

**PLACENTIA CITY COUNCIL  
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE  
PLACENTIA REDEVELOPMENT AGENCY  
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY  
REGULAR MEETING MINUTES – EXECUTIVE SESSION  
February 7, 2012  
5:30 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

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

**ROLL CALL:**

PRESENT: Council/Agency Members Yamaguchi, Wanke, Aguirre, Nelson, Underhill  
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. City of Placentia vs. Woodruff, Spradlin & Smart, Orange County Superior Court Case No. 30-2010-00367949
  - b. Jose Morales, et al. v City of Placentia, et al., Orange County Superior Court Case No. 30-2011-00437960
  - c. City of Cerritos, City of Placentia, et al. vs. State of California, Orange County Superior Court Case No. 34-2011-80000952
2. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding Potential Litigation – Two (2) Items
3. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8
  - a. Property: 100-110 West Santa Fe Avenue, APN 339-394-06 and 339-394-07  
City Negotiator: Troy L. Butzlaff, City Administrator  
Negotiating Parties: Placentia Bakery, LLC (Raul Davis)  
Under Negotiations: Price and Terms of Payment

**SUCCESSOR AGENCY:** None

**ICDA:**

4. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8  
  
Property: 101 West Crowther Avenue, APN 339-402-04  
City Negotiator: Troy L. Butzlaff, Executive Director  
Negotiating Parties: Golden State Water Company  
Under Negotiations: Price and Terms of Payment

**RECESS:** The City Council/Successor Agency/ICDA recessed to the Regular Meeting at 7:00 p.m

**CALL TO ORDER:**

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

**STAFF PRESENT:** City Administrator/Executive Director, Troy L. Butzlaff; City Attorney/ Agency Counsel, Andrew V. Arczynski; Assistant City Administrator, Ken Domer; Director of Administrative and Community Services, Steve Pischel; Finance Director, Karen Ogawa; Police Chief, Rick Hicks; Deputy Director of Community Services, Jon Nicks; Finance Services Manager, Michael Nguyen; Management Analyst, Eduardo De La Torre; Management Analyst, Maggie Le; City Clerk, Patrick Melia; Deputy City Clerk, Tania Moreno

**INVOCATION:** Police Chief Hicks

**PLEDGE OF ALLEGIANCE:** City Treasurer Green

**PRESENTATIONS:**

- a. Cultural Arts Project for Every Student (CAPES) Grants  
Recipients: Grant recipients – PYLUSD Schools  
Presenters: Mayor Yamaguchi  
Cultural Arts Commissioners Evelyn Lawrence and Dan Davis
- b. Proclamation Designating the Month of February, 2012, as Career and Technical Education Month in Placentia, California  
Recipient: Gail Kairus, Administrator of Instructional Services, at North Orange County Regional Occupational Program  
Presenter: Mayor Yamaguchi
- c. Recognition to Valencia High School Interact Club for their "Winter Wonderland" Fundraiser Program and Community Service Projects in the City  
Recipient: Valencia High School Interact Club  
Presenter: Mayor Yamaguchi
- d. Recognition of Sponsors for the Annual Tamale Festival, Las Posadas, and Winter Holiday Celebration  
Presenters: Bill Zavala and Rosalina Davis, Placita Santa Fe Merchants Association Board Members

**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 reported that City of Cerritos and City of Placentia filed an action against the State of California in Sacramento County. He noted that City of Cerritos is leading the charge on an appeal and has requested that Placentia City Council authorize participation in the appeal. He noted that Placentia City Council granted the request of participation in the appeal. He also reported that there has been a resolution in the issue with a former City employee Dale Carlson. He noted that the final agreement regarding Mr. Carlson has been executed and it is on file in the City Clerk's Office.

**CITY ADMINISTRATOR REPORT:**

City Administrator Butzlaff noted that Staff is working on the unwinding of the Redevelopment Agency and monitoring legislative efforts to clean up elements of the legislation that terminated redevelopment. He announced that Kraemer Avenue will be closed to traffic due to the OC Bridges Project.

**ORAL COMMUNICATIONS:**

Craig Green, City Treasurer, requested that item 1.g. be pulled for separated discussion.

Greg Sowards, resident, spoke regarding the use of an electronic voting system and inquired about alternative uses of Public, Educational, and Governmental Funds. He suggested that the current proclamation format should not be changed. He inquired about the IT budget request. He expressed his concerns regarding the community meeting held by Mayor Yamaguchi.

Marisca, resident, expressed her concerns regarding the vandalism taking place in the Villa Angelina apartment complex.

**CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:**

Councilmember Nelson attended the Employees Relation Policy Committee meeting in Sacramento and the Legislative Committee meeting. He spoke in support of the OC Bridges Project. He discussed AB 1552 introduced by Assemblyman Jim Silva that requires the developers to pay State income taxes.

City Administrator Butzlaff noted that AB 1555 will prohibit redevelopment agencies from forgiving debts.

Councilmember Aguirre noted that he and Councilmember Nelson attended the last Placentia Community Foundation meeting. He spoke in support of item 1.e.

Mayor Pro Tem Wanke attended the Orange County Fire Authority meeting and the Anaheim State of the City event. He noted that he met with the Placentia Yorba Linda Unified School District. He attended a community meeting last week as part of the audience.

Councilmember Nelson noted that he attended the community meeting as part of the audience.

Mayor Yamaguchi noted that the community meeting was an open forum meeting and there was not a formal agenda. He attended the California League of Cities Conference in Sacramento. He attended the Rotary Club's 75<sup>th</sup> Anniversary Celebration and Rotary Speech Contest Judging Ceremony. He attended the 110<sup>th</sup> Placentia Round Table Women's Club Anniversary. He announced the upcoming State of the City event on February 23, 2012.

City Administrator Butzlaff provided a brief review of the use of Public, Educational, and Governmental Funds.

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

A motion was made by Councilmember Nelson, seconded by Councilmember Aguirre, to approve Consent Calendar Item Nos. 1.a. through 1.h. Mayor Yamaguchi removed item 1.g. for separate discussion.

**COUNCIL/SUCCESSOR 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 Regular City Council Meeting – January 17, 2012**  
Recommended Action: Approve  
**(APPROVED 5 – 0, as recommended)**
- c. **City Fiscal Year 2011-12 Warrant Register for January 18, 2011 Through February 7, 2012**  
Financial Impact: \$1,009,851.97  
Recommended Action: Approve  
**(APPROVED 5 – 0, as recommended)**
- d. **Successor Agency Fiscal Year 2011-12 Warrant Register for January 18, 2011 Through February 7, 2012**  
Financial Impact: \$1,165.15  
Recommended Action: Approve  
**(APPROVED 5 – 0, as recommended)**

**COUNCIL CONSENT CALENDAR:**

- e. **Acceptance of Construction Work for the Placentia Parking Lot at 329 and 333 West Santa Fe Avenue Improvement Project**  
Financial Impact: Expense: \$61,734  
 Offsetting Revenue: AB2766 Funding - \$42,234 CFD, \$19,500 ARRA EECBG Funds  
 Budgeted: \$61,734 (Account No.: 333552-6185 J/L 61063, Construction Capital Projects)  
Recommended Action: It is recommended that the City Council:
  - 1) Accept contract work performed by Century Paving, Inc., for construction of the Placentia Parking Lot at 329 and 333 West Santa Fe Avenue Improvement Project in the total amount of \$61,734
  - 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. **Acceptance of Construction Work by Interlog Corporation for the Backs Community Building Exterior Lighting Upgrade Project**  
Financial Impact: Expense: \$23,978.80 construction  
 Offsetting Revenue: \$23,978.80 CDBG Funds  
 Budgeted: \$23,978.80 (Account No.: 333555-6185 J/L 6106840133-6185)  
Recommended Action: It is recommended that the City Council:
  - 1) Accept the contract work by Interlog Corporation for the Backs Community Building Exterior Lighting Upgrade Project in the total amount of \$23,978.80
  - 2) Authorize the City Administrator or designee to file a Notice of Completion with the Office of the Orange County Clerk-Recorder's for the project

- 3) Authorize the City Administrator or designee to release the retention in accordance with the terms of the contract  
**(APPROVED 5 – 0, as recommended)**

g. **July – December 2011 Treasurer’s Reports**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Receive and file the July – December 2011 Treasurer’s Reports  
**(APPROVED 5 – 0, as recommended)**

City Treasurer Green noted that the Treasurer’s Reports are becoming easier to read for all and more transparent. He noted that the revised report clarifies who benefits from the cash balance. He noted that he will also address the issue of loan agreements between funds.

Discussion ensued by Council, Staff and City Treasurer.

Director of Finance Ogawa provided a brief review of cash deficit transfers.

A motion was made by Mayor Yamaguchi, seconded by Mayor Pro Tem Wanke, and carried (5 – 0) to receive and file the Financial Update Report for the period ended December 31, 2011.

h. **July – December 2011 Financial Update Report**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Receive and file the Financial Update Report for the period ended December 31, 2011  
**(APPROVED 5 – 0, as recommended)**

**SUCCESSOR AGENCY CONSENT CALENDAR:** None

**ICDA CONSENT CALENDAR:** None

**2. PUBLIC HEARINGS:**

**COUNCIL/SUCCESSOR AGENCY/ICDA:** None

**COUNCIL:**

a. **Modris Veismanis, Attorney at Law Business License Administrative Fee Appeal**

Financial Impact: \$15.00 in revenue reduction

Recommended Action: It is recommended that the City Council:

- 1) Deny the appeal of the Business License Administrative Fee  
**(APPROVED 5 – 0, as recommended)**

City Administrator Butzlaff provided a brief staff report on item 2.a.

City Attorney Arczynski noted that the appellant submitted the business license fee, but did not pay the renewal fee.

Appellant did not attend the public hearing.

Mayor Yamaguchi opened the public hearing at 8:10 p.m.

Mayor Yamaguchi closed the public hearing at 8:11 p.m.

Discussion ensued by Council, Staff and City Attorney.

A motion was made by Councilmember Nelson, seconded by Councilmember Aguirre, and carried (5 – 0) to deny the appeal of the Business License Administrative Fee.

**SUCCESSOR AGENCY:** None

**ICDA:** None

**3. OLD BUSINESS:**

**COUNCIL/SUCCESSOR AGENCY/ICDA OLD BUSINESS:** None

**COUNCIL OLD BUSINESS:**

a. **Ordinance Approving an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City of Placentia**

Financial Impact: To be determined

Recommended Action: It is recommended that the City Council:

- 1) Waive full reading, read by title only, and introduce for first reading, Ordinance O-2012-01, an Ordinance of the City of Placentia, California, authorizing an amendment to the contract between the City Council of the City of Placentia and the Board of Administration of the California Public Employees' Retirement System

**(APPROVED 5 – 0, as recommended)**

City Administrator Butzlaff provided a brief staff report of item 3.a.

Discussion ensued by Council and Staff.

A motion was made by Councilmember Nelson, seconded by Mayor Yamaguchi, and carried (5 – 0) to waive full reading, read by title only, and introduce for first reading, Ordinance O-2012-01, an Ordinance of the City of Placentia, California, authorizing an amendment to the contract between the City Council of the City of Placentia and the Board of Administration of the California Public Employees' Retirement System.

**SUCCESSOR AGENCY OLD BUSINESS:** None

**ICDA OLD BUSINESS:** None

**4. NEW BUSINESS:**

**COUNCIL/SUCCESSOR AGENCY/ICDA NEW BUSINESS:** None

**COUNCIL NEW BUSINESS:**

a. **Professional Services Agreement with KOA Corporation for the Preparation of a Traffic Study/Travel Demand Modeling to Update the Circulation Element of the General Plan and Associated Program Environmental Impact Report (PEIR)**

Financial Impact: Expense: \$56,350

Offsetting Revenue: \$56,350 (Account No.: 333552-6015 J/L 61036)

Budgeted: \$75,000

Recommended Action: It is recommended that the City Council:

- 1) Approve a Professional Services Agreement with KOA Corporation in a form approved by the City Attorney and for an amount not to exceed \$56,350, for the preparation of a traffic study, including travel demand modeling, for the Circulation Element of the General Plan and Program Environmental Impact Report (PEIR)
- 2) Authorize the City Administrator to execute all necessary documents to effectuate this agreement

**(APPROVED 5 – 0, as recommended)**

City Administrator Butzlaff provided a brief staff report on item 4.a.

Assistant City Administrator Domer noted that the Circulation Element of the General Plan is required by State law. He noted that the Planning Division has shared costs with other divisions to reduce the cost of the Circulation Element. He noted that grant opportunities could be lost if the Circulation Element is not updated.

Discussion ensued by Council and Staff.

A motion was made by Councilmember Underhill, seconded by Councilmember Nelson, and carried (5 – 0) to approve a professional services agreement with KOA Corporation in a form approved by the City Attorney and for an amount not to exceed \$56,350, for the preparation of a traffic study, including travel demand modeling, for the Circulation Element of the General Plan and Program Environmental Impact Report (PEIR); and to authorize the City Administrator to execute all necessary documents to effectuate this agreement.

b. **Consideration of City Council Meeting Agenda Format Alternatives and Options**

Financial Impact: To be determined

Recommended Action: It is recommended that the City Council:

- 1) Review and discuss the City Council meeting agenda format alternatives
- 2) Provide input and direction regarding City Council meeting agenda format revisions.

**(APPROVED 5 – 0, as recommended)**

City Administrator Butzlaff provided a brief staff report on item 4.b.

Deputy City Clerk Moreno provided a staff report on item 4.b. She provided an overview of the meeting agenda format alternatives and options identified in the staff report. The alternatives include revisions to the roll call voting order, how votes are taken and the format of commendations & proclamations.

Discussion ensued by Council and Staff.

City Clerk Melia provided a brief review of how the order of voting was taken in the past.

Greg Sowards, resident, noted that at the time he served in the City Council, Council directed Staff to conduct a rotational roll call. He noted that it was informal direction from Council to Staff.

Mayor Yamaguchi directed Staff to look at the cost of an electronic voting system including an electronic timer and speakers, restricted to the Public, Educational, and Governmental funding; to conduct roll call in alphabetical order of Councilmembers followed by Mayor Pro Tem and Mayor; and to change the current proclamation format to something similar to the Orange County Fire Authority format in which proclamations are presented for Council's approval.

Councilmember Nelson expressed concerns regarding the electronic voting system. He directed Staff to look at other options to use the available Public, Educational, and Governmental funds, rather than in a electronic voting system. He noted he has no concerns regarding the roll call order and process. He inquired about the reasoning for changing the roll call voting order.

Councilmember Aguirre expressed concerns regarding the purchase of an electronic voting system. He spoke in support of a voice roll call process.

Councilmember Underhill spoke in support of the electronic voting board and rotational voting format.

Mayor Pro Tem Wanke spoke in support of a consistent roll call order. He noted that he would rather spend the Public, Educational, and Governmental funds on other items.

City Administrator Butzlaff noted that most proclamations and commendations come from the Mayor's office.

Mayor Yamaguchi spoke in support of an electronic voting system.

City Administrator Butzlaff recommended implementing a request for presentation application process.

City Council agreed to implement a formal presentation application process.

c. **Mid-Year Budget Review and Appropriation Adjustment**

Financial Impact: Appropriation adjustment \$399,620

Recommended Action: It is recommended that the City Council:

- 1) Receive a presentation on the City's Fiscal Year 2011-12 Budget
- 2) Adopt Resolution No. R-2012-05, 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 \$399,620 in compliance with the City Charter requiring sufficient appropriations for actual expenditures

**(APPROVED 5 – 0, as recommended)**

City Administrator Butzlaff provided a brief staff report on item 4.c.

Director of Finance Ogawa provided a PowerPoint presentation entitled Mid-Year Budget Update Fiscal Year 2011-12. The slideshows included: Executive Summary, Major General Fund Revenues, General Funds as December 2011, Budget Adjustment Requests, Fund Balance (General Fund), Fund Balance - Component, Budget Summary, General Fund Projections, Next Budgetary Steps, and Questions & Answers.

The following budget adjustments requests were made: legal services and risk management \$350,000, information technology support \$10,000; and maintenance & repairs \$39,620. The total budget adjustment requests totaled \$399,620.

Discussion ensued by Council and Staff.

Director of Finance Ogawa noted that there is a budget adjustment request for information technology support of \$10,000. She noted that the current projects require additional professional service hours from Synoptek.

Discussion ensued by Council and Staff.

A motion was made by Councilmember Nelson, seconded by Mayor Pro Tem Wanke, and carried (5 – 0) to receive a presentation on the City's Fiscal Year 2011-12 Budget; and adopt Resolution No. R-2012-05, 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 \$399,620 in compliance with the City Charter requiring sufficient appropriations for actual expenditures.

**SUCCESSOR AGENCY NEW BUSINESS:** None

**ICDA NEW BUSINESS:** None

**CITY COUNCIL/BOARD MEMBERS REQUESTS:**

Councilmember Nelson requested that Council give direction to Staff to explore an extra option during the upcoming fiscal year pertaining to high deductible health plans (HDHP). He requested that Council give direction to Staff to come back with a short staff report on the creation of an economic development committee and to work with the Chamber of Commerce. He requested that Council give direction to Staff to look at the two hour parking signs in the Downtown area.

Mayor Yamaguchi requested that Council give direction to Staff to release City records pertaining to energy use to firms offering no cost analysis.

Mayor Pro Tem Wanke spoke in support of the economic development committee. He suggested that City Clerk Melia involved with the creation of a economic development committee due to his previous experience.

**ADJOURNMENT:**

The City Council/Successor Agency/ICDA Board of Directors adjourned at 9:17 p.m. to the next regular City Council meeting in memory of Shirley Christian, Tom Christian, Tom Ortiz, and Virginia Felipe.

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JEREMY B. YAMAGUCHI  
MAYOR/AGENCY CHAIR

ATTEST:

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PATRICK J. MELIA, CITY CLERK/AGENCY  
SECRETARY