

**PLACENTIA CITY COUNCIL
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
October 18, 2011
5:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor/Board Chair Nelson called the meeting to order at 5:30 p.m.

ROLL CALL:

PRESENT: Council/Agency Members Nelson, Yamaguchi, Aguirre, Underhill, Wanke
ABSENT: None

ORAL COMMUNICATIONS: None

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding Existing Litigation – Three (3) Items
 - a. Placentia Police Officers Association v. City of Placentia, Orange County Superior Court, Case No. 30-2011-00485327
 - b. Mega Lighting, Inc./Norris-Repke v. City of Placentia, Orange County Superior Court No. 30-2010-00385719
 - c. City of Placentia vs. Woodruff, Spradlin & Smart, Orange County Superior Court Case No. 30-2010-00367949
2. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – Two (2) Items
3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding Potential Litigation – Three (3) Items
4. Pursuant to Government Code Section 54957 for consultation with City Administrator and Police Chief regarding a potential threat to public facilities and security of essential public services.

RDA: None

ICDA: None

RECESS: The City Council/Redevelopment Agency/ICDA recessed to the Regular Meeting at 7:03 p.m.

CALL TO ORDER:

PRESENT: Council/Agency Members Nelson, Yamaguchi, Aguirre, Underhill, Wanke
ABSENT: None

STAFF PRESENT: City Administrator/Executive Director, Troy L. Butzlaff; City Attorney/Agency Counsel, Andrew Arczynski; Assistant City Administrator, Ken Domer; Director of Administrative and Community Services, Steve Pischel; Public Works Director, Steve Drinovsky; Finance Director, Karen Ogawa; Police Chief, Rick Hicks; Deputy Chief of Police, Ward Smith; Neighborhood Services Coordinator, Jeannette Ortega; Management Analyst, Eddie De La Torre; Deputy Director of Community Services, Jon Nicks; City Clerk Specialist, Kelliagh Brown; Deputy City Clerk, Tania Moreno

INVOCATION: Ken Milhander, Police Chaplain

PLEDGE OF ALLEGIANCE: Councilmember Aguirre

PRESENTATIONS:

- a. Presentation of a New Ladder Truck for Fire Station No. 34
Presenter: Fire Apparatus Engineer Anthony Mejia

Chief Reger announced the Ride-A-Long program. He introduced Fire Apparatus Engineer Anthony Mejia.

Fire Apparatus Engineer Anthony Mejia provided a brief PowerPoint Presentation with the following slides: Old vs. New, Specifications, Cost, Picture of Old Truck, Picture of New Truck, Picture of Equipment, Picture of the Side of the Truck, Waterway Capabilities, and Questions.

- b. Employee of the Quarter – Public Works Employee Group
Presenters: Mayor Nelson, City Administrator, and Director of Public Works
Recipient: Saul Nungaray
- c. Update on OC Bridges Project and Traffic Management
Presenters: OCTA Senior Communications Specialist Tresa Oliveri and Project Manager Roy Stephenson

City Administrator Butzlaff introduced OCTA Senior Communications Specialist Tresa Oliveri and Project Manager Roy Stephenson.

OCTA Senior Communications Specialist Tresa Oliveri provided a brief PowerPoint presentation. The PowerPoint presentation slides included: Construction Activities first six (6) month, Construction Impacts, Traffic Impacts, Detour Information, Business Outreach, Community Outreach, and Get Connected Stay Connected.

Project Manager Roy Stephenson provided an update on the traffic management during the OC Bridges Project.

Discussion ensued among Council, City Staff, and Project Manager Stephenson.

EXECUTIVE SESSION REPORT:

City Attorney/Agency Counsel Arczynski reported the Council/Agency met in Executive Session to discuss the items listed on the agenda. He noted there was no reportable action from Executive Session this evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff introduced Director of Administrative and Community Services Pischel.

Director of Administrative and Community Services Pischel provided a brief recap of the 47th Heritage Festival and Parade event.

City Administrator Butzlaff introduced a time-lapse video pertaining to the Civic Center Restroom and Flooring Renovation project.

ORAL COMMUNICATIONS:

Ed Garcia, Representative for Placita Santa Fe Merchants Association, invited City Council, Staff and the public to their next meeting on November 8, 2011. He spoke in support of resident's willingness to cooperate with OCTA during the OC Bridges Project.

Jeff Bucanan, resident, expressed his concerns regarding the sidewalk assessment. He referred to Ordinance No. O-54 and provided documents to Police Chief Hicks.

Greg Sowards, District Liaison for Supervisor Shawn Nelson's Office, extended an invitation to the Veterans Day event November 11, 2011 at 3:30 p.m. at Tri-City Park. He invited everyone to attend the upcoming Placita Santa Fe Merchants Association meeting.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Aguirre commented and reported as follows: He attended the 47th Heritage Festival and Parade and thanked the organizers and participants.

Mayor Pro Tem Yamaguchi commented and reported as follows: He attended an Orange County Flood Protection Infrastructure Tour Series event, Senator Bob Huff's Business Advisory meeting in Diamond Bar, and Orange County Fire Authority Open House. He attended the 47th Heritage Festival and Parade and thanked the organizers, participants, and sponsors.

Councilmember Underhill commented and reported as follows: She attended the 47th Heritage Festival and Parade. She thanked everyone who participated in the 47th Heritage Festival and Parade.

Councilmember Wanke commented and reported as follows: He attended the 47th Heritage Festival and Parade and thanked the organizers and participants. He attended an Orange County Flood Protection Infrastructure Tour Series event, and Santa Ana Sewer Interception River Line Ground Breaking. He reported that there is an opt-out program in regards to the smart meters installation.

Mayor Nelson commented and reported as follows: He commented on the OCTA OC Bridges Project and the Golden State Water Company proposed water rate increase. He reported that he will be attending a Metropolitan Water District meeting in Sacramento. He attended the ACCOC Legislative Committee and Financial Audit Oversight Committee meetings. He requested an update from City Administrator Butzlaff pertaining to the street trees and sidewalks assessment. He attended the 47th Heritage Festival and Parade event and thanked everyone involved.

City Administrator Butzlaff noted that the City Engineer is examining the issue of conducting a feasibility study.

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

A motion was made by Mayor Pro Tem Yamaguchi, seconded by Councilmember Aguirre, to approve Consent Calendar Item Nos. 1.a. through 1.i.

COUNCIL/AGENCY/ICDA CONSENT CALENDAR:

- a. **Consideration to Waive Reading in Full of all Ordinances and Resolutions**
Financial Impact: None
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)

- b. **Minutes**
City Council/RDA/ICDA Adjourned Town Hall Meeting – October 3, 2011
Regular City Council Meeting – October 4, 2011
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)

- c. **City Fiscal Year 2011-12 Warrant Register for October 5, 2011 Through October 18, 2011**
Financial Impact: \$273,693.50
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)

- d. **Agency Fiscal Year 2011-12 Warrant Register for October 5, 2011 Through October 18, 2011**
Financial Impact: \$276.89
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)

COUNCIL CONSENT CALENDAR:

- e. **Acceptance of Construction Work for the Madison Avenue and Bradford Avenue Street Improvement Project**
Financial Impact: Expense: \$991,410.50
Offsetting Revenue: 40% Proposition 1B, 39% State Safe Routes to Schools, 21% Measure M Funds
Budgeted: \$1,193,576.00 (Account No.: 333552-6185 J/L 61004, Construction Capital Projects)
Recommended Action: It is recommended that the City Council:
 - 1) Accept contract work performed by Yakar for construction of the Madison Avenue and Bradford Avenue Street Improvement Project in the total amount of \$991,410.50
 - 2) Authorize the City Engineer to file a Notice of Completion with the Orange County Clerk Recorder's Office for the project
 - 3) Authorize the City Engineer to release retention funds in accordance with the terms of the contract**(APPROVED 5 – 0, as recommended)**

- f. **Authorization of Designated Staff to Execute any Actions Necessary to Obtain Financial Assistance Provided by the Department of Homeland Security**
Financial Impact: None
Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2011-48, a Resolution of the City Council of the City of Placentia, California, authorizing certain individuals to execute actions to obtain Federal Funding
(APPROVED 5 – 0, as recommended)

g. **Approve Amendment #1 to Cooperative Agreement Between Orange County Transportation Authority and City of Placentia for New Metrolink Commuter Rail Station**

Financial Impact: To be determined

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 1 to Cooperative Agreement No. C-1-2830, in a form approved by the City Attorney, between the City of Placentia and the Orange County Transportation Authority for design, right-of-way acquisition, environmental documentation and construction of the Placentia Metrolink Station Project and related appurtenant improvements
- 2) Authorize the Mayor to execute the Cooperative Agreement on behalf of the City

(APPROVED 5 – 0, as recommended)

h. **Approve Award of Construction Contract to Interlog Corporation for the Backs Community Building Exterior Lighting Upgrade City Project No. 61068**

Financial Impact: Expense: \$24,137.35 for construction; Budgeted in Fiscal Year 2011-12 Budget, Account No.: 333554-6185 J/L 6106840133

Revenue: Community Development Block Grant

Recommended Action: It is recommended that the City Council:

- 1) Approve plans and specifications prepared by Dahl Taylor and Associates, Inc. for the Backs Community Building Exterior Lighting Upgrade City Project No. 61068
- 2) Award the construction contract to the lowest responsive and responsible bidder, Interlog Corporation for an amount not to exceed \$20,989.00 and authorize the appropriation of a 15% construction contingency fund of \$3,148.35
- 3) Reject all other bids
- 4) Authorize the City Administrator, or his designee, to approve construction change orders pursuant to the requirements set forth in the construction contract and in an agreement amount not to exceed 15% of the project construction cost
- 5) Authorize the City Administrator to execute contract documents on behalf of the City, in a form approved by the City Attorney

(APPROVED 5 – 0, as recommended)

i. **Approval of Contract Change Order with Micon Construction for the Kraemer Memorial Park Restroom Renovation and Park Amenities Improvement Project No. 61049**

Financial Impact: Expense: \$66,164.00

Offsetting Revenue: \$66,164.00 State Park Grant Funds

Budgeted: \$365,082.50 (Account No.: 333554-6185 J/L 6104940023)

Unbudgeted: \$66,164.00 (Account No.: 333554-6185 J/L 6104940153)

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2011-49, a Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2011-12 in the aggregate amount of \$66,164.00 in compliance with

City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures

- 2) Approve contract change order to Micon Construction Inc. in an amount not to exceed \$45,000.00 for the said project
- 3) Authorize the City Administrator, or his designee, to approve construction change orders pursuant to the requirements set forth in the construction contract

(APPROVED 5 – 0, as recommended)

AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/AGENCY/ICDA: None

COUNCIL: None

AGENCY: None

ICDA: None

3. OLD BUSINESS:

COUNCIL/AGENCY/ICDA OLD BUSINESS: None

COUNCIL OLD BUSINESS: None

AGENCY OLD BUSINESS: None

ICDA OLD BUSINESS: None

4. NEW BUSINESS:

COUNCIL/AGENCY/ICDA NEW BUSINESS: None

COUNCIL NEW BUSINESS:

a. **Award of Contract to Jorgensen Facilities Services to Provide Facilities Condition Assessment**

Financial Impact: Expense: \$28,334.19 (Account No.: 333523-6017/6110870011-6017)

Recommended Action: It is recommended that the City Council:

- 1) Award a contract to Jorgensen Facilities Services to conduct a Facilities Condition Assessment of specified City facilities in an amount not to exceed \$28,334.19
- 2) Authorize the City Administrator to execute all documents necessary to effectuate this action

(APPROVED 5 – 0, as recommended)

City Administrator Butzlaff provided a brief introduction on item 4.a.

Management Analyst Eddie DeLaTorre provided a brief staff report on item 4.a. He noted that the Selection Committee interviewed four firms and recommends that Jorgensen Facilities Services be selected.

A motion was made by Councilmember Mayor Pro Tem Yamaguchi, seconded by Councilmember Aguirre, was carried (5 - 0) to award a contract to Jorgensen Facilities Services to conduct a Facilities Condition Assessment of specified City facilities in an amount not to exceed \$28,334.19 and authorize the City Administrator to execute all documents necessary to effectuate this action.

AYES: Aguirre, Underhill, Wanke, Yamaguchi, Nelson
NOES: None

AGENCY NEW BUSINESS: None

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Councilmember Wanke requested that Council give direction to Staff to review the pumping oil related fees.

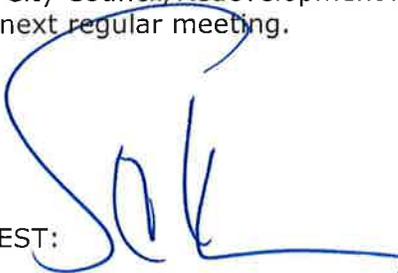
Mayor Pro Tem Yamaguchi requested that Council give direction to Staff to provide an update in regards to questions submitted by residents pertaining to the Golden State Water Company proposed water rate increase.

City Administrator Butzlaff noted that all questions and Golden State Water Company's responses are available on the City's website.

ADJOURNMENT:

The City Council/Redevelopment Agency/ICDA Board of Directors adjourned at 8:10 p.m. to the next regular meeting.

ATTEST:



SCOTT W. NELSON, MAYOR/AGENCY CHAIR





PATRICK J. MELIA, CITY CLERK/AGENCY SECRETARY