

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
January 15, 2013
5:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor/Board Chair Nelson called the meeting to order at 6:04 p.m.

ROLL CALL:

PRESENT: Council/Agency Members Underhill, Aguirre, Nelson
ABSENT: Wanke, Yamaguchi

ORAL COMMUNICATIONS: None

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding Existing Litigation – One (1) Item
 - a. Jones v. City of Placentia, Case No. 8:2012-CV-01878, California Central Court
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 – Two (2) Items
4. Conference with Legal Counsel – Case Review/Planning – Government Code 54957.8:
 - a. Vacant 2.78 Acre Parcel Located at 1049 Golden Avenue APN: 334-021-03
John Reischl, Olson Company
5. 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/Successor Agency/ICDA recessed to the Regular Meeting at 7:00 p.m.

CALL TO ORDER:

PRESENT: Council/Agency Members Underhill, Aguirre, Nelson
ABSENT: Wanke, Yamaguchi

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; Director of Public Works, Steve Drinovsky; Director of Finance, Karen Ogawa; Chief of Police, Rick Hicks; Deputy Chief of Police, Ward Smith; Deputy Director of Community Services, Jon Nicks; Finance

Services Manager, Michael Nguyen; Neighborhood Services Coordinator, Jeannette Ortega; Management Analyst, Eduardo De La Torre; City Clerk, Patrick Melia; Deputy City Clerk, Tania Moreno; City Clerk Specialist, Candice Martinez

INVOCATION: Gary Drabek, Police Chaplain

PLEDGE OF ALLEGIANCE: Councilmember Underhill

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 noted there were no reportable actions from Executive Session that evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff wished everyone a happy new year. He announced that City Hall would be closed on Monday, January 21, 2013 and that normal business hours would resume on Tuesday, January 22, 2013. He noted that the Founders Society would be kicking off their annual concert series on Sunday, January 27, 2013 at 3:00 p.m. in the Historic Bradford House. He noted that the Placentia Chamber of Commerce would be hosting Mayor Scott Nelson's State of the City Address on Thursday, February 28, 2013, at 11:15 a.m. at the Alta Vista Country Club.

ORAL COMMUNICATIONS:

Ed Garcia, resident, wished everyone a happy new year. He thanked the City for their support of the Placita Santa Fe Merchants Association board meetings.

Meredith Castillo, resident, expressed his concerns regarding the four-day workweek and asked Council to open City Hall on Fridays. He wished everyone a happy new year.

Jeff Buchanan, resident, spoke in support of the Urban Forestry Project Request for Proposals.

Sasha Muce, resident, thanked Council for all their hard work and wished everyone a happy new year.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Underhill wished everyone a happy new year.

Mayor Pro Tem Aguirre wished everyone a happy new year.

Mayor Nelson noted that Councilmember's Wanke and Yamaguchi are out sick. He noted that it might be time to look at the idea of opening City Hall on Fridays. He thanked Mr. Buchanan and Mr. Drinovsky for their hard work.

City Administrator Butzlaff acknowledged the significance of opening on Fridays. He noted that they would examine the concept and cost.

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

A motion was made by Councilmember Aguirre, seconded by Councilmember Underhill, to approve Consent Calendar Item Nos. 1.a. through 1.m.

COUNCIL/SUCCESSOR AGENCY/ICDA CONSENT CALENDAR:

- a. **Consideration to Waive Reading in Full of all Ordinances and Resolutions**

Financial Impact: None
Recommended Action: Approve
(3 - 0 - 2, as recommended)

- b. **Minutes**
City Council/Successor/ICDA Regular Meeting – December 18, 2012
Recommended Action: Approve
(3 - 0 - 2, as recommended)
- c. **City Fiscal Year 2012-13 Warrant Register for December 19, 2012 through January 15, 2013**
Financial Impact: \$2,847,241.51
Recommended Action: Approve
(3 - 0 - 2, as recommended)

COUNCIL CONSENT CALENDAR:

