

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
December 4, 2012
6:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor/Board Chair Yamaguchi called the meeting to order at 6:00 p.m.

ROLL CALL:

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

Councilmember Aguirre and Mayor Pro Tem Wanke arrived at 6:05 p.m.

ORAL COMMUNICATIONS: None

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(b) for Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Item
2. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – Two (2) Items
3. Pursuant to Government Code Section 54957 for Public Employee Performance Evaluations
 - a. City Administrator
 - b. City Attorney

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; City Clerk, Patrick Melia; Deputy City Clerk, Tania Moreno; City Clerk Specialist, Candice Martinez

INVOCATION: OCFA Chaplain Jeff Hetschel

PLEDGE OF ALLEGIANCE: Mayor Yamaguchi

ORAL COMMUNICATIONS:

Grace Chang, City of Diamond Bar Representative, presented a certificate of recognition to Mayor Yamaguchi on behalf of Mayor Ling Ling Chang of Diamond Bar.

Young Kim, Congressman Ed Royce Field Representative, presented a certificate of recognition to Mayor Yamaguchi on behalf of Congressman Ed Royce.

I. CERTIFICATION OF NOVEMBER 6, 2012 GENERAL MUNICIPAL ELECTION RESULTS

a. Certification of the Canvass of the November 6, 2012 General Municipal Election Returns

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Receive and file the Certificate of Registrar of Voters to result of the Canvass of the General Election Returns
- 2) Waive reading in full of resolution
- 3) Approve Resolution No. R-2012-74, A Resolution of City Council of the City of Placentia, California, reciting the fact of the General Municipal Election held on Tuesday, November 6, 2012 declaring the result and such other matters as provided by law

A motion was made by Councilmember Nelson, seconded by Councilmember Underhill, and carried (5 - 0) to receive and file the Certificate of Registrar of Voters to result of the Canvass of the General Election Returns; waive reading in full of resolution; and approve Resolution No. R-2012-74, A Resolution of City Council of the City of Placentia, California, reciting the fact of the General Municipal Election held on Tuesday, November 6, 2012 declaring the result and such other matters as provided by law.

City Clerk Melia read the Certificate of Registrar of Voters to Result of the Canvass of the General Election Returns of the November 6, 2012 election.

II. OATHS OF OFFICE, PRESENTATION OF CERTIFICATES OF ELECTION AND SEATING OF OFFICIALS

- a. City Treasurer Craig S. Green – administered by Los Angeles Superior Court Judge Salvatore Sirna
- b. Councilmember Scott W. Nelson– administered by City Clerk Patrick J. Melia
- c. Councilmember Constance M. Underhill – administered by City Clerk Patrick J. Melia
- d. Councilmember Jeremy B. Yamaguchi – administered by City Clerk Patrick J. Melia

III. REORGANIZATION OF THE CITY COUNCIL

- a. City Clerk calls for the selection of Mayor of the City of Placentia

City Clerk Melia called for nominations for the Office of Mayor.

Mayor Pro Tem Wanke nominated, and Mayor Yamaguchi seconded the nomination of Councilmember Nelson to the position of Mayor for the term of December 4, 2012 through December 3, 2013.

Pursuant to a unanimous roll call vote, Councilmember Nelson was selected to serve as Mayor of the City of Placentia.

Mayor Nelson thanked Councilmember Yamaguchi for his work as Mayor.

- b. Mayor calls for the selection of Mayor Pro Tem of the City of Placentia

Mayor Nelson called for nominations for the selection of Mayor Pro Tem.

Councilmember Yamaguchi nominated Mayor Pro Tem Wanke to serve as Mayor Pro Tem.

No second to the nomination was made.

Councilmember Underhill nominated, and Mayor Nelson seconded the nomination of Councilmember Aguirre to the position of Mayor Pro Tem for the term of December 4, 2012 through December 3, 2013.

Pursuant to a unanimous roll call vote, Councilmember Aguirre was selected to serve as Mayor Pro Tem of the City of Placentia.

IV. COMMENTS – NEWLY ELECTED OFFICIALS

- a. City Treasurer Craig S. Green

City Treasurer Green thanked Judge Sirna for the honor of administering the Oath of Office. He thanked the residents, campaign volunteers, campaign contributors, his family and friends for all their support.

- b. Councilmember Constance M. Underhill

Councilmember Underhill thanked residents for reelecting her.

- c. Councilmember Jeremy B. Yamaguchi

Councilmember Yamaguchi thanked the residents, family and friends for all their support.

- d. Councilmember Scott W. Nelson

Mayor Nelson thanked the residents for reelecting him and Council for appointing him as Mayor.

V. RECOGNITION OF 2012 MAYOR JEREMY YAMAGUCHI

- a. Senator Bob Huff's Office
Presenter: David Monroy
- b. Supervisor Shawn Nelson's Office
Presenter: Supervisor Shawn Nelson

David Monroy, Senator Bob Huff's Office Representative, on behalf of Senator Huff he presented a certificate of recognition to outgoing Mayor Yamaguchi.

Mayor Nelson presented Councilmember Yamaguchi various certificates of recognition on behalf of Assemblymember Curt Hagman and Congressman Gary Miller for his work as Mayor.

Councilmember Yamaguchi thanked everyone.

RECESS FOR RECEPTION RECOGNIZING MAYOR AND CITY COUNCIL REORGANIZATION

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: None

ORAL COMMUNICATIONS:

Jeff Buchanan, resident, congratulated all the reelected Councilmember's and City Treasurer. He inquired about the Forestry Management Plan status. He noted that he visited the Vietnam Memorial in Sacramento and presented a book to Councilmember Wanke.

Rosalina Davis, Downtown Merchant, congratulated Mayor Nelson and all reelected City Councilmember's and City Treasurer. She invited everyone to the Las Posadas and Tamale Festival on December 5, 2012 in Downtown Placentia and thanked all the event sponsors.

Morgan Yager, resident, thanked Council and Staff for allocating funds for the paving of Blanquita Way.

Jackson Lang, resident, expressed his concerns regarding his unpaved street and the hazards.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Yamaguchi wished everyone happy holidays and raised awareness of fire safety.

Councilmember Underhill announced the Las Posadas and Tamale Festival on December 5, 2012.

Councilmember Wanke congratulated all the reelected City Councilmember's and City Treasurer.

Mayor Pro Tem Aguirre congratulated the newly appointed Mayor. He thanked City Council for his appointment as Mayor Pro Tem. He thanked Councilmember Yamaguchi for his service as Mayor. He announced the Las Posadas and Tamale Festival on December 5, 2012. He wished everyone happy holidays.

Mayor Nelson announced the Las Posadas and Tamale Festival on December 5, 2012.

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

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Wanke, to approve Consent Calendar Item Nos. 1.a. through 1.g. Mayor Pro Tem Aguirre pulled 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
(5 - 0, as recommended)
- b. **City Fiscal Year 2012-13 Warrant Register for November 21, 2012 through December 4, 2012**
Financial Impact: \$1,997,386.30
Recommended Action: Approve
(5 - 0, as recommended)

COUNCIL CONSENT CALENDAR:

- c. **Approve Two-Year Extension with Willdan Engineering for As-Needed Engineering and Traffic Engineering Services**
Financial Impact: Expense: \$6,720 per month for as-needed City Engineering services, \$4,480 per month for Traffic Engineering services
Offsetting Revenue: Engineering deposits
Budgeted: As-needed Engineering - 20% 103550-6015, 80% 484356-6015, Traffic Engineering - 100% 103550-6015
Recommended Action: It is recommended that the City Council:
1) Approve a two-year contract extension with Willdan Engineering for as-needed Civil Engineering and Traffic Engineering services
2) Authorize the City Administrator to execute a subject Amendment on behalf of the City in a form approved by the City Attorney
(5 – 0, as recommended)
- d. **Recommendation to Establish and Add Eight (8) Contractors to a Pre-Qualified List for On-call Concrete Repair and Replacement Services**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
1) Approve addition of the following eight (8) contractors to the City of Placentia's qualified contractor list for specified on-call concrete repair and replacement services for a period of one (1) calendar year; CJ Concrete Construction, Inc., Golden State Constructions, Inc., Hardy & Harper, Inc., Horizons Construction Co. International, Inc., Mora's Equipment and Construction, Premier Developing Services, Unique Performance Construction, Inc., and Victor Concrete
(5 – 0, as recommended)
- e. **Release of Labor and Materials Bond – Tract No. 16445 North East Corner of Orchard Drive and Richfield Road (ETCO Homes)**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
1) Authorize the City Engineer to release Bond No. 0570335 in the amount of \$452,000
(5 – 0, as recommended)
- f. **Renewed Measure M (M2) Expenditure Report for Fiscal Year 2011-12**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
1) Adopt Resolution No. R-2012-75, A Resolution of the City Council of the City of Placentia, California, to receive and file the M2 Expenditure Report for the Fiscal Year 2011-12
(5 – 0, as recommended)
- g. **Approval of Contract Change Order for R.J. Noble Company and Contract Amendment with Onward Engineering Inc. for Construction Management of the 2012 City Residential Street Rehabilitation Project**
Financial Impact: Expense: \$1,303,787
Budgeted: \$1,303,787 (Account No.: 333552-6185 J/L 6110540033 Gas Tax Bond)
Recommended Action: It is recommended that the City Council:

- 1) Approve a contract change order with R.J. Noble Company for construction services in an amount of \$1,276,967
 - 2) Approve an amendment to Consulting Services Agreement with Onward Engineering Inc. for construction management services for the not to exceed amount of \$26,280
 - 3) Authorize the City Administrator to execute Contract Change Order documents on behalf of the City, in a form approved by the City Attorney
- (5 – 0, as recommended)**

City Administrator Butzlaff provided a brief report on item 1.g. He noted that due to savings, two areas have been added to the 2012 City Residential Street Rehabilitation Project.

Director of Public Works Drinovsky noted that in 2011, a complete analysis was done and it was determined that an aggressive action was necessary. He noted that this is a Capital Improvement Project. He noted that this year's project focus on 47% of the City's residential roadways. He noted that two neighborhoods have been added and that the project was extended 27 days.

Mayor Nelson thanked Staff for the proactive approach.

A motion was made by Councilmember Wanke, seconded by Mayor Pro Tem Wanke, and carried (5 – 0) to approve a contract change order with R.J. Noble Company for construction services in an amount of \$1,276,967; approve an amendment to Consulting Services Agreement with Onward Engineering Inc. for construction management services for the not to exceed amount of \$26,280; and authorize the City Administrator to execute Contract Change Order documents on behalf of the City, in a form approved by the City Attorney.

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. **Consideration of Exclusive Negotiation Agreement with Habitat for Humanity of Orange County to Develop up to Four (4) Single Family Affordable Homes in the Atwood Community**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Authorize the City Administrator to enter into negotiations with Habitat for Humanity of Orange County for the purpose of reaching an agreement to develop up to four (4) single family residences on City-owned property in the Atwood community
- 2) Reject all other proposals
- 3) Accept the Planning Commission recommendation for the reduced lot sizes per Placentia Municipal Code § 22.16.035

(5 – 0, as recommended)

City Administrator Butzlaff introduced Assistant City Administrator Domer.

Assistant City Administrator Domer provided a staff report on item 4.a. He noted that the action requested is to allow the City Administrator to enter into negotiations with Habitat for Humanity of Orange County. He noted that this is the final stage of the project in which single-family housing will be constructed.

Mayor Pro Tem Aguirre inquired about the Habitat for Humanity Orange County process.

Mark Korando, Sr. Vice President from Habitat for Humanity, noted that the developments are a collaboration of community members and other volunteers. He noted that the potential buyers provide sweat equity as part of their down payment. He noted that they are proposing a community garden.

Councilmember Wanke inquired about the sweat equity requirement.

Mr. Korando responded that all partner families put in sweat equity working on their homes and/or on other areas.

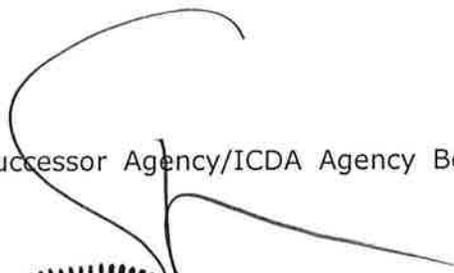
A motion was made by Councilmember Underhill, seconded by Councilmember Yamaguchi, and carried (5 – 0) to authorize the City Administrator to enter into negotiations with Habitat for Humanity of Orange County for the purpose of reaching an agreement to develop up to four (4) single family residences on City-owned property in the Atwood community; reject all other proposals; and accept the Planning Commission recommendation for the reduced lot sizes per Placentia Municipal Code § 22.16.035.

SUCCESSOR AGENCY NEW BUSINESS: None

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS: None

ADJOURNMENT: The City Council/Successor Agency/ICDA Agency Board of Directors adjourned to December 18, 2012.



W. NELSON
AGENCY CHAIR



ATTEST:



PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY