

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
March 20, 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 5:34 p.m.

ROLL CALL:

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

ORAL COMMUNICATIONS: None

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding Existing Litigation – Two (2) Items
 - a. City of Placentia vs. Woodruff, Spradlin & Smart, Orange County Superior Court Case No. 30-2010-00367949
 - b. City of Cerritos, City of Placentia, et al. vs. State of California, Sacramento County Superior Court Case No. 34-2011-80000952
2. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – One (1) Item
3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding Potential Litigation – Two (2) Items
4. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:
 - a. Property: 166 La Jolla Street, APN 344-24-103
City Negotiator: Troy L. Butzlaff, City Administrator
Negotiating Parties: Karagines Family and Sigalos Family Trust
Under Negotiations: Price and Terms of Payment
 - b. Property: 2301 North Kraemer Blvd., APN: 336-30-101, 336-30-105, 336-54-111
City Negotiator: Troy Butzlaff, City Administrator/Executive Director
Negotiating Party: Mark Denny, Director Orange County Parks Department
Under Negotiations: Price and Terms of Payment

SUCCESSOR AGENCY: None

ICDA: None

RECESS: The City Council/Successor Agency/ICDA recessed to the Regular Meeting at 7:02 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/ Authority Counsel, Andrew V. Arczynski; Assistant City Administrator, Ken Domer; Director of Administrative and Community Services, Steve Pischel; Director of Public Works, Steve Drinovsky; Police Chief, Rick Hicks; Management Analyst, Eduardo De La Torre; City Clerk, Patrick Melia; Clerical Aide, Stephanie Sasaki

INVOCATION: Gary Drabek, Police Chaplain

PLEDGE OF ALLEGIANCE: Councilmember Nelson

PRESENTATIONS: None

EXECUTIVE SESSION REPORT:

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

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff announced the Grand Reopening of Kraemer Park on March 22nd at 5:00 p.m. and the Neighborhood Conversation meeting on March 22nd at 6:00 p.m. at the Backs Building. He announced an upcoming Study Session on March 27th at 6:00 p.m. to discuss with Orange County Local Agency Formation Commission, the concept of unincorporated County Islands.

ORAL COMMUNICATIONS:

Greg Sowards, Citizens for a Better Placentia representative, expressed his concerns regarding a recent public records request submitted to the City by Craig Green on behalf of the Citizens for a Better Placentia Committee. He noted that the request submitted by Mr. Green had no prior approval by the Citizens ommittee.

Craig Green, resident, spoke regarding item 4.a. and the construction costs of the new parking structure. He noted the public records request he recently submitted to the City is not on behalf of Citizens for a Better Placentia but his personal request.

Judy Morton, Anaheim resident, expressed her concerns regarding the pollution generated by Greenways of Placentia facility located in the City. She noted that the facility generates air pollution due to composting and mulching of green waste. She noted the importance of raising awareness on zoning issues, business license requirements, and health issues.

Discussion ensued between Council and Staff. They discussed the type of materials that are being composted and mulched.

City Administrator Butzlaff noted that Staff would provide a memorandum with an update and follow up with concerned citizens.

Patricia Daniels, Anaheim resident, expressed her concerns of the changing and growing operations of the Greenways of Placentia facility and the health issues. She noted that she obtained air quality reports from the Air Quality Management District.

Jeff Buchanan, resident, expressed his position that the City should take responsibility for street trees and sidewalk maintenance. He discussed past permit processes used to remove trees.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Underhill announced the upcoming Easter Eggcitement and Spring Carnival March 31st at Kraemer Park.

Councilmember Aguirre reported that he attended Career Day at Valadez Middle School. He noted that he was not able to attend "The Wall That Heals" opening ceremony, but visited the site following and was very impressed. He reported that Mayor Yamaguchi and he attended the Placentia Community Foundation meeting. He reported that he met with Jeff Buchanan and discussed trees and sidewalks maintenance.

Councilmember Nelson reported that he attended Career Day at Valadez Middle School. He noted that he was not able to attend "The Wall That Heals" opening ceremony, but thanked all involved.

Mayor Pro Tem Wanke attended the OC Waste Management Commission meeting. He also attended a luncheon with Chief Richter of the Orange County Fire Authority. He noted that was part of the San Jacinto Aqueduct tour. He was not able to attend "The Wall that Heals" ceremony, but thanked everyone involved.

Mayor Yamaguchi recognized the passing of retired Placentia Police Captain Ken Rowley and noted he attended the memorial service. He participated in "The Wall That Heals" opening ceremony and thanked the Gillepsy Family for their services. He congratulated the Girl Scouts of America on their 100th year anniversary celebrated at the Nixon Library. He also congratulated Placentia Troop Eagle Scouts Michael Botts and Dante Franceschi for obtaining their Eagle Scout award. He invited everyone to attend a retirement ceremony honoring Captain Lou Blankenship from Station 35 at the Orange County Fire Authority on March 22nd. He announced an upcoming town hall meeting being held by Congressman Ed Royce on March 24th in the Placentia City Council Chambers at 1:00 p.m.

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

A motion was made by Councilmember Nelson, seconded by Mayor Pro Tem Wanke, to approve Consent Calendar Item Nos. 1.a. through 1.g. Mayor Pro Tem Wanke abstained on warrant number 6543 and affirmative on the balance of the consent calendar items.

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/Successor/ICDA Regular City Council Meeting –
March 6, 2012**

Recommended Action: Approve

(APPROVED 5 – 0, as recommended)

- c. **City Fiscal Year 2011-12 Warrant Register for March 7, 2012 Through March 20, 2012**
Financial Impact: \$527,548.08
Recommended Action: Approve
(APPROVED 5 – 0, Mayor Pro Tem Wanke abstained on warrant item 6543)
- d. **Successor Agency Fiscal Year 2011-12 Warrant Register for March 7, 2012 Through March 20, 2012**
Financial Impact: \$4,156.20
Recommended Action: Approve
(APPROVED 5 – 0, as recommended)

COUNCIL CONSENT CALENDAR:

- e. **2011 Housing Element Annual Progress Report**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
1) Receive and file the 2011 Housing Element Annual Progress Report
(APPROVED 5 – 0, as recommended)
- f. **Approval of Plans and Specifications and Award of Contract to Pelagic Engineering for the Citywide Traffic Signal Battery Back-Up Project**
Financial Impact: Expense: \$80,701.50 for construction
Offsetting Revenue: \$80,701.50 Gas Tax Bond
Budgeted: \$100,000 (Account No.: 333552-6185 J/L 61089)
Recommended Action: It is recommended that the City Council:
1) Approve plans and specifications prepared by Albert Grover & Associates (AGA) dated February 6, 2012, for the Citywide Traffic Signal System Battery Back-Up
2) Award construction contract to the lowest responsive and responsible bidder, Pelagic Engineering for an amount not to exceed \$73,365
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 aggregate amount not to exceed 10% 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)
- g. **Authorize Right of Way Easement at Assessor Parcel Number 341-501-64 Alta Vista Street Northwest of Swail Drive for Electric Utility Purposes**
Financial Impact: Revenue: \$3,000 for purchase offer (Account No.: 100000-4710)
Recommended Action: It is recommended that the City Council:
1) Authorize the City Administrator to sign and the City Clerk attest to the Grant of Easement for SCE to construct and use an area of approximately 370 square feet
2) Accept the SCE offer in the amount of \$3,000 as described in the offer to purchase

(APPROVED 5 – 0, as recommended)

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL: None

SUCCESSOR AGENCY: None

ICDA: None

3. OLD BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA OLD BUSINESS: None

COUNCIL OLD BUSINESS: None

SUCCESSOR AGENCY OLD BUSINESS: None

ICDA OLD BUSINESS: None

4. NEW BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA NEW BUSINESS: None

COUNCIL NEW BUSINESS:

- a. **Resolution Accepting the Allocation of Costs Between the City and the Orange County Transportation Authority for the Design and Construction of a Downtown Parking Structure to Support the Planned Metrolink Station**

Financial Impact: Hard costs estimated at \$7.2 million. Actual costs of construction to be determined once project has been bid

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2012-08, a resolution of the City Council of the City of Placentia, California, accepting the allocation of costs between the City of Placentia and the Orange County Transportation Authority pertaining to the design and construction of a downtown parking structure in support of the planned Metrolink Station

City Administrator Butzlaff noted that item 4.a. requires further discussion and would be brought back to Council at a future date. He noted that Staff has determined that additional discussion is needed and clarifying language would be incorporated to the resolution in regards to allocation of costs.

Discussion ensued between Council and Staff.

Councilmember Nelson commended Staff on the work pertaining to the construction of the downtown parking structure.

b. **Resolution Expressing Support for SB 1364 Relating to Water Corporations**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2012-09, a resolution of the City Council of the City of Placentia, California, expressing support for SB 1364 relating to water corporations

(APPROVED 5 – 0, as recommended)

Management Analyst De La Torre provided a brief staff report on item 4.b. He noted that the resolution expresses support for SB 1364 relating to water corporations.

Discussion ensued between Council and Staff. Council noted that other cities involved would receive a copy of the resolution. Council expressed support for SB 1364.

A motion was made by Mayor Yamaguchi, seconded by Councilmember Underhill, and carried (5 – 0) to adopt Resolution R-2012-09, a resolution of the City Council of the City of Placentia, California, expressing support for SB 1364 relating to water corporations.

SUCCESSOR AGENCY NEW BUSINESS: None

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Mayor Pro Tem Wanke requested that Council give direction to Staff to invite Orange County Transportation Authority to the next City Council meeting and request them to report on the progress and timeline of the proposed train station.

Councilmember Nelson requested that Council give direction to Staff to request the Orange County Transportation Authority to provide a report on the grade separation and the OC Bridges Project.

ADJOURNMENT:

The City Council/Successor Agency/ICDA Agency Board of Directors adjourned to a Study Session on March 27, 2012 at 5:00 p.m.

JEREMY B. YAMAGUCHI
MAYOR/AGENCY CHAIR

ATTEST:

PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY