

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
October 2, 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 5:45 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. PIMA Corp. v. City of Placentia, Orange County Superior Court Case No. 30-2011-004-7011
2. Pursuant to Government Code Section 54956.9(b) for Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Item
3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – One (1) Item
4. 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 Representative: Troy L. Butzlaff, City Administrator
 - b. Placentia City Employees Association (PCEA)
City Representative: Troy L. Butzlaff, City Administrator

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; Assistant City Administrator, Ken Domer; Director of Administrative and Community Services, Steve Pischel; Director of Finance, Karen Ogawa; Police Chief, Rick Hicks; Associate Planner, Monique Schwartz; City Clerk, Patrick Melia; Deputy City Clerk, Tania Moreno

INVOCATION: Police Chaplain Kenneth Milhander

PLEDGE OF ALLEGIANCE: Mayor Yamaguchi

PRESENTATIONS:

1. Requests for Commendations and Proclamations

- a. Recognition of Summer Community Services Program Sponsors
Recipients: Placentia Disposal Inc., Southern California Gas Company, and Mr. Lee Castner
Presenter: Mayor Yamaguchi
- b. Presentation of Grants by the Placentia Community Foundation to the City of Placentia and other Organizations
Presenter: Placentia Community Foundation Chairperson Vivian Perez
- c. Employee of the Quarter - Sworn Police Group
Presenter: Mayor Yamaguchi, City Administrator Butzlaff, and Chief of Police Hicks

Recommended Action: It is recommended that the City Council:
Approve requests as submitted and make presentations to those present.

A motion was made by Mayor Pro Tem Wanke, seconded by Mayor Yamaguchi, to approve presentation items 1.a. to 1.c. as submitted and make a presentation to those present.

Mayor Yamaguchi presented a certificate to Placentia Disposal Inc., Southern California Gas Company and Mr. Lee Castner recognizing their contributions to the summer youth programs.

Recipients thanked the City for the recognition.

Mayor Yamaguchi introduced Placentia Community Foundation Chairperson Vivian Perez.

Chairperson Vivian Perez presented grants to the City of Placentia, Heritage Festival Committee, Community Action Partnership of Orange County, With Hope the Amber Craig Memorial Foundation, Paint Your Out Inc., and R.E.A.C.H. Foundation.

Community Foundation Board Member Brenda Emrick provided an overview of the foundation and the services they offer.

Mayor Yamaguchi introduced the City Administrator and Chief of Police.

City Administrator Butzlaff provided an overview of the Employee of the Quarter program.

Chief of Police Hicks presented a certificate of recognition to Sergeant Millsap.

Sergeant Millsap thanked his friends, co-workers and family for their support.

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 that the Candidates Forum hosted by the League of Women Voters would be re-broadcasted on Placentia Cable Channel Mondays, Wednesdays, and Thursdays throughout the month of October.

ORAL COMMUNICATIONS:

Mayor Yamaguchi noted that Public Hearing comments would be held later in the meeting.

Ron Jefferson, resident, expressed his concerns regarding recent public comments pertaining to Mayor Pro Tem Wanke.

Jeff Buchanan, resident, noted that the Tree Committee met with Staff regarding the current street tree ordinance and spoke in support of the work Staff is doing. He expressed his concerns regarding Mr. Garcia's comments during the last Council meeting.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Nelson recognized the Hispanic Month and the Hispanic culture in the City. He thanked the Placentia Community Foundation for the work they do. He congratulated Sergeant Millsap for his recognition. He thanked the League of Women Voters for hosting the Candidates Forum. He thanked Mr. Drinovsky and Mr. Butzlaff for their work on the street trees issue. He reported that he would be sitting in the League Task Force.

Councilmember Underhill congratulated Sergeant Millsap.

Councilmember Aguirre thanked the Placentia Community Foundation for their work and congratulated the grant recipients.

Mayor Pro Tem Wanke congratulated the Placentia Community Foundation for their work and congratulated the grant recipients. He reported he attended the Vector Control and Orange County Fire Authority meetings. He noted that he might not attend several upcoming events because his baby is due on October 10th.

Mayor Yamaguchi thanked the Placentia Community Foundation for their work. He thanked Mr. Buchanan and the Tree Committee for their work. He welcomed the Goodwill Store that recently opened in the City. He reported that he was a keynote speaker at the Santa Ana College Student Body Leadership Conference. He noted that Councilmember Nelson and he attended the Anaheim Prayer Breakfast. He attended the ACCOC Innovation Awards event and congratulated Mr. Butzlaff on his nomination. He announced the upcoming Heritage Festival on October 13th.

A motion was made by Councilmember Nelson, seconded by Mayor Yamaguchi, and carried (5 - 0) to take item 2.a. out of order and then discuss Consent Calendar items 1.a. to 1.g.

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

A motion was made by Mayor Yamaguchi, seconded by Councilmember Aguirre, to approve Consent Calendar Item Nos. 1.a. through 1.g.

Councilmember Underhill thanked those who serve on the Cultural Arts Commission. She requested that Staff follow up and find out the reasons the Commissioners resigned.

COUNCIL/SUCCESSOR AGENCY/ICDA CONSENT CALENDAR:

- a. **Consideration to Waive Reading in Full of all Ordinances and Resolutions**
Financial Impact: None
Recommended Action: Approve
(5 – 0, as recommended)

- b. **Minutes**
City Council/Successor/ICDA Regular Meetings – August 7, 2012 and September 18, 2012
Recommended Action: Approve
(5 – 0, as recommended)

- c. **City Fiscal Year 2012-13 Warrant Register for September 19, 2012 through October 2, 2012**
Financial Impact: \$1,428,917.79
Recommended Action: Approve
(5 – 0, as recommended)

COUNCIL CONSENT CALENDAR:

- d. **Acceptance of Offer to Dedicate 40 Feet of Right-of-Way Located at 208 Orangethorpe Avenue**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Adopt Resolution No. R-2012-54, A Resolution of the City Council of the City of Placentia, California, approving and accepting an Offer of Dedication Right-of-Way for future street and sidewalk improvements and authorizing the Mayor to execute said acceptance and the City Clerk to record said acceptance
 - 2) Direct the City Clerk to endorse the Certificate of Acceptance which embodies the acceptance of said right of way easement, and cause the document to be submitted to the Orange County Clerk-Recorder for recording of the document**(5 – 0, as recommended)**

- e. **Acceptance of Resignations from the Cultural Arts Commission**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Accept the resignations of Thea Bullock and Daniel Davis from the Cultural Arts Commission**(5 – 0, as recommended)**

- f. **Approval of Resolution Authorizing Temporary Suspension of Regulatory Ordinances Pertaining to the Operation of the Las Posadas and Tamale Festival Scheduled for Wednesday, December 5, 2012**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Provide approval for the Placita Santa Fe Merchants Association to hold the Las Posadas and Tamale Festival on Wednesday, December 5, 2012

contingent upon the Merchants Association continuing to work with City Staff to obtain all appropriate permits, insurance, and agreeing to follow all City regulations for the event

- 2) Adopt Resolution No. R-2012-55, A Resolution of the City Council of the City of Placentia, California, authorizing the Temporary Suspension of Regulatory Sections 23.76.050 and 10.28.010 of the Placentia Municipal Code for the operation of the Las Posadas and Tamale Festival on December 5, 2012 on the 100 and 200 blocks of Santa Fe Avenue and the 200 block of Bradford Avenue

(5 – 0, as recommended)

g. **Consideration of Request by the Placita Santa Fe Merchants Association to Utilize the Community Conference Room for their Ongoing Meetings**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve the use of the Community Conference Room by the Placita Santa Fe Merchants Association at no cost for the monthly meetings as scheduled

(5 – 0, as recommended)

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL:

a. **General Plan Amendment (GPA) 2012-01, Zone Change (ZC) 2012-01 and Tentative Parcel Map (TPM) 2011-140; For Properties Located at 1022, 1034 and 1042 N. Bradford Avenue**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing, receive public testimony, and close public hearing
- 2) Approve Draft Negative Declaration (DND) 2012-01
- 3) Adopt Resolution R-2012-56, A Resolution of the City Council of the City of Placentia, California, amending the land use designation of the land use element of the General Plan (General Plan Amendment 2012-01)
- 4) Waive full reading, reading by title only, and introduce for first reading, Ordinance O-2012-02, An Ordinance of the City Council of the City of Placentia, California, amending the official Zoning Map of the City by changing Zoning Designation from "R-1" Single Family Residential to "R-G" Medium Density Multiple-Family District on A +/- 0.52 Acre Site on the east side of Bradford Avenue at 1022 N. Bradford Avenue (Zone Change 2012-01)
- 5) Adopt Resolution R-2012-57, A Resolution of the City Council of the City of Placentia, California, approving Tentative Parcel Map 2011-140 for property located at 1022, 1034 and 1042 N. Bradford Avenue; and the requisite Special Conditions of Approval and Standard Development

Requirements of Tentative Parcel Map (TPM) 2011-140, Use Permit (UP)
2012-08 and Development Plan Review (DPR) 2012-02

(5 – 0, as recommended)

This item was taken out of order and was heard before the Consent Calendar items 1.a. to 1.g.

Associate Planner Schwartz provided an overview of the proposed project. She noted that the proposed site requires five (5) applications that would change the zoning designation for properties located at 1022, 1034 and 1042 N. Bradford Avenue. She noted that City Council approval is required to move forward with the zoning changes. She noted that the proposed changes would remediate the parking issues. She noted that the Planning Commission concluded that the new site would not affect the surrounding parcels.

Mayor Pro Tem Wanke inquired about the blueprints.

Associate Planner Schwartz responded that the proposed site would be a one-story building.

Mayor Yamaguchi opened the Public Hearing.

Shroff Mark, President of the Radha Raman Vedic Mandir Temple Board, noted that the temple is in need of an improvement that would benefit the community. He noted that the new site would be in full compliance of all requirements including the ADA requirements. He noted that the congregation has been working hard for over two (2) years on the project.

Mahendra Sanghari, resident, spoke in support of the youth programs that reaffirm the faith in the youth offered by the temple.

Ron Phadnis, President of Ron Phadnis Lti Inc., noted that it has been an honor to have been selected by the temple congregation for the architectural aspect of the project.

Mayur Patel, resident, spoke in support of the programs the temple offers to the community and of the proposed project. He asked Council to approve the proposed project.

Bineeta Patel, resident, spoke in support of the proposed temple project and the benefits to the City. She asked Council to approve the proposed project.

Ed Perez, Community Outreach Consultant, noted that the congregation held a community outreach program and have mitigated all issues. He thanked the Council and Associate Planner Schwartz in advance.

Mayor Yamaguchi closed the hearing.

Councilmember Nelson thanked the congregation for their outreach program.

Councilmember Aguirre noted that this congregation has been in the City for over 25 years. He spoke in support of the proposed temple site.

Mayor Pro Tem Wanke thanked the congregation for attending the meeting. He spoke in support of the proposed project. He noted that this would be the fourth religious congregation investing in their buildings in recent times.

Mayor Yamaguchi spoke in support of the proposed project. He thanked Mr. Perez and the congregation for their work.

Councilmember Nelson asked if separate motions were required.

City Attorney Arczynski responded that separate motions were not required.

A motion was made by Councilmember Nelson, seconded by Councilmember Underhill, and carried (5 – 0) to open the public hearing, receive public testimony, and close public hearing; approve Draft Negative Declaration (DND) 2012-01; adopt Resolution R-2012-56; waive full reading, reading by title only, and introduce for first reading, Ordinance O-2012-02; and adopt Resolution R-2012-57.

Council recessed to a five-minute break and then resumed to the Consent Calendar.

SUCCESSOR AGENCY: None

ICDA: None

3. OLD BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA OLD BUSINESS: None

COUNCIL OLD BUSINESS:

a. **Approval of Memorandum of Understanding with the Placentia City Employees Association**

Financial Impact: Expense: \$36,000 estimated in Fiscal Year 2012-13
Savings: Continued Savings of \$257,854 from Employee Contributions to Retirement

Recommended Action: It is recommended that the City Council:

- 1) Approve the proposed Memorandum of Understanding with the Placentia City Employees Association
- 2) Authorize the City Administrator, Director of Administrative Services/Community Services, Assistant City Administrator, and Finance Services Manager to sign the document on behalf of the City Council
- 3) Approve all relevant compensation and benefits adjustments for unrepresented mid-management employees

(4 – 0, Mayor Yamaguchi abstained)

City Administrator Butzlaff introduced Director of Administrative Services/Community Services Pischel to provide a staff report on items 3.a. and 3.b.

Director of Administrative Services/Community Services Pischel provided the primary highlights of the Memorandum of Understanding with the Placentia City Employees Association.

City Administrator Butzlaff recognized the members of the negotiating team Director of Administrative Services/Community Services Pischel, Assistant City Administrator Domer, Director of Public Works Drinovsky, and Finance Services Manager Nguyen.

Director of Administrative Services/Community Services Pischel thanked both unions for their efforts.

Discussion ensued among Council and City Staff regarding item 3.a.

A motion was made by Councilmember Underhill, seconded by Councilmember Nelson, and carried (4 – 0, Mayor Yamaguchi abstained) to approve the proposed Memorandum of

Understanding with the Placentia City Employees Association; authorize the City Administrator, Director of Administrative Services/Community Services, Assistant City Administrator, and Finance Services Manager to sign the document on behalf of the City Council; and to approve all relevant compensation and benefits adjustments for unrepresented mid-management employees.

b. Approval of Memorandum of Understanding with the Placentia Police Officers Association

Financial Impact: Savings: \$30,000 estimated in Fiscal Year 2012-13

Recommended Action: It is recommended that the City Council:

- 1) Approve the proposed Memorandum of Understanding with the PPOA
- 2) Authorize the City Administrator, Director of Administrative Services/Community Services, Director of Public Works, and the Finance Services Manager to sign the document on behalf of the City Council
- 3) Adopt Resolution No. R-2012-58, A Resolution of the City Council of the City of Placentia, California, authorizing the implementation of provisions of section 414(h)(2) of the Internal Revenue Code (IRC) to pre-tax member paid contributions for Placentia Police Officers Association (PPOA) members

(5 - 0, as recommended)

Director of Administrative Services/Community Services Pischel provided the primary highlights of the Memorandum of Understanding with the Placentia Officers Association.

Councilmember Nelson thanked everyone involved in the negotiations.

Councilmember Aguirre thanked the City's negotiation team and the employees.

A motion was made by Councilmember Underhill, seconded by Councilmember Nelson, and carried (5 - 0) to approve the proposed Memorandum of Understanding with the PPOA; to authorize the City Administrator, Director of Administrative Services/Community Services, Director of Public Works, and the Finance Services Manager to sign the document on behalf of the City Council; and to adopt Resolution No. R-2012-58, A Resolution of the City Council of the City of Placentia, California, authorizing the implementation of provisions of section 414(h)(2) of the Internal Revenue Code (IRC) to pre-tax member paid contributions for Placentia Police Officers Association (PPOA) members.

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:

Councilmember Nelson recognized Lieutenant Alexander for his recent promotion.

Mayor Yamaguchi expressed his condolences to Director of Administrative Services/Community Services Pischel.

ADJOURNMENT: The City Council/Successor Agency/ICDA Agency Board of Directors adjourned to the next regular meeting in memory of Carl Pischel.



MAYOR YAMAGUCHI
AGENCY CHAIR



ATTEST:


PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY