

**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
November 15, 2022
6:00 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 6:00 p.m.

ROLL CALL:

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

ABSENT: Wanke (excused)

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 54957.6

CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representatives: Damien R. Arrula, City Administrator
Rosanna Ramirez, Deputy 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 7:00 p.m.

ROLL CALL:

PRESENT: Councilmember/Board Member Green, Smith, Yamaguchi, Shader
ABSENT: Wanke (excused)

STAFF PRESENT:

Deputy City Attorney/Authority Counsel Keith Collins; 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; City Treasurer Kevin Larson; City Clerk Robert McKinnell; Deputy City Clerk Carole M. Wayman

INVOCATION: Chaplain Kevin Curry

PLEDGE OF ALLEGIANCE: Officer Josh Contreras

PRESENTATIONS:

- a. **Proclamation of November 2022 as Family Court Awareness Month**

Presenter: Mayor Shader
Recipient: Jana Laborde, Family Court Awareness Committee

Mayor Shader presented a Proclamation in recognition of Family Court Awareness Month to Jana Laborde, Family Court Awareness Committee member.

- b. **Proclamation of November 26, 2022 as Small Business Saturday**

Presenter: Mayor Shader
Recipients: Michele Severson and Walt Lynch, Placentia Chamber of Commerce

Mayor Shader presented a Proclamation in recognition of Small Business Saturday on November 26, 2022 to Michele Severson and Walt Lynch of the Placentia Chamber of Commerce.

- c. **Proclamation Placentia Clean and Kind Award**

Presenter: Mayor Shader
Recipient: Frank Perez

Mayor Shader presented a **Placentia Clean and Kind Award** to Frank Perez for his many years of service to the City on the Planning Commission and the Heritage Committee. She thanked him for his generosity to the City and the people of Placentia.

d. **Proclamation Placentia Clean and Kind Award**

Presenter: Mayor Shader
Recipient: Kenny Binnings

Mayor Shader presented a **Placentia Clean and Kind Award** to Kenny Binnings for his many years of service as a member of the Veterans and Heritage Committees. She thanked him for his generosity to the City and the people of Placentia.

CLOSED SESSION REPORT:

Deputy City Attorney/Authority Counsel Collins stated there was nothing to report from Closed Session.

CITY ADMINISTRATOR REPORT:

City Administrator Arrula introduced three (3) new City of Placentia employees.

Accounting Manager Jerry Griggs. Jerry attended Minnesota State University of Moorhead and studied Business Administration. Jerry previously worked for the City of Dilworth, Minnesota as the Finance Director.

Office Assistant Valerie Camarena. Valerie attended California State University, Fullerton and studied Kinesiology. Valerie previously worked for the City of Anaheim for 7 years. She started in their Community Services Department and came to Placentia from their Public Utilities Department.

Senior Civil Engineer Alexandru (Alex) Banean. Alex attended Cal Poly Pomona and completed his Civil Engineering Degree. Alex brings a diverse set of skills in civil engineering as he previously worked for City of San Diego for four and a half years and most recently City of Cypress for five and a half years. His experience includes civil design and project management for projects ranging from road widening, storm drains, sewer improvements, concrete, overlays and slurry seal projects and facility remodeling projects.

ORAL COMMUNICATIONS:

Placentia resident Meredith Castillo thanked the City Council for participating in the City's Veterans Day Observance ceremony and expressed appreciation to the Veterans Committee, Police Chief Butts, Fire Chief Dobine and Staff for all their efforts. He commented on Councilmember Green's departure from the City Council and stated that he will be missed by the residents of Placentia.

Placentia resident Kenny Binnings commented on a City Council Meeting video that included a consultant's presentation on the Santa Fe Street Closure and improvement options. He noted that he and Rosalina Davis invited property and business owners of Santa Fe and Bradford streets to a meeting at City Hall on October 11, 2022, and a good number of individuals attended the meeting in which the video was presented, and discussion was held afterwards. He noted that it was the first time many had seen the video presentation and there were positive comments from property and business owners about the options presented.

City Clerk McKinnell stated that the City Clerk's office had received one electronic communication from Rosalina Davis in support of the Wayfinding presentation on the agenda tonight. She commented on the importance of visibility for local businesses and residents and expressed support for the proposal.

Mayor Shader acknowledged that Boy Scout Troop #1740 was in attendance at the City Council meeting tonight and earning a badge for their participation in local government. She thanked them for their attendance and interest.

CITY COUNCIL/BOARD MEMBER COMMENTS:

Councilmember Smith commented on the success of the City's Veterans Day Observance ceremony and thanked Staff and all who attended. He expressed appreciation to Councilmember and Navy Veteran Craig Green for serving as Master of Ceremonies and thanked all veterans for their service. He thanked Kenny Binnings for his efforts in coordinating the El Dorado High School Veterans Day Observance ceremony stating that it was a very worthwhile event. He noted that three El Dorado students have given the ultimate sacrifice. He promoted the Holiday Toy Drive that is being hosted by the Community Services Department and the Police Department through December 15, 2022 noting that those

interested in donating can donate a new and unwrapped gift at City Hall or visit the City's website for more information.

Councilmember Green promoted the upcoming Tamale Festival on December 8, 2022 which will feature live entertainment, food and tamale vendors, nonprofit booths, business booths, and a beer garden. In addition, there will be pictures with Santa Claus, a holiday tree lighting and kid's game area. He encouraged those interested to visit the City's website for more information. He commented on the success of the Commission and Committee Appreciation event on October 20, 2022, and on a recent tour of the new Hudson housing development, noting the quality of the development. He echoed the comments about the success of the Veterans Observance ceremony and stated that it was great fun to emcee the event. Lastly, he announced that he attended the Brown Bag lunch hosted by City Administrator Arrula and thanked him for keeping the lines of communication open with Staff.

Councilmember Yamaguchi echoed the comments regarding the success of the Veteran's Observance ceremony expressing that it is an honor to stand together as a community to recognize those who have sacrificed and those who continue to serve our country here and abroad. He also commented on the quality of the Hudson housing development. He commented on a recent visit to the City's 9-1-1 communication center noting that as a result of new technology, it is now possible to text to 9-1-1. Lastly, he promoted the upcoming Thanksgiving food distribution event on November 22, 2022 noting that donations are being collected and encouraged those who are interested to contact neighborhood services at 714-986-2333. He thanked the Boy Scouts for their attendance at tonight's meeting and encouraged them to contact him if they had any questions.

Mayor Shader commented that she attended the Yorba Linda State of the City Event, welcomed a team from the Governor's office on a tour of Old Town to discuss the City's Enhanced Infrastructure Financing District, attended the Hudson Development Grand Opening and hosted the City's Commission and Committee Appreciation Event. She expressed appreciation to all citizens who step up to volunteer. She also announced that she attended the grand opening of the Hope Center in Fullerton which is part of the North Orange County Public Safety Task Force which provides wrap around services for those experiencing homelessness. She added that she welcomed President Fram Virjee of California State University Fullerton and gave him a tour of the Old Town and the Navigation Center and expressed the City's desire to partner with the University on City projects. She commented on her participation in the Citizen's Academy and commented on the excellent feedback that was received from Academy participants and expressed the importance of sharing information about the City. She thanked all who participated and thanked Staff for their efforts. Lastly, she commented on the excellent Veterans Day Observance event and the Council's support of the recommendation by the Veteran's Committee to expand the Military Banner Program. She noted the addition of Councilmember Green's banner and expressed her appreciation to all veterans.

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

Councilmember Yamaguchi noted his abstention on Item 1.b. Motion by Green, seconded by Smith, and carried a (4-0-1) vote to approve the remainder 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 4-0-1, as recommended)

1.b. City Fiscal Year 2022-23 Register for November 15, 2022

Check Register

Fiscal Impact: \$2,967,556.64

Electronic Disbursement Register

Fiscal Impact: \$1,703,488.66

Recommended Action: It is recommended that the City Council:

1) Receive and file

(Received and filed, as recommended; Yamaguchi abstained)

- 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: It is recommended that the City Council:
 1) Approve Resolution R-2022-73, 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 4-0-1, as recommended)
- 1.d. **Acceptance of Resignations from the Historical Committee**
Fiscal Impact: None
Recommended Action: It is recommended that the City Council:
 1) Accept the resignation of Martin Chavez and John Bushman from the Historical Committee; and
 2) Update the City's master Commission/Committee vacancy list to include the vacancy on the Historical Committee.
(Approved 4-0-1, as recommended)
- 1.e. **Amendment No. 1 to Construction Contract with Kana Pipeline Inc., for Construction of the TOD Crowther Sewer Pipeline Replacement Project**
Fiscal Impact: None
Recommended Action: It is recommended that the City Council:
 1) Approve Amendment No. 1 to Kana Pipeline Inc. to extend the term of the agreement to November 16, 2024; and
 2) Authorize the City Administrator and/or his designee to execute all the necessary documents, in a form approved by the City Attorney.
(Approved 4-0-1, as recommended)
- 1.f. **Contract Change Order No. 6 for Old City Hall Office Renovation Project No. 5106**
Fiscal Impact:
- | | | |
|----------|---------------------|--|
| Expense: | \$465,000.00 | Original Construction Contract |
| | \$ 71,992.40 | Previously Approved Change Orders (1-5) |
| | <u>\$ 27,909.90</u> | <u>Contract Change Order No. 6</u> |
| | \$564,902.30 | Total Contract Amount with Change Orders |
| Budget | \$619,605.00 | Measure U Fund (795106-6185) |
| | \$ 25,245.43 | Sewer Maintenance Fund (485106-6850) |
| | \$ 2,664.47 | Measure U Fund (765106-6185) |
- Recommended Action: It is recommended that the City Council:
 1) Authorize the City Administrator to approve Contract Change Order No. 6 with A2Z Construct Inc., in the amount of \$27,909.90.
(Approved 4-0-1, as recommended)
- 1.g. **Resolution Requesting Council Authorization for Annual Destruction of Specified Records**
Fiscal Impact: None
Recommended Action: It is recommended that the City Council:
 1) Adopt Resolution No. R-2022-71, authorizing and directing the destruction of certain City records and documents pursuant to California Government Code 34090.
(Approved 4-0-1, as recommended)
- 1.h. **Resolution Amending the 2022-23 Position Allocation Plan**
Fiscal Impact: Increase of \$15,116 in salary and benefits for a full fiscal year for the reclassifications.
Recommended Action: It is recommended that the City Council:
 1) Adopt Resolution R-2022-72, a Resolution of the City Council of the City of Placentia California amending the Position Allocation Plan for fiscal year 2022-23.
(Approved 4-0-1, as recommended)

- 1.i. **Award of Contract to Citizens Business Bank (CBB) for Banking Services**
Fiscal Impact: Cost savings of approximately \$24,000/year in merchant service fees (101003-6040)
Recommended Action: It is recommended that the City Council:
- 1) Approve a Banking Services Agreement with Citizens Business Bank (CBB) for a term of five (5) years; and
 - 2) Authorize the City Administrator to sign the necessary documents, on behalf of the City, in a form approved by the City Attorney.
- (Approved 4-0-1, as recommended)**
- 1.j. **Approval of Contract for the Purchase, Fabrication, and Installation of Shooting Range Equipment for the Placentia Public Safety Center Project No. 5213**
Fiscal Impact:
- | | |
|------------------|-------------------------------------|
| Expense: | \$ 709,350 |
| Proposed Budget: | \$6,250,000 (FY 2022-23 CIP Budget) |
- Recommended Action: It is recommended that the City Council:
- 1) Approve a contract with Action Target, Inc., pursuant to Federal General Services Administration Authorized Federal Supply Schedule contract GS-07F-0482Y in the amount of \$709,350, to design, fabricate, and install shooting range equipment for the Placentia Public Safety Center; and
 - 2) Approve CIP Budget Resolution R-2022-77 allocating a total of \$6,250,000 from reserves, existing CIP project funds and funds from a property sale to the existing project account; and
 - 3) Authorize the City Administrator to approve contract change orders up to 10% of the total not-to-exceed contract amount or \$70,935; and
 - 4) Authorize the City Administrator to execute the above-mentioned contract, in a form approved by the City Attorney.
- (Approved 4-0-1, as recommended)**
- 1.k. **Purchase of Additional 800 MHz Radios for the Placentia Fire and Life Safety Department**
Fiscal Impact:
- | | |
|-------------------|--|
| Expense: | \$51,772.47 |
| Available Budget: | \$54,000.00 (676301-6350 Public Safety Mitigation Fee) |
- Recommended Action: It is recommended that the City Council:
- 1) Authorize the City Administrator to approve a purchase order to Motorola Solutions for the purchase of 800 MHz radios for a not-to-exceed amount of \$51,772.47; and
 - 2) Authorize the City Administrator to approve change orders to Motorola Solutions for a total project amount not to exceed \$5,177.00 (10% of the project cost); and
 - 3) Authorize the City Administrator to execute all necessary documents, in a form approved by the City Attorney.
- (Approved 4-0-1, as recommended)**
- 1.l. **Tentative Parcel Map No. TPM 2022-124 Pertaining to the Subdivision of an +/- 0.41 Acre Lot into Two Parcels located at 502 North Gerhold Lane Within SP-7 (Specific Plan 7)**
Fiscal Impact: Approximately \$15,764 of total development impact fee revenue prior to construction of two new single-family residences.
Recommended Action: It is recommended that the City Council:
- 1) Adopt Resolution R-2022-74, a Resolution of the City Council of the City of Placentia, California, adopting a categorical exemption pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000-21177 and §15000 et seq. of Title 14 of the California Code of Regulations) (CEQA) and Approving Tentative Parcel Map No. TPM 2022-124 pertaining to the subdivision of property located at 502 North Gerhold Lane (Assessor's Parcel Number 341-421-33) and making findings in support thereof.
- (Approved 4-0-1, as recommended)**

1.m. **Tentative Parcel Map No. TPM 2022-125 Pertaining to the Subdivision of an +/- 0.48 Acre Lot Into Three Parcels located at 406 North Nevin Lane Within SP-7 (Specific Plan 7)**

Fiscal Impact: Approximately \$23,646 of total development impact fee revenue prior to construction of three new single-family residences.

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2022-75, a Resolution of the City Council of the City of Placentia, California, adopting a categorical exemption pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000-21177 and §15000 et seq. of Title 14 of the California Code of Regulations) (CEQA) and Approving Tentative Parcel Map No. TPM 2022-125 pertaining to the subdivision of property located at 406 North Nevin Lane (Assessor's Parcel Number 341-433-23) and making findings in support thereof.

(Approved 4-0-1, as recommended)

1.n. **Tentative Parcel Map No. TPM 2022-127 Pertaining to the Subdivision of an +/- 0.40 Acre Lot Into Two Parcels located at 1421 Cisneros Lane Within SP-7 (Specific Plan 7)**

Fiscal Impact: Approximately \$15,764 of total development impact fee revenue prior to construction of two new single-family residences.

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2022-76, a Resolution of the City Council of the City of Placentia, California, adopting a categorical exemption pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000-21177 and §15000 et seq. of Title 14 of the California Code of Regulations) (CEQA) and Approving Tentative Parcel Map No. TPM 2022-127 pertaining to the subdivision of property located at 1421 Cisneros Lane (Assessor's Parcel Number 341-433-48) and making findings in support thereof.

(Approved 4-0-1, as recommended)

2. PUBLIC HEARINGS:

2.a. **Zoning Code Amendment/Zone Change (ZCA) No. 2022-05 (Previously incorrectly referred to as ZCA 2022-03), and General Plan Amendment (GPA) No. 2022-02 Affecting Two Project Areas Generally Described as: 1) The Area of the City of Placentia Previously Known as Unincorporated Hamer Island, which Consists of 76 Acres Completely Surrounded by the City of Placentia and Generally Located North of Palm Drive, South of Shadburn Avenue, West of Carbon Creek Channel, and East of Arrowhead Drive, and 2) Citywide**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing concerning Zoning Code Amendment/Zone Change (ZCA) No. 2022-05, General Plan Amendment (GPA) No. 2022-02; 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 approval of Zoning Code Amendment/Zone Change (ZCA) No. 2022-05 and General Plan Amendment (GPA) No. 2022-02 is exempt from environmental review and direct Staff to file a Notice of Exemption, pursuant to CEQA Section 15061(b)(3) for both Project Area Nos. 1 and 2, identified above in the subject of this report; and
- 5) Adopt Resolution R-2022-78, a Resolution of the City Council of the City of Placentia, California, finding that adoption of a General Plan Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15061(b)(3) and approving and adopting General Plan Amendment No. GPA 2022-02 to update portions of the Land Use Element and official Land Use Map; and
- 6) Waive full reading, by title only, and introduce for first reading, Ordinance No. O-2022-08, an Ordinance of the City Council of the City of Placentia, California, finding that approval of Zoning Code Amendment No. 2022-05 is exempt from the California Environmental Quality Act (CEQA) Pursuant To CEQA Section 15061(B)(3) and approving Zoning Code Amendment/Zone Change No. 2022-05 amending the Official Zoning Map of the City of Placentia to establish a zoning designation for Project Area 1, and amending the Placentia Municipal Code to establish development standards for

Project Area 1 and amending the Placentia Municipal Code, changing the allowable density of the R-3 Zone from 25 to 30 units per acre for Project Area 2 - citywide.
(Approved 4-0-1, as recommended)

Mayor Shader opened the Public Hearing at 7:39 p.m.

City Administrator Arrula introduced Director of Development Services Joe Lambert who gave a presentation on Zoning Code Amendment/Zone Change No. 2022-05 and General Plan Amendment No. 2022-02 affecting two (2) project areas, project area one is the area previously known as unincorporated Hamer Island; and project area two is citywide. He explained that the recommended actions consist of 1) amending the Official Zoning Map of the City of Placentia to establish a zoning designation for Project Area 1 and amending the Placentia Municipal Code to establish development standards for Project Area 1 and, 2) amending the Placentia Municipal Code, changing the allowable density of the R-3 Zone from 25 to 30 units per acre for Project Area 2 - citywide.

Mayor Shader explained that the City annexed Hamer Island in July 2022 and the action before the Council tonight will establish a zoning designation for the area and allow the residents keep their current RV parking regulations. The second action is to increase the density in the R-3 Zone from 25 to 30 units per acre citywide in order to assist the City in meeting its regional housing needs assessment numbers. She asked if there was any public comment on the item.

City Clerk McKinnell stated that the City Clerk's Office had received no public comment for Item 2.a.

Mayor Shader closed the public hearing at 7:48 p.m.

Motion by Yamaguchi, seconded by Smith, and carried a (4-0-1) vote to approve Item 2.a., as recommended.

2.b. **Zoning Code Amendment (ZCA) No. 2022-04 A Zoning Code Amendment to Amend the Placentia Municipal Code (PMC) Chapter 23, to Create an Administrative Use Permit Process in which Certain Applications for Use Permits and/or Use Permit Modifications (including but not limited to those for outdoor dining) could be Evaluated Administratively at the Staff Level Instead of Being Evaluated by the Planning Commission**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing concerning Zoning Code Amendment/Zone Change (ZCA) No. 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 approval of Zoning Code Amendment (ZCA) No. 2022-04 is 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-2022-09, an Ordinance of the City Council of the City of Placentia, California, finding that approval of Zoning Code Amendment No. 2022-04 is exempt from the California Environmental Quality Act (CEQA) Pursuant To CEQA Section 15061(B)(3) and approving Zoning Code Amendment No. 2022-04 amending the Placentia Municipal Code, Title 23 of the City of Placentia to establish an Administrative Use Permit process in which certain applications for use permits may be considered administratively.

(Approved 4-0-1, as recommended)

Mayor Shader opened the Public Hearing at 7:49 p.m.

City Administrator Arrula introduced Director of Development Services Joe Lambert who gave a brief presentation on Zoning Code Amendment No. 2022-04 to create an Administrative Use Permit process for certain applications for Use Permits or Use Permit modifications.

Director of Development Services Lambert stated that the Council gave Staff direction to create an administrative process for existing businesses to expand outdoor dining operations permanently. Pursuant to City Council direction, Staff is proposing an amendment to the Placentia Municipal Code to allow for a Use Permit process for businesses that already have a use permit and any new permits to be evaluated administratively. The Administrative Use Permit process would provide parameters for the Director of Development Services to evaluate the request and approve it administratively with conditions of approval as if it went to Planning Commission. He provided a photo presentation of several outdoor dining platforms noting that staff is working on development standards for these uses.

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

Councilmember Yamaguchi asked if the administrative process would be limited to existing Temporary Outdoor Business Encroachment (TOBE) approvals? He also asked if Conditional Use Permits would still need to go to the Planning Commission and how many of these existing outdoor dining uses are in the public right of way.

Director of Development Services Lambert responded that the Administrative Use Permit process would be for existing and new TOBE uses. He added that it would streamline the process for these types of uses. The majority of these outdoor dining uses are on private property but some are within the City's right of way. Under the Administrative Use Permit process the use of a portion of the sidewalk or street could still be requested. The review process would involve public works approval for ADA access, and possibly an encroachment permit. He noted that major modifications would still to go to the Planning Commission.

Councilmember Yamaguchi expressed concerns about sidewalk vendors who temporarily set up food operations on the City's property and commented on the use of the public right of way. He expressed appreciation for the City moving forward on establishing a process for approval of outdoor dining uses and being more business friendly.

Mayor Shader asked about the deadline for existing TOBE uses to apply noting that the City Council extended the deadline to December 31, 2022.

Director of Development Services Lambert responded that most of the current TOBE applicants have already been in contact with Planning Staff and have submitted conceptual plans.

Mayor Shader clarified that businesses do need to get landowner permission if they do not own the land or any parking.

Director of Development Services Lambert responded that the owner's signature is required on the application.

Mayor Shader commented on the importance of safety for these uses and expressed concerns about conditions on modification applications. She commented on the success of outdoor dining during COVID and noted how businesses have thrived. She added that the City Council can revisit this item in the future if necessary.

Director of Development Services Lambert responded that with use permits there are always conditions of approval, and with a modification, Staff reserves the right to set forth additional conditions of approval specific to the use.

City Administrator Arrula stated that the City was recently made aware of potential grant funding for outdoor dining platforms. He noted that Staff is exploring these grants further and will bring an item to the City Council for consideration, possibly as early as the December 6, 2022 meeting.

Mayor Shader closed the public hearing at 8:07 p.m. She thanked Staff for developing a process that allows these uses and benefits business owners.

Motion by Green, seconded by Smith, and carried a (4-0-1) vote to approve Item 2.b., as recommended.

2.c. **Public Hearing to Consider Adoption of an Updated Library Impact Fee Program on Behalf of the Placentia Library District**

Fiscal Impact: These Development Impact Fees are established for cost recovery or statutory purposes only, and any fees collected will be utilized by the Placentia Library District, not the City of Placentia.

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing concerning the Updated Library Impact Fees; 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 environmental review and direct Staff to file a Notice of Exemption, pursuant to CEQA Section 15061(b)(3) of the CEQA Guidelines, Section 21065 of the Public Resources Code, and the City of Placentia Local Guidelines for implementing CEQA; and
- 5) Waive full reading, by title only, and introduce for first reading, Ordinance No. O-2022-10, an Ordinance of the City Council of the City of Placentia, California, finding that establishing Placentia Library District impact fees is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15061(B)(3) and, approving a Library Development Impact Fee Nexus Study Report, and amending Chapter 5.02 (Citywide Development Impact Fees) of the Placentia Municipal Code adding a new Section 5.02.190 to establish a Library Development Impact Fee Program and adopting necessary findings for the establishment of the Library Development Impact Fees to financially mitigate impacts to Library facilities; and
- 6) Adopt Resolution No. R-2022-79, a Resolution of the City Council of the City of Placentia, California, finding that approval of Placentia Library District impact fees is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15061(b)(3) and, approving the Placentia Library District Development Impact Fees to finance mitigation of impacts to Library facilities; and
- 7) Approve and authorize the City Administrator to sign and execute the Agreement for collection of Library Impact Fees between the City of Placentia and the Placentia Library District.

(Approved 3-0-1-1, as recommended Wanke absent, Yamaguchi abstained)

Councilmember Yamaguchi announced his recusal on Item 2.c. due to a conflict of interest regarding his business relationship with the library and left the meeting during the presentation and discussion of the item.

Mayor Shader opened the Public Hearing at 8:08 p.m.

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

City Administrator Arrula introduced Director of Development Services Joe Lambert who gave a brief overview of the updated Library Impact fee program on behalf of the Placentia Library District. He introduced Blair Aas with SCI Consulting Group to provide further information and answer questions.

Blair Aas provided a historical overview of the Library District Impact Fee program and the process to update the fee program which involved an update of the nexus study which establishes the legal and policy basis for imposing the fee and an update of all the factors that determine the fee.

Mayor Shader asked for clarification on the Council's obligation since the item involves the Library District which has its own separate Board. She expressed that it seemed odd to be approving fees for another organization.

Deputy City Attorney Collins responded that the role of Council is to exercise discretion to approve the report and the connection between the cost of the services and the fees being charged.

City Administrator Arrula explained that the Library District's board does not have, under the government code, the ability or the police power to essentially take the actions to implement the fees on their own. Therefore, they need the City to act as the police power to essentially implement this and use that authority. He further explained that this has already gone before the Library Board and now requires the local elected body to make a decision about what they feel is appropriate for their fees and their structure and take the necessary actions to implement the updated Library Impact Fee program.

Councilmember Smith agreed that the action seems unusual in nature since the City is only acting as a fiduciary pass through.

Mayor Shader asked if property taxes would be raised as a result of the action by the Council to approve the item.

Consultant Blair Aas responded that the fees are one-time fees collected for new development and are paid at the time of building permit issuance.

City Administrator Arrula clarified that there will be no change to property taxes. The Library is collecting fees that are necessary to maintain operations or for capital improvements.

Discussion ensued about the impact fee nexus study report and the proposed fees.

Consultant Blair Aas explained that the action of the City Council approving and adopting these fees on behalf of the Placentia Library District is actually very common for districts across California.

City Administrator Arrula noted that the City participates in a monthly meeting with the Library District and worked with the consultant and Board on this update. He added that the City recommended that their fees be tied to the Construction Cost Index to facilitate future updates to fees.

Mayor Shader closed the public hearing at 8:30 p.m.

Motion by Green, seconded by Smith, and carried a (3-0-1-1) vote to approve Item 2.c., as recommended.

Councilmember Yamaguchi returned to the meeting.

2.d. **Public Hearing, Introduction and First Reading of State Mandated Ordinance No. O-2022- 11 of the City Council of the City of Placentia, California Repealing Chapter 18.04 of Title 18 and Chapters 20.04, 20.08, 20.12, 20.16, 20.20, 20.46, 20.48, 20.50, 20.52 and 20.54 of Title 20 of the Placentia Municipal Code and Adopting by Reference, the California Fire code, 2022 Edition, the 2022 Editions of the California Building, Residential, Electrical, Plumbing, Mechanical, and Green Building Standards Code, 2021 Edition of the International Property Maintenance Code, 2022 Edition of the California Existing Building Code, 2022 Edition of the California Historical Building Code and 2022 California Energy Code, Including all Appendices, with Certain Amendments, Additions and Deletions Thereto, Including Fees and Penalties, and Adoption of a Resolution Making Required Findings Pursuant to the California Health & Safety Code**

Fiscal Impact: No fiscal impacts are anticipated with this ordinance as all costs will be recovered through the plan check and inspection process.

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing concerning Ordinance No. O-2022-11, and
- 2) Receive the Staff Report and consider all Public Testimony; and
- 3) Close the Public Hearing; and

- 4) Find that the recommended actions are exempt from environmental review and direct Staff to file a Notice of Exemption, pursuant to CEQA Section 15061(b)(3) of the CEQA Guidelines, Section 21065 of the Public Resources Code, and the City of Placentia Local Guidelines for implementing CEQA; and
- 5) Waive full reading, by title only, and introduce for first reading Ordinance No. O-2022-11, An Ordinance of the City Council of the City of Placentia, California, finding that adoption of 2022 Fire and Building related Codes is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15061(B)(3) and, repealing Chapter 18.04 of Title 18 and Chapters 20.04, 20.08, 20.12, 20.16, 20.20, 20.46, 20.48, 20.50, 20.52 and 20.54 of Title 20 of the Placentia Municipal Code and adopting by reference, the California Fire Code, 2022 Edition, the 2022 Editions of the California Building, Residential, Electrical, Plumbing, Mechanical, and Green Building Standards Code, 2021 Edition of the International Property Maintenance Code, 2022 Edition of the California Existing Building Code, 2022 Edition of the California Historical Building Code and 2022 California Energy Code, including all appendices, with certain amendments, additions and deletions thereto, including fees and penalties; and
- 6) Adopt Resolution No. R-2022-80, A Resolution of the City Council of the City of Placentia making required findings pertaining to modifications to the uniform fire and construction codes adopted by Ordinance No. O-2022-11 based upon local climatic, topographic and geologic conditions in accordance with the requirements of § 17958.5 of the California Health and Safety Code.

(Approved 4-0-1, as recommended)

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

City Administrator Arrula introduced Director of Development Services Joe Lambert who gave a brief overview of the repeal of the City’s current building and fire codes and all related codes and adoption of new California Building Standards Commission model codes with local amendments related to building and fire codes.

City Clerk McKinnell stated that the City Clerk’s Office had received no public comment for Item 2.d.

Mayor Shader asked if there were any significant changes to the Codes.

Dennis Grubb of Dennis Grubb and Associates responded that there are some minor modifications or some clarifications, but there are no substantial changes to the Codes.

Mayor Shader closed the public hearing at 8:38 p.m.

Motion by Green, seconded by Yamaguchi, and carried a (4-0-1) vote to approve Item 2.d., as recommended.

3. REGULAR AGENDA:

3.a. Citywide Wayfinding Design

Fiscal Impact: Expense: \$120,000.00 Professional Services Agreement
 Budget: \$100,000.00 FY 2022-23 CIP Budget
 \$ 50,000.00 General Fund (109201-6770)
 \$ 50,000.00 TOD Streetscape Impact Fee (729201-6770)
 \$ 20,000.00 TOD Traffic Impact Fee (709201-6770)

Recommended Action: It is recommended that the City Council:

- 1) Receive the presentation and ask any questions of Staff; and
- 2) Review, consider and approve the Citywide, Transit Oriented/Packinghouse District and Old Town Placentia wayfinding signage designs as presented and recommended by Staff and the City’s design consultant; or approve with modifications to the designs as directed by the City Council; and
- 3) Direct Staff and the design consultant team to complete the engineered construction and fabrication documents and technical specifications for the various sign types; and

- 4) Direct staff and the design consultant to implement the proposed phasing plan to complete the installation of the approved wayfinding signage program; and
- 5) Approve Amendment No. 1 to the City's agreement with Seilbert Perkins in the amount of \$32,000 to cover the cost of designing new Citywide street name signs as well as prepare the engineered construction drawings for the new signage and provide construction support and inspection services for the fabrication and installation of the signage.

(Approved 4-0-1, as recommended)

City Administrator Arrula introduced Deputy City Administrator Estevez who gave a brief overview of the proposed citywide wayfinding program.

Mr. Estevez stated that the design team of Selbert Perkins Design has spent a considerable amount of time over the last year crafting a comprehensive wayfinding master plan and design standards. This effort involved researching the City's history and culture, a community wide survey, as well as interviews with the City Council and key staff. He introduced Art Orozco of Selbert Perkins Design to give a PowerPoint presentation of wayfinding signage and proposed designs for the City.

City Administrator Arrula shared that if the Council proceeds with plans for updated signage, one possibility would be to develop a program to create an opportunity to possibly raise funds for a community foundation or non-profit through the sales of old street name signs. This type of a program has been successful in other cities.

Councilmember Yamaguchi asked about the signage in phases one (1) and five (5).

Art Orozco, Project Consultant, responded that the signage in phase one (1) consists of larger wayfinding signs at intersections and phase five (5) is street name signs.

Discussion ensued about the different types of signage for each phase of the project.

Councilmember Green expressed appreciation for the presentation and comprehensive master plan and design.

Councilmember Smith inquired about signage at significant entry and exit points adjacent to neighboring cities and other key locations that might add value to the City. He added concerns about large lighted signs that may distract drivers. He thanked the consultant and expressed support for the plans and designs.

City Administrator Arrula responded that some areas, such as Yorba Linda Boulevard near the Audi dealership, do not have sufficient space for a gantry sign but a pylon or cantilever sign would be considered. He added that essential areas where there are very high vehicular traffic counts have been identified for signage in the master plan.

Councilmember Yamaguchi commented on the importance of consistency in signage and stated that he appreciated how the consultant provided unique signage throughout the City while maintaining consistency and paying homage to the City's history and traditions. He inquired about signage for major landmarks in the City such as the water tower and Key Ranch property. He also inquired about trail signage for pedestrian channels or bike paths.

City Administrator Arrula stated that parks, community centers and other key locations are under consideration for the next phase of the program. He noted the City has also contacted the water company about purchasing the water tower. He added that grants are available for pedestrian and bike path signage.

Discussion ensued about signage for trails, bike paths and other recreational areas.

Councilmember Yamaguchi asked about funding sources for the downtown signage and provided examples from other cities.

City Administrator Arrula stated that the funding for the TOD phase of the project will come from development impact fees.

Discussion ensued about funding alternatives in which the City would not have to provide the full share of funds for signage in downtown areas. There was discussion about business association sharing the costs.

Councilmember Yamaguchi noted that he would rather see more smaller signs and less of the larger gantry signs.

City Administrator Arrula stated that Staff is only proposing one large gantry sign at the intersection of Placentia Avenue and Chapman Avenue.

Discussion ensued about the phasing plan for the signage program and funding sources.

City Administrator Arrula emphasized that funds for the wayfinding signage program and each phase would be considered during the normal budgetary process and brought back to Council for approval. He stated that the action before the Council tonight is to approve an amendment to the Contract with Selbert Perkins Design to finish the construction drawings, some construction management support, and completion of the citywide street signs for all five (5) phases of the program.

Mayor Shader asked if there are industry standards on the amount of information that can be placed on signage for special destinations. She also requested information on the ordering and fabrication lead time, staging and coordination.

Consultant Art Orozco responded that there are certain considerations that are taken regarding messaging on signs, such as speed limits and location. In regard to fabrication, there are still supply chain issues and some signs can be fabricated quicker than some of the larger gantry signs. He estimated four (4) to six (6) months for fabrication.

Mayor Shader asked about digital signs displaying available parking spaces for parking areas.

Consultant Orozco responded that digital parking signs could be incorporated into the plans.

Mayor Shader commented that she appreciated the surveys and community involvement during the process of developing the plan. She noted that through the process she developed an appreciation for wayfinding and commented on the attractiveness of the designs.

Motion by Yamaguchi, seconded by Smith, and carried a (4-0-1) vote to approve Item 3.a., as recommended.

3.b. Code of Ethics and Conduct Policy

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Provide input as necessary regarding the proposed Code of Ethics and Conduct Policy; and
- 2) Following any input from the City Council, adopt the Code of Ethics and Conduct Policy.

(Approved 4-0-1, as recommended)

City Administrator Arrula stated that in April of this year the City Council conducted a strategic plan workshop and developed a five (5) year strategic plan. Subsequently on May 10, 2022 the strategic plan was adopted and Council directed staff to update the City's Code of Ethics and Conduct policy. Kelly and Associates Management Group was retained to work with the City Attorney and staff to develop a draft Code of Ethics and Conduct policy which is presented to you at tonight's meeting. He introduced Mr. Bill Kelly of Kelly and Associates Management Group to give a brief presentation and answer any questions.

Consultant Bill Kelly explained the process in developing the policy noting that the draft policy is an amalgamation of best practices from a number of jurisdictions from throughout the state. He further explained that the policy has been set up for the City Council, Commissions, committees and City Staff, noting that all involved in setting public policy and decision making would be required to comply with the City's code of ethics and standards, to read it and sign it. All covered in the policy are agreeing that they will comply with both the letter and the spirit of the law, and policies affecting operations the city of Placentia, to be independent, impartial and fair in their judgment and actions, and use their public office for the public good, not for personal gain. Also, to conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect, civility and transparency.

Mayor Shader thanked Mr. Kelly for his work on the policy.

Councilmember Smith inquired about an article in the OC voice which rated cities for governmental transparency, noting that the City did not receive a high mark.

Discussion ensued about actions that can be taken against an elected member under the policy, AB 1234 Ethics training, and governmental transparency.

Councilmember Yamaguchi inquired about whether contractors, the Fire Marshal and engineering Staff are required to sign the policy.

Consultant Bill Kelly responded that the City could set the standards for these individuals that are serving as contractors for the City.

City Administrator Arrula responded that if an individual is actively filling a City position via contract, the City can make the signing of this policy a standard.

Motion by Yamaguchi, seconded by Green, and carried a (4-0-1) vote to approve Item 3.b., as recommended.

CITY COUNCIL/BOARD MEMBERS REQUESTS:

There were no City Council/Board Members requests.

ADJOURNMENT:

The City Council/Successor Agency/ICDA/PPFA Board of Directors adjourned at 9:36 p.m. to a Regular City Council meeting on Tuesday, December 6, 2022 at 7:00 p.m.


Rhonda Shader, Mayor/Agency Chair

ATTEST:


Robert S. McKinnell, City Clerk/
Agency Secretary