- d. **Approval of 2013 Heritage Festival Date, Location, Theme and Parade Route**
Financial Impact: To be determined
Recommended Action: It is recommended that the City Council:
1) Approve the Heritage Festival Committee's recommendation of event date, location, theme, and parade route
(3 - 0 - 2, as recommended)
- e. **Approval of Amendment No. 3 to the Lease Agreement Between the City of Placentia and the Founders Society for Use of the Bradford House**
Financial Impact: Expense: \$6,800 (Account No.: 404582-6201)
Recommended Action: It is recommended that the City Council:
1) Authorize the Mayor and City Clerk to sign the attached Amendment No. 3 agreement between the City and the Founders Society for the use, maintenance and upkeep of the Bradford House
(3 - 0 - 2, as recommended)
- f. **Adoption of Resolution No. R-2013-01, Authorizing the City Administrator or his Designee to Execute all Necessary Documents for Securing Grant Funds from the United States Department of the Interior, Bureau of Reclamation for the Watersmart: Water and Energy Efficiency Grants for Fiscal Year 2013-14**
Financial Impact: None at this time
Recommended Action: It is recommended that the City Council:
1) Adopt Resolution No. R-2013-01, A Resolution of the City Council of the City of Placentia, California, authorizing the City Administrator or his designee to execute all necessary documents for securing grant funds from the United States Department of the Interior, Bureau of Reclamation for the WaterSMART: Water and Energy Efficiency Grant
(3 - 0 - 2, as recommended)
- g. **Release of Labor and Materials Bond and Performance Bond – Tract No. 16839 Orangethorpe at Van Buren (ETCO Homes)**
Financial Impact: None
Recommended Action: It is recommended that the City Council:

- 1) Authorize the City Engineer to release bond No. 0570338 in the amount of \$224,198
- 2) Authorize the City Engineer to release bond No. 0547035 in the amount of \$231,220

(3 - 0 - 2, as recommended)

h. **Recommendation to Approve Professional Service Agreement with Stantec Consulting Services, Inc. for Professional Engineering Services Related to the 2013 Safe Routes to School (SR2S) Program School Sign Compliance Project**

Financial Impact: Expense: \$96,754

Offsetting Revenue: \$409,000 Safe Routes to School Grant Funding & \$45,700 Community Facilities District Funds

Budgeted: \$454,700 (Account No.: 333552-6185 J/L 61114)

Recommended Action: It is recommended that the City Council:

- 1) Approve professional services agreement with Stantec Consulting Services, Inc., in a form approved by the City Attorney for an amount not to exceed \$96,754 for traffic engineering design services
- 2) Authorize the City Administrator to execute all necessary documents to effectuate this agreement

(3 - 0 - 2, as recommended)

i. **Recommendation to Approve Agency-State Master Agreement No. 00108S and Program Supplement Agreement No. 0K01 Rev. 000 for the School Sign Compliance Project Utilizing Safe Routes to School Funding**

Financial Impact: Expense: \$45,700

Offsetting Revenue: \$409,000 Safe Routes to School Grant Funding & \$45,700 Community Facilities District Funds

Budgeted: \$454,700 (Account No.: 333552-6185 J/L 61114)

Recommended Action: It is recommended that the City Council:

- 1) Approve Administering Agency-State Maser Agreement No. 00108S, and Program Supplement Agreement No. 0K01 Rev. 000
- 2) Adopt Resolution No. R-2013-02, A Resolution of the City Council of the City of Placentia, California, approving Administering Agency-State Master Agreement No. 00108S and Program Supplement Agreement No. 0K01 Rev. 000 with the State of California for Safe Routes to School Funding for the 2013 School Sign Compliance Project

(3 - 0 - 2, as recommended)

j. **Approve Resolution to Adopt Establishment of an Overall Annual Anticipated Disadvantaged Business Enterprise Participation Level (DBE) Goal of 11% for Federal Fiscal Year 2012-13**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2013-03, A Resolution of the City Council of the City of Placentia, California, approving and adopting the Annual Anticipated DBE Participation Level (AADPL) of 11% for Federal Fiscal Year (FFY) 2012-13
- 2) Authorize the Mayor or City Administrator to execute all implementing DBE documents on behalf of the City to facilitate timely submission to the California Department of Transportation

(3 - 0 - 2, as recommended)

