



Special Meeting Agenda

August 11, 2020

Placentia City Council

SPECIAL PROCEDURES NOTICE DURING COVID-19 EMERGENCY

On March 4, 2020, Governor Newsom proclaimed a State of Emergency as a result of the threat of the COVID-19 virus.

On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which temporarily suspends requirements of the Brown Act allowing City Council Members to hold public meetings via teleconferencing and make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the City Council.

Given the health risks associated with COVID-19, please be advised that the City Council Chambers are closed to the public and some, or all, of the Placentia City Council Members may attend this meeting telephonically.

How to Observe the Meeting

To maximize public safety while maintaining transparency and public access, all City Council meetings are available to view live on AT&T Universe (Channel 99), Spectrum (Channel 3), and online at www.placentia.org/pctv.

How to Submit Public Comment

Members of the public may provide public comment by sending comments for City Council consideration by email to the City Clerk at cityclerk@placentia.org. Please limit to 200 words or less. Comments received before or during a Council meeting, until the close of the **Oral Communications** portion of the agenda, will be read into the public record, subject to the regular time limitations per speaker. Longer submittals will be included in the public record. If you are unable to provide your comments in writing, please contact the City Clerk's office for assistance at (714) 993-8231.

Americans with Disabilities Act Accommodation

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at cityclerk@placentia.org or by calling (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City Staff to make reasonable arrangements to ensure accessibility while maintaining public safety. (28 CFR 35.102.35.104 ADA Title II)

Until further notice the City will implement the guidelines of the California Department of Public Health in regards to social distancing.

The city of Placentia thanks you in advance for taking all precautions to prevent the spread of the COVID-19 virus.

The City will return to normal City Council meeting procedures as soon as the emergency has ended.



Special Meeting Agenda August 11, 2020 Placentia City Council

Ward L. Smith
Mayor

Jeremy B. Yamaguchi
Mayor Pro Tem

Craig S. Green
Councilmember

Rhonda Shader
Councilmember

Chad P. Wanke
Councilmember

Robert S. McKinnell
City Clerk

Kevin A. Larson
City Treasurer

Damien R. Arrula
City Administrator

Christian L. Bettenhausen
City Attorney

City of Placentia
401 E. Chapman Avenue
Placentia, CA 92870

Phone: (714) 993-8117
Fax: (714) 961-0283
Email:
administration@placentia.org
Website: www.placentia.org

Mission Statement

The City Council is committed to keeping Placentia a pleasant place by providing a safe family atmosphere, superior public services and policies that promote the highest standards of community life.

Vision Statement

The City of Placentia will maintain an open, honest, responsive and innovative government that delivers quality services in a fair and equitable manner while optimizing available resources.

Copies of all agenda materials are available for public review in the Office of the City Clerk, online at www.placentia.org, and at the Placentia Library Reference Desk. Persons who have questions concerning any agenda item may call the City Clerk's Office, (714) 993-8231, to make inquiry concerning the nature of the item described on the agenda.

Procedures for Addressing the Council/Board Members

Any person who wishes to speak regarding an item on the agenda or on a subject within the City's jurisdiction during the "Oral Communications" portion of the agenda should fill out a "Speaker Request Form" and give it to the City Clerk BEFORE that portion of the agenda is called. Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak on a Public Hearing item should fill out a "Speaker Request Form" and give it to the City Clerk BEFORE the item is called.

The Council and Board members encourage free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of an entire group. To encourage all views, the Council and Board discourage clapping, booing or shouts of approval or disagreement from the audience.

PLEASE SILENCE ALL PAGERS, CELL PHONES, AND OTHER ELECTRONIC EQUIPMENT WHILE COUNCIL AND BOARD MEMBERS ARE IN SESSION.

Special Accommodations

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City Staff to make reasonable arrangements to ensure accessibility.
(28 CFR 35.102.35.104 ADA Title II)

In compliance with California Government Code § 54957.5, any writings or documents provided to a majority of the City Council regarding any item on this agenda that are not exempt from disclosure under the Public Records Act will be made available for public inspection at the City Clerk's Office at City Hall, 401 East Chapman Avenue, Placentia, during normal business hours.

Study Sessions are open to the public and held in the City Council Chambers or City Hall Community Room. Executive Sessions are held in the Council Caucus Room. While the public may be in attendance during oral announcements preceding Executive Sessions, Executive Sessions are not open to the public.

**PLACENTIA CITY COUNCIL
SPECIAL MEETING AGENDA
August 11, 2020
5:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

PRIOR TO ROLL CALL:

ROLL CALL: Councilmember Green
Councilmember Shader
Councilmember Wanke
Mayor Pro Tem Yamaguchi
Mayor Smith

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATION: None

CITY ADMINISTRATOR REPORT:

ORAL COMMUNICATIONS: (PLEASE SEE PAGE ONE FOR SPECIAL INSTRUCTIONS ON SUBMITTING PUBLIC COMMENT DURING THE COVID-19 CRISIS)

At this time the public may address the City Council concerning any agenda item, which is not a public hearing item, or on matters within the jurisdiction of the City Council. There is a five (5) minute time limit for each individual addressing the City Council.

CITY COUNCIL MEMBER COMMENTS:

1. CONSENT CALENDAR (Item 1.a.):

All items on the Consent Calendar are considered routine and are enacted by one motion approving the recommended action listed on the Agenda. Any Member of the City Council or City Administrator may request an item be removed from the Consent Calendar for discussion. All items removed shall be considered immediately following action on the remaining items.

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

Fiscal Impact: None

Recommended Action: Approve

2. PUBLIC HEARING: None

3. REGULAR AGENDA:

3.a. Resolution Announcing Public Financing Authority (PFA) Hearing Dates for the Placentia Enhanced Infrastructure Financing District (Placentia EIFD)

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2020-52, a Resolution of the City Council of the City of Placentia, California fixing the dates, times and place for the meeting and public hearings on the Infrastructure Financing Plan for Placentia Enhanced Infrastructure Financing District; and
- 2) Authorize the City Administrator, or his designee, to execute all documents necessary, substantially in a form approved by the City Attorney.

CITY COUNCIL MEMBERS REQUESTS:

Council Members may make requests or ask questions of Staff. If a Council Member would like to have formal action taken on a requested matter, it will be placed on a future Council Agenda.

ADJOURNMENT:

The City Council will adjourn to Tuesday, September 1, 2020 at 5:30 p.m.

CERTIFICATION OF POSTING

I, Rosanna Ramirez, Acting Deputy City Administrator/Director of Administrative Services of the City of Placentia and Assistant Secretary of the Industrial Commercial Development Authority and Successor Agency, hereby certify that the Agenda for the August 11, 2020 Special Meeting of the City Council was posted on August 7, 2020.

Rosanna Ramirez
Acting Deputy City Administrator



Placentia City Council

AGENDA REPORT

TO: CITY COUNCIL

VIA: CITY ADMINISTRATOR

FROM: DIRECTOR OF DEVELOPMENT SERVICES

DATE: AUGUST 11, 2020

SUBJECT: **RESOLUTION ANNOUNCING PUBLIC FINANCING AUTHORITY (PFA) HEARING DATES FOR THE PLACENTIA ENHANCED INFRASTRUCTURE FINANCING DISTRICT (PLACENTIA EIFD)**

FISCAL
IMPACT: None

SUMMARY:

The Placentia Enhanced Infrastructure Financing District ("Placentia EIFD") was formed as a partnership between the City of Placentia and the County of Orange in July 2019 as the first successful City/County EIFD partnership in the State of California since EIFD legislation was first authorized in 2014. District formation was partially funded with assistance from the Southern California Association of Governments ("SCAG") Special District Pilot Project Program.

The Placentia EIFD was established as a means to fund critical infrastructure of communitywide and regional significance with focus on the Old Town Placentia Revitalization Plan area, by providing a means to capture property tax increment revenue ("TI") generated by new development within the district. On January 1, 2020, California EIFD legislation was revised to incorporate Assembly Bill 116 ("AB 116"), which modified both the process by which EIFDs are formed and the requirements to achieve approval to issue debt secured by EIFD revenues. The AB 116 process requires three (3) public hearings to be held at least 30 days apart so that the PFA staff can present the EIFD Infrastructure Financing Plan ("IFP") in a public forum and receive input from landowners and residents within the district. If there is no majority protest, the PFA may approve both district formation and future debt issuance by the EIFD with a majority vote of the PFA board, without a subsequent vote by the landowners or registered voters within the district.

Although the IFP was previously approved under the previous regulatory guidelines (prior to AB 116), Staff has conferred with municipal advisor Kosmont Transactions Services, and bond counsel firm Nixon Peabody, and has determined that the most appropriate course of action is to essentially "re-approve" the IFP under the current EIFD guidelines for district formation (pursuant to AB 116).

Accordingly, the action proposed for the City Council is to adopt the resolution to formally announce and set forth the future PFA public hearing dates in order to comply with the current EIFD statute and achieve authorization to issue EIFD debt.

3.a.
August 11, 2020

RECOMMENDATION:

It is recommended that the City Council take the following actions:

1. Adopt Resolution No. R-2020-XX, a Resolution of the City Council of the City of Placentia, California fixing the dates, times and place for the meeting and public hearings on the Infrastructure Financing Plan for Placentia Enhanced Infrastructure Financing District; and
2. Authorize the City Administrator, or his designee, to execute all documents necessary, substantially in a form approved by the City Attorney.

DISCUSSION:

The Placentia Enhanced Infrastructure Financing District ("Placentia EIFD") was formed as a partnership between the City of Placentia and the County of Orange in July 2019 as the first successful City/County EIFD partnership in the State of California since EIFD legislation was first authorized in 2014. District formation was partially funded with assistance from the Southern California Association of Governments ("SCAG") Special District Pilot Project Program and facilitated by SCAG's subject matter expert consultant, Kosmont Companies.

The Placentia EIFD is a governmental entity, separate and distinct from the City and the County, and is governed by the Placentia EIFD Public Financing Authority ("PFA"), which is comprised of two (2) members of the Placentia City Council, one (1) Orange County Supervisor, and two (2) members of the public appointed by the City Council and County Board of Supervisors.

The Placentia EIFD was established as a means to fund critical infrastructure of communitywide and regional significance with focus on the Old Town Placentia Revitalization Plan area, by providing a means to capture property tax increment revenue ("TI") generated by new development within the district. EIFDs provide an opportunity for agencies to issue bonds for an array of public infrastructure projects as well as supporting economic development efforts. At the time of district formation, it was assumed that the PFA would seek authorization to issue debt in the future pursuant to the requirements of the EIFD statute that were then in effect, which stipulated a 55% voter approval by the landowners or registered voters, as applicable, within the EIFD boundary.

On January 1, 2020, California EIFD legislation was revised to incorporate Assembly Bill 116 ("AB 116"), which modified both the process by which EIFDs are formed and the requirements to achieve approval to issue debt secured by EIFD revenues. The AB 116 process requires three (3) public hearings to be held at least 30 days apart so that the PFA staff can present the EIFD Infrastructure Financing Plan ("IFP") in a public forum and receive input from landowners and residents within the district. Landowners and registered voters will have the opportunity to protest the district formation at the last of the four (4) hearings. If there is no majority protest, the PFA may approve both district formation and future debt issuance by the EIFD with a majority vote of the PFA board, without a subsequent vote by the landowners or registered voters within the district.

Although the IFP was previously approved under the previous regulatory guidelines (prior to AB 116), PFA staff has conferred with consultant Kosmont Companies, municipal advisor Kosmont Transactions Services, and bond counsel firm Nixon Peabody, and has determined that the most appropriate course of action is to essentially "re-approve" the IFP under the current EIFD guidelines for district formation (pursuant to AB 116), and thereby also achieve approval to issue debt from the EIFD via the public hearing and majority protest provisions of the current statute. Accordingly, the action proposed for the City Council is to adopt the resolution to formally announce and set forth the future PFA public hearing dates in order to comply with the current EIFD statute and achieve authorization to issue EIFD debt.

Beyond any action taken pursuant to this Staff Report and accompanying resolution announcing PFA public hearing dates, current EIFD law stipulates additional, extensive public noticing requirements, including mailed notices and published notices in an appropriate newspaper of general circulation for each hearing. These notices will occur in the future based upon the timing requirements outlined in the legislation. The action proposed to be taken tonight announcing PFA hearing dates goes above and beyond the requirements of the EIFD law in an effort to be fully transparent with all affected landowners, residents, and the larger community.

FISCAL IMPACT:

There is no fiscal impact associated with this action. This is an administrative action to comply with updated EIFD legislation.

Prepared by:

Jeannette Ortega

Jeannette Ortega
Assistant to the City Administrator/
Economic Development Manager

Reviewed and approved:

Joseph M. Lambert

Joseph M. Lambert
Director of Development Services

Reviewed and approved:

Jessica Brown

Jessica Brown
Finance Director

Reviewed and approved:

Damién R. Arrula

Damién R. Arrula
City Administrator

Attachment:

Resolution No. R-2020-XX – EIFD PFA Meeting and Public Hearing Dates

RESOLUTION NO. R-2020-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA FIXING THE DATES, TIMES AND PLACE FOR MEETING AND PUBLIC HEARINGS ON THE INFRASTRUCTURE FINANCING PLAN FOR PLACENTIA ENHANCED INFRASTRUCTURE FINANCING DISTRICT

