

**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 23, 2024  
5:30 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

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**CALL TO ORDER:** Mayor Yamaguchi called the meeting to order at 5:30 p.m.

**ROLL CALL:**

**PRESENT:** Councilmember/Board Member Shader, Smith, Wanke, Kirwin, Yamaguchi  
**ABSENT:** None

**ORAL COMMUNICATIONS:**

Mayor Yamaguchi 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. Mr. McKinnell announced the Closed Session cases and matters.

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)(2)  
**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
(1 case)
2. Pursuant to Government Code Section 54956.9(d)(4)  
**CONFERENCE WITH LEGAL COUNSEL—POTENTIAL INITIATION OF LITIGATION**  
City of Grants Pass, Oregon v. Gloria Johnson, U.S. Supreme Court Case No. 23-175
3. 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 Organization: Unrepresented Executive Management

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

**CALL TO ORDER:** Mayor Yamaguchi called the meeting to order at 7:00 p.m.

**ROLL CALL:**

**PRESENT:** Councilmember/Board Member Shader, Smith, Wanke, Kirwin, Yamaguchi  
**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; Deputy Director of Administrative Services Jeannette Ortega; City Treasurer Kevin Larson; City Clerk Robert McKinnell; Deputy City Clerk Carole M. Wayman

**INVOCATION:** Chaplain Kenneth Curry

**PLEDGE OF ALLEGIANCE:** Firefighter Victor Guerrero

**PRESENTATIONS:** None

**CLOSED SESSION REPORT:**

City Attorney/Authority Counsel Bettenhausen stated that there were three (3) items on the Closed Session agenda, the City Council discussed each of those items. Regarding Item No. 2, Potential Initiation of Litigation regarding the Grants Pass, Oregon vs. Gloria Johnson, a motion was made by Councilmember Wanke and seconded by Mayor Pro Tem Kirwin to participate in the appeal being filed in the filing of amicus brief before the Supreme Court. He noted that there was nothing further to report.

**CITY ADMINISTRATOR REPORT:**

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

Firefighter Victor Guerrero attended Rio Hondo College and earned his associate's degree in fire technology. After this, he attended El Camino College for the Basic Fire Academy. Victor previously worked as a Wildland Firefighter for six fire seasons for the US Forest Service and Orange County. Before coming to Placentia, Victor worked as a Firefighter for the Department of Defense and completed his bachelor's degree in Wildfire Science and the Urban Interface.

Senior Civil Engineer Gabriel Guerrero-Gabany, graduated from Cal Poly Pomona in 2017 with a degree in Civil Engineering. He began his career in the private sector and then moved to the public sector, working for the City of Fontana in Development Services. Most recently, he worked as a Civil Engineer for the City of Santa Ana and managed the design and construction of capital improvement projects.

Senior Economic Development Analyst Kiana Louie, attended California State University, Fullerton, and studied Business Administration. She graduated with high honors from Cal State Fullerton, receiving her Bachelor's and Master of Business Administration degrees. Kiana previously worked for the cities of Montebello and Pico Rivera.

**ORAL COMMUNICATIONS:**

Gene Hernandez, Director for the Yorba Linda Water District provided an update on the sewer system rehabilitation and replacement project in the City of Placentia.

Dennis Blake, Placentia Business Owner, commented on the delays on the Metrolink station in Old Town Placentia and expressed appreciation to Councilmember Shader for her efforts to continue to apply pressure on BNSF. He added that the train station will be a great benefit to all the new residents in the new apartments on Crowther Avenue as well as college students and merchants. He urged the Council to continue to pursue the construction of the train station.

George Kittridge, professional dog trainer commented on his dog training community events in Tri-City park and expressed support for a dog park in the City of Placentia.

Kenny Binnings, Placentia resident commented on efforts to build the Metrolink station and commented on development projects and improvements in Old Town. He announced two new businesses in Old Town Placentia, La Biblioteca and Broken Timbers Brewing and commented on the ongoing business investment in Old Town. He also announced that a new deli will soon move into Old Town. He expressed concerns about the delays with the train station and urged the Council to continue to pressure BNSF to build the train station.

Liam Stanton, Tony's Deli announced that he is moving his deli from Anaheim to Old Town Placentia and expressed excitement about moving his business to the City of Placentia.

**CITY COUNCIL/BOARD MEMBER COMMENTS:**

Councilmember Shader reported her attendance at the following:

- Orange County Human Relations Meeting
- Orange County Cities Board of Directors meeting
- Martin Luther King, Jr. event at the Nixon Library

She also reported on the kickoff planning event for the Tubman Till Museum in Orange County, which is being spearheaded by an individual in Placentia, and encouraged those who are interested to contact

her for more information. She promoted the Yorba Linda Placentia Active Transportation Plan noting that the deadline to provide public input on pedestrian and bicycle routes along the riverbeds is January 31, 2024.

Councilmember Smith reported his attendance at the following:

- OCCOG Meeting
- Eagle Scout Court of Honor for 11 Eagle Scouts
- City Administrator's Brown Bag Lunch
- Martin Luther King Event at the Nixon Library

He promoted the Love Placentia Serve day on April 20, 2024 and encouraged all to participate and sign up on the loveplacentia.com website.

Councilmember Wanke reported his attendance at the following:

- Independent Cities Association Board of Directors Meeting
- Orange County Sanitation District Infrastructure and Finance Board meeting
- City of Placentia EIFD Meeting

He promoted the City's Annual Compost giveaway on February 2, 2024 from 7:30 a.m. – 10:30 a.m.

Mayor Pro Tem Kirwin promoted the Citywide Communication Survey and encouraged individuals to give their input and become involved. He also encouraged individuals to visit the City's website and YouTube channel to view informative content on the site.

Mayor Yamaguchi reported that he was able to participate in a meeting with the Information Technology Master Plan consultants and share input and receive feedback. He congratulated Broken Timbers on their ribbon cutting and welcomed them to the City. He also reported his attendance at:

- City Administrator's Brown Bag lunch
- Ride along with the City's Homeless Liaison Officer with time spent at the Navigation Center

He also commented on several agenda items that were missing supporting documents and requested that all documentation be provided with the full agenda package.

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

Councilmember Shader pulled Item No. 1.f and Mayor Yamaguchi pulled Item No. 1.g, for further discussion. Motion by Wanke, seconded by Shader, and carried a (5-0) vote to approve the balance of the Consent Calendar, 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 Special and Regular Meetings of: May 15, 2023 and May 16, 2023**

Recommended Action: Approve

**(Approved 5-0, as recommended)**

1.c. **City Fiscal Year 2023-24 Registers for January 23, 2024  
Check Register**

Fiscal Impact: \$1,959,278.42

**Electronic Disbursement Register**

Fiscal Impact: \$3,139,052.13

Recommended Action: It is recommended that the City Council:

1) Receive and file

**(Received and Filed, as recommended)**

1.d. **Award of Contract to Red88media for Broadcasting of City Council and Planning Commission Meetings**

Fiscal Impact:

Expense: \$30,000 Annually  
Budgeted: \$40,000 after proposed Mid-Year adjustment (581573-6290)

Recommended Action: It is recommended that the City Council:

- 1) Approve a Professional Services Agreement with Red88Media for a three (3) year contract, with the option to extend for an additional two (2) years for the broadcasting of City Council and Planning Commission meetings in the not-to-exceed amount of \$30,000 per year; and
- 2) Reject all other bids received; 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.e. **Approval of Plans and Specifications and Award of Construction Contract to RS Construction & Development Inc., for the City Hall Administrative Office Area Improvement Project, City Project No. 5307**

Fiscal Impact:

Expense:	\$ 143,990.00	Total Construction Cost
	\$ 130,900.00	Construction Contract Amount
	\$ 13,090.00	Construction Contingency Amount
Available Budget:	\$ 181,232.06	Total Available Budget
	\$ 180,000.00	General Fund (109800-6850 J/L105307-6850)
	\$ 1,232.06	Measure U Fund (795307-6850 J/L 795307-6850)

Recommended Action: It is recommended that the City Council:

- 1) Approve the Engineered Plans and Specifications prepared by BOA Architecture for the City Hall Administrative Office Area Improvements Project No. 5307; and
- 2) Reject the bid proposal for Admin Office Area Improvements submitted by M-RE Construction Inc. as non-responsive; and
- 3) Approve a Public Works Agreement with RS Construction & Development Inc. for the Admin Office Area Improvements Project in the amount of \$130,900.00; and
- 4) Reject all other bids received and authorize return of the bid bonds; and
- 5) Authorize the City Administrator to approve contract change orders up to ten percent (10%) of the contract amount, or \$13,090.00, for a total construction contract not-to-exceed amount of \$143,990.00; and
- 6) 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. **Approval of Plans & Specifications Prepared by the California Department of Transportation and Award of Construction Contract to Guills Inc., DBA: Integrity Landscape and Concrete for Landscape Renovation and related Site Improvements on State Route 57, and Amendment No. 3 to the Cooperative Art Agreement with Caltrans for Public Art Project No. 1206**

Fiscal Impact:

Expense:	\$ 534,395.69	Total Construction Contract Amount
	\$ 53,439.57	Total Construction Contingency Amount
	\$ 587,835.26	Total Amount
Available Budget:	\$ 587,835.26	Fiscal Year 2023-24 CIP Budget (101206-6730)

Recommended Action: It is recommended that the City Council:

- 1) Approve the landscape improvement plans prepared by Caltrans and approve a Public Works Agreement with Guills Inc., to landscape and improve the area on Route 57 in the amount of \$534,395.69; and
- 2) Authorize the City Administrator to approve contract change orders up to ten percent (10%) of the contract amount, or \$53,439.57, for a total construction contract not-to-exceed amount of \$587,835.26; and

- 3) Adopt Resolution No. R-2024-02, A Resolution of the City Council of the City of Placentia, California authorizing a budget amendment in Fiscal Year 2023-24 in compliance with City Charter of the City of Placentia §§1206 and §§1209 pertaining to appropriations for actual expenditures; and
- 4) Authorize the City Administrator to approve Amendment No. 3 to the Cooperative Art Agreement with Caltrans increasing the allowable project reimbursement amount; and
- 5) Authorize the City Administrator to approve all agreements in a form approved by the City Attorney.

**(Approved 5-0, as recommended)**

Councilmember Shader pulled Item 1.f to confirm that the certificate of insurance had been received from the vendor. Deputy City Clerk Wayman confirmed that it had been received. Motion by Shader, seconded by Wanke, and carried a (5-0) vote to approve Item 1.f, as recommended.

- 1.g. **Put Option Agreement with Mercy Housing California for Private Property at 325 Baker Street (APN 339-382-20) for Future Affordable Housing Development**  
Fiscal Impact: \$761,587 Potential Purchase in 2028 (Affordable Housing Development Impact Fee Fund Acct. No. 682534-6099). No fiscal impact in FY 2023-24.

Recommended Action: It is recommended that the City Council:

- 1) Approve Resolution No. R-2024-03, A Resolution of the City Council of the City of Placentia, California Approving a Put Option Agreement with California Land Acquisition Fund Holding IV LLC for the purchase of 325 Baker Street for an Affordable Housing Development along Baker Street; 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 and amended)**

Mayor Yamaguchi pulled Item 1.g to discuss the City's liability under the agreement. City Attorney Bettenhausen noted that language in the contract will be amended to place a cap on the City's liability. He read the amended language into the record as follows, in Section 3B at the very end of the paragraph "In no case shall the City's payment obligation for the purchase price exceed \$761,587. The parties agree that upon close of escrow for the original purchase and the establishment of the final original purchase interest rate, an amendment to this agreement will be prepared to establish a revised not to exceed purchase price based on that final interest rate provided such revised purchase price does not exceed \$761,587." He added that once the interest rate is established, once escrow closes on the property, we anticipate that's going to be lower than what we originally anticipated so that those costs would come down and we'll in turn come back with an amendment that would reduce that number down to whatever it is at that time.

