mayor Pro Tem Constance Underhill, Mayor Joseph 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; Associate Planner, Monique Schwartz; and Interim Deputy Clerk, Tania Moreno

**ORAL COMMUNICATIONS:** None.

**SS 1. Update of Westgate Specific Plan**

Recommended Action: Receive and file report and provide appropriate direction to staff.

**ADJOURNMENT:**

The City Council and Redevelopment Agency adjourned to their 6:00 p.m. regular meeting for the purpose of conducting a Closed Session.

**CALL TO ORDER:**

Mayor Aguirre called the Regular Meeting to order at 6:00 p.m.

**ROLL CALL:**

**PRESENT:** Council Members Scott Nelson, Greg Sowards, Jeremy Yamaguchi,  
Mayor Pro Tem Constance Underhill, Mayor Joseph 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; and Interim Deputy City Clerk, Tania Moreno

**ORAL COMMUNICATIONS:** None

**CITY COUNCIL:**

1. Pursuant to Government Code Section 549569(a) for Conference with Legal Counsel Regarding Two (2) Items of Existing Litigation.
  - a. Del Cerro Mobile Estates and S&D Associates v. City of Placentia, et. al., Orange County Superior Court Case No. 00180072

- b. Arnie Pike v. City of Placentia, United States District Court of California, Case No. CV-08-8582
- 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
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City Representatives: Troy L. Butzlaff, City Administrator  
Steve Pischel, Director of Administrative and Community Services
- 5. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:  
Property: 312 S. Melrose Street, APN 339-393-10  
City Negotiator: Troy Butzlaff, City Administrator/Executive Director  
Negotiating Parties: Dayne Wagoner, Edge Development  
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**RDA:**

- 1. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:  
Property: 312 S. Melrose Street, APN 339-393-10  
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Property: 226 West Santa Fe Avenue, APN 339-393-02  
Negotiating Parties: Dayne Wagoner, Edge Development  
Under Negotiations: Price and Terms of Payment

**CALL TO ORDER:**

Mayor Aguirre called the Regular Meeting to order at 7:00 p.m.

**ROLL CALL:**

PRESENT: Council Members Scott Nelson, Greg Sowards, Jeremy Yamaguchi,  
Mayor Pro Tem Constance Underhill, Mayor Joseph 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; Police Chief, James Anderson; Police Captain, Ward Smith; Recreation Services Manager, Mike Kudron; Neighborhood Services Manager, Jon Nicks; Management Analyst, Eddie DeLaTorre; Finance Services Manager, Mike Nguyen; and Interim Chief Deputy City Clerk, Vida Barone

**INVOCATION:** Ed Faulk, Police Chaplain

**PLEDGE OF ALLEGIANCE:** Councilmember Scott Nelson

**EXECUTIVE (CLOSED) SESSION REPORT:**

City Attorney Andrew V. Arczynski announced that the City Council/Agency Board met in Closed Session pursuant to the items listed on the agenda and that there were no reportable actions taken.

## **CITY ADMINISTRATOR REPORT:**

City Administrator Troy Butzlaff announced the Police Department's upcoming "National Take-Back Initiative" prescription medication drop off event and the Placentia Fresh Market. Jon Nicks, Neighborhood Services Manager announced the upcoming "Neighborhood Conversation" program schedule for the Gomez Center.

## **ORAL COMMUNICATIONS:**

Erna Smith, resident, expressed concerns regarding City trees on her private property.

Erin Coggins, Placentia Chamber of Commerce, announced the Thursday "Network Connection" meeting, Grand Opening/Mixer at Placentia Linda Hospital facility, September 29, 2010 Candidate's Forum, Heritage Festival on October 9, 2010, and the reopening of CTS appliances.

Shaun Rundle, District Representative for Congressman Miller (42<sup>nd</sup> District), announced the Service Academy process event.

Dennis Blake spoke regarding the Parking Permit program.

Ed Garcia spoke regarding the Parking Permit program.

Craig Green spoke regarding Council Item Nos. CC10 and CC14.

Rosalina Davis spoke regarding the Parking Permit program.

## **CITY COUNCIL COMMENTS AND REPORTS:**

Councilmember Nelson noted the following: Congressman Miller meeting, Chamber meeting, Del Cerro meeting, induction ceremony for League of Cities, recent activities in the City of Bell, the reopening of Tlaquepaque, and the recent League of California Cities and various seminars attended.

Councilmember Yamaguchi noted the following: congratulated City Treasurer Wanke on his new baby, Parking Structure subcommittee meeting, Congressman Miller meeting, Orange County Fire Authority Study Session, Placentia Library ribbon cutting, and League of California Cities meeting and various seminars attended.

Mayor Pro Tem Underhill noted the following: opening of the new Northgate Market and school traffic concerns.

Councilmember Sowards noted the following: his recent liver transplant and the support received from the community.

Mayor Aguirre noted the following: the reopening of the Northgate Market, funeral procession for Major Elliot Mora, Placentia Library room opening, and announced the Placentia Fresh Market.

## **CITY COUNCIL CONSENT CALENDAR:**

A motion was made by Councilmember Sowards, seconded by Councilmember Yamaguchi and carried (5 - 0) to approve Consent Calendar Item Nos. CC1 through CC9.

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

**CC1 Warrant Register for August 18, 2010 through September 21, 2010**

Financial Impact: \$1,118,455.43

Recommended Action: Approve

**(APPROVED 5-0)**

**CC2 Consideration to Waive Reading in Full of all Ordinances and Resolutions**

Financial Impact: None

Recommended Action: Approve

**(APPROVED 5-0)**

**CC3 Minutes**

**Regular Meeting – August 17, 2010**

Recommended Action: Approve

**(APPROVED 5-0)**

**CC4 Acceptance of Replacement Subdivision Agreement and Public Improvement Bonds for Recorded Tract Map 16445**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve and authorize the Mayor and City Clerk to execute the replacement Subdivision Improvement Agreement as submitted by the new owners of Tract 16445; and
- 2) Accept the replacement Public Improvement Bonds from Arch Insurance Company for Tract No. 16445.

**(APPROVED 5-0)**

**CC5 Request for City Council authorization to receive Federal Reimbursement through the Orange County Sheriff's Department for Emergency Planning and Management Activities, 2010 EMPG**

Financial Impact: Receipt of \$5,564 of Federal Grant Funds (Estimate)

Recommended Action: It is recommended that the City Council:

- 1) Approve and authorize the City Administrator to sign the certification forms to allow the Orange County Sheriff's Department to transfer grant funds to the City of Placentia and to sign any implementing agreements required for use of the Grant funds, (Agreements to Transfer Funds for 2010 Emergency Management Performance Great Program); and
- 2) Approve Resolution **R-2010-57**, A Resolution of the City Council of the City of Placentia authorizing a budget amendment in Fiscal Year 2010/11 in the aggregate amount of \$5,564.00 in compliance with City Charter requiring sufficient appropriations for actual expenditures.

**(APPROVED 5-0)**

**CC6 Memorandum of Understanding for North Orange County Transportation Partnership**

Financial Impact: Minimal In-Kind Staffing Expenses Due to Attendance at Meetings.

Recommended Action: It is recommended that City Council:

- 1) Approve the Memorandum of Understanding for the North Orange County Transportation Partnership; and

- 2) Authorize the Mayor to execute the Memorandum of Understanding on behalf of the City, in a form approved by the City Attorney.

**(APPROVED 5-0)**

**CC7 Ordinance Authorizing Contracting for Graffiti Abatement (Second Reading)**

Financial Impact: None

Recommended Action:

It is recommended that the City Council consider the Graffiti Abatement Contracting Ordinance and adopt said Ordinance upon second reading, by title only, and adoption of **Ordinance No. 0-2010-08**, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, ADDING A NEW § 10.56.120 TO CHAPTOR 10.56, TITLE 10, OF THE PLACENTIA MUNICIPAL CODE PERTAINING TO CONTRACTING FOR GRAFFITI ABATEMENT

**(APPROVED 5-0)**

**CC8 Approval of resolution authorizing temporary suspension of regulatory ordinances pertaining to the operation of the Heritage Festival and Parade scheduled for October 9, 2010**

Financial Impact: None

Recommended Action: It is recommended that the City Council approve **Resolution R-2010-58**, A Resolution of the City Council of the City of Placentia authorizing the temporary suspension of certain regulatory sections of the Placentia Municipal Code for the operation of City of Placentia Heritage Festival.

**(APPROVED 5-0)**

**CC9 Mandated Biennial Review of the City's Conflict of Interest Code (2010 Local Agency Biennial Notice)**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Direct staff to prepare a revised Conflict of Interest Code, include all necessary amendments, and place the document on an agenda prior to December 31, 2010, for the City Council's consideration; and
- 2) Receive and file this report.

**(APPROVED 5-0)**

**CITY COUNCIL PUBLIC HEARINGS:**

**CC10 First reading of an Ordinance Amending Chapters 23.39, 23.47, 23.105 and Chapter 23.107 of Title 23 of the Placentia Municipal Code (Zoning Code) pertaining to findings and determinations to be made by the Planning Commission regarding proposed uses within various Commercial and Manufacturing Zones**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Conduct the public hearing; and
- 2) Read the title and introduce **Ordinance No. 0-2010-09**, An Ordinance of the City Council of the City of Placentia Amending Chapters 23.39, 23.47, 23.105 and Chapter 23.107 of Title 23 (Zoning Ordinance) of the Placentia Municipal Code pertaining to use Conformity Determinations.

**(APPROVED 5-0)**

A report was presented by Ken Domer, Assistant City Administrator.

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

A motion was made by Councilmember Nelson, seconded by Councilmember Yamaguchi, and carried (5-0) to introduce **Ordinance No. 0-2010-09** for first reading by title only and to waive further reading.

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

**CC11 FY 2010/11 Supplemental Law Enforcement Services Fund (SLESF GRANT) – Approval of Future Expenditure Plan**

Financial Impact: Approximately \$100,000.00 (Positive).

Approval will establish a SLESF account for future disbursement of grant funds

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing and receive public testimony regarding the proposed use of Supplemental Law Enforcement Services Funds for Fiscal Year 2010-11; and
- 2) Adopt **Resolution R-2010-59**, A Resolution of the City Council of the City of Placentia, California, approving the recommended expenditure plan for the supplemental law enforcement services fund.

**(APPROVED 5-0)**

City Administrator Troy Butzlaff and Police Chief Anderson provided a brief report.

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

A motion was made by Mayor Pro Tem Underhill, seconded by Councilmember Yamaguchi, and carried (5-0) to adopt Resolution No. R-2010-59.

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

**CITY COUNCIL OLD BUSINESS:**

**CC12 Six month review of Downtown Placentia Parking Permit Program**

Financial Impact: Not applicable

Recommended Action: It is recommended that the City Council receive and file this report, making changes as directed by Council, if necessary.

City Administrator, Troy Butzlaff provided a brief report on the suggested changes to the program.

Council and staff discussion ensued on this topic.

A motion was made by Councilmember Nelson, seconded by Councilmember Sowards and carried (3-2) to suspend the permit parking program commencing October 1, 2010 and review the program again by April 1, 2011.

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

A motion was made by Councilmember Yamaguchi, seconded by Mayor Pro Tem Underhill, and failed to carry (2 - 3) to continue the program with reduction in fees and review again within the six months whether the program warrants continuance.

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

#### **CITY COUNCIL NEW BUSINESS:**

#### **CC13 Introduction and Scheduling of Public Hearing for an Ordinance of the City Council of the City of Placentia, California, Repealing Chapter 18.04 of the 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.**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Introduce and read the title of the ordinance, "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
- 2) Schedule a public hearing for October 19, 2010 to conduct a First Reading and take public comments on the proposed ordinance.

A brief report was provided by City Administrator Troy Butzlaff.

A motion was made by Councilmember Nelson, seconded by Mayor Pro Tem Underhill, and carried (5-0) to schedule a public hearing for October 19, 2010 to conduct a First Reading and take public comments on the proposed ordinance.

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

#### **CC14 Corrective Action Plan for Independent Audit for the Fiscal Year 2008-09**

Financial Impact: None

Recommended Action: It is recommended that the City Council receive and file the Corrective Action Plan for the year ended June 30, 2009.

A brief report was provided by City Administrator Troy Butzlaff.

A motion was made by Councilmember Sowards, seconded by Councilmember Nelson and carried (5-0) to receive and file the Corrective Action Plan for the year ended June 30, 2009.

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

**CC15 Approval to Enter Into an Agreement with California Yellow Cab for Transportation Services Under the Orange County Transportation Authority Senior Mobility Program for Fiscal Years 2008-09 through 2010-11**

Financial Impact: Expense: \$9,526 – FY 2010-2011 City Match  
Budgeted in Account#101572-6401

Recommended Action: It is recommended that the City Council:

- 1) Authorize the Mayor to enter into a professional services agreement, in a form approved by the City Attorney, with California Yellow Cab to provide transportation services under the Orange County Transportation Authority Senior Mobility Program for Fiscal Years 2008-09, 2009-10, and 2010-11.

A brief report was provided by City Administrator Troy Butzlaff.

A motion was made by Councilmember Sowards, seconded by Councilmember Yamaguchi, and carried (5-0) to Authorize the Mayor to enter into a professional services agreement, in a form approved by the City Attorney, with California Yellow Cab to provide transportation services under the Orange County Transportation Authority Senior Mobility Program for Fiscal Years 2008-09, 2009-10, and 2010-11.

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

**CITY COUNCIL REQUESTS:**

Councilmember Yamaguchi requested that the Council give staff direction to provide the "true cost" of the Parking Permit program be provided to the City Council.

The Council provided consensus direction to staff to provide a report of the "true cost" of the Parking Permit program to include hard material costs and estimates of "soft costs" related to the administration of the program.

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY ITEM:**

**CC16/RA5 Extension to Exclusive Negotiating Agreement with Edge**

Financial Impact: None

Recommended Action: It is recommended that the City Council and Agency Board do the following:

- 1) Approve the Second Extension to the Exclusive Negotiating Agreement ("ENA") with EDGE which will allow for six (6) month period of exclusive negotiation between the City/Agency and EDGE to evaluate the potential size, design, construction and operational costs, and financing options available to construct a downtown parking structure and retail plaza; and
- 2) Authorize the Mayor/Chairman to execute the Second Extension to the ENA on behalf of the City/Agency.

A brief report was provided by City Administrator/Executive Director Troy Butzlaff.

A motion was made by Council/Agency Member Sowards, seconded by Mayor Pro Tem/Vice Chair Underhill, and carried (5-0) to approve Approve the Second Extension to the Exclusive Negotiating Agreement ("ENA") with EDGE which will allow for six (6) month period of exclusive negotiation between the City/Agency and EDGE to evaluate the potential size, design, construction and operational costs, and financing options available to construct a downtown parking structure and retail plaza; and authorize the Mayor/Chairman to execute the Second Extension to the ENA on behalf of the City/Agency.

AYES: Nelson, Sowards, Yamaguchi, Underhill, Aguirre

NOES: None

**ADJOURNMENT:**

The City Council and the Redevelopment Agency Board of Directors adjourned to their Regular Meeting on October 5, 2010 at 5:00 p.m., in memory of Andrea Andreeff, Elliot Mora and Terry Turner.

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

ATTEST:

\_\_\_\_\_  
JOSEPH V. AGUIRRE, MAYOR