

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
PLACENTIA PUBLIC FINANCING AUTHORITY
REGULAR MEETING AGENDA - CLOSED SESSION
April 19, 2022
5:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

SPECIAL PROCEDURES NOTICE

On March 4, 2020, pursuant to California Government Code Section 8625, Governor Newsom declared a State of Emergency as a result of the threat of the COVID-19 virus.

On September 17, 2021, Governor Newsom signed AB 361, which went into immediate effect as urgency legislation. AB 361 added subsection (e) to Section 54953 to authorize legislative bodies to conduct remote meetings provided the legislative body makes specified findings. As of February 9, 2022 it was reported that the COVID-19 pandemic had killed more than 81,811 Californians. Social distancing measures decrease the chance of the spread of COVID-19.

Given the health risks associated with COVID-19, please be advised that while the City Council Chambers are open to the public, some or all of the Placentia City Council Members may attend this meeting via teleconference. Those locations are not listed on the agenda and are not accessible to the public.

How to Observe the Meeting

To maximize public safety while maintaining transparency and public access, in addition to being open to the public, all City Council meetings are available to view live on AT&T U-verse (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 in person or comments may be sent for City Council consideration by email to the City Clerk at cityclerk@placentia.org. Please limit submitted comments to 200 words or less. Comments received before or during a Council meeting, until the close of the **Oral Communications** portion of the agenda, may not be read during the City Council meeting but will be summarized in the public record and are 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 regarding social distancing.

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

CALL TO ORDER: Mayor Shader called the meeting to order at 5:30 p.m.

ROLL CALL:

PRESENT: Councilmember/Board Member Green, Smith, Yamaguchi (remotely), Wanke, Shader
ABSENT: None

ORAL COMMUNICATIONS:

Mayor Shader opened Oral Communications for the Closed Session. City Clerk McKinnell stated that the City Clerk’s Office had received no public comment for the Closed Session.

The City Council and Boards of Directors recessed to the City Council Caucus Room for the purpose of conducting their Closed Session proceedings on the following:

- 1. Pursuant to Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATOR
 Property: 312 S. Melrose Street
 Agency Negotiator: Damien R. Arrula, City Administrator
 Negotiating Party: Damien R. Arrula, City Administrator
 Under Negotiations: Price and Terms of Payment

- 2. Pursuant to Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATOR
 Property: 320 S. Walnut Avenue
 Agency Negotiator: Damien R. Arrula, City Administrator
 Negotiating Party: Mission De Fe, Property Owner
 Under Negotiations: Price and Terms of Payment

RECESS: The City Council and Boards of Directors recessed to their 7:00 p.m. Regular Meeting.

CALL TO ORDER: Mayor Shader called the meeting to order at 7:00 p.m.

ROLL CALL:

PRESENT: Councilmember/Board Member Green, Smith, Yamaguchi (remotely), Wanke, Shader
ABSENT: None

STAFF PRESENT:

City Attorney/Authority Counsel Christian Bettenhausen; City Administrator Damien Arrula; Deputy City Administrator Rosanna Ramirez; Deputy City Administrator Luis Estevez; Police Chief Brad Butts; Fire Department Battalion Chief Jason Dobine; Director Finance Jennifer Lampman; Director of Community Services Karen Crocker; Director of Development Services Joe Lambert; Assistant to the City Administrator/Economic Development Manager Jeannette Ortega; City Clerk Robert McKinnell; Deputy City Clerk Karen O’Leary

INVOCATION: Chaplain Kenneth Milhander

PLEDGE OF ALLEGIANCE: Police Captain Brian Perry

PRESENTATIONS:

- 1. **Presentation on 2022 Placentia Youth Basketball Championship Teams**
Presenter: Mayor Shader and Community Services Coordinator Matt Brand

Mayor Shader introduced Community Services Supervisor Brandon Messer who gave a presentation on 2022 Placentia Youth Basketball Championship Teams and introduced the team members as Mayor Shader presented awards to each member of the team for their participation of winning the 2022 Placentia Youth Basketball Championship.

- 2. **Presentation on April 29, 2022 as Arbor Day**
Presenter: Mayor Shader and Public Works Management Analyst Elsa Robinson

Mayor Shader congratulated and presented a certificate of recognition to Elsa Robinson. Ms. Robinson gave a brief presentation regarding the Urban Forest Program and its 3rd year tree planting celebration.

- 3. **Citizens’ Oversight Committee Update**

Presenter: Glenn Casterline, Citizens' Oversight Committee Member

4. **Proclamation of April 2022 as Donate Life Month**

Presenter: Mayor Shader and Rene Sorrentino, OneLegacy Ambassador

Mayor Shader presented the proclamation to Rene Sorrentino who briefly described how an organ donation saved her life and inspired her to be an ambassador for *Donate Life California*.

Mayor Shader introduced Measure U Citizens' Oversight Committee Member Glenn Casterline who gave a report and update on Measure U – Interdepartmental Policy 460.

Mr. Casterline displayed a PowerPoint presentation on suggested revisions to Policy 460 which established a General Fund Reserve Policy. The Committee reviewed the Policy to identify areas for possible revision and/or clarification. All revisions to the policy require 4/5th vote of City Council.

The policy created a general fund reserve and established revenue allocation guidelines. The policy established the allocation of Measure U revenue to be placed in different accounts. Fifty percent going to infrastructure, twenty percent going to employee retention, ten percent for post-employment and twenty percent to the general fund. First, it would be running through surplus and the second would be allocation of new ongoing revenue with respect to Measure U.

The Oversight Committee recommends the City clarifies the language regarding allocation of funds depending upon satisfaction of the reserve level goal and add specific language to cover maintaining or replenishing scenarios. The Oversight Committee also suggests that the City adjust the allocation levels depending upon reserve level status to reflect discretionary nature of allocation categories. The recommendations are suggested allocations that the general fund reserves continue to go to ten percent and borrow that ten percent from the infrastructure. Instead of the infrastructure being at sixty percent it will go down to fifty percent and the general fund will go to ten percent. The other percentages remain the same. The other idea is creating a third waterfall if we met the reserve requirements and we had to draw upon the reserves. The recommendation is employee retention is still going to be very important even during times you have economic crisis. Borrowing from ten percent of our infrastructure and put that ten percent into the employee retention, the idea is to do two things during this difficult time. Maintain City services by not having to lay employees off and at the same time putting money back on those reserves.

In conclusion, the Oversight Committee is asking Council to receive and file; to provide direction to City Staff regarding the desire to follow-up on the recommendations to revise and update policy and have the Oversight Committee work with City staff to draft specific language to modify however the City Council may direct.

Mayor Shader expressed her appreciation and thanked Mr. Casterline and the Committee for thoughtfully reviewing the policy and giving a great presentation. Mayor Shader directed City Administrator Arrula to bring back as a future agenda item to go over Staff changes, and what the ramification will be.

Councilmember Yamaguchi would like to bring this item back and look at it further and thanked Mr. Casterline on his thoroughness and effective summary of the detailed report.

Mayor Pro Tem Wanke would like Staff's review to include all recommendations made by the Committee for discussion, to review each one individually and discuss the merits of each point.

CLOSED SESSION REPORT:

City Attorney/Authority Counsel Bettenhausen stated that there were two (2) items on the Closed Session agenda and Council provided direction and there was nothing further to report.

CITY ADMINISTRATOR REPORT

City Administrator Arrula introduced Human Resources Analyst Jo Baez. Jo previously worked for the City of Chino Hills in the City Managers office and is currently working on her Master's Degree in Public Administration.

Mr. Arrula also acknowledged a team member that will be retiring this week, Deputy City Clerk Karen O'Leary. Karen has been working with the City of Placentia since 2018, before joining, Karen was a City Clerk Specialist for the City of Brea. We will miss her and wish her the best.

ORAL COMMUNICATIONS: None.

CITY COUNCIL/BOARD MEMBER COMMENTS:

Councilmember Yamaguchi commented on his attendance of the groundbreaking for the new project the Hudson. He wanted to congratulate the Development Services team for getting that project processed. Councilmember Yamaguchi also attended a PARC Commission meeting last week and commended them for their work with Park renovations throughout the city.

Councilmember Smith invited residents and businesses to participate in the Legacy Brick Program. As part of the restoration of the Kraemer Memorial Park Dolphin Fountain in partnership with the Placentia Community Foundation to incorporate a legacy brick dedication program. The City and Foundation will soon be selling personalized commemorative bricks to the community for installation in the fountain plaza area as part of this legacy project. Brick sales are scheduled to begin by April 25th and cost \$130 each. Placentia seniors (65+) can purchase a brick for \$95. For questions about the Legacy Brick Program, visit www.placentia.org/legacybrick or contact Community Services at (714) 993-8232.

Councilmember Smith commented on his attendance with Councilmember Green and City Staff at the Joint Use meeting between the City and the Library Staff going over programming operations and facility needs. Councilmember Smith also attended the Easter Eggcitement, which was a well-attended Library event backed by the City of Placentia and the Community Services Group did a great job. Councilmember Smith attended the Hudson groundbreaking and the development event along with Councilmember Yamaguchi and other Councilmembers that brings much needed opportunities to those neighborhoods. He attended the Islamic Center of Yorba Linda Inter-Faith Council meeting, participated in their Iftar meal at the end of Ramadan and it was well attended event with other Electeds from other Cities and other faith-based organizations.

Councilmember Smith offered a special thanks to the Police Department, they did a presentation in their Roll Call room on AB41 and in a grander sense of transparency in what's going on, I want to thank Sergeant MacCubbin, Captain Perry, Captain McElhinney, Detective Martinez and other PD Staff. They talked about the use of equipment, the application of how they are used and the intent behind it. He attended the park renovation ribbon cutting, the First Responder Park on Valencia was great.

Councilmember Smith commented on his attendance of the California League of Cities discussion on Senior Centers, Senior programming and what that looks like today.

Councilmember Green announced that the City, in partnership with Republic Services, would be hosting a Community Cleanup event on Thursday, April 21, 2022, from 3:00 to 6:00 p.m. at Tri-City Park. The event would be a free bulky-item drop-off event and a Meet & Greet with City and Republic Services staff featuring a Touch-A-Truck station and an information booth. The event would be on a first come, first served basis, with proof of residency required. No drop-offs would be accepted after 6:00 p.m., and the event may end early if capacity was reached. Those interested could contact Public Works at (714) 993-8123 or at recycling@placentia.org.

Councilmember Green noted he wanted to thank Karen O'Leary for all her work and services since she's been at the City.

Councilmember Green commented on his attendance on the Ribbon Cutting, Grand Opening of Pizza Rabbits at Yorba Linda and Kraemer. He participated in a free Community Shredding and E-Waste Recycling event at the Civic Center and was able to get rid of 2 large boxes. He attended an Orange County Mosquito Vector Control District meeting and thanked the Director Rick Howard.

Councilmember Green noted his attendance at the Fire Department Phase I at the First Responders Park on Valencia. Attended the 57 Anniversary of Taci Paki, had lunch with Congresswoman Young Kim, her staff and with Mayor Shader. Councilmember Green commented that April 28th is Holocaust Remembrance Day.

Mayor Pro Tem Wanke noted his attendance at Ribbon Cutting Event at Koch Park, he appreciates all the City invested making the park come back to life. We have first phase and the additional second phases will be forthcoming. He also attended the Tiny Tots program, which was a great turnout from the neighborhood, City Council and First Responders.

Mayor Pro Tem Wanke attended a ribbon cutting on the Hudson and stated that it is a great improvement and will give us more variety and we'll have new housing opportunities to give the City of Placentia.

Mayor Shader noted the Community Services team had a lot going on, made everything very special and worked very hard to have new parks.

Mayor Shader enjoyed welcoming Congresswoman Young Kim on Friday into our City, she came with the purpose of thanking two of our downtown businesses and their contributions to the community.

Mayor Shader conveyed that she also wanted to wish Karen O'Leary well on her retirement, she had been very valuable to the City Council as a whole and having a great right hand keeping the Council on point.

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

Motion by Green, seconded by Smith, and carried a (5-0) vote to approve the remaining Consent Calendar items., as recommended.

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

Fiscal Impact: None

Recommended Action: Approve

(Approved 5-0, as recommended)

1.b. Minutes

Regular City Council Meeting: April 5, 2022

City Council Special Meeting: April 12, 2022

Recommended Action: Approve

(Approved 5-0, as recommended)

1.c. City Fiscal Year 2021-22 Register for April 19, 2022

Check Register

Fiscal Impact: \$2,778,145.99

Electronic Disbursement Register

Fiscal Impact: \$1,257,226.31

Recommended Action: It is recommended that the City Council:

1) Receive and file

(Approved 5-0, as recommended)

1.d. Making the Legally Required Findings to Continue to Authorize the Conduct of Remote "Telephonic" Meetings during the State of Emergency

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

1) Approve Resolution R-2022-19, a Resolution of the City Council of the City of Placentia, California, making the legally required findings to continue to authorize the conduct of remote "telephonic" meetings during the state of emergency.

(Approved 5-0, as recommended)

1.e. Fiscal Recap of 2021 Heritage Festival and Approval of 2022 Event

Fiscal Impact: 2021 Expense: \$ 104,568 Total Event Cost

2021 Staff Cost: \$ 32,200 Includes All City Staff

2021 Supplies Cost: \$ 72,368 General Fund

2021 Revenue: \$ 23,474

2022 Expense: \$ 75,600

Estimated Supply/Equipment Expenditures for FY 2022-23

Recommended Action: It is recommended that the City Council:

- 1) Approve the Heritage Committee's recommendation of event date and location for the 2022 Heritage Parade and Festival; and
- 2) Consider the Heritage Committee's request for the City to fund \$75,600 for the 2022 Heritage Festival in the Fiscal Year 2022-23 budget.

(Approved 5-0, as recommended)

2. PUBLIC HEARING:

2.a. Continued Public Hearing: Adoption of Proposed Overhead Cost Allocation Study and Comprehensive Fee and Rate Schedule

Fiscal Impact: The proposed fee changes as of July 1, 2022, are intended to recover the cost of providing existing services associated with those fee-related regulatory functions and other programs.

Recommended Action: It is recommended that the City Council:

- 1) Continue the Public Hearing to consider amending the Placentia Comprehensive Fee Schedule for certain fees, rates, and charges for various City user services; and
- 2) Receive the Staff report, consider all public testimony, and discuss the proposed fees; and
- 3) Close the public hearing; and
- 4) Adopt Resolution No. R-2022-17, a Resolution of the City Council of the City of Placentia, California, establishing and adopting certain City fees, rates, and charges for various City services with an effective date of July 1, 2022, for Fiscal Year 2022-23.

(Approved 4-0-1, as recommended, Wanke absent)

Mayor Shader opened the continued Public Hearing at 8:10 p.m.

Mayor Shader mentioned we took this presentation, we heard this presentation, and continued the Item 2. Public Hearing 2.a. to give the utilities agencies and members of the public time to understand and comprehend it. We allowed time for that and asked Mr. Schroeder if he had anything he wanted to offer the Council tonight.

ClearSource Senior Consultant David Schroeder responded, we met with various residents, including the utilities to address their concerns and questions, and Staff recommendation is as it is written this evening.

City Clerk McKinnell asked if there were any members of the public that that would like to comment and stated there is none. City Clerk McKinnell noted that the City Clerk's Office had received (1) electronic communication for public comment from the Building Association of Southern California Orange County Chapter for Item 2.a. and read it for the record.

Mayor Shader closed the public hearing at 8:20 p.m.

Motion by Green, seconded by Smith, and carried a (4-0-1, Wanke Absent) vote to approve Item 2.a., adoption of Proposed Overhead Cost Allocation Study and Comprehensive Fee and Rate Schedule.

2.b. Annual Update Regarding Citywide Development Impact Fees, Transit Oriented Development Packinghouse District Development Impact Fees, and Residential Affordable Housing Impact Fees for Cost Recovery

Fiscal Impact: These Development Impact Fees are established for cost recovery or statutory purposes only. There is no immediate fiscal impact associated with the recommended actions. The adoption of revised development impact fees and residential affordable housing impact fees will not have an immediate impact on revenues to the City until effective 60 days subsequent to adoption. This update essentially adjusts the fees commensurate with the Construction Cost Index (CCI), and therefore, does not provide unanticipated revenue, rather adjusts revenue commensurate with CCI.

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing concerning the Citywide Development Impact Fee Schedule, the Transit-Oriented Development (TOD) Packing House Development Impact Fee Schedule, and the Residential Affordable Housing Impact Fee Schedule; and
- 2) Receive the staff report, consider all public testimony, ask questions of Staff; and
- 3) Close the public hearing; and
- 4) Find that the recommended actions are exempt from CEQA pursuant to Sections 15378(b)(4), 15061(b)(3), and 15273 of the CEQA Guidelines, Section 21065 of the Public Resources Code, and the City of Placentia Local Guidelines for implementing CEQA; and
- 5) Adopt Resolution No. R-2022-21, a Resolution of the City Council of the City of Placentia, California, approving updated Development Impact Fees to financially mitigate impacts to parks and recreational facilities, sewer facilities, transportation infrastructure, storm drain facilities, and public safety, and Quimby in-lieu fees; and
- 6) Adopt Resolution No. R-2022-22, a Resolution of the City Council of the City of Placentia, California, approving updated Development Impact Fees to finance mitigation of impacts to sewer facilities, traffic and transportation infrastructure, and streetscape infrastructure in the Transit Oriented Development area; and
- 7) Adopt Resolution No. R-2022-23, a Resolution of the City Council of the City of Placentia, California, approving updated Citywide Residential Affordable Housing Impact Fees for residential developments.

(Approved 5-0, as recommended)

Mayor Shader opened the Public Hearing at 8:21 p.m.

City Administrator Arrula introduced Director of Development Services Lambert to provide a presentation on the Annual Update Regarding Citywide Development Impact Fees update.

Development Services Director Lambert gave a brief presentation on the Annual Update Regarding Citywide Development Impact Fees which included Transit Oriented Development Packinghouse District Development Impact Fees, and Residential Affordable Housing Impact Fees, which were established and retooled in 2017. Between 2017 and 2020 the City did not perform an update, so in 2021 City Council did update fees by the construction cost index from 2017 to 2021. The Council adopted an ordinance clarifying Impact Fees are collected and updated annually.

Mayor Shader asked if Council had questions.

Mayor Pro Tem Wanke asked for projects that have been submitted, do we have the ability to grandfather those projects.

Development Services Director Lambert responded, not unless there is a Development Agreement or other Conditions of Approval in place that are set forth. They're due at the time of issuance of building permits.

Mayor Pro Tem Wanke stated, we had discussion last year to make this fair for projects that were underway.

Development Services Director Lambert responded, applicants can lock themselves in by paying before or when they are issued building permits and they are aware in the condition of approval. There is language in our ordinance that the applicant would have the opportunity to ask to pay per phase structure for instance or all at once.

City Clerk McKinnell stated that the City Clerk's Office had received no electronic communications for Item 2.b.

Mayor Shader closed the public hearing at 8:31 p.m.

Motion by Smith, seconded by Green, and carried a (5-0) vote to approve Item 2.b., the Annual Update Regarding Citywide Development Impact Fees, Transit Oriented Development Packinghouse District Development Impact Fees, and Residential Affordable Housing Impact Fees for Cost Recovery.

2.c. **Public Hearing to Approve Agreement with Two Franchise Vehicle Dealers in Placentia for the Establishment of the Resident Vehicle Rebate Program as Part of the City's Buy Local Incentive Program**

Fiscal Impact: Estimated Expenditures of up to \$120,000 Annually (Not to Exceed \$360,000 over a 3-Year Term)

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing pursuant to California Government Code 53083 to consider the terms of the Economic Development Subsidy Report; and
- 2) Receive the staff report, consider all public testimony, ask any questions of Staff; and
- 3) Close the public hearing; and
- 4) Authorize the City Administrator to execute the participation agreement with Penske Audi North OC and Fairway Ford to establish the Resident Vehicle Rebate Program for the period of May 1, 2022 to April 30, 2025, for a total of \$120,000 per year, for an amount not to exceed \$360,000 over a three-year period, subject to non-substantive changes approved by the City Administrator and City Attorney; and
- 5) Approve Resolution No. R-2022-20, a Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2021-22 in compliance with City Charter of the City of Placentia Sections 1206 and 1209 pertaining to appropriations for actual expenditures to allocate funds in the amount of \$20,000 from the General Fund Reserve for Appropriation (Account No. 102534-6363) for the Resident Vehicle Rebate Program; and
- 6) Authorize the City Administrator to execute all necessary documents, in a form approved by the City Attorney.

(Approved 5-0, as recommended)

Mayor Shader opened the Public Hearing at 8:32 p.m.

City Administrator Arrula introduced Jeanette Ortega, Assistant to the City Administrator/Economic Development Manager. Mr. Lambert will come and speak on the additional two items related to the Placentia Buy Local Incentive Program.

Ms. Ortega gave a brief presentation the City's Buy Local Incentive Program as a means to spur growth of the local tax base and to encourage Placentia residents to buy local by creating specific incentive programs aimed to entice residents to buy their products in Placentia. The Resident Vehicle Rebate Program has been developed to incentivize Placentia residents to purchase or lease a vehicle from a franchise vehicle dealer, Fairway Ford or Audi North Orange County in Placentia, by offering a \$500 rebate for vehicles purchased/leased with a minimum sales price of \$25,000. The program will begin on May 1, 2022 and continue for a three-year period, ending on April 30, 2025. The annual allocation for this program is \$120,000 and may not exceed a total of \$360,000 over the three-year term of the agreement.

City Clerk McKinnell stated that the City Clerk's Office had received no electronic communications for Item 2.c.

Mayor Shader closed the public hearing at 8:37 p.m.

Motion by Wanke, seconded by Green, and carried a (5-0) vote to approve Item 2.c., to approve Agreement with Two Franchise Vehicle Dealers in Placentia for the Establishment of the Resident Vehicle Rebate Program as Part of the City's Buy Local Incentive Program.

2.d. **Introduction and First Reading of Ordinance No. O-2022-04, Whereby Chapter 23.90 of the Municipal Code Shall Be Amended Regarding the Standards and Regulatory Requirements of Temporary Advertising Devices (Zoning Code Amendment 2022-01)**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing concerning Ordinance No. O-2022-04; and

- 2) Receive the staff report, consider all Public Testimony, ask any questions of Staff; and
- 3) Close the public hearing; and
- 4) Find that adoption of Zoning Code Amendment No. 2022-01 is categorically exempt from environmental review and direct Staff to file a Notice of Exemption, pursuant to CEQA Section 15061(b)(3); and
- 5) Waive full reading, by title only, and introduce for first reading, Ordinance No. O-2022-04, an Ordinance of the City Council of the City of Placentia, California, finding that approval of Zoning Code Amendment No. 2022-01 is exempt from the California Environmental Quality Act (CEQA) Pursuant To CEQA Section 15061(B)(3) and approving Zoning Code Amendment No. 2022-01 amending Title 23 (Zoning Ordinance) of the City of Placentia Municipal Code regarding the standards and regulatory requirements of temporary advertising devices as defined In Chapter 23.90 Signs - Advertising Structures; and
- 6) Adopt Resolution No. R-2022-24, a Resolution of the City Council of the City of Placentia, California, establishing a temporary planning permit fee waiver and building permit fee waiver to promote and incentivize new signage at businesses citywide as part of the Placentia Buy Local incentive program.

(Approved 4-1, as recommended, Yamaguchi voted no)

Mayor Shader opened Public Hearing at 8:36 p.m.

Development Services Director Lambert gave a brief presentation on the Placentia Buy Local Incentive Program, which will includes several different components intended to boost Economic Development citywide. One of the anticipated components of the Buy Local Program will incentivize businesses to upgrade their permanent signs and a Resolution waiving certain Planning and Building permit fees has been prepared to initiate this component of the program. Another component of the program relates to temporary signs (banners, etc.).

Placentia Buy Local Incentive Program as it relates to signage, the aforementioned issues surfaced, and Staff was directed to prepare an ordinance to clarify the temporary sign regulations citywide. The proposed, amended banner regulations will provide clarification for businesses regarding the placement of temporary banners and other temporary signs. He noted the addition of additional language to Section 23.90.100 – Prohibited Uses on page five (5) of the Ordinance and read the changes into the record.

City Attorney Bettenhausen noted that he had reviewed and supports the additional language, which will provide additional clarification.

Mayor Shader asked if Council had questions on this item.

Councilmember Yamaguchi stated that he is not in favor of the recommended changes noting that the regulations are too restrictive.

Mayor Shader stated that the recommended actions will expand sign regulations. She added that the Sign Fee Waiver is temporary for six months. The Temporary Banners is a permanent ordinance that we're adding to and in conjunction with other regulations.

City Attorney Bettenhausen stated we need two motions on the Program and to approve the ordinance with Staff recommendations and the CEQA Findings.

City Clerk McKinnell stated that the City Clerk's Office had received no electronic communications for Item 2.d.

Mayor Shader closed the public hearing at 8:48 p.m.

Motion by Wanke, seconded by Green, and carried a (4-1, Yamaguchi voted no) vote to approve Item 2.d., with the additional language recommended by Staff, Introduction and First Reading of Ordinance No. O-2022-04, Whereby Chapter 23.90 of the Municipal Code Shall Be Amended Regarding the Standards and Regulatory Requirements of Temporary Advertising Devices (Zoning Code Amendment 2022-01) with staff recommendations and the CEQA Findings. Second Motion by Wanke, seconded

by Green, and carried a (4-1, Yamaguchi voted no) vote to approve Item 2.d to Adopt Resolution No. R-2022-24, a Resolution of the City Council of the City of Placentia, California, establishing a temporary planning permit fee waiver and building permit fee waiver to promote and incentivize new signage at businesses citywide as part of the Placentia Buy Local incentive program.

2.e. **Introduction and First Reading of Ordinance No. O-2022-03 Adopting a Military Equipment Use Policy of the City of Placentia per Assembly Bill (Ab) 481**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing concerning the requirements of AB 481 and proposed Police Department Policy No. 710; and
- 2) Receive the staff report, consider all public testimony, ask questions of Staff; and
- 3) Close the Public Hearing; and
- 4) Waive full reading, read by title only, and introduce for first reading Ordinance No. O-2022-03, an Ordinance of the City Council of the City of Placentia, California, adopting a military equipment policy of the City of Placentia governing the use of military equipment per AB 481.

(Approved 5-0, as recommended)

Mayor Shader opened Public Hearing at 8:49 p.m.

City Administrator Arrula introduced Chief of Police Brad Butts to provide a brief presentation on Introduction and First Reading of Ordinance No. O-2022-03. To provide an overview of the current policy, examples of equipment of this policy and provide ordinance and policy process.

Chief Butts gave a brief presentation on adopting a Military Equipment Use Policy of the City of Placentia per Assembly Bill (AB) 481. On September 30, 2021, Governor Newsom signed AB 481 into law, Law became effective January 1, 2022. Seeks to provide transparency, oversight, encourages public engagement and input on decisions related to law enforcement use, acquisition and funding of military equipment Placentia Police Department possesses equipment that qualify as "military equipment" under AB 481 Requires agencies to prepare a military equipment policy, including an equipment inventory.

We collaborated with City Attorney and Staff, created ordinance, military equipment policy and itemized list of military equipment. Policy has been posted on the department website, 30 days prior to this hearing. After completion of this initial ordinance reading, a second reading is required in May 2022, including a vote for Council approval. In 2023, and each subsequent year, Staff will submit annual report to the City Council, post annual report on department website. Annual review of this ordinance and vote on whether to renew it will keep the department in compliance.

City Clerk McKinnell stated that the City Clerk's Office had received no electronic communications for Item 2.e.

Mayor Shader asked Council if they had any question on this item.

Councilmember Smith inquired when you posted on your website for thirty days, did you any feedback from the public.

Chief Butts replied, we did not receive any comments.

Councilmember Smith asked, if we are obtaining the equipment from the US Military, is that correct.

Chief Butts responded, we received from a private business that caters to public safety.

Mayor Pro Tem Wanke expressed his appreciation to Chief Butts for the report and time well spent on this project.

Mayor Shader thanked the Chief Butts for the report.

Motion by Wanke, seconded by Smith, and carried a (5-0) vote to approve Item 2.e., to Introduction and First Reading of Ordinance No. O-2022-03 Adopting a Military Equipment Use Policy of the City of Placentia per Assembly Bill (AB) 481.

3. REGULAR AGENDA:

3.a. Reappointment of Expired Commission and Committee Terms

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Receive and file this report and presentation; and
- 2) Provide direction to the City Clerk's Office regarding the City Council's preferred approach to updating terms of commissioners, and board and committee members, serving after their appointed term has expired.

(Staff directed to proceed with Option 1)

City Administrator Arrula introduced City Clerk McKinnell to give a presentation on the Reappointment of Expired Commission and Committee Terms.

City Clerk McKinnell gave a presentation on the City Clerk's office and continued to post a Maddy List. However, the terms of several commissioners and committee members have expired, and those volunteers have continued to serve after their terms expired.

The Clerk's Office has identified the following two (2) options for achieving compliance and would welcome any direction on this matter.

Option #1 Solicit confirmation from all currently serving members requiring (re)appointment that they are willing to serve the remainder of the term consistent with their previous appointment date. Upon confirmation, conduct City Council reappointments of those indicating a willingness to continue serving.

Option #2 Declare the expired term seats "vacant". Open applications to all positions requiring re(appointment) and solicit applications to fill identified positions. At the conclusion of that process, conduct City Council interviews with prospective applicants and subsequently make any necessary appointments.

A brief discussion followed regarding Reappointment of Expired Commission and Committee Terms.

Mayor Shader directed staff to proceed with Option 1.

3.b. Approval of the Design Concept Plan for the La Placita Parkette Renovation CIP and Prop 68 Project No. 7911

Fiscal Impact: Budgeted: \$640,000 Prop 68 Grant Fund

Expense: \$638,360 Prop 68 Grant Fund

Recommended Action: It is recommended that the City Council:

- 1) Provide Staff with input to incorporate into the design plan for the renovation of the La Placita Parkette renovation project; and
- 2) Approve the design concept plan for the La Placita Parkette renovation project.

(Approved 4-0-1, as recommended, Wanke absent)

City Administrator Arrula introduced Director of Community Services Karen Crocker to give presentation on the approval of the Design Concept Plan for the La Placita Parkette Renovation CIP and Prop 68 Project No. 7911.

Director of Community Services Crocker gave a brief presentation on La Placita Parkette Renovation CIP and Prop 68 Project No. 7911. In August 2019, after careful consideration and following City Council approval, the City submitted seven (7) project applications requesting grant funds for various improvements/renovations at several community parks through the California State Parks, Office of Grants and Local Services (OGALS). The Statewide Park and Community Revitalization Program (SPP) is a competitive grant program that provides funds to create new parks, expand existing parks, and/or

renovate existing parks in critically underserved communities across California. Funding for the grant program is provided through the California Proposition 68 Parks and Water Bond of 2018.

Mayor Shader asked, where is the fence going to be placed.

Director of Community Services Crocker replied, the fence will be going across the perimeter across the street, along the sidewalk and it will continue across the path.

Motion by Green, seconded by Smith, and carried a (4-0-1) vote to approve Item 3.b., to approve of the Design Concept Plan for the La Placita Parkette Renovation CIP and Prop 68 Project No. 7911.

3.c. Approval of the Design Concept Plan for Playground Renovations at Wagner Park and Approval of a Public Works Agreement with Miracle Recreation Equipment Co. for the Purchase and Installation of the Playground Equipment, CIP Project No. 7203

Fiscal Impact: Budgeted \$ 300,000.00 CIP Budget Fund (797203-6760)
Expense: \$ 289,925.14 CIP Budget Fund (797203-6760)

Recommended Action: It is recommended that the City Council:

- 1) Provide Staff with input to incorporate into the design plan for the renovation of the Wagner Park playground; and
- 2) Approve the design concept plan for the Wagner Park playground renovation project; and
- 3) Approve the purchase of the Wagner Park playground equipment utilizing the budgeted CIP funding in Fiscal Year 2021-2022 for project 7203; and
- 4) Award a Public Works Agreement to Miracle Recreation Equipment, for the Wagner Park playground equipment renovation project in the amount of \$289,925.14; and
- 5) Authorize the City Administrator to approve contract change orders up to a total of \$10,074.86 or a not-to-exceed total contract amount of \$300,000.00; and
- 6) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney.

(Approved 4-0-1, as recommended, Wanke absent)

City Administrator Arrula introduced Director of Community Services Karen Crocker to give presentation on the approval of the Design Concept Plan for Playground Renovations at Wagner Park and Approval of a Public Works Agreement with Miracle Recreation Equipment Co. for the Purchase and Installation of the Playground Equipment, CIP Project No. 7203.

Director of Community Services Crocker gave a brief presentation on Placentia Parks Initiative (PPI); a citywide plan which is aimed at establishing a significant investment into the City's parks and open spaces. As part of the PPI, the City created a priority list of park projects and allocated funding for the completion of the projects over the course of the next two (2) Fiscal Years. Included in the PPI is a goal to create "destination parks" by improving aging park infrastructure and providing unique "themed" playgrounds that are all different. Wagner Park is included in the PPI for renovation of the existing playground. The City received three proposals for the design of the playground at Wagner Park. The proposed design from Miracle Recreation Equipment Co. will align with the City's vision established in the PPI.

Motion by Green, seconded by Smith, and carried a (4-0-1) vote to approve Item 3.c., to approve the Design Concept Plan for Playground Renovations at Wagner Park and Approval of a Public Works Agreement with Miracle Recreation Equipment Co. for the Purchase and Installation of the Playground Equipment, CIP Project No. 7203.

3.d. Approval of the Design Concept Plan for Playground Renovations at Santa Fe Park and Approval of a Public Works Agreement with Pacific Play Systems Inc. for the Purchase and Installation of the Playground Equipment, CIP Project No. 7203

Fiscal Impact: Budgeted: \$ 375,000 CIP Budget Fund
\$ 300,000 797203-6760
\$ 75,000 507203-6760
Expense: \$ 373,000 CIP Budget Fund

Recommended Action: It is recommended that the City Council:

- 1) Provide Staff with input to incorporate into the design plan for the renovation of the Santa Fe Park playground; and
- 2) Approve the design concept plan for the Santa Fe Park playground renovation project; and
- 3) Approve the purchase of the Santa Fe Park playground equipment utilizing the budgeted CIP funding in Fiscal Year 2021-2022 for project 7203; and
- 4) Award a Public Works Agreement to Pacific Play Systems, for the Wagner Park playground equipment renovation project in the amount of \$373,00; and
- 5) Authorize the City Administrator to approve contract change orders up to a total of \$2,000 or a not-to-exceed total contract amount of \$375,000; and
- 6) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney.

(Approved 5-0, as recommended)

City Administrator Arrula introduced Director of Community Services Karen Crocker to give presentation on the approval of the Design Concept Plan for Playground Renovations at Santa Fe Park and Approval of a Public Works Agreement with Pacific Play Systems Inc. for the Purchase and Installation of the Playground Equipment, CIP Project No. 7203

Director of Community Services Crocker gave a brief presentation on the Placentia Parks Initiative (PPI), a citywide plan which is aimed at establishing a significant investment into the City's parks and open spaces. As part of the PPI, the City created a priority list of park projects and allocated funding for the completion of the projects over the course of the next two (2) Fiscal Years. Included in the PPI is a goal to create "destination parks" by improving aging park infrastructure and providing unique "themed" playgrounds that are all different. Santa Fe is included in the PPI for renovation of the existing playground. The City received three proposals for the design of the playground at Santa Fe Park. The proposed design from Pacific Play Systems Inc. will align with the City's vision established in the PPI.

Funding for the project has been identified as \$300,000 from Measure U and \$75,000 from grant funding from St. Jude Medical Center ("St. Jude") to be exclusively utilized to incorporate an early childhood play structure for youth ages three to five years old.

Motion by Green, seconded by Yamaguchi, and carried a (5-0) vote to approve Item 3.d., to approve the Design Concept Plan for Playground Renovations at Santa Fe Park and Approval of a Public Works Agreement with Pacific Play Systems Inc. for the Purchase and Installation of the Playground Equipment, CIP Project No. 7203.

3.e. **Introduction of the Placentia Public Safety Communications Center and the Center's 2021 Annual Report**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) A Receive and file a copy of the completed 2021 Annual Report.

City Administrator Arrula introduced Communications Manager Stefanie Accosta Reyes to give a presentation on the introduction of the Placentia Public Safety Communications Center and the Center's 2021 Annual Report.

Communications Manager gave a presentation on the Placentia Public Safety Communications Center and the transition that allowed the Center to be managed by City Administration. As part of that transition, a Communications Manager was hired, and additional staffing was budgeted to prepare for the additional services for which the Communications Center would become responsible on July 1, 2020, for call processing and dispatching the City's new Fire and EMS services, in addition to handling the Placentia Police Department operations.

Our Public Safety Communications Center is committed to providing exceptional service to the citizens and responders of the City of Placentia using the highest standards to protect life and property. The Vision Statement, we aspire to become a communications center who is respected and admired by our

public safety peers and the citizens of Placentia. We want to do the right thing, at the right time, for the right reason. Core Values Trust & Respect Communication Clear Expectations Accountability Training

Mayor Shader asked Council if they had any questions on this item.

Councilmember Yamaguchi asked, can we educate the public when to use the non-emergency number and when to use the 911 number.

Ms. Acosta-Reyes responded, as far as non-emergency versus 911, we did update the City of Placentia web page to make our presence on social media as well and the vast majority of calls we are receiving are police calls.

Councilmember Smith conveyed his sincere appreciation to Communications Manager Acosta-Reyes and Deputy City Administrator Ramirez for the information and excellent report that was given.

Councilmember Green expressed his appreciation to the Communications Manager and Deputy City Administrator for the information provided and excellent report that was given.

Mayor Pro Tem Wanke asked what type of training new dispatchers will receive.

Communications Manager Acosta-Reyes replied, new dispatchers go on a ride along with police, fire and are provided with handouts that goes over their city jurisdictional boundaries the different areas the officers patrol and the areas that the fire responders go out to.

Motion by Shader stated, you have done an amazing job and I know all your peers respect you and we are fortunate to have you. You have my total support so stay in touch with us and we appreciate you bringing this full report to us.

3.f. General Update on 777 Orangethorpe Avenue Project Application

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Receive and file.

City Administrator Arrula called Director of Development Services Joe Lambert to give a report on the General Update on 777 Orangethorpe Avenue Project Application.

Development Services Director Lambert gave an update on the 777 Orangethorpe Avenue Project Application. The applicant had initially intended to submit an addendum to an earlier CEQA document and once that intention was made clear, on July of 2022 Staff made clear to the applicant that we will send your CEQA document to a third-party consultant for peer review.

Mayor Shader requested that the applicant come forward and speak on the project application and provide an update.

City Attorney Bettenhausen stated that the item is not a public hearing item and public comment is usually not taken during the regular agenda portion of the meeting. Public comment should be taken during the Oral Communications portion of the meeting. However, a motion can be taken to allow public testimony. He cautioned the Council to not decide the case while it is in process. Questions should be limited to clarification on the application and process. The application needs to go through the proper process before action can be taken by the Council.

Motion by Yamaguchi, seconded by Shader, and carried a (3-2, Smith and Green voted no) vote to allow applicant to speak on the item.

Gilad Ganish spoke regarding General Update on 777 Orangethorpe Avenue Project Application.

Jennifer Hernandez spoke regarding General Update on 777 Orangethorpe Avenue Project Application.

A discussion followed regarding the status of the 777 Orangethorpe Avenue Project Application.

Mr. Arrula recommended that a discussion on policy direction regarding the Specific Plan and the General Plan be brought back before the City Council in a Study Session format in order to give clear direction to Staff.

City Attorney responded, parcels on this specific plan in that area to allow additional uses not just this subject property.

Mr. Arrula asked Mayor Shader, if we could have a motion to request that the Specific Plan and the General Plan be brought back before the City Council in a Study Session format to consider additional uses. to be examined at that subject of the City Council.

Motion by Shader, seconded by Wanke, to request that the Specific Plan 5 and the General Plan be brought back before the City Council in a Study Session format to consider additional uses to be examined at that time, subject to the City Council, (Vote 5-0).

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Councilmember Smith stated he stands behind Staff and that they are not purposely derailing projects to appease one another or even the City Administrator. I stand behind him on that and I'm not saying the other Councilmembers don't stand behind our Staff. If we're going to start making comments that talk about the kind of decision making out of the purview of Council, I think further discussion should be considered.

Councilmember Green asked, if we can direct Staff to make sure that fuel tanks at the Public Works Yard remained filled at a minimum of 80% capacity. I would like to ask for planning purposes that we could ask Staff to come back with some kind of a policy in case of an emergency.

ADJOURNMENT:

The City Council/Successor Agency/ICDA/PPFA Board of Directors adjourned at 11:21 p.m.in memory of Harold Potter, Longtime Placentia Resident and Assistant City Attorney and Jim Alegria, Friend of Councilmember Green for Over 30 years and Former Business Associate, to a regular City Council meeting on Tuesday, May 3, 2022 at 5:30 p.m.


Rhonda Shader, Mayor/Agency Chair

ATTEST:


Robert S. McKinnell, City Clerk/
Agency Secretary

