

**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 MINUTES  
July 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](http://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](mailto: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](mailto: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 5:35 p.m.

**ROLL CALL:**

PRESENT: Councilmember/Board Member Green, Smith, Yamaguchi, 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.

- 1. Pursuant to Government Code Section 54956.8  
**CONFERENCE WITH LEGAL COUNSEL – Initiation of Litigation**  
 Significant Exposure to Litigation: 1 case
- 2. Pursuant to Government Code Section 54957.6  
**CONFERENCE WITH LABOR NEGOTIATOR**  
 Agency Designated Representatives: Damien R. Arrula, City Administrator  
 Employee Organization: Placentia Firefighters' Association (PFA)

**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 7:03 p.m.

**ROLL CALL:**

PRESENT: Councilmember/Board Member Green, Smith, Yamaguchi, 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 of 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 Treasurer Kevin Larson; City Clerk Robert McKinnell; Interim Deputy City Clerk Nancy M. Albitre

**INVOCATION:**

Chaplain Kenneth Curry

**PLEDGE OF ALLEGIANCE:**

Police Sergeant Matt Herren

**PRESENTATIONS:**

- a. **Proclamation of July 2022 as Americans Disability Month**

Presenter: Mayor Shader  
Recipient: Lee Squire, Disability Advocate

Mayor Shader presented a proclamation in recognition of Americans Disability Month, and it was received by Lee Squire, Disability Advocate.

Councilmember Green expressed appreciation to Mr. Squire for his service as a disability advocate and for volunteering to assist the City on financial matters.

**CLOSED SESSION REPORT:**

City Attorney/Authority Counsel Bettenhausen stated that there were two (2) items on the Closed Session agenda, the City Council discussed **Item No. 2**. Concerning **Item No. 1**, Mayor Shader motioned and Mayor Pro Tem Wanke seconded the motion, and the City Council on a 5-0 vote took action to authorize the initiation of litigation on **Item No. 1**. He noted that there was nothing further to report.

**CITY ADMINISTRATOR REPORT:**

City Administrator Arrula announced the promotion of two employees.

Madison Stapleton promoted to Records Specialist. Madison was born in Anaheim and graduated from Valencia High School. After high school, Madison attended Lindenwood University in Illinois and graduated with a bachelor's degree in Criminology and Criminal Justice. Madison was hired as a Police Cadet for the City of Placentia in 2021. Madison has distinguished herself as an outstanding employee, which led to her promotion to Records Specialist.

Matt Herren promoted to Sergeant. Sergeant Herren was born in Long Beach and grew up in the Huntington Beach and Fountain Valley area, where he graduated from Fountain Valley High School. After high school, Sergeant Herren attended the Golden West College Police Academy and was later hired as a Public Safety Officer for the USC Department of Public Safety. Sergeant Herren was hired as a Police Officer for the City of Placentia in 2015. In 2018, Sergeant Herren was selected to be a Field Training Officer and has trained many of our current Patrol Officers. In 2019, Sergeant Herren was selected to be a Motor Officer in our Traffic Bureau. Sergeant Herren continues to train new officers in the Traffic Division and as a Field Training Officer, as needed by the Department. Sergeant Herren was City Employee of the year in 2021.

Mayor Shader commented on the information she learned during a ride along with Sergeant Herren.

**ORAL COMMUNICATIONS:**

Meredith Castillo expressed concerns about the lack of a sidewalk in front of an empty portion of land on the south side of Yorba Linda Boulevard between Palm Drive and Brookhaven Avenue, known as the pumpkin patch. He commented on pedestrian safety issues that impact individuals with disabilities and older people. He asked the Council to work with the property owner to install a sidewalk in this area.

Paul Amero urged the City Council to recognize three off-duty law enforcement individuals, Mike Kendrick, Richard Priest and Victoria Foray for their life saving efforts on behalf of his son during a cardiac arrest emergency on October 2, 2019 at Kelly's Korner Tavern in Placentia. He commented that only 5% of individuals survive a cardiac arrest emergency of this magnitude and he expressed his deepest appreciation to these officers for their CPR actions.

Jeff Buchanan clarified his comment from the last City Council meeting stating that he supports Councilmember Ward Smith and his work on the Council. He also expressed support for the salary that is paid to City Administrator Arrula and commented on the many responsibilities and duties of City Managers and Administrators. He added comments about Grand Jury investigations related to Fire departments, noting that the City of Placentia is leading the way in the management and leadership of the fire department. He added concerns about term limits for the City Council and zoning decisions that place additional financial burdens on the City. Lastly, he presented a hand-made trophy to Deputy City Administrator Luis Estevez in appreciation for his efforts in improving lighting in the City's parks.

City Clerk McKinnell summarized three (3) letters received in the City Clerk's office expressing opposition to speed humps on Hemingway Avenue.

**CITY COUNCIL/BOARD MEMBER COMMENTS:**

Mayor Shader asked City Treasurer Kevin Larson to come forward for a presentation. Mr. Larson announced a donation from Republic Services to the Placentia Community Foundation and commented on grants to non-profit organizations that are funded through donations. He expressed appreciation to Republic Services and noted that all the money is used within the community to further the mission of non-profit community organizations in the City and added that foundation members are all volunteers. A representative from Republic Services presented a \$15,000 check to the Placentia Community Foundation and expressed appreciation for the work they do within the community.

Councilmember Smith announced his participation in meetings at SCAG and OCCOG. He noted that the City Council will adjourn tonight's meeting to September 6, 2022 due to the Council's August summer recess. He added that information about the summer recess will be provided on the City's website and the bulletin board at City Hall.

Councilmember Green announced the opening of a Veteran’s clinic at 770 Placentia Avenue. He commented on the convenient location and comprehensive medical services provided at this facility.

Mayor Pro Tem Wanke announced that he attended several events at the O.C. Sanitation District and commented on their efforts to notify small businesses in Orange County of available bidding opportunities. He directed all interested parties to the O.C. Sanitation District website for more information. He also commented on a recent GIS upgrade that uncovered 1,300 parcels in various cities that have not been paying Sanitation District fees noting that these parcels will now be included in the assessment of fees.

Councilmember Yamaguchi noted that he is unable to attend the grand opening of the Audi dealership and extended a warm welcome to this business. He announced that Concerts in the Park will begin Thursday, July 21<sup>st</sup> at Tri-City Park and directed interested individuals to the City’s website for more information on this popular summer series.

Mayor Shader announced that she participated in a ride along with the Fire Department and noted that the Fire Department is celebrating their two (2) year anniversary. She expressed appreciation for the great work they are doing. She commented on her participation in a clean-up day in La Jolla with the Placentia Rotary Club and the members and children of Lot 318. She also welcomed MTK Precision who recently moved their business to Placentia. She also announced that she participated in the kick-off for Top-dog Soccer Day of Fun, an organization which is open to all individuals with disabilities. She commented on the number of volunteers that assisted from many areas in Orange County.

**1. CONSENT CALENDAR (Items 1.a. through 1.p.):**

Mayor Shader pulled 1.c., and Mayor Pro Tem Wanke pulled 1.j. for further discussion. Motion by Green, seconded by Wanke, and carried a (5-0) vote to approve the balance of the 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. **City Fiscal Year 2021-22 Register for July 19, 2022**  
**Check Register**  
Fiscal Impact:  
1) FY 21/22 - \$443,703.08  
2) FY 22/23 - \$414,764.85  
**Electronic Disbursement Register**  
Fiscal Impact: \$649,535.60  
Recommended Action:  
Receive and file  
**(Received and filed, as recommended)**

- 1.c. **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:  
1) Approve Resolution R-2022-46, 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 4-1, as recommended, Shader voted no)**

Mayor Shader pulled 1.c. to record a “no” vote on this item. Motion by Green, seconded by Yamaguchi, and carried a (4-1) vote to approve Item 1.c. as recommended.

1.d. **Acceptance of Construction Work, Approval of Contract Change Order No. 2 and Notice of Completion for Construction of the FY 2021-22 Slurry Seal Project (City Project No. 1202)**

Fiscal Impact:

Expense: \$568,281.29 Construction Contract Amount  
\$137,485.30 Contract Change Orders Nos. 1 & 2  
\$705,766.59 Total Construction Cost

Available  
Budget: \$173,115.47 FY 2021-22 CIP Project Budget  
\$173,115.47 Measure U (791202-6740)

Recommended Action:

- 1) Accept the work performed by Roy Allan Slurry Seal Inc., for construction of the Fiscal Year 2021-22 Slurry Seal Project, City Project No. 1202 for a grand total amount of \$705,766.59; and
- 2) Authorize the City Administrator to approve Contract Change Order No. 2 in the amount of \$94,876.30; and
- 3) Authorize the City Administrator to file a Notice of Completion with the Orange County Clerk-Recorder's Office for the Project; and
- 4) Approve Resolution No. R-2022-47, A Resolution of the City Council of the City of Placentia, California authorizing a budget amendment in Fiscal Year 2022-23 in compliance with City Charter of the City of Placentia §§1206 and 1209 pertaining to appropriations for actual expenditures; and
- 5) Authorize the City Administrator to release retention funds in accordance with the terms of the contract.

**(Approved 5-0, as recommended)**

1.e. **Acceptance of Construction Work and Notice of Completion for the Alta Vista and Rose Drive Street Resurfacing Project**

Fiscal Impact:

Expense: \$275,250.00 Construction Contract (791101-6740)  
\$ 15,447.30 Change Order (791101-6740)  
\$290,697.30 Total Project Cost

Available  
Budget: \$503,457.33 FY 2021-22 CIP Budget

Recommended Action:

- 1) Accept the Work by Hillcrest Contracting, Inc. For \$290,697.30; and
- 2) Authorize the City Administrator to File A Notice Of Completion with the Orange County Clerk-Recorder's Office for the Project; and
- 3) Authorize the City Administrator to Release Retention Funds in Accordance with the Terms of the Contract.

**(Approved 5-0, as recommended)**

1.f. **Approval of Plans and Specifications and Award of Construction Contract to All American Asphalt for the Fiscal Year 2021-22 Roadway Rehabilitation Project, City Project No. 1201**

Fiscal Impact:

Expense: \$6,137,859.62 Total Construction Cost  
\$5,449,254.20 Construction Contract Amount  
\$ 544,925.42 Construction Contingency Amount  
\$ 143,680.00 Construction Management/Inspection Costs

Available  
Budget: \$6,137,860.00 Total Project Budget  
\$ 603,876.00 Fiscal Year 2021-22 CIP Budget (181201-6740)  
\$ 272,900.00 Fiscal Year 2021-22 CIP Budget (601201-6740)  
\$ 500,000.00 Fiscal Year 2022-23 CIP Budget (181201-6740)  
\$ 950,000.00 Fiscal Year 2022-23 CIP Budget (601201-6740)  
\$3,105,000.00 Fiscal Year 2022-23 CIP Budget (791201-6740)  
\$ 90,000.00 Sewer Enterprise Fund (481201-6740)  
\$ 332,000.00 City Of Anaheim Share (331201-6740)  
\$ 284,084.00 SB 1/RMRA Fund Balance (601201-6740)

Recommended Action:

- 1) Approve the Engineered Plans and Specifications prepared by KOA Engineering for the FY 2021-22 I Roadway Rehabilitation Project No. 1201; and
- 2) Approve a Public Works Agreement with All American Asphalt for the FY 2021-22 Roadway Rehabilitation Project in the amount of \$5,449,254.20; and
- 3) Reject all other bids received and authorize return of the bid bonds; and
- 4) Authorize the City Administrator to approve contract change orders up to ten percent (10%) of the contract amount, or \$544,925.42, for a total construction contract not-to-exceed amount of \$5,994,179.62; and
- 5) Approve a Cooperative Agreement with the City of Anaheim for the construction cost for Anaheim’s share of the project that is estimated to be \$332,000, with the final cost to be based on the actual bid received and final construction contract costs; and
- 6) Approve Resolution No. R-2022-48, A Resolution of the City Council of the City of Placentia, California authorizing a budget amendment in Fiscal Year 2022-23 in compliance with City Charter of the City of Placentia §§1206 and 1209 pertaining to appropriations for actual expenditures; and
- 7) 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)**

1.g. **Approval of Plans & Specifications and Award of Construction Contract to Martinez Concrete Inc for the ADA Access Ramp Installation Project, City Project No. 1305**

Fiscal Impact:

Expense:	\$192,555	<u>Total Construction Contract Amount</u>
	\$175,050	Construction Contract Amount
	\$ 17,505	Construction Contingency Amount
Available		
Budget:	\$100,000	Fiscal Year 2022-23 CIP Budget (791305-6740)
	\$ 92,600	Measure U Fund Balance (791305-6740)

Recommended Action:

- 1) Approve Plans & Specifications prepared by the City Engineer and approve a Public Works Agreement with Martinez Concrete, Inc., for the ADA Access Ramp Installation Project in the amount of \$175,050; and
- 2) Reject all other bids received and authorize return of the bid bonds; and
- 3) Authorize the City Administrator to approve contract change orders up to ten percent (10%) of the contract amount, or \$17,505, for a total construction contract not-to-exceed amount of \$192,555; and
- 4) Approve Resolution No. R-2022-55, A Resolution of the City Council of the City of Placentia, California authorizing a budget amendment in Fiscal Year 2022-23 in compliance with City Charter of the City of Placentia §§1206 and 1209 pertaining to appropriations for actual expenditures; and 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)**

1.h. **Amendment No. 3 to Professional Services Agreement with Dennis Grubb and Associates, LLC. for Fire Prevention/Fire Marshal Services for Placentia Fire and Life Safety Department**

Fiscal Impact: \$50,000 – Department Contract Services (103066-6290), with at least 80% of revenue generated by fire inspection and permit fees offsetting this expense.

Recommended Action:

- 1) Approve Amendment No. 3 to the Professional Services Agreement with Dennis Grubb and Associates LLC. to increase the compensation from \$100,000 to \$150,000; and
- 2) Authorize the City Administrator to execute the necessary documents, in a form approved by the City Attorney.

**(Approved 5-0, as recommended)**

1.i. **Resolution Adopting the Annual Statement of Investment Policy for Fiscal Year 2022-23**

Fiscal Impact: None

Recommended Action:

- 1) Adopt Resolution No. R-2022-51, a Resolution of the City Council of the City of Placentia, California, adopting the annual Statement of Investment Policy for the Fiscal Year 2022-23.

**(Approved 5-0, as recommended)**

1.j. **Purchase of Replacement Server and Networking Infrastructure for City Hall and Public Safety**

Fiscal Impact:

Expense: \$1,127,229.00 Total Purchase Price of Equipment Available

Budget: \$ 695,975.00 General Fund (106302-6364)  
\$ 431,254.00 Measure U (796302-6364)

Recommended Action:

- 1) Authorize the City Administrator to approve a purchase order to GST for the purchase of computing equipment not-to-exceed the amount of \$1,127,229.00; and
- 2) Authorize the City Administrator to execute all necessary documents, in a form approved by the City Attorney.

**(Approved 3-2, as recommended, Wanke and Yamaguchi voted no)**

Mayor Pro Tem Wanke pulled item 1.j. for further discussion. Motion by Smith, seconded by Green, and carried a (3-2) vote to approve Item 1.j. as recommended.

Mayor Pro Tem Wanke pulled Item 1.j. to recommend that this item be considered after the IT Manager position is filled. He commented that the expertise of the IT Manager would be valuable in determining the needs of the City and expressed concerns about the large expense. City Administrator Arrula commented on the urgency of replacing the servers and upgrading the network infrastructure, adding that one of the City's servers had recently gone down and the recruitment for the IT Manager will take several more months.

Mayor Pro Tem Wanke noted that he had a few questions for staff. Sergeant Radomski and Dino Mendoza of GST responded to questions regarding needs assessment study and the solutions that are proposed in the staff report which will provide stability for years to come. Sergeant Radomski emphasized the importance of redundancy in the system which the City does not currently have. Discussion ensued regarding storage, monitoring and security of the system.

Councilmember Yamaguchi expressed that he supports the upgrade of the system and asked how old the existing equipment is.

Dino Mendoza of GST explained that the age of the equipment varies and some equipment dates back to 2018. The proposed upgrade will fix existing problems and support City systems for several years.

City Administrator Arrula noted that going forward, one of the responsibilities of the new IT manager will be to develop an IT Master Plan.

Councilmember Yamaguchi commented on issues with the City's phone system and inquired about the reasons for the sole source contract for this project, noting that the project isn't urgent in nature. He expressed concerns that the contract had not been peer-reviewed or referenced check.

Sergeant Radomski explained Government Purchase contracts and the benefits of using these types of purchase contracts. He added that the equipment was recommended by the City's consultant, GST, and by referencing best practices in the industry. In response to a question by Councilmember Yamaguchi, he responded that he conducted his own pricing research, and no other bids were solicited.

Councilmember Yamaguchi asked about the status of the request for proposals for managed service providers.

City Administrator Arrula responded that the RFP for managed service providers should be ready in 2-3 weeks.

Councilmember Yamaguchi summed up his main concerns stating that it was his understanding that an RFP would not be initiated until the new IT Manager was hired, concerns about the sole source contract, and concerns about the City's current vendor. He expressed that such a large expense should be delayed until a proper review can be conducted by the new IT manager.

Sergeant Radomski explained that fixing the system has been on the City's radar since 2018 and securing the funds has been the primary issue. He explained the critical need of IT infrastructure to meet the City's growing needs.

Mayor Pro Wanke asked the City Attorney about the large dollar amount for the sole source contract and if it was legal.

City Attorney Bettenhausen responded that there is a provision in the Municipal Code that states that the City Council has the discretion to approve such a contract if there is an urgent need.

Councilmember Green questioned if piggy-back contracts that have been vetted by other agencies are truly sole source contracts.

City Administrator Arrula stated that Staff would disagree that this is a sole source contract, noting that Staff had used and conducted fact checking through several State and National Procurement agencies to obtain the lowest bid. Staff is taking advantage of the fact that the bid has already been solicited through a State and National Procurement agency process.

City Attorney Bettenhausen clarified that if the bid is obtained through a multiple award schedule it also is an exception permitted under the Municipal Code.

Sergeant Radomski stated that he incorrectly used the term sole source purchase, which this is not, and should have used sole source policy instead. He also added that the City is currently borrowing IT equipment because of the urgent need to stabilize the City's equipment.

Councilmember Yamaguchi expressed his concerns and frustrations that the ongoing issues regarding the City's IT infrastructure was not brought to the City Council sooner, prior to the matter becoming an emergency. He expressed the need for the City Council to do their own due diligence prior to approving items and reiterated his main concerns. He added that he does not have an issue with the equipment that is in the proposal but the process in which the item was brought forth. Therefore, he is not in support of this item at this time.

Councilmember Smith commented on his experience with IT issues in the Public Safety arena and expressed that he trusts the work that has been done by Sergeant Radomski. He expressed concerns about the City borrowing equipment and waiting any longer for an IT manager to be hired, noting that recent recruitment processes have taken longer than anticipated. He expressed appreciation for the comments from his fellow Councilmembers and agreed that it is difficult to review items in a short period of time. He noted that he does understand the necessity and importance of approving this item.

1.k. **Notice of General Municipal Election – November 8, 2022**

Fiscal Impact:

Estimated Expense:	\$35,000
Budgeted:	\$35,000

Recommended Action:

- 1) Adopt Resolution No. R-2022-49, a Resolution of the City Council of the City of Placentia calling for the holding of a General Municipal Election to be held on

- Tuesday November 8, 2022 to elect City Council Members for Districts 2 and 4; electing a City Clerk, and requesting consolidation with the Statewide General Election being held on that date; and
- 2) Adopt Resolution No. R-2022-50, a Resolution of the City Council of the City of Placentia, California, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 8, 2022.

**(Approved 5-0, as recommended)**

- 1.l. **Second Reading of Ordinance No. O-2022-07, Amending Section 22.28.021 (Urban Lot Split) and Chapter 23.13 (Two-Unit Housing Development) to Incorporate Objective Standards within Single-Family Residential Districts in Connection with the Implementation of Senate Bill 9 (Zoning Code Amendment 2022-03)**

Fiscal Impact: None

Recommended Action: Approve

**(Approved 5-0, as recommended)**

- 1.m. **Professional Services Agreement with CliftonLarsonAllen LLP for Financial Auditing Services for Fiscal Years 2021-22, 2022-23 and 2023-24**

Fiscal Impact:

Expense: \$ 68,251 Fiscal Year 2021-22 (102020-6010)

\$ 70,303 Fiscal Year 2022-23

\$ 72,410 Fiscal Year 2023-24

Recommended Action:

- 1) Approve a Professional Services Agreement with CliftonLarsonAllen (CLA) LLP for Auditing Services for Fiscal Years 2021-22, 2022-23 and 2023-24 with the option for two additional one-year term extensions at the discretion of the City Council; and
- 2) Authorize the City Administrator to execute all necessary documents, in a form approved by the City Attorney.

**(Approved 5-0, as recommended)**

- 1.n. **Lease of City-Owned Property Located At 336 W. Santa Fe Avenue to His Orange County**

Fiscal Impact: Revenue: \$3,600 First Year; CPI Increase at Year 2 and Each Subsequent Year Thereafter

Recommended Action:

- 1) Authorize the City Administrator to execute a lease agreement, as approved by the City Attorney, with Homeless Intervention Services of Orange County for 336 W. Santa Fe Avenue.

**(Approved 5-0, as recommended)**

- 1.o. **Agreement with Planetbids, Inc. for E-Procurement and Contract Management Software System**

Fiscal Impact:

Expense: Fiscal Year 2022-23 - \$31,150.00

Fiscal Year 2023-24 - \$26,419.50

Fiscal Year 2024-25 - \$27,212.09

Budget: \$ 31,150.00 General Fund (101523-6136)

Recommended Action:

- 1) Approve the Support Services Agreement with PlanetBids, Inc. for an initial term of three (3) years with two (2) optional one (1) year extensions at the City's discretion for \$84,782; and
- 2) Authorize the City Administrator to execute the necessary documents, in a form approved by the City Attorney.

**(Approved 5-0, as recommended)**

1.p. **Resolution Authorizing the Temporary Suspension of Regulatory Ordinance Pertaining to the Operation of the Placentia Rotary Club Cowabunga Fundraiser Event on Saturday, September 17, 2022 at Kraemer Memorial Park**

Fiscal Impact: None.

Recommended Action:

- 1) Approve an agreement in a form approved by the City Attorney with the Placentia Rotary Club to host the annual Cowabunga fundraising event at Kraemer Memorial Park and authorize the City Administrator or designee to execute all applicable documents; and
- 2) Adopt Resolution No. R-2022-51, A Resolution of the City Council of the City of Placentia Authorizing the Temporary Suspension of Regulatory Sections 10.28.010 and 23.76.050 of the Placentia Municipal Code for the operation of the Cowabunga fundraising event on September 17, 2022, from 3:00 p.m. to 8:00 p.m. at Kraemer Memorial Park located at 201 N. Bradford Ave.

**(Approved 5-0, as recommended)**

**2. PUBLIC HEARING:**

2.a. **Annual Solid Waste Handling Services Rate Adjustment and Related Resolutions for Fiscal Year 2022-23**

Fiscal Impact: There is no direct fiscal impact to the City's General Fund Budget associated with the recommended actions.

Recommended Action:

- 1) Open the Public Hearing concerning the Solid Waste Handling Services, Rate Adjustment and related resolutions for Fiscal Year 2022-23; and
- 2) Receive the Staff Report, consider all public testimony, ask questions of Staff; and
- 3) Close the Public Hearing and direct the City Clerk to tabulate the written protests and report the results of the tabulation to the City Council; and
- 4) Adopt Resolution No. R-2022-53, a Resolution of the City Council of the City of Placentia, California, approving the Amended Fee Schedule for Solid Waste Handling Services for Fiscal Year 2022-23; and
- 5) Adopt Resolution No. R-2022-54, a Resolution of the City Council of the City of Placentia, California, authorizing and determining residential solid waste handling service charges and directing placement thereof on the Orange County property tax rolls for Fiscal Year 2022-23; and
- 6) Approve Amendment No. 13 to the Amended, Revised and Restated Agreement for Solid Waste Handling Services between the City of Placentia and Republic Waste Services of Southern California, LLC; and
- 7) Authorize the City Administrator to execute all the necessary documents, in a form approved by the City Attorney.

**(Approved 5-0, as recommended)**

Mayor Shader opened the Public Hearing at 8:07 p.m.

City Administrator Arrula introduced Public Works Management Analyst Elsa Robinson who gave a brief presentation on the Annual Solid Waste Handling Services Rate Adjustment for Fiscal Year 2022-23.

Jack Harrison, Cinnamon Tree Association, expressed frustration with the services and pricing by Republic Services. He expressed opposition to the rate increase.

Bill Kalpakoff expressed that he is pleased with the management and direction of the City in recent years. He expressed concern that Placentia is paying higher refuse rates than most of the area cities. He urged the City Council to take a closer look at the contract and renegotiate the terms. He expressed opposition to the rate increase.

City Clerk McKinnell read two electronic comments received from Tony Pardino and Michele Huff in opposition to the rate increase and the lack of proper notification.

Councilmember Green commented that the increase in refuse rates has been a concern for many years and noted that the effects of inflation have increased costs for many businesses.

Councilmember Yamaguchi commented on factors related to the requested increase in rates, noting the increase costs for diesel fuel as well as franchise and administrative recovery fees. He added that he and Councilmember Smith did meet with Republic Services about the City's contract. He also mentioned that the City could implement a franchise fee holiday to lessen the burden on residents. He expressed support for the increase at this time and requested that the item be brought back to the Council to discuss strategies for decreasing the burden on residents.

Mayor Pro Tem Wanke commented that he had received a concern about the noticing for the rate increase and asked staff to comment on the procedures.

Senior Management Analyst Elsa Robinson responded that the City uses a third-party service to send out notices and stated that the notices were sent June 9, 2022 and the City received confirmation that they were sent out on that date from the post office. If there are complaints about receipt of notices, staff would need to look into those complaints.

Mayor Pro Tem Wanke indicated that a mailing date of June 9, 2022 would not satisfy 45 day noticing. He added comments about his extensive background in waste management and the impact of unfunded state mandates and inflation that has affected costs. He indicated that he would be supportive of a franchise fee holiday.

Mayor Shader commented on complaints she received about noticing and noted that the fee increase was also announced at a previous City Council meeting, adding that the City does a good job of providing notice to residents in different ways. She also stated that the City Council is aware of the fees that are being charged and the franchise fee is returned to the City and invested within the community. She noted that she would be open to discussing the rate increase further as well as a franchise fee holiday. She added that it is frustrating that inflation is causing a lot of increases in cost of items and services. She thanked the public for providing input.

Mayor Shader closed the Public Hearing at 8:38 p.m.

Motion by Green, seconded by Yamaguchi, and carried a (5-0) vote to approve Item 2.a., as recommended.

### **3. REGULAR AGENDA:**

#### **3.a. City Council Study Session: Speed Hump Installation Policy**

Fiscal Impact: None

Recommended Action:

1) Receive and file this report and presentation.

**(Received and filed 4-1, as recommended, Wanke voted no)**

City Administrator Damien Arrula commented that this item is being brought forward based on Council's direction and introduced Transportation Manager Kyra Tao who gave a brief presentation on the Speed Hump Installation policy. He added that City Attorney Christian Bettenhausen, Police Chief Brad Butts and Fire Department Battalion Chief Jason Dobine would also provide brief presentations on the item.

Mayor Pro Tem Wanke commented on his observations of the traffic flows, and conversations with residents on Hemingway Avenue, noting that many individuals mistakenly make a right turn on Faulkner and travel the entire distance on Hemingway Avenue from the cul-de-sac. He added that delivery trucks often make this mistake and drive too fast. He asked staff if they had considered the length of the street from the end of the cul-de-sac.

Transportation Manager Kyra Tao responded that most of the local traffic does not make this mistake and that signs had been upgraded at this intersection to warn drivers that there is no outlet if they turn right towards the cul-de-sac.

Police Chief Brad Butts commented that the Police Department was asked to provide a recommendation on whether speed humps should be installed on Hemingway Avenue. He provided traffic data from Hemingway Avenue noting that there had not been any traffic collisions in the last three (3) years and 26 neighborhood patrol checks had been conducted since 2021 and no violations or speeding citations had been issued during dedicated enforcement times. He added that speed humps can potentially cause traffic collisions and deviating from traffic standards and adopted City policy could create a liability for the City. Therefore, the Police Department does not feel there is a need or support reducing speed hump criteria. He provided his observations of the traffic in this area and noted that the neighborhood is rather quiet.

Fire Department Battalion Chief Jason Dobine stated that the Fire Department opposes reducing speed hump criteria for the same reasons as the Police Department, adding that speed humps also create response delays for emergency equipment, especially the heavier equipment. He provided a graph depicting emergency response delays due to speed humps.

City Attorney Bettenhausen introduced Attorney Monica Arredondo of his office who gave a brief analysis of the proposal.

Ms. Arredondo presented slides regarding Design Immunity Defense and highlighted key factors and ways of establishing "Reasonableness" of a Design and Planning Decision. She added that the City changed the speed hump policy a year ago and changing the policy again could increase the potential litigation risk to the City. She noted that the data and evidence do not support the need for a speed hump on Hemingway Avenue. She also provided sample jury verdicts and settlements in two speed hump cases. She stated that the City Attorney's office does not recommend a change in the speed hump policy based on the data and evidence provided.

Mayor Pro Tem Wanke asked about the speed survey and asked if the speed survey data gives a specific time that these speeding incidents are occurring on Hemingway Avenue. He asked if the Police Department could review the data and conduct enforcement during this time frame. Chief Butts responded that the data would be reviewed to narrow down the time that these few speeding incidents are occurring to assist in enforcing the speed limit in this residential area.

Mayor Shader commented on two other similar speed hump cases and surveys in the City and asked about establishing some type of margin of error criteria that can be part of the policy when cases are very close to meeting the standards or expected results are not being met. She noted that Hemingway Avenue was very close to meeting the criteria.

Transportation Manager Kyra Tao explained that based on the data collected during the study, the traffic volumes have changed in the area and indicated that there are not as many vehicles taking the Hemingway shortcut to avoid the traffic circle. She noted that larger delivery trucks have trouble maneuvering the traffic circle and use this shortcut.

Motion by Yamaguchi, seconded by Smith, and carried a (4-1) vote, Wanke vote no, to Receive and File Item 3.a., as recommended.

**CITY COUNCIL/BOARD MEMBERS REQUESTS:**

Councilmember Green announced that the City Council will go dark in the month of August and wished everyone a Happy Labor Day.

Mayor Shader echoed Councilmember Green's comments and encouraged all to enjoy Concerts in the Park and Movies in the park.

**ADJOURNMENT:**

The City Council/Successor Agency/ICDA/PPFA Board of Directors adjourned at 9:16 p.m. to a regular City Council meeting on Tuesday, September 6, 2022 at 5:30 p.m.



\_\_\_\_\_  
Rhonda Shader, Mayor/Agency Chair

ATTEST:



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Robert S. McKinnell, City Clerk/  
Agency Secretary

