

**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
February 7, 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 5:33 p.m.

ROLL CALL:

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

ABSENT: None

City Attorney Bettenhausen announced an urgency item for Closed Session for the Council's consideration. The item is consideration of filing an amicus brief in support of the City of Costa Mesa in the following cases:

SoCal Recovery, LLC v. City of Costa Mesa and Raw Recovery, LLC v. City of Costa Mesa

Motion by Councilmember Wanke, second by Mayor Pro Tem Yamaguchi and carried a 5-0 vote to add the item to the Closed Session proceedings.

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 54957(b)(1)
PUBLIC EMPLOYEE PERFORMANCE EVALUATION:
Title: City Administrator
2. Pursuant to Government Code Section 54956.9(d)(1)
CONFERENCE WITH LEGAL COUNSEL – Existing Litigation
Rilie Silva vs. City of Placentia, Claim No. WC 19-143605
3. Pursuant to Government Code Section 54956.9(d)(1)
CONFERENCE WITH LEGAL COUNSEL – Existing Litigation
Zachary King vs. City of Placentia, Claim No. WC 20-146067
4. Pursuant to Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Property: 207 W. Chapman Avenue
Agency Negotiator: Damien R. Arrula, City Administrator
Negotiating Party: Damien R. Arrula, City Administrator
Under Negotiations: Price and Terms
5. Pursuant to Government Code Section 54956.9(d)(1)
CONFERENCE WITH LEGAL COUNSEL – Existing Litigation
Claimant: George and Teri Lyles, Claim No. 2009250
6. Support for Amicus brief City of Costa Mesa
SoCal Recovery, LLC v. City of Costa Mesa and Raw Recovery, LLC v. City of Costa Mesa

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 7:10 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; Director of Finance Jennifer Lampman; Director of Community Services Karen Crocker; Director of Development Services Joe Lambert; Assistant to the City Administrator/Economic Development Manager Jeannette Ortega; City Treasurer Kevin Larson; City Clerk Robert McKinnell; Deputy City Clerk Carole M. Wayman

INVOCATION: Charles Frost

PLEDGE OF ALLEGIANCE: Captain Joshua Martin

PRESENTATIONS:

Supervisor Chaffee presented a certificate of appreciation to the Placentia Police Department for their support and assistance with the Gun Buy Back program held on October 22, 2022. He thanked Chief Butts and all Placentia Police Department personnel who assisted in the event. He also expressed appreciation to the City Council for their support of the event.

CLOSED SESSION REPORT:

City Attorney/Authority Counsel Bettenhausen stated that there were five (5) items on the Closed Session agenda, plus one (1) urgency item that was added regarding an amicus brief concerning two cases involving a challenge to an ordinance which affects a number of cities. The cases are SoCal Recovery, LLC v. City of Costa Mesa and Raw Recovery, LLC v. City of Costa Mesa. On motion by Councilmember Shader, seconded by Councilmember Wanke and carried a 5-0 vote the City Council voted to participate in an amicus brief in support of the City of Costa Mesa. The City Council discussed each of the items, and direction was provided to Staff. He noted that there was nothing further to report.

CITY ADMINISTRATOR REPORT:

City Administrator Arrula welcomed and introduced one (1) new City of Placentia employee and announced one (1) recent promotion.

Carli Helms, Public Safety Dispatcher, started her dispatching journey in 2021, serving as an EMS Dispatcher for Premier Ambulance. She is currently studying at Fullerton College and double majoring in Administration of Justice and Social Sciences.

Police Officer Brian Drew was recently promoted to full-time Homeless Liaison Officer. Officer Drew has been with the Placentia Police Department for 18 years and has spent his entire career in the Patrol Division. Officer Drew began working as a Homeless Liaison Officer seven years ago, as an ancillary duty, and has worked with outreach groups, the Placentia Navigation Center, and the local homeless population. In addition, he has attended various training classes in areas such as crisis intervention and assisting individuals in mental health crises.

ORAL COMMUNICATIONS:

Jack Harrison, Director of the Cinnamon Tree Homeowners Association commented on code enforcement issues at the Cinnamon Tree Condos at 212 S. Kraemer Boulevard (submitted written comments.)

CITY COUNCIL/BOARD MEMBER COMMENTS:

Councilmember Shader reported that she chaired her first Orange County Cities Legislative meeting and attended the Excellence in Placentia Awards sponsored by the Chamber of Commerce. She congratulated Miss Placentia, Paige Williams and Outstanding teen Ireland Mercado. She promoted the upcoming

Citizens Academy and encouraged interested residents to apply for the program through the City's website.

Councilmember Kirwin reported that he attended the Excellence in Placentia Awards. He commented on a recent tour of the Placentia Navigation Center and noted that he will soon tour the Buena Park Navigation center with the North Orange County Service Planning Area.

Councilmember Wanke reported that he attended the Independent Cities Association Winter Conference, noting that the focus of the conference was on public safety. He promoted the Orange County Sanitation (OC San) District's Wastewater 101 Citizens Academy and encouraged those who are interested to visit the O.C. Sanitation website to sign up. He commented on OC San District rate increase notice and announced that OC Sanitation District had recently received \$3.45 million in federal funding for the water oxidation program.

Mayor Pro Tem Yamaguchi reported that he attended the Excellence in Placentia Awards and the Miss Placentia Pageant. He noted that he also volunteered at the Placentia Pageant event and requested that the winners be invited and recognized at a future City Council meeting. He also provided an update on SB 1383 regarding reducing organic waste from landfills.

Mayor Smith reported that he attended the Miss Placentia Pageant and the Placentia Community Foundation Board meeting. He commented on the number of fundraising events that the foundation supports. He also provided an update on the Legacy Bricks Program noting that the deadline to purchase a brick has been extended to March 31, 2023. He reported that he attended, along with City Administrator Arrula and Assistant to the City Manager Jeannette Ortega, a meeting introducing Stephanie Hu from Congresswoman Steele's office. He also reported that he attended the Civic Center Joint Use Committee meeting on February 6, 2023. He also commented on his recent tour of the Old City Hall facility which is now home to the Placentia Fire and Life Safety Department.

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

Motion by Wanke, seconded by Yamaguchi, and carried a (5-0) vote to approve the Consent Calendar items 1.a. through 1.e. and 1.g. through 1.j., as recommended. Item No. 1.f. approved as recommended by a 4-1 vote (Wanke voting no).

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 Registers for February 7, 2023

Check Register

Fiscal Impact: \$2,143,775.16

Electronic Disbursement Register

Fiscal Impact: \$ 844,821.33

Recommended Action: It is recommended that the City Council:

1) Receive and file.

(Received and filed, as recommended)

1.c. Acceptance Of Construction Work and Notice of Completion for the Old City Hall Office Renovation Project, City Project No. 5106

Fiscal Impact:

Expense:	\$465,000.00	Original Construction Contract
	\$ 99,902.30	Approved Change Orders No. 1 - 6
	\$ 0.00	Balancing Change Order No. 7
	<u>\$ 62,400.00</u>	<u>Construction Inspection Services</u>
	\$627,302.30	Total Construction Cost
Available Budget:	<u>\$49,441.40</u>	<u>FY 22-23 CIP Project Budget</u>
	\$49,441.40	Measure U Fund (795106-6185)

Recommended Action: It is recommended that the City Council:

- 1) Authorize the City Administrator to approve Balancing Contract Change Order No. 7 with A2Z Construct Inc., in the amount of \$0.00; and
- 2) Accept the work performed by A2Z Construct Inc., for construction of the Old City Hall Office Renovation Project, City Project No. 5106 for a grand total amount of \$564,902.30; and
- 3) Authorize the City Administrator to file a Notice of Completion with the Orange County Clerk-Recorder's Office for the Project; and
- 4) Authorize the City Administrator to release retention funds in accordance with the terms of the contract.

(Approved 5-0, as recommended)

1.d. **Acceptance Of Construction Work and Approval of Notice of Completion for Construction of the Old City Hall ADA Improvement Project (City Project No. 5101)**

Fiscal Impact:

Expense:	\$12,251.75	Retention Payment			
Available Budget:	<u>\$28,251.75</u>	FY 2022-23 CIP Project Budget			
	\$19,302.75	Community Development	Block	Grant	
		Fund (305101-6850)			
	\$ 9,049.00	Measure U (795101-6850)			

Recommended Action: It is recommended that the City Council:

- 1) Accept the work performed by A2Z, for construction of the Old Placentia City Hall ADA Improvement Project, City Project No. 5101 for a grand total amount of \$245,035; 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. **Approval of Plans & Specifications and Award of Construction Contract to Aneen Construction, Inc., for The Main Street and Crowther Ave Parking Lot Improvement Projects, City Project Nos. 5211 & 2204**

Fiscal Impact:

Expense:	<u>\$ 662,534.40</u>	Total Construction Amount			
	\$ 602,304.00	Construction Contract Amount			
	\$ 60,230.40	Construction Contingency Amount			
Available Budget:	<u>\$662,714.63</u>	FY 2022-23 CIP Budget			
	\$146,174.63	TOD Streetscape Impact Fee			
		(722204-6741)			
	\$466,000.00	Measure U (795211-6850)			
	\$ 8,000.00	General Fund (105211-6850)			

Recommended Action: It is recommended that the City Council:

- 1) Approve the construction Plans & Specifications prepared by the City Engineer and approve a Public Works Agreement with Aneen Construction, Inc., for the Main Street and Crowther Ave Parking Lot Improvement Project in the amount of \$602,304; and
- 2) Reject all other bids received and authorize the return of the bid bonds; and
- 3) Authorize the City Administrator to approve contract change orders up to ten percent (10%) of the contract not to exceed amount, or \$60,230.40; and
- 4) 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. **Award of Construction Contract for the Santa Fe Avenue Outdoor Dining Platform Project**

Fiscal Impact:

Expense:	\$82,360.00	Total Construction Amount
	\$65,888.00	Construction Contract Amount
	\$16,472.00	Construction Contingency Amount
Budget:	\$150,000.00	Community Development Block Grant Fund (302534-6401, 232502-6401)

Recommended Action: It is recommended that the City Council:

- 1) Approve the construction Plans & Specifications prepared by the City Engineer and approve a Public Works Agreement with Global Builders, Inc., for the Santa Fe Avenue Outdoor Dining Platform Project in the amount of \$65,888; and
- 2) Reject all other bids received and authorize the return of the bid bonds; and
- 3) Authorize the City Administrator to approve contract change orders up to twenty-five percent (25%) of the contract not to exceed amount, or \$16,472.80; and
- 4) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney.

(Approved 4-1, Wanke voted no)

1.g. **Amendment No. 2 to Professional Services Agreement with NV5 Inc., for On-Call Construction Management and Inspection Services**

Fiscal Impact:

Expense:	\$170,240	Amendment Amount
Available Budget:	\$359,088	Fiscal Year 2022-23 CIP Budget
	\$343,358	TOD Sewer Impact Fees (713101-6750)
	\$ 15,730	Measure U Fund (795106-6740)

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 2 to the Professional Services Agreement with NV5 Inc., for an additional \$170,240.00 to provide additional services for the Old City Hall Renovation Project and TOD/Crowther Sewer Line Replacement Project for a cumulative contract not-to-exceed amount of \$470,240.00; and
- 2) Authorize the City Administrator and/or his designee to execute the necessary documents, in a form approved by the City Attorney.

(Approved 5-0, as recommended)

1.h. **Amendment No. 2 to Professional Services Agreements with Transtech Engineers Inc. for On-Call Construction Management and Inspection Services**

Fiscal Impact:

Expense:	\$ 50,000.00	Amendment Amount
Available Budget:	\$ 382,033.36	Fiscal Year 2022-23 CIP Budget
	\$ 382,033.36	HSIP Grant (332908-6741)
	\$ 59,114.87	Measure U Fund (791101-6740)

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 2 to the Professional Services Agreement with Transtech for an additional \$50,000, for a cumulative contract not-to-exceed amount of \$325,000; and
- 2) Authorize the City Administrator and/or his designee to execute the necessary documents, in a form approved by the City Attorney.

(Approved 5-0, as recommended)

1.i. **Amendment No. 2 to Professional Services Agreement with Dudek Corporation for Engineering Design Support Services for the Tod Crowther Sewer Pipeline Replacement Project**

Fiscal Impact:

Expense:	\$ 42,600.00	Engineering Design Services
Available Budget:	\$ 343,358.00	Fiscal Year 2022-23 CIP Budget (713101-6750)

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 2 to Professional Services Agreement with Dudek Corporation for an additional \$42,600 to complete additional design work for a cumulative contract not-to-exceed amount of \$114,855; 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 5-0, as recommended)

1.j. **Resolution Declaring Certain Properties located at 323, 307, 312 and 314 Baker Street in the City of Placentia, Exempt Surplus Land for Purposes of the Surplus Land Act**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2023-05, A Resolution of the City Council of the City of Placentia, California declaring pursuant to the Surplus Land Act that certain real property owned by the City located at 323, 307, 312, and 314 Baker Street are exempt surplus land not necessary for the City's use and proposed for a 100% affordable housing development finding that such declaration is exempt from environmental review pursuant to Section 15194 of the California Environmental Quality Act; and taking related actions; 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)

2. PUBLIC HEARING: None

3. REGULAR AGENDA:

3.a. **FY 2022-23 MID-YEAR (Q2) BUDGET REPORT**

Fiscal Impact:

Fund	Revenues (Including Transfers-In)	Appropriations (Including Capital & Transfers-Out)
General Fund	\$ 1,037,492	\$ 792,300
Special Revenue	\$ 848,600	\$1,187,301
Capital Projects	\$ 0	\$ 0
Enterprise Funds	\$ 0	\$ 0
Internal Service Fund	\$ 105,000	\$ 105,000
Total	\$1,991,092	\$2,084,601

Recommended Action: It is recommended that the City Council:

- 1) Approve the Second Quarter Budget Report and adopt Resolution No. R-2023-09, amending the City's FY 2022-23 Budget; and
- 2) Approve the Second-Quarter Position Allocation Plan; and
- 3) Approve the Updated Salary Schedule.

(Approved 5-0, as recommended)

City Administrator Arrula introduced Director of Finance Jennifer Lampman who gave a presentation on the mid-year (Q2) Budget Report.

Ms. Lampman presented the mid-year fiscal year 2022-23 budget report and presented a brief overview of the budget process.

Councilmember Shader requested clarification on the figures for Public Safety Communications and forecasting methods by HdL consultants for assessed property valuations. She also expressed concerns about our OPEB liability.

Ms. Lampman noted that she would provide a breakdown on the Public Safety Communications and explained how and when the information on the tax rolls is reported. She also provided information on the Section 115 trust.

Councilmember Wanke expressed appreciation for the thorough budget presentation.

Motion by Kirwin, seconded by Wanke and carried a (5-0) vote to approve Item 3.a., as recommended.

3.b. **Study Session to Review Chapman Corridor Plan Progress**

Fiscal Impact: No fiscal impacts are associated with this Study Session. Potential significant economic benefit to the local Placentia economy, including jobs, public & private investment, and annual/one-time revenue.

Recommended Action: It is recommended that the City Council:

- 1) Receive and file the Staff Report and presentation; and
- 2) Solicit public comments (if any) regarding the proposed Chapman Corridor Revitalization Plan and supporting documentation; and
- 3) Provide direction to Staff as appropriate regarding the proposed Chapman Corridor Revitalization Plan.

(Received and filed, as recommended. Direction provided)

City Administrator Arrula introduced Director of Development Services Joe Lambert who gave a brief overview on the Chapman Corridor Plan.

Director of Development Services Lambert introduced Suzanne Schwab of Placeworks Inc. to facilitate the study session. He noted that Senior Planner Andrew Gonzales was also available to answer any questions.

Suzanne Schwab presented a project overview of progress on the plan and a series of policy questions for the Council's consideration.

Councilmember Wanke asked about proposed zone changes and General Plan updates.

Director Lambert explained land use changes and map changes that may be necessary based on the direction the Council provides to Staff.

Ms. Schwab led the discussion on boundary options, flexibility for existing single family and multifamily residential properties, overlay zones, mobility options, and potential development opportunities.

Councilmember Kirwin emphasized the need for outreach to residents and property owners within and near the project area.

City Administrator Arrula and Director Lambert provided information on upcoming opportunities for the community to participate in meetings on the project and discussed overlay zones.

Mayor Pro Tem Yamaguchi inquired about the differences in the two maps that were presented in the powerpoint and asked about the inclusion of Kraemer Park. He also asked about the Civic Center area.

Discussion ensued about development opportunities along the Chapman Corridor, plans for the adjacent TOD and Old Town areas, and the Civic Center property.

Councilmember Shader stated that the Chapman Corridor is one of the key gateways to the City and there should be a focus on providing the representation of entering a quality City. She added that improvements to Kraemer Park are overdue.

Councilmember Wanke agreed that Chapman Avenue is a gateway to the City and improvements along this corridor will bring value. He expressed support for visual improvements along the Chapman corridor, a streetscape master plan and commercial development.

Councilmember Kirwin expressed support for improvements along the Chapman corridor and expressed concerns about traffic at the intersection of Chapman and Placentia Avenues. He emphasized that traffic and parking along the corridor should be addressed before adding more people and traffic to the area.

Mayor Pro Tem Yamaguchi expressed support for preserving historical properties and landmarks and the redevelopment of underutilized properties. He referenced the Buxton report that was commissioned many years ago by the City.

City Administrator Arrula noted that one of the next steps is to do an economic benefit analysis.

Mayor Smith agreed that Chapman Avenue is the gateway to the City and as such poses different opportunities and considerations as compared to other entry points to the City. He commented on the recent improvements made at the intersection of Kraemer and Yorba Linda Boulevard. He noted that the options presented are highly adaptive and flexible and suggested that mobility issues be reviewed more closely. He agreed that public participation in the process is important.

A discussion ensued about hotel development, building heights, mixed-use development, public parking and mobility options. Direction was provided to the consultant and Staff.

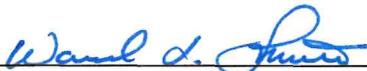
Consultant Suzanne Schwab thanked the Council for their input and discussed next steps and plans for public outreach. She added that another study session will be scheduled in the next several months to discuss progress on the plan.

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Mayor Pro Tem Yamaguchi inquired about the PulsePoint deployment. City Administrator Arrula responded that there is a meeting scheduled on October 7, 2023 to discuss the implementation process and he would update Council once the date has been scheduled.

ADJOURNMENT:

The City Council/Successor Agency/ICDA/PPFA Board of Directors adjourned at 9:30 p.m. to a regular City Council meeting on Tuesday, February 21, 2023 at 5:30 p.m.



Ward L. Smith, Mayor/Agency Chair

ATTEST:



Robert S. McKinnell, City Clerk/
Agency Secretary

