

**PLACENTIA CITY COUNCIL
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
July 17, 2012
5:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

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

ROLL CALL:

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

Councilmember Nelson arrived at 5:35 p.m.

ORAL COMMUNICATIONS: None

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding Potential Litigation – One (1) Item
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 54957.6 Conference with City Labor Negotiator concerning Labor Negotiations with the Following Groups:
 - a. Placentia Police Officers Association (PPOA)
City Representatives: Troy L. Butzlaff, City Administrator
Steve Pischel, Director of Administrative Services/C.S.
Steve Drinovsky, Director of Public Works
 - b. Placentia City Employees Association (PCEA)
City Representatives: Troy L. Butzlaff, City Administrator
Steve Pischel, Director of Administrative Services/C.S.

SUCCESSOR AGENCY: None

ICDA: None

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

CALL TO ORDER:

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

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

INVOCATION: OCFA Chaplain Warren Johnson

PLEDGE OF ALLEGIANCE: Mayor Yamaguchi

PRESENTATIONS: None

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 stated there was no reportable action from Executive Session this evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff announced the Movies in the Park and Concerts in the Park series events. He announced the Residential Street Rehabilitation Project public information meeting scheduled for July 26, 2012 in the Council Chambers. He noted that the application to Caltrans for Safe Routes to School funding was selected. He noted that the City Council and Treasurer nomination period commenced July 16, 2012 and ends August 10, 2012.

ORAL COMMUNICATIONS:

Ed Garcia, Placentia commercial property owner, expressed his concerns regarding ethics and transparency. He expressed his concerns regarding the 2011 Commissions and Committees recruitment and appointment process.

Erna Smith, resident, expressed her concerns regarding the removal of a City owned tree and a patio cover on her property. She submitted documents to the City Council.

Alan Frank, resident, expressed his concerns regarding the City's financial situation, lack of services, the downtown parking structure project and employee pension benefits.

Jeff Buchanan, resident, inquired about the street trees ordinance. He invited potential City Council candidates to meet with the Street Tree Committee.

Craig Green, City Treasurer, spoke in support of the changes made to the City Treasurer's Report and submitted documentation to the City Council. He noted that the new format makes the report easier to read and increases the transparency. He expressed his concerns regarding the redevelopment agency negative balance. He requested a meeting with the City Administrator and/or auditors.

Mayor Yamaguchi directed the City Administrator to schedule a meeting with Mr. Green.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Nelson attended the Employee Relations Committee meeting, Redevelopment Task Force meeting and Pension Reform Committee meeting. He discussed issues pertaining to the CalPERS system and the dissolution of redevelopment agencies. He expressed his condolences to Jean Turner and Councilmember Aguirre.

Councilmember Underhill spoke in support of the Gomez Center renovation. She noted that Movies in the Park series is a success.

Councilmember Aguirre spoke in support of the Gomez Center renovation and acknowledged Dino De Marco for his donation of computers for the Gomez Center.

Mayor Pro Tem Wanke noted that he did not attend the last meeting due to a family illness. He noted that he attended the Orange County Fire Authority meeting and voted in favor of

reducing the number of staff servicing City of Stanton. He attended the Gomez Center Reopening event. He commended Staff and Project Engineer on Gomez Center renovation project. He noted that he would not be attending the Residential Rehabilitation Project public information meeting on July 26, 2012.

Mayor Yamaguchi asked the City Administrator to clarify that issue of privately owned trees being trimmed through the new program and to address the comment made about the administrative cost referred to in an Orange County Register article.

City Administrator Butzlaff noted that the City is only maintaining trees in which they have full control over and no privately owned trees would be maintained. He noted that the report put out by the Orange County Register relies on a report by the State Controller. He noted that the administrative costs reflected on the State Controller report are inaccurate. He noted that Staff sent an email response to the Orange County Register.

Mayor Yamaguchi noted that he presents his ideas to the entire Council for their approval. He noted that in 2011 he did not serve as Mayor. He encouraged the public to contact Staff pertaining to any concerns. He attended the Concordia University Technology Conference. He noted that the Placentia Community Foundation opened and received applications for their first grant awarding session. He noted that the Association of California Cities Orange County has created an Innovation Committee and invited public agencies to submit applications. He attended a Recreation and Parks Commission meeting and thanked the commissioners for their service. He congratulated the renewed Kiwanis Club of Placentia.

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

A motion was made by Mayor Pro Tem Wanke seconded by Councilmember Nelson, to approve Consent Calendar Item Nos. 1.a. through 1.i. Councilmember Nelson pulled item 1.c. 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
- b. **Minutes**
City Council/Successor/ICDA Study Session Meeting – May 29, 2012
City Council/Successor/ICDA Regular Meeting – June 12 & 19, 2012
Recommended Action: Approve
- c. **City Fiscal Year 2011-12 Warrant Register for June 20, 2012 through July 17, 2012**
Financial Impact: \$2,391,797.21
Recommended Action: Approve

Councilmember Nelson noted that check number 00077043 was a per diem check. He reported that he did not use the check and returned it.

A motion was made by Councilmember Nelson, seconded by Mayor Pro Tem Wanke, and carried (5 – 0) to approve item 1.c.

- d. **Successor Agency Fiscal Year 2011-12 Warrant Register for June 20, 2012 through July 17, 2012**

Financial Impact: \$4,755
Recommended Action: Approve

e. **City Fiscal Year 2012-13 Warrant Register for June 20, 2012 through July 17, 2012**

Financial Impact: \$206,321.53
Recommended Action: Approve

COUNCIL CONSENT CALENDAR:

f. **Response to Orange County Grand Jury Report Regarding Dissolution of Redevelopment Agencies**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve and authorize the Mayor to sign a letter to the Presiding Judge that responds to the findings and recommendation of the Grand Jury's report on the dissolution of redevelopment

g. **Award of Contract for Transient Occupancy Tax Compliance Audits**

Financial Impact: Expense: \$4,500

Budgeted: \$4,500 (Account No.: 102021-6099)

Recommended Action: It is recommended that the City Council:

- 1) Approve the contract with MuniServices, LLC for transient occupancy tax auditing services
- 2) Authorize the City Administrator to sign the professional services agreement, in a form acceptable to the City Attorney

h. **Award of Contract for Business License Tax Compliance Audit**

Financial Impact: Revenues: \$19,035 (Estimate)

Expenses: \$7,614 (Estimate)

Recommended Action: It is recommended that the City Council:

- 1) Approve the contract with MuniServices, LLC for business license tax compliance auditing services
- 2) Authorize the City Administrator to sign the professional services agreement, in a form acceptable to the City Attorney

i. **Approve Cooperative Agreement for Project No. 174-46009 between the City of Placentia, City of Fullerton, and City of Yorba Linda for the Bastanchury Road Traffic Light Synchronization Program Project**

Financial Impact: Expense: \$32,980 Local Match

Offsetting Revenue: Air Quality Management District (AB 2766 Funds)

Budgeted: \$32,890 (Account No: 333554-6185 J/L 61063)

Recommended Action: It is recommended that the City Council:

- 1) Approve the attached Cooperative Agreement for Project No. 174-46009 between the City of Placentia, City of Fullerton and City of Yorba Linda for the implementation of the Bastanchury Road Traffic Light Synchronization Program Project funded as part of the Measure M2 Regional Traffic Synchronization Program (Program P)
- 2) Authorize the Mayor to execute the Cooperative Agreement on behalf of the City

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL:

- a. **Public Hearing to Provide for the Annual Levy of Assessment for City of Placentia Landscape Maintenance District 92-1**
Financial Impact: Recouped through Assessments: \$395,898.66
Single Family Residential: \$154.87/Parcel
Commercial/Industrial: \$1,548.70/Acre
Multiple Family Residential: \$108.41/Unit
Undeveloped: \$774.35/Parcel
Recommended Action: It is recommended that the City Council:
- 1) Conduct a Public Hearing concerning the levy and collection of assessments within the Landscape Maintenance District 92-1 and consider all objections to the assessment
 - 2) Adopt Resolution No. R-2012-40 A Resolution of the City Council of the City of Placentia, California, approving the Engineer's Report for Annual Levy of Assessment for Fiscal Year 2012-13 in Landscape Maintenance District No. 92-1 located within the City of Placentia
 - 3) Adopt Resolution No. R-2012-41, A Resolution of the City Council of the City of Placentia, California, confirming a diagram and assessment and providing for Annual Assessment Levy for Fiscal Year 2012-13 in Landscape Maintenance District No. 92-1 located within the City of Placentia
- b. **Public Hearing to Provide for the Annual Levy of Assessment for the City of Placentia Street Lighting District 81-1**
Financial Impact: Recouped through Assessments: \$134,739.52
Single Family Residential: \$27.38/Parcel
Commercial/Industrial: \$164.28/Acre
Tentative/Final Map: \$8.21/Unit
Recommended Action: It is recommended that the City Council:
- 1) Conduct a Public Hearing concerning the levy and collection of assessments within the Placentia Street Lighting District 81-1 and consider all objections to the assessment
 - 2) Adopt Resolution No. R-2012-42, A Resolution of the City Council of the City of Placentia, California, approving the Engineer's Report for Annual Levy of Assessment for Fiscal Year 2012-13 in Street Lighting District 81-1 located within the City of Placentia
 - 3) Adopt Resolution No. R-2012-43, A Resolution of the City Council of the City of Placentia, California, confirming a diagram and assessment and providing for Annual Assessment Levy for Fiscal Year 2012-13 in Street Lighting District 81-1 located within the City of Placentia

City Attorney Arczynski noted that due to technical issues the notice for the public hearings items pertaining to items 2.a. and 2.b. were not fully published as directed by the City Council. He recommended that Council consider the addition of two items to the agenda per California Government Code § 54954(b) (2): 1.) Adopt Resolution No. R-2012-44, relating to Fiscal Year 2012-13 Levy of Assessments to the City of Placentia Street Lighting District No. 81-1 and Setting Public Hearing for August 7, 2012, and 2.) Adopt Resolution No. R-2012-45, relating to Fiscal Year 2012-13 Levy of Assessments for the City of Placentia Landscape Maintenance District No. 92-1 setting a public hearing for August 7, 2012.

A motion was made by Councilmember Nelson, seconded by Mayor Yamaguchi, and carried (5 – 0) to add and approve two items to the agenda 1.) Adopt Resolution No. R-2012-44, relating to Fiscal Year 2012-13 Levy of Assessments to the City of Placentia Street Lighting

District No. 81-1 and Setting Public Hearing for August 7, 2012, and 2.) Adopt Resolution No. R-2012-45, relating to Fiscal Year 2012-13 Levy of Assessments for the City of Placentia Landscape Maintenance District No. 92-1 setting a public hearing for August 7, 2012.

City Attorney Arczynski noted that the public hearings were partially noticed. He recommended Council to open the public hearings, take testimony and leave the public hearings open.

Mayor Yamaguchi opened the public hearings for items 2.a. and 2.b.

No public comments were received.

Mayor Yamaguchi continued the public hearings for items 2.a. and 2.b. to the next Regular City Council Meeting on August 7, 2012.

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: None

SUCCESSOR AGENCY NEW BUSINESS: None

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Mayor Yamaguchi requested that Council give direction to Staff to agendize a discussion between Council and Staff on the current fiscal position of the City and any updates since the adoption of the budget on the next regular Council meeting agenda.

City Administrator Butzlaff noted that the item can be agendize, but it might be premature due to the effective date of current budget.

Director of Finance Ogawa recommended having the discussion sometime in mid to end of September as additional details relative to revenues received and year end closed will be available.

Mayor Yamaguchi directed Staff to place the item as a standing discussion on the agenda with any updates.

City Administrator Butzlaff noted that information would be provided.

ADJOURNMENT: The City Council/Successor Agency/ICDA Agency Board of Directors adjourned to July 30, 2012 in memory of Robert "Bob" Turner and Frank Vargas Aguirre.



JEREMY B. YAMAGUCHI
MAYOR/AGENCY CHAIR

ATTEST:


PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY

