

**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
February 15, 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 5:31 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 on the following:

- 1. Pursuant to Government Code Section 54957(b)(1):
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Administrator
- 2. 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

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, 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 Captain Jim McElhinney; Fire Chief Jason Dobine; Interim Director of Finance Stephen Erlandson; Community Services Supervisor Veronica Ortiz; Director of Development Services Joe Lambert; Assistant to the City Administrator/Economic Development Manager Jeannette Ortega; City Treasurer Kevin Larson; City Clerk Robert McKinnell; Deputy City Clerk Karen O’Leary

INVOCATION: Kenneth Curry

PLEDGE OF ALLEGIANCE: Placentia Veterans Advisory Committee Member Pat Alvarez

PRESENTATION:

- 1. **Presentation on the Orange County Housing Finance Trust**
Presenter: Grant Henninger, Orange County Housing Finance Trust

Mayor Shader invited Grant Henninger to give an update on the Orange County Housing Finance Trust to the City of Placentia as a member city. The presentation included an overview, accomplishments, development tracking, projects funded in Placentia, annual funding sources, and looking to the future.

Mayor Shader thanked Mr. Henninger for the presentation and noted that the current City Council approved the establishment of the Placentia Regional Navigation Center and are trying to be part of the solution to homelessness. She noted that one of the goals of the Navigation Center is to assist guests in finding permanent housing.

CLOSED SESSION REPORT:

City Attorney/Authority Counsel Bettenhausen stated that there were two (2) items on the Closed Session agenda: one (1) performance evaluation and one (1) discussion of a real property negotiation. The City Council discussed each of those items and provided direction to Staff. He noted that there was nothing further to report.

CITY ADMINISTRATOR REPORT:

City Administrator Arrula introduced four (4) new City of Placentia employees.

He introduced Public Safety Dispatcher Cynthia Castillo who graduated from California State University, Long Beach, with a Bachelor of Science in Criminal Justice and attended Goldenwest College for her Police Officer Standards and Training (POST) Dispatcher course.

City Administrator Arrula introduced Associate Civil Engineer Raquel Garcia. Raquel graduated from California State University, Fullerton, with a Bachelor of Science Degree in Civil Engineering. Raquel worked at the Los Angeles County Department of Public Works as a civil engineering assistant, and with the City of La Habra as a Traffic Engineering Assistant and as an Assistant Civil Engineer.

He called up Property Technician Nuvia Rodriguez who previously worked for the City of Covina for eight (8) years as a Jailer and Evidence Technician and received the City's Lifesaving Award in 2019. Nuvia graduated from California State University, Fullerton, where she received her bachelor's degree in communications with a focus on public relations and a minor in human communications.

City Administrator Arrula introduced Accounting Technician Sarah Contreras. Sarah attended a trade school, received a Certificate in Paralegal Studies, and previously worked for a property management company and as a payroll specialist/human resources assistant, in Yorba Linda.

ORAL COMMUNICATIONS:

Placentia resident Gino Apicella urged the City Council to reopen Santa Fe Avenue which had been closed off to allow for outdoor dining during the pandemic. He also discussed a lack of parking in the Old Town area for residents and visitors, and he mentioned issues with the stop sign on the corner of Santa Fe Avenue and Bradford Avenue.

David Clear, Hamer Island resident, spoke in opposition to the Hamer Island proposed annexation.

Placentia resident Dr. Patricia Laguna discussed a Code Enforcement issue with her driveway and urged City Council to work with her family to negotiate a solution.

Johnny Miller, Hamer Island resident, spoke in opposition to the Hamer Island proposed annexation.

Hamer Island resident Greg Smith urged the City Council to allow the County Island residents to vote on before an annexation is considered.

Mary Griffin, Hamer Island resident, spoke in opposition to the proposed Hamer Island annexation.

Hamer Island resident Jon Mann spoke in opposition to the proposed Hamer Island annexation and discussed the response he received from the County.

City Clerk McKinnell summarized four (4) electronic communications received by the City Clerk's Office from Stephanie Beverage, Gary Hendrix, John Sparks, and Terry Day Hamer Island Residents, regarding the proposed Hamer Island annexation.

CITY COUNCIL/BOARD MEMBER COMMENTS:

Councilmember Smith announced that as a result of the COVID-19 pandemic and the loss of indoor dining through much of 2020, the City created a temporary closure of Santa Fe Avenue between Bradford Avenue and Main Street to provide outdoor dining space for Old Town restaurants. The street closure has been in effect for nearly 18 months and has generated interest in the community to make the closure permanent.