Motion by Yamaguchi, seconded by Shader, and carried a (5-0) vote to approve Item 1.g, as recommended and amended.

- 1.h. **Renewal of Arctic Wolf Managed Detection and Response Solution for Dedicated Cybersecurity Monitoring**

Fiscal Impact:

Expense:	\$ 76,176.14	Total Project Cost
Budget:	\$ \$240,473.95	(101523-6136)

Recommended Action: It is recommended that the City Council:

- 1) Approve the renewal of Arctic Wolf MDR Solution as the Cybersecurity Monitoring Solution for the City in an amount not-to-exceed \$76,176.14; 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 HEARINGS:** None

**3. REGULAR AGENDA:**

3.a. **Professional Services Agreement with RHA Landscape Architects Planners Inc. for Architectural and Engineering Design Services for the Proposed Placentia Dog Park Project No. 7405**

Fiscal Impact:

Expense:	\$80,000	Professional Services Agreement
Budget:	\$80,000	FY 2023-24 CIP Budget (109800-6760)

Recommended Action: It is recommended that the City Council:

- 1) Award a Professional Services Agreement for professional landscape architecture services for Phase I for the proposed Dog Park Project to RHA Landscape Architects Planners Inc. for a not-to-exceed amount of \$80,000; and
- 2) Authorize the City Administrator and/or his designee to execute all the necessary documents, in a form approved by the City Attorney; and
- 3) Appoint a City Council Ad-Hoc Committee comprised of two Council Members and a Commissioner from the Parks, Arts, and Recreation Commission to assist Staff and RHA in identifying a location, conceptual design and amenities for the proposed dog park.

**(Approved 5-0, as recommended, with appointments to the ad-hoc committee as follows, Councilmembers Shader and Smith, Lilia Queen as member, Patricia Montelongo as alternate member)**

City Administrator Arrula introduced Deputy Director of Community Services Veronica Ortiz who gave a brief presentation on the award of a Professional Services Agreement for design services for a proposed dog park and the creation of an ad-hoc committee. He noted that Council had provided direction for this item in the City's Strategic Plan.

Mayor Pro Tem Kirwin commented on the preliminary locations for the park and inquired about the cost for phase 2 of the project. Deputy Director Ortiz responded \$106,000. He confirmed with Ms. Ortiz that \$186,000 for Phase 1 and 2 would be spent before construction even begins on the park.

Councilmember Shader commented that she appreciated Staff's work on reviewing the proposals and selecting an experienced architect.

Deputy Director Ortiz responded that RHA Landscape and Architectural Planners was the most responsive and cost efficient and their references were positive.

Councilmember Shader stated that the ad-hoc committee is a good idea to solicit input from the community. She noted that five (5) locations had been identified as proposed sites and offered to serve on the ad-hoc committee. She noted that one location is in District 5 and suggested that Councilmember Smith might also want to be part of the committee.

Deputy Director Ortiz provided the names of two park commissioners who have expressed interest. Lilia Queen as a member and Patricia Montelongo as an alternate.

Mayor Yamaguchi requested that when the item comes back to the Council he would like the Staff report to address what responsibility the City has legally.

Councilmember Smith noted that one of the proposed locations is in his District and he would be honored to serve on the ad-hoc committee.

Councilmember Wanke inquired about the process if the ad-hoc committee recommends a location that the Council is not in favor of.

Deputy Director Ortiz responded that they would go back to the consultant to consider a different location based on the direction from Council.

Councilmember Wanke expressed concerns about costs and location. He noted that the community of dog owners in the City would appreciate the dog park. He asked that Staff and the committee be cognizant of the Council's input on the site location so that unnecessary funds are not spent if the location is not approved.

City Administrator Arrula noted that the ad-hoc committee falls under Brown Act requirements and will need to follow open meeting requirements. He also noted that the ad-hoc committee will be included in the update to the Committee/Commission manual.

Motion by Shader, seconded by Smith, and carried a (5-0) vote to approve Item 3.a, as recommended and appointing Councilmembers Shader and Smith and Parks Committee member Lilia Queen and Patricia Montelongo (alternate) to the Dog Park ad-hoc committee.

3.b. **Adopt Resolution of Intention to Establish City of Placentia Community Facilities District No. 2024-01 (Old Town Public Infrastructure) and to Authorize the Levy of a Special Tax Therein to Finance Certain Services and Resolution of Intention to Allow for Future Annexation of Territory to City of Placentia Community Facilities District No. 2024-01 (Old Town Maintenance Services)**

Fiscal Impact: Projected Annual Expense: \$187,400  
Projected Annual Revenue: \$187,400

Recommended Action: It is recommended that the City Council:

- 1) Accept the Petition from the developer initiating the formation of a Mello-Roos Community Facilities District (Exhibit A), and.
- 2) Adopt a Resolution of Intention R-2024-04 to establish the proposed City of Placentia Community Facilities District No. 2024-01 (Old Town Maintenance Services) ("CFD No. 2024-01") and to authorize the levy of special tax therein to finance certain services (Exhibit B); and
- 3) Adopt a Resolution of Intention R-2024-05 to allow for the future annexation of territory to Community Facilities District No. 2024-01 and to establish the future annexation area (Exhibit C).

**(Approved 5-0, as recommended)**

City Administrator Arrula introduced Deputy Director of Administrative Services Jeannette Ortega who gave a brief presentation on the establishment of Community Facilities District No. 2024-01 (Old Town Maintenance Services) and to Authorize the Levy of a Special Tax Therein to Finance Certain Services and Resolution of Intention to Allow for Future Annexation of Territory to City of Placentia Community Facilities District No. 2024-01 (Old Town Maintenance Services). Deputy Director Ortega noted that Kristi Smith from Jones Mayer Law (City Attorney's Office) and Andrea Roess of DTA were present to answer any questions.

Councilmember Shader commented that she has been attending Old Town Merchants Meetings for many years and noted that this is a great idea initiated by landowners. She congratulated them for taking this big step forward.

Mayor Pro Tem Kirwin inquired about transfers of ownership and the \$25,000 improvement threshold for property tax reassessment and what would trigger becoming part of the District.

Deputy Director Ortega explained that \$25,000 of improvements to the property would trigger a reassessment and annexation into the District.

Mayor Yamaguchi thanked business owners for participating and working to make the community even more beautiful.

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

**CITY COUNCIL/BOARD MEMBERS REQUESTS:**

Councilmember Shader requested that as part of the Committee/Commission Manual update that the Smart Cities Committee be renamed to the Technology and Innovation Committee.

City Administrator Arrula noted that the new name would be included in the list of committees in the manual when it is brought back before Council.

Mayor Yamaguchi requested information on response times to the farthest City District from the City's fire stations.

Chief Dobine stated that the information has been compiled and he will provide the information.

Mayor Yamaguchi noted that the meeting would be adjourned in memory of Richard "Rick" Smith and asked Councilmember Smith to share comments.

Councilmember Smith expressed deep condolences to the Smith family and shared comments about Mr. Smith's engagement in the community, and as a member of the Kiwanis and Rotary Clubs. He also noted that Mr. Smith was a Marine and Navy veteran.

Mayor Yamaguchi expressed appreciation to the Council for agreeing to hold study sessions at 4:30 p.m. He noted that his goal is to finish meetings earlier to allow Staff and Council to get home to their families earlier.

**ADJOURNMENT:**

The City Council/Successor Agency/ICDA/PPFA Board of Directors adjourned at 8:05 p.m. in memory of Richard "Rick" Smith to a regular City Council meeting on Tuesday, February 6, 2024 at 5:30 p.m.

  
\_\_\_\_\_  
Jeremy Yamaguchi, Mayor/Agency Chair

ATTEST:

  
\_\_\_\_\_  
Robert S. McKinnell, City Clerk/  
Agency Secretary

