

**PLACENTIA  
REDEVELOPMENT AGENCY  
REGULAR MEETING  
August 17, 2010  
7:00 p.m. – City Council Chamber  
401 E. Chapman Avenue, Placentia, CA**

**MINUTES**

**CALL TO ORDER:** Chair Aguirre called the meeting to order at 7:03 p.m.

**ROLL CALL:**

**PRESENT:** Agency Members Scott Nelson, Greg Sowards, Jeremy Yamaguchi,  
Vice Chair Constance Underhill, 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, Karen Ogawa; Director of Public Works, Steve Drinovsky; Recreation Services Manager, Mike Kudron; Neighborhood Services Manager, Jon Nicks; Management Analyst, Eddie DeLaTorre; Deputy Finance Director, Mike Nguyen; Interim Chief Deputy Clerk, Vida Barone

**ORAL COMMUNICATIONS:**

Craig Green provided comments on City Council Agenda Item Nos. CC7, CC8, CC9, CC10, and CC11. He also submitted written comments to the City Clerk.

Barbara Medina provided comments on the Alta Vista Sidewalk Project. She expressed concerns regarding a lien on her residence allegedly related to the project.

Steve Lemler provided comments on awareness for the "2-1-1 Orange County" project.

**REDEVELOPMENT AGENCY CONSENT CALENDAR:**

A motion was made by Agencymember Nelson, seconded by Vice Chair Underhill, and carried (5 – 0) to approve Redevelopment Agency Consent Calendar Item Nos. RA1 through RA3.

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

**NOES:** None.

**RA1 Warrant Register for August 4, 2010 through August 17, 2010**

Financial Impact: \$18,211.73

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 – June 22, 2010 and August 3, 2010**

Recommended Action: Approve

**(APPROVED 5 – 0)**

**PUBLIC HEARINGS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**ADJOURNMENT:**

The City Council and the Redevelopment Agency Board of Directors adjourned at 8:51 p.m. to their Regular Meeting on September 7, 2010 at 6:00 p.m., in memory of Mr. Charles Marshall Ray, Sr.

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PATRICK J. MELIA, SECRETARY

ATTEST:

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JOSEPH V. AGUIRRE, AGENCY CHAIR

**PLACENTIA  
CITY COUNCIL  
REGULAR MEETING  
August 17, 2010  
6:00 p.m. – City Council Chamber  
401 E. Chapman Avenue, Placentia, CA**

**MINUTES**

**CALL TO ORDER:** Mayor Aguirre called the 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, Troy L. Butzlaff; City Attorney, Andrew V. Arczynski;  
City Clerk, Patrick J. Melia; Interim Chief Deputy Clerk, Vida Barone

**ORAL COMMUNICATIONS:** None.

**CITY COUNCIL:**

1. Pursuant to California Government Code Section 54954.5(d) for Conference with Legal Counsel Regarding Status of Certain Liability Claims Against the City
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 54956.6(c) for Conference with City’s Labor Negotiators concerning Unrepresented Management and Mid-Management Employees

City Representatives: Troy L. Butzlaff, City Administrator

The City Council reconvened to open session at 7:03 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; Director of Finance, Karen Ogawa; Director of Public Works, Steve Drinovsky; Recreation Services Manager, Mike Kudron; Neighborhood Services Manager, Jon Nicks; Management Analyst, Eddie DeLaTorre; Deputy Finance Director, Mike Nguyen; Interim Chief Deputy Clerk, Vida Barone

**INVOCATION:** Richard Kryder, Police Chaplain

**PLEDGE OF ALLEGIANCE:** Councilmember Jeremy Yamaguchi

**PRESENTATIONS:**

1. SR-57 Northbound Widening Project Presentation  
Presenter: Marissa Espino, Senior Community Relations Specialist  
Orange County Transportation Authority

Orange County Transportation Authority representatives provided a PowerPoint Presentation entitled: *SR-97 Northbound Widening Project Presentation*.

2. Project Status Report Tri-City Master Plan  
Presenter: Jeff Hutchins, Associate  
Mia Lehrer and Associates

Steve Pischel, Director of Administrative and Community Services, provided a brief background and introduced the consultant, Jeff Hutchins, who outlined the Tri-City Master Plan review methodology. A PowerPoint Presentation, entitled: *Tri-City Park Master Plan*, was provided.

3. Employee of the Quarter-General Employees  
Presenter: City Administrator, Troy Butzlaff

City Administrator Troy Butzlaff introduced and provided biographies for the Employees of the Quarter (General Employees): Jon Nicks, Neighborhood Services Manager, and Mike Kudron, Recreation Services Manager. Mayor Aguirre provided each employee with a commemorative plaque and a \$25 gift certificate.

**EXECUTIVE (CLOSED) SESSION REPORT:**

City Attorney Arczynski reported that the City Council met in Executive (Closed) Session to discuss the items as listed on the Agenda. He noted that there was no reportable action.

**CITY ADMINISTRATOR REPORT:**

City Administrator Butzlaff provided a report on the "Movies in the Park" and "Concerts in the Park" series, respectively.

**ORAL COMMUNICATIONS:**

Craig Green provided comments on Agenda Item Nos. CC7, CC8, CC9, CC10, and CC11. He also submitted written comments to the City Clerk.

Barbara Medina provided comments on the Alta Vista Sidewalk Project. She expressed concerns regarding a lien on her residence allegedly related to the project.

Steve Lemler provided comments on awareness for the "2-1-1 Orange County" project.

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

City Administrator Butzlaff affirmed that the final exhibit for agenda item no. CC7 will be provided to the City Council prior to final execution of the agreements.

Councilmember Nelson reported as follows: congratulated the Employees of the Quarter, thanked OCTA for the SR-57 widening project and grade separation project, a meeting with newly elected Supervisor Nelson, the cost of the grade separation project, and the League of California Cities Advocacy Committee meeting and proposed bill "22,"

Councilmember Yamaguchi reported as follows: his attendance at the SR-57 Groundbreaking ceremony in the City of Brea, Water Advisory Board of Orange County meeting, Anaheim Health Fair, Placentia Community Foundation meeting, Placentia Library Foundation event, and encouraged all to participate in the final "Concerts in the Park" event.

Councilmember Sowards reported as follows: encouraged residents to attend the final "Concerts in the Park" event.

Mayor Pro Tem Underhill reported as follows: her attendance at the "Concerts in the Park" event, her support of the "22" bill, and congratulated Councilmember Sowards on his award from the Boys and Girls Club.

Mayor Aguirre reported as follows: reminded residents regarding the "Concerts in the Park," "Movies in the Park" and Placentia Fresh Market, his attendance at the Placentia Library Foundation event, and mentioned the names of the qualified candidates for the November 2, 2010 election.

## **CITY COUNCIL CONSENT CALENDAR:**

A motion was made by Mayor Pro Tem Underhill, seconded by Councilmember Yamaguchi, and carried (5 – 0) to approve City Council Consent Calendar Item Nos. CC1 through CC7, with the following amendments: 1) Warrant Number 00069880 (T-Mobile) in the amount of \$6,891.93 was pulled completely from item CC1, 2) Councilmember Nelson abstained from voting on Warrant Number P03691 (page 18), and 3) Councilmember Nelson requested that item no CC5 be pulled for separate consideration.

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

### **CC1 Warrant Register for August 4, 2010 through August 17, 2010**

Financial Impact: \$1,509,202.14

Recommended Action: Approve, with the exception of Warrant Number 00069880 (T-Mobile) in the amount of \$6,891.93 and Councilmember Nelson abstaining from voting on Warrant Number

**(APPROVED 4 – 0, 1 abstention - Nelson)**

### **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 – June 22, 2010 and August 3, 2010**

**Adjourned Regular Meeting – July 27, 2010**

Recommended Action: Approve

**(APPROVED 5 – 0)**

**CC4 Adoption of City Council Resolution Amending the City of Placentia Policy and Procedure Manual to include Policy Number 826 and Rescinding Policy Number 822**

Financial Impact: Positive – To be determined

Recommended Action: It is recommended that the City Council:

1. Adopt **Resolution No. R-2010-54**, A Resolution of the City Council of the City of Placentia amending the City of Placentia Policy and Procedure Manual pertaining to City fleet operations.

**(APPROVED 5 – 0)**

**CC5 Acceptance of construction work for the Placentia Avenue American Recovery & Reinvestment Act (ARRA) Pavement Rehabilitation Project**

Financial Impact: Expense: \$738,037.48 budgeted in account 333552-6185 J/L 61031 (Construction Capital Projects);  
Revenue: \$738,037.48 account 500000-4201 J/L 61031 (\$500,000 Federal ARRA funds, \$116,467.24 Proposition 42 funds, \$121,570.24 CFD funds)

Recommended Action: It is recommended that the City Council:

1. Accept the contract work by The R.J. Noble Company for construction of the Placentia Avenue American Recovery & Reinvestment Act (ARRA) Pavement Rehabilitation Project in the total amount of \$738,037.48; and
2. Authorize the City Engineer to file a Notice of Completion with the Orange County Recorder for the project; and
3. Authorize the City Engineer to release the retention in accordance with terms of the contract.

**(APPROVED 5 – 0)**

This item was pulled for separate consideration by Councilmember Nelson.

A motion was made by Councilmember Nelson, seconded by Councilmember Yamaguchi, and carried (5 – 0) to accept the contract work by The R.J. Noble Company for construction of the Placentia Avenue American Recovery & Reinvestment Act (ARRA) Pavement Rehabilitation Project in the total amount of \$738,037.48, authorize the City Engineer to file a Notice of Completion with the Orange County Recorder for the project, and Authorize the City Engineer to release the retention in accordance with terms of the contract.

AYES: Nelson, Sowards, Yamaguchi, Underhill, Aguirre

NOES: None.

**CC6 Memorandum of Understanding with Orange County Transportation Authority for the Orangethorpe Avenue Traffic Light Synchronization Program Project**

Financial Impact: None.

Recommended Action: It is recommended that the City Council:

1. Approve Memorandum of Understanding C-9-0623 with the Orange County Transportation Authority giving permission to design and implement the Orangethorpe Avenue Traffic Synchronization Program Project; and
2. Authorize the Mayor to execute the subject Memorandum of Understanding on behalf of the City.

**(APPROVED 5 – 0)**

**CC7 Approval of construction and maintenance agreements for the Kraemer Boulevard and Placentia Avenue Grade Separation Projects between the Orange County Transportation Authority (OCTA), Burlington Northern Santa Fe Railway and the City of Placentia**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

1. Approve the draft construction and maintenance agreement (No C-0-1539) between Burlington Northern Santa Fe Railroad, the City of Placentia, and the Orange County Transportation Authority for the Placentia Avenue Railroad Grade Separation Project; and
2. Approve the draft construction and maintenance agreement (No. C-0-1663) between Burlington Northern Santa Fe Railroad, the City of Placentia, and the Orange County Transportation Authority for the Kraemer Boulevard Railroad Grade Separation Project;
3. Authorize the Mayor to execute the final construction and maintenance agreements in a form acceptable to the City Attorney.

**(APPROVED 5 – 0)**

**CITY COUNCIL PUBLIC HEARINGS:** None

**CITY COUNCIL OLD BUSINESS:**

**CC8 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 the report, and/or directing staff to make changes as directed by Council, if necessary.

Assistant City Administrator, Ken Domer, provided a brief report. Council and staff discussion ensued on this matter.

A motion was made by Councilmember Nelson, seconded by Councilmember Yamaguchi, and carried (5 – 0) to continue this item to the next Regular Meeting.

AYES: Nelson, Sowards, Yamaguchi, Underhill, Aguirre

NOES: None.

**CITY COUNCIL NEW BUSINESS**

**CC9 Consideration of Finance Department restructuring, staffing modifications and approval of authorizing resolutions.**

Financial Impact: Estimated additional expense up to \$25,000 for Fiscal Year 2010-2011 (Account 102021-5001)

Recommended Action: It is recommended that the City Council:

1. Approve the reorganization of the Finance Department to include the re-allocation and addition of positions, increase Finance Department allocations by \$25,000 and authorize the City Administrator to make required budgetary changes to the Fiscal Year 2010/11 Operating Budget; and
2. Approve **Resolution No. R-2010-55**, A resolution of the City Council of the City of Placentia authorizing a budget amendment in Fiscal Year 2010-2011 in the aggregate amount of \$25,000.00 in compliance with City Charter requiring sufficient appropriations for actual expenditures; and

3. Approve **Resolution No. R-2010-56**, A resolution of the City Council of the City of Placentia amending the position allocation and compensation plan for Fiscal Year 2010/11.

City Administrator Butzlaff provided a brief report on this item.

A motion was made by Councilmember Sowards, seconded by Mayor Pro Tem Underhill, and carried (5 – 0) to approve the reorganization of the Finance Department to include the re-allocation and addition of positions, increase Finance Department allocations by \$25,000 and authorize the City Administrator to make required budgetary changes to the Fiscal Year 2010/11 Operating Budget; and adopt Resolution No. R-2010-55 and Resolution No. R-2010-56.

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

**CC10 Ordinance authorizing contracting for graffiti abatement**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

1. Consider the Graffiti Abatement Contracting Ordinance; and Introduce by first reading, by title only, **Ordinance No. O-2010-08**, An Ordinance of the City Council of the City of Placentia, California adding a new § 10.56.120 to Chapter 10.56, Title 10, of the Placentia Municipal Code pertaining to contracting for Graffiti Abatement.

City Attorney Arczynski provided a brief report on this item.

A motion was made by Councilmember Sowards, seconded by Mayor Pro Tem Underhill, and carried (5 – 0) to introduce upon first reading, Ordinance No. O-2010-08.

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

**CC11 Formation of City Council ad hoc committees**

Financial Impact: None.

Recommended Action: It is recommended that the City Council:

1. Consider the formation of two (2) City Council ad-hoc subcommittees of two (2) Councilmembers each to serve as liaisons to the Financial Audit Oversight Committee and the Downtown Parking Structure and Retail Development Committee.

City Administrator Butzlaff provided a brief report.

A motion was made by Councilmember Sowards, seconded by Councilmember Nelson, and carried (5 – 0) to approve the formation of the two (2) City Council ad-hoc subcommittees: the Financial Audit Oversight Subcommittee and the Downtown Parking Structure and Retail Development Subcommittee.

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

The Council unanimously appointed the following members to serve on the subcommittees:

Financial Audit Oversight Subcommittee: Mayor Pro Tem Underhill, Councilmember Nelson  
Downtown Parking Structure and Retail Dev. Subcommittee: Councilmember Nelson,  
Councilmember Yamaguchi

**CC12 June 2010 Preliminary Financial Update Report (Fiscal Year 2009-2010)**

Financial Impact: None.

Recommended Action: It is recommended that the City Council:

1. Receive and file the June 2010 Preliminary Financial Update Report.

Finance Director Karen Ogawa provided a brief report.

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Nelson, and carried (5 – 0) to receive and file the June 2010 Preliminary Financial Update Report.

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

**CITY COUNCIL REQUESTS:**

Councilmember Nelson suggested that the City provided an update report on the remaining "County Island" and possible annexation of this area.

**ADJOURNMENT:**

The City Council and the Redevelopment Agency Board of Directors adjourned at 8:51 p.m. to their Regular Meeting on September 7, 2010 at 6:00 p.m., in memory of Mr. Charles Marshall Ray, Sr.

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PATRICK J. MELIA, CITY CLERK

ATTEST:

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JOSEPH V. AGUIRRE, MAYOR