With most COVID-19 restrictions now lifted by the State of California, the City is seeking the public's input to determine if the street closure should be made permanent. He noted that those interested in taking the survey could visit the City's website at www.placentia.org. There were also hard copies of the survey in the back of the Council Chambers that could be filled out and returned to a City staff member.

Councilmember Smith noted that he had attended meetings of the Orange County Council of Governments (OCCOG) and the Southern California Association of Governments (SCAG).

Councilmember Green announced that the City would be hosting a community meeting to discuss parking and traffic circulation in Old Town Placentia on Thursday, March 3, 2022 at 6:00 p.m. at the Placentia Senior Center at 143 South Bradford Avenue. The City recently completed a comprehensive traffic circulation analysis and parking study in Old Town Placentia. For additional information about this meeting, those interested could contact Luis Estevez, Deputy City Administrator, at (714) 993-8120 or lestevez@placentia.org.

Councilmember Yamaguchi congratulated newly crowned Miss Placentia 2022 Ashley Nelson and Miss Placentia Outstanding Teen Hailey Whitehurst. He thanked the public for commenting on the reopening of Santa Fe Avenue and expressed his support for returning the downtown area to the pre-pandemic configuration. He stated his opinion on the value and validity of online surveys. He thanked everyone who spoke about the proposed annexation of Hamer Island.

Councilmember Yamaguchi announced that the City is currently accepting applications for all City Commissions and Committees; however, presently there is one (1) vacancy on the Planning Commission, one (1) vacancy on the Senior Advisory Committee, and one (1) vacancy on the Veterans Advisory Committee. All interested residents were encouraged to apply before the deadline on Thursday, March 10, 2022 at 6:00 p.m. He noted that applications were available on the City's website at www.placentia.org.

Mayor Pro Tem Wanke thanked those who provided feedback regarding the proposed annexation of Hamer Island.

Mayor Pro Tem Wanke announced that the third public hearing to address city council redistricting would be held on Wednesday, February 16, 2022 at 7:00 p.m. at City Hall. The redistricting process is undertaken every 10 years to respond to population demographics documented in the U.S. census. The purpose of the public hearing is to provide an opportunity for the public to express their opinion regarding possible changes to council district boundaries. Citizens with questions were invited to contact the City Clerk's office at (714) 993-8231 or via email at cityclerk@placentia.org. Copies of the current draft maps were available in the back of the City Council Chambers and in the City Hall Lobby.

Mayor Shader noted that she had been preparing for the City Council Retreat in March 2022 and had attended additional City Council meetings regarding the review of district boundaries; a Placentia Regional Navigation Center Board Meeting; and a meeting of the League of California Cities (Cal Cities) Governance, Transparency, and Labor Relations Committee. She discussed the upcoming community meeting planned to discuss parking and traffic circulation in Old Town Placentia.

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

Motion by Wanke, seconded by Green, and carried a (5-0) vote to approve the Consent Calendar items 1.a. through 1.j., 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**

City Council/Successor/ICDA/PPFA Regular Meeting: February 1, 2022

Recommended Action: Approve

(Approved 5-0, as recommended)

1.c. **City Fiscal Year 2021-22 Register for February 15, 2022**

Check Register

Fiscal Impact: \$1,242,882.27

Electronic Disbursement Register

Fiscal Impact: \$ 963,796.90

Recommended Action: It is recommended that the City Council:

1) Receive and file

(Received and filed, 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-2022-04, 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. **Award of Construction Contract to Hillcrest Contracting Inc. to Resurface Alta Vista Street and Rose Drive**
Fiscal Impact: Expense: \$ 275,250.00 Construction Contract (791101-6740)
 \$ 27,525.00 Contingency Amount (791101-6740)
 Budgeted: \$ 2,236,016.00 FY 2021-22 CIP Budget Project No. 1101
 Available: \$ 1,267,654.17
Recommended Action: It is recommended that the City Council:
 1) Approve a Public Works Agreement for this project with Hillcrest Contracting, Inc. for an amount not-to-exceed \$275,250; and
 2) Authorize the City Administrator to approve contract change orders up to 10% of the contract not-to-exceed amount, or \$27,525; and
 3) 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.f. **Resolution of Notification of Intent to Comply with Provisions Outlined in Senate Bill 1383**
Fiscal Impact: There is no immediate or direct fiscal impact associated with the recommended actions
Recommended Action: It is recommended that the City Council:
 1) Approve Resolution No. 2022-05, a Resolution of the City Council of the City of Placentia, California, approving submittal of a Notification of Intent to Comply with CalRecycle Short-Live Climate Pollutants Regulations; and
 2) 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 and Specifications and Award of Construction Contract for the Old City Hall Office Renovation Project, City Project No. 5106**
Fiscal Impact: Expense: \$ 465,000 Construction Contract Amount
 \$ 50,000 Construction Inspection Services
 Budget: \$ 562,980 Total Project Budget (FY 2021-22 CIP Budget)
 \$ 562,980 Measure U Fund (795106-6185)
Recommended Action: It is recommended that the City Council:
 1) Approve the Engineered Plans and Specifications prepared by BOA Architecture for the Old City Hall Office Renovation Project, City Project No. 5106; and
 2) Reject bid proposal for Old City Hall Office Renovation Project submitted by MEP Construction Services as non-responsive; and
 3) Approve a Public Works Agreement with A2Z Construct, Inc. for the Old City Hall Office Renovation Project in the amount of \$465,000; and
 4) Authorize the City Administrator to approve contract change orders up to 10% of the contract amount, or \$46,500, for a total construction contract not-to-exceed amount of \$511,500; and
 5) Approve Amendment No. 1 with NV5, Inc. for on-call construction management and inspection services to provide additional services for the Old City Hall Renovation Project in the amount of \$50,000, for a cumulative not-to-exceed contract amount of \$300,000; and

- 4) Authorize the City Administrator, to execute Memorandums of Understanding based upon the terms for PCEA, PPFMA and PPOA on behalf of the City, in a form approved by the City's Labor Counsel.

(Approved 5-0, as recommended)

2. PUBLIC HEARING: None

3. REGULAR AGENDA:

3.a. **Resolution of Intent to Commence Annexation Proceedings and Application Submittal Regarding County Unincorporated "Hamer Island" Within the Municipal Boundaries of the City of Placentia**

Fiscal Impact: There is no immediate or direct fiscal impact associated the recommended actions. Should the City elect to annex Hamer Island the City will incur long-term costs to provide services to the Island but will also receive corresponding tax revenues from the Island to help offset those service costs.

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2022-07, a Resolution of the City Council of the City of Placentia, California, making application to and requesting the Local Agency Formation Commission of Orange County take proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 for the City of Placentia for the annexation of County Island designated as "Hamer Island" consisting of approximately 76 acres of property within its sphere of influence; and
- 2) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney for the Annexation Proceedings with the County of Orange and the Orange County Local Agency Formation Commission; and
- 3) Direct Staff and the City Attorney's Office to prepare an amendment to the City's Recreational Vehicle Parking Ordinance to provide grandfathering provisions to the benefit of Hamer Island residents; and
- 4) Direct Staff to work with Republic Services and the County of Orange to re-assign or transfer the existing waste hauling agreement between the County and Republic Services servicing Hamer Island under the same terms, conditions, and rates to the benefit of Island residents.

(Item 3.b. Recommendations 1 and 2 Approved 3-2, Yamaguchi and Wanke voted no)

(Item 3.b. Recommendation 3 Approved 5-0)

(Item 3.b. Recommendations 4 Approved 4-0-1, Yamaguchi abstained)

City Administrator Arrula introduced Deputy City Administrator Estevez to provide a brief presentation, provide additional information, and introduce representatives of the County of Orange and the Local Agency Formation Commission of Orange County (OCLAFCO) to comment on the proceedings and answer questions. The presentation included an outline; background; County Islands; Hamer Island boundaries; Hamer Island general statistics; additional background; Hamer Island infrastructure statistics; benefits of annexation for Hamer Island residents; annexation benefits; direct access to local government services; current Island service providers; current and future service providers; property and utility tax comparison; residential refuse rates; street sweeping services; water and sewer utility services; County Island addresses; City Council voting districts; a public safety service analysis of Police, Fire and Emergency Medical Services; community outreach; questions received by the City; schedule/next steps; and Staff recommendations.

Deputy City Administrator Estevez introduced Orange County Chief Executive Office Frank Kim and OCLAFCO Executive Director Carolyn Emery to provide comments on the proposed annexation.

Councilmember Smith thanked Deputy City Administrator Estevez for the presentation and the information provided and asked if the information had been provided to the County Island residents before the agenda packet was posted. He thanked Mr. Kim and Ms. Emery for attending the meeting to represent the interests of the County of Orange and OCLAFCO. He discussed his history with the City, his career in public safety, and the previous decision to provide public safety services to the Island

residents. He stated that the City did not take the annexation lightly and discussed the financial and infrastructure conditions of the City.

Councilmember Green stated that the annexation was not undertaken lightly and that the costs to the Island residents, the residents of the City of Placentia, and the County were considered.

Councilmember Yamaguchi discussed previous attempts at the annexation of the County Island, the vote of the people in those instances, and the sales and use tax that would now be imposed. He articulated a number of issues with the annexation that in his opinion should be resolved before the City Council takes action to begin the annexation. He urged City Council to wait for more answers and for certain actions to be taken before beginning the annexation process.

Mayor Pro Tem Wanke questioned whether the current State law and County law differs from City regulations regarding the approval of care homes in residential neighborhoods. He asked for clarification on the change in annexation law in 2005 and the City's attempt at annexation in 2012. He thanked the Hamer Island residents for attending and representing their interests. He stressed the importance of the residents of the County Island having a voice in the process and the decision for annexation. He stated that the City is fiscally stable and financially secure, with great police and fire departments, and that the quality of life would improve for the County Island residents with an annexation, but the residents should have a voice and a vote. He stated that he did not support the annexation process.

Mayor Shader discussed taxes and how tax money is spent. She spoke about the inefficiency of the County managing and providing services to the various County Islands and stressed the importance of early and ongoing outreach to the residents. Mayor Shader stated her hope for the least possible impact on the County Island residents and noted that the City had done a lot of research and planning for a smooth transition for the Hamer Island residents. She asked City Administrator Arrula to discuss the uses of the utility user taxes (UUTs) collected by the City.

City Administrator Arrula explained that UUTs are generally used to supplement the General Fund for all City services including public safety, parks and recreation, City programs, street sweeping and resurfacing, citywide sidewalk maintenance, and others.

Mayor Shader mentioned that the City of Placentia was in a positive, sustainable financial position, had implemented a seven-year plan to pave every street in the City with a plan to maintain them afterwards and the funding to do so, had launched a parks improvement program, and was in the process of updating infrastructure.

Motion by Green, seconded by Smith, and carried a (3-2, Yamaguchi and Wanke vote no) vote to approve Item 3.a Recommendations 1 and 2 and adopt Resolution R-2022-07, and authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney for the annexation proceedings with the County of Orange and the Orange County Local Agency Formation Commission.

Motion by Smith, seconded by Green, and carried a (5-0) vote to approve Item 3.a Recommendation 3 to direct Staff and the City Attorney's Office to prepare an amendment to the City's Recreational Vehicle Parking Ordinance to provide grandfathering provisions to the benefit of Hamer Island residents.

Councilmember Yamaguchi questioned how the grandfathering provisions to the benefit of Hamer Island residents ties into the Recreational Vehicle Parking Ad-Hoc Committee.

Motion by Green, seconded by Smith, and carried a (5-0) vote to approve Item 3.a Recommendation 4 to direct Staff to work with Republic Services and the County of Orange to re-assign or transfer the existing waste hauling agreement between the County and Republic Services servicing Hamer Island under the same terms, conditions, and rates to the benefit of Island residents.

A break was taken at 8:52 p.m.

The meeting resumed at 9:01 p.m.

3.b. **Fiscal Year 2020-21 and Fiscal Year 2021-22 Treasurer's Report**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Receive and file the third quarter Fiscal Year 2020-21 Treasurer's Report; and
- 2) Receive and file the fourth quarter Fiscal Year 2020-21 Treasurer's Report; and
- 3) Receive and file the first quarter Fiscal Year 2021-22 Treasurer's Report; and
- 4) Receive and file the second quarter Fiscal Year 2021-22 Treasurer's Report.

(Received and filed, as recommended)

Mayor Shader introduced City Treasurer Kevin Larson to give a presentation which included cash and investment balances, cash and investment trends, available cash by fund type, investments performance yield, an investment policy compliance matrix, and fiscal agent funds.

Councilmember Green expressed appreciation for the report and the work behind it.

Mayor Shader thanked City Treasurer Larson and expressed excitement about the City having sufficient funds to do modeling.

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Councilmember Smith recognized the Chaney family for their community-themed Superbowl chalk art which was supported by Sham Paws and Mustache Mike's. He thanked them for their creativity.

City Attorney Bettenhausen asked the Mayor to take a vote regarding receiving and filing Item 3.b. Fiscal Year 2020-21 and Fiscal Year 2021-22 Treasurer's Report.

Motion by Wanke, seconded by Yamaguchi, and carried a (5-0) vote to receive and file Item 3.b. as recommended.

ADJOURNMENT:

The City Council/Successor Agency/ICDA/PPFA Board of Directors adjourned at 9:19 p.m. in memory of Randall W. Scott, 55-year resident of Placentia, Troop 723 Eagle Scout, and lifelong friend of City Treasurer Kevin Larson, to a City Council Special meeting on Wednesday, February 16, 2022, at 7:00 p.m.



Rhonda Shader, Mayor/Agency Chair

ATTEST:



Robert S. McKinnell, City Clerk/
Agency Secretary

