

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
PLACENTIA PUBLIC FINANCING AUTHORITY
MINUTES
REGULAR MEETING
January 24, 2023
5:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor Smith called the meeting to order at 5:02 p.m.

ROLL CALL:

PRESENT: Councilmember/Board Member Kirwin, Shader, Wanke, Smith

ABSENT: Councilmember/Board Member Yamaguchi (arrived at approximately 5:15 p.m.)

ORAL COMMUNICATIONS:

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

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

1. Pursuant to Government Code Section 54956.9(d)(1)
CONFERENCE WITH LEGAL COUNSEL – Existing Litigation
City of Placentia vs. Onward Engineering; Case No. 30- 2018-01040701
2. Pursuant to Government Code Section 54956.9(d)(4)
CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation
(1 case)
3. Pursuant to Government Code Section 54956.8(d)(2)
CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation
Significant Exposure to Litigation
Wall Vine Claim: Christina Goddard, 801 Brooklyn Avenue, Placentia
4. Pursuant to Government Code Section 54957.6
CONFERENCE WITH LABOR NEGOTIATOR
Agency Designated Representatives: Damien Arrula, City Administrator
Alice Burnett, Director of Human Resources
Employee Organizations: Placentia City Employees Association (PCEA)
Placentia Firefighters Association (PFA)
Placentia Police and Fire Management
Association (PPFMA)
Placentia Police Officers Association (PPOA)
Unrepresented Employees

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

CALL TO ORDER: Mayor Smith called the meeting to order at 7:07 p.m.

ROLL CALL:

PRESENT: Councilmember/Board Member Kirwin, Shader, Wanke, Yamaguchi, Smith

ABSENT: None

STAFF PRESENT:

City Attorney/Authority Counsel Christian Bettenhausen; City Administrator Damien Arrula; Deputy City Administrator Rosanna Ramirez; Deputy City Administrator Luis Estevez; Police Chief Brad Butts; Fire Chief Jason Dobine; Senior Financial Analyst Gavin Houn, 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 Carole M. Wayman

INVOCATION: Chaplain Tony Mercado

PLEDGE OF ALLEGIANCE: Officer Brian McInerney

PRESENTATIONS: None

CLOSED SESSION REPORT:

City Attorney/Authority Counsel Bettenhausen stated that there were four (4) items on the Closed Session agenda, the City Council discussed each of those items, and direction was provided to Staff. He noted there was nothing further to report.

CITY ADMINISTRATOR REPORT:

City Administrator Arrula welcomed and introduced two (2) new City of Placentia employees and announced two (2) promotions.

Daniel Chang, IT Manager, after graduating from high school in Anchorage, Alaska, he moved to Southern California to attend the University of California Riverside, to study Economics. Most recently he worked for the City of Fountain Valley as their Lead IT/IT manager.

Robert Holguin, Jr., Reserve Firefighter, is currently attending Rio Hondo Community College to obtain an associate degree in Fire Science with plans to transfer to Cal State Fullerton for a bachelor's degree in psychology. Robert attended Rio Hondo's Fire Academy and was previously a Volunteer Firefighter/Engineer for the La Habra Heights Fire Department. He also worked as an EMT for a few years.

Arturo Urrutia, recently promoted from part-time to full-time maintenance worker in the Public Works Department. He graduated from Valencia High School and is a former Marine. He previously worked in law enforcement for 20 years.

Cody Roesti, promoted from Fire Captain to Battalion Chief with the Fire and Life Safety Department. Cody started his career in 1998 as a paid call firefighter for the Orange County Fire Authority. Cody also worked for AMR ambulance company in the City of Long Beach. Before starting his full-time fire career, Cody worked in construction, building military housing on Camp Pendleton. In July 2006, Cody was hired as a reserve with the Rincon Fire Department. He was with the Rincon Fire Department for 14 years and served as Reserve Firefighter, Firefighter, Engineer, and Captain. In 2020, he was hired by the City of Placentia as a Captain with the Fire and Life Safety Department.

ORAL COMMUNICATIONS:

City Clerk McKinnell stated that there were no electronic public comments received by the City Clerk's office and no members of the public wishing to speak.

CITY COUNCIL/BOARD MEMBER COMMENTS:

Councilmember Shader reported that she attended City meetings related to homelessness and general city issues.

Councilmember Kirwin promoted the Compost Give Way event on February 4, 2023, noting that compost is free to Placentia residents until the supply runs out. Proof of residency is required and residents are required to bring their own containers.

Councilmember Wanke reported that he attended a meeting of the groundwater recharge system on January 23, 2023 on behalf of the Orange County Sanitation District. He also announced that former

Councilmember Craig S. Green was recently elected as Vice President of the Orange County Vector Control District and extended congratulations to him on his appointment.

Mayor Pro Tem Yamaguchi reported that he attended a library event in which author Kirk Cameron spoke. He also promoted the upcoming Miss Placentia and Miss Yorba Linda pageant taking place at Valencia High School on February 4, 2023.

Mayor Smith reported that he attended meetings for the Love Placentia program to be held on April 22, 2023. He promoted the event and encouraged all to participate in projects throughout the City. He also reported that he recently attended the Senior/Community Center Blue-Ribbon Committee meeting where he received an update on the proposed Senior/Community Center. He announced that Councilmember Wanke was recently elected Chair of the Groundwater Recharge System, a joint project of the Orange County Water District and the Orange County Sanitation District, noting that it is the biggest water recycling project in the world.

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

Motion by Wanke, seconded by Yamaguchi, and carried a (5-0) vote to approve the Consent Calendar items 1.a. through 1.h., as recommended.

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

- 1.b. **City Fiscal Year 2022-23 Register for January 24, 2023**
Check Register
Fiscal Impact: \$2,171,291.12
Electronic Disbursement Register
Fiscal Impact: \$1,756,439.29
Recommended Action: It is recommended that the City Council:
1) Receive and file.
(Received and filed, as recommended)

- 1.c. **Making the Legally Required Findings to Continue to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency**
Fiscal Impact: None
Recommended Action: It is recommended that the City Council:
1) Approve Resolution R-2023-06, 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.d. **Acceptance of Construction Work and Notice of Completion for the Civic Center Pergola Replacement Project, City Project No. 5206**
Fiscal Impact: None
Recommended Action: It is recommended that the City Council:
1) Accept the work performed by Noble E&C, Inc., for the Civic Center Pergola Replacement Project, City Project No. 5206 for a grand total amount of \$144,300.00; and
2) Authorize the City Administrator to file a Notice of Completion with the Orange County Clerk-Recorder's Office for the Project; and
3) Authorize the City Administrator to release retention funds in accordance with the terms of the contract.
(Approved 5-0, as recommended)

1.e. **Amendment No. 4 to Maintenance Services Agreement with West Coast Arborists Inc. for Tree Trimming Services**

Fiscal Impact:

Expense:	\$107,800	Amendment Amount
Available Budget:	\$114,221	Fiscal Year 2022-23 Operating Budget
	\$ 40,405 (103655-6116)	
	\$ 73,815 (173555-6116)	

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 4 to the Maintenance Services Agreement with West Coast Arborists, Inc., for tree maintenance services in an amount not-to-exceed \$107,800 for a revised cumulative contract amount of \$509,604.45 for the remainder of the current contract term; and
- 2) Authorize the City Administrator to approve agreement amendments to approve contract change orders up to 10% of the cumulative two-year contract amount, or \$50,960.45; 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. **Grant of Easements to Golden State Water Company for a New Water Line to be Placed in Jaycee Parkette**

Fiscal Impact: Revenue: \$54,280 for the proposed easements.

Recommended Action: It is recommended that the City Council:

- 1) Approve a permanent easement for a price of \$49,280 and a temporary construction easement for a price of \$5,000 and associated agreements to allow construction of a new discharge water line in Jaycee Parkette; and
- 2) Authorize the City Administrator to execute the above-mentioned easements and agreements, in forms approved by the City Attorney.

(Approved 5-0, as recommended)

1.g. **Grant of Easement to Southern California Edison for Electric Utility Systems Located at Corporation Yard**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve the Grant of Easement to Southern California Edison for electric utility systems; and
- 2) Authorize the City Administrator to execute the Grant of Easement on behalf of the City in a form approved by the City Attorney.

(Approved 5-0, as recommended)

1.h. **Resolution Adopting a Side Letter Agreement Amending the Memorandum of Understanding of the City of Placentia Police Officer Association to Address the Homeless Liaison Officer Special Assignment Compensation**

Fiscal Impact: FY22-23 \$2,450 (\$6,150 annually) in salary and benefits.

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2023-04 adopting a side letter agreement amending the memorandum of understanding of the City of Placentia Police Officer Association to address the Homeless Liaison Officer Special Assignment Compensation; and
- 2) Approve a budget amendment in the prorated amount of \$2,450 from the General Fund's fund balance for the remainder of the fiscal year.

(Approved 5-0, as recommended)

2. PUBLIC HEARINGS: None

3. REGULAR AGENDA:

3.a. **Study Session: Social Media Best Practices Guide to Supplement City Council Policy No. 370 Regarding The City's Use Of Social Media**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Conduct the study session and receive and file this presentation.
(Received and filed, as recommended)

City Administrator Arrula introduced Assistant City Attorney Keith Collins who gave a presentation on social media best practices to supplement City Council Policy No. 370 and the City's use of social media.

Assistant City Attorney Collins provided guidance on interactions with other officials on social media as it relates to the Brown Act, private, public and campaign social media pages, public forums, and First Amendment Protections.

Mayor Smith and Councilmember Kirwin inquired about dialogue on the Placentia buzz and how to best address issues on this forum.

City Administrator Arrula suggested redirecting the conversation to the City with a statement that Councilmembers are unable to respond on a public forum.

City Attorney Bettenhausen stated that two Councilmembers commenting or discussing an issue on an open social media forum would constitute a Brown Act violation.

Mayor Pro Tem Yamaguchi inquired about blogs and websites. A discussion ensued about the differences between social media sites and websites and the Brown Act. He also inquired if the same guidelines applied to the City's Commissions and Committees. Assistant City Attorney Collins responded that the same guidelines apply to the City's Commission and Committee members.

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Councilmember Wanke noted that a Council appointment was missed at the last meeting and requested that an appointment to Independent Cities Association be agendized at the next City Council meeting.

City Administrator Arrula noted that a few other appointments were also missed and will be agendized as well.

Councilmember Shader requested that an update on the City's investments by Treasurer Kevin Larson be agendized.

ADJOURNMENT:

The City Council/Successor Agency/ICDA/PPFA Board of Directors adjourned at 8:00 p.m. in memory of Larry Crawford longtime Placentia resident and active member of American Legion Post 277, longtime resident and retired Santa Ana Police Officer C.L. Jurusek, and in memory of those killed and those impacted by the mass shootings in Monterey Park and Half-Moon Bay to a regular City Council meeting on Tuesday, February 7, 2023 at 5:30 p.m.


Ward L. Smith, Mayor/Agency Chair

ATTEST:


Robert S. McKinnell, City Clerk/
Agency Secretary