A. Recitals

- (i). The California Legislature enacted California Government Code (Code) sections 53398.50 through 53398.88 (EIFD Law) authorizing cities to form enhanced infrastructure financing districts and use specified property tax increment revenue generated within such districts to finance certain infrastructure and community benefit projects; and
- (ii). In enacting the EIFD Law, the California Legislature found and determined that with the dissolution of redevelopment agencies, public benefits will accrue, if local agencies finance certain public infrastructure and community benefit projects authorized under the EIFD Law; and
- (iii). The City Council has determined that it will be beneficial to the City of Placentia (City) to form the Placentia Enhanced Infrastructure Financing District (Placentia EIFD); and
- (iv). By Resolution No. R-2019-05 the City Council has (1) stated its intention that the Placentia EIFD is proposed to be established under the EIFD Law; (2) identified the boundaries of the proposed Placentia EIFD; (3) identified the types of public facilities and development proposed to be financed or assisted by the proposed Placentia EIFD; (4) described the need for the proposed Placentia EIFD and the goals the Placentia EIFD proposes to achieve; (5) confirmed that incremental property tax revenue from the City and some, all or none of the affected taxing entities within the proposed Placentia EIFD may be used to finance these activities; and (6) set a time and place for a public hearing on the proposed Placentia EIFD; and
- (v). By Resolution No. 19-032 the County of Orange Board of Supervisors has stated its intention to participate in the Placentia EIFD and Public Financing Authority; and
- (vi). By Resolution No. R-2019-23 the City Council established the Placentia Enhanced Infrastructure Financing District Public Financing Authority (PFA); and
- (vii). Pursuant to the EIFD Law, an Infrastructure Financing Plan (IFP) has been developed for the Placentia EIFD which defines the boundaries of the Placentia EIFD, identifies the public infrastructure improvements, and the financial analysis of expected tax increment over the life of the EIFD to allow for the issuance of bonds to pay for the identified public infrastructure improvements; and

(viii). By Resolution No. R-2019-28 the City Council approved the IFP for Placentia EIFD and the allocation of the City's incremental tax revenue from the boundaries of the Placentia EIFD pursuant to Government Code Section 53398.75 et seq.; and

(ix). By Resolution No. 19-060 the County of Orange Board of Supervisors approved the IFP for Placentia EIFD and the allocation of the County's incremental tax revenue from the boundaries of the Placentia EIFD; and

(x). By Resolution No. PFA-2019-01 the PFA approved the IFP for Placentia EIFD and the allocation of the City's and County's incremental tax revenue from the boundaries of the Placentia EIFD; and

(xi). EIFD Law authorized the PFA to issue bonds upon approval by 55% of the voters voting on a proposal to issue the bonds; and

(xii). Assembly Bill No. 116 (AB 116) was enacted to authorize the PFA to issue bonds without submitting a proposal to the voters and requires the PFA to hold 3 public hearings on an enhanced infrastructure financing plan; and

(xiii). All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. The facts set forth in the Recitals, Part A of this Resolution, are true and correct.

2. **Meeting.** The City Council hereby established September 2, 2020, at the hour of 5:00 p.m. or as soon as possible thereafter as the matter may be heard, at the Council Chambers, 401 E. Chapman Avenue, Placentia, California, as the date, time and place, when and where the PFA will conduct a meeting to present the draft IFP for Placentia EIFD, answer questions about the IFP for Placentia EIFD, and consider comments about the IFP for Placentia EIFD.

3. **Public Hearing.** The City Council hereby establishes October 14, 2020, November 18, 2020 and January 6, 2021, at the hour of 5:00 p.m. or as soon as possible thereafter as the matter may be heard, at the Council Chambers, 401 E. Chapman Avenue, Placentia, California, as the dates, time and place, when and where the PFA will conduct a public hearing on the IFP for Placentia EIFD.

4. **Mailing and Publication of Notices.** The City Clerk and all other officers and agents of the City are hereby authorized and directed to provide notices of the public hearings as required under the EIFD Law and to take all actions necessary or advisable to give effect to the transactions contemplated by this Resolution.

5. That the Mayor shall sign, and the City Clerk shall attest to the passage and adoption of this Resolution.

APPROVED and ADOPTED this 11th day of August 2020.

Ward L. Smith, Mayor

ATTEST:

Robert S. McKinnell, City Clerk

STATE OF CALIFORNIA
COUNTY OF ORANGE

I, Robert S. McKinnell, City Clerk of the City of Placentia do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 11th day of August 2020 by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

Robert S. McKinnell, City Clerk

APPROVED AS TO FORM:

Christian L. Bettenhausen, City Attorney