- k. **Acceptance of Construction Work by VT Electric Inc. for the Park Lighting Improvement Project Phase 1**
Financial Impact: Expense: \$163,180.21 Construction
 Offsetting Revenue: \$163,180.21 Park Development
 Budgeted: \$167,200 (Account No.: 333555-6185 J/L 6104740023-6185)
Recommended Action: It is recommended that the City Council:
 1) Accept the contract work by VT Electric Inc. for the Park Lighting Improvement Project Phase I in the total amount of \$163,180.21
 2) Authorize the City Administrator or designee to file a Notice of Completion with the Office of the Orange County Clerk-Recorder for the Project
 3) Authorize the City Administrator or his designee to release the retention in accordance with the terms of the contract
(3 - 0 - 2, as recommended)
- l. **Amendment to the City's Conflict of Interest Code**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 1) Adopt Resolution No. R-2013-04, A Resolution of the City Council of the City of Placentia, California, amending the City's Conflict of Interest Code
(3 - 0 - 2, as recommended)
- m. **Approval of Resolution for Paying and Reporting the Value of Employer Paid Member Contributions to CalPERS**
Financial Impact: Savings: \$30,000 Estimated in Fiscal Year 2012-13
Recommended Action: It is recommended that the City Council:
 1) Adopt Resolution No. R-2013-05, A Resolution of the City Council of the City of Placentia, California, for paying and reporting the value of Employer Paid Member Contributions (EPMC)
(3 - 0 - 2, as recommended)

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL:

- a. **Public Hearing and Approval of Proposed Public Facility Improvement Project Grant Application for Community Development Block Grant (CDBG) Funding Process for Fiscal Year 2013-14**
Financial Impact: Positive grant funding, amount to be determined
Recommended Action: It is recommended that the City Council:
 1) Open the hearing, receive public testimony, and close public hearing
 2) Authorize the City Administrator to submit the application to the County of Orange and receive Community Development Block Grant Funds for the Pedestrian Accessibility Improvement Project Phase III for \$250,000 of CDBG Funds leveraged with \$40,000 in local funds for a total project cost of \$290,000
(3 - 0 - 2, as recommended)

City Administrator Butzlaff provided a brief staff report on item 2.a. He noted that it is a requirement to have a public hearing.

Neighborhood Services Coordinator Ortega provided a staff report on item 2.a. She noted that the City has received prior Community Development Block Grant funding. She recommended that Council authorize the submittal of an application to the County of Orange to receive funding for the Pedestrian Accessibility Improvement Project Phase III.

Mayor Nelson opened the public hearing at 7:25 p.m.

Mayor Nelson closed the public hearing at 7:26 p.m.

City Council spoke in support of submitting the proposed project grant application and thanked Staff for their work.

A motion was made by Councilmember Underhill, seconded by Mayor Pro Tem Aguirre, and carried (3 - 0 - 2) to open the hearing, receive public testimony, and close the public hearing; and to authorize the City Administrator to submit the application to the County of Orange and receive Community Development Block Grant Funds for the Pedestrian Accessibility Improvement Project Phase III for \$250,000 of CDBG Funds leveraged with \$40,000 in local funds for a total project cost of \$290,000.

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 Continued Membership in Association of California Cities - Orange County**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Consider whether to pay membership dues to the Association of California Cities-Orange County for calendar year 2013 and direct Staff as appropriate

(Item 4.a. continued)

City Administrator Butzlaff provided a staff report on item 4.a. He noted that at the time of the 2012-13 Budget adoption City Council decided to defer making a decision whether to continue its membership with the Association of California Cities – Orange Cities (ACC-OC) membership until midyear. He noted that Staff is presenting the item for consideration whether to pay membership dues for the ACC-OC for calendar year 2013. He noted that there are available funds in the budget to cover the cost if Council decides to renew the membership.

City Council tabled item 4.a. to be discussed after item 4.b.

Mayor Nelson continued item 4.a.

City Administrator Butzlaff noted that there are monies available in the current budget to fund the membership.

Councilmember Underhill and Councilmember Aguirre expressed their concerns regarding the possible membership renewal because of financial factors.

Mayor Nelson spoke in support of renewing the membership. He noted that ACC-OC is a powerful association and one of the best voices in Sacramento.

ACC-OC Representative Steve Greystock provided a brief presentation of what the ACC-OC organization does for municipalities in particular for the City of Placentia. He thanked the City for the opportunity.

Councilmember Underhill inquired about the possibility of a six (6) month renewal and about the number of cities participating in the Orange County area.

ACC-OC Representative Steve Greystock responded that currently there is a one-year policy and that 24 Orange County cities are active members.

Mayor Nelson motioned to approve the membership renewal for the calendar year.

There was no second to the motion.

A motion was made by Mayor Nelson, seconded by Mayor Pro Tem Aguirre, and carried (3 - 0 - 2) to continue item 4.a. to the next scheduled regular meeting on February 5, 2013.

b. Fiscal Year 2012-13 Budget Amendments

Financial Impact: Expenses: \$207,000

Revenues: \$207,000

Recommended Action: It is recommended that the City Council:

- 1) Receive presentation on the City's Fiscal Year 2012-13 budget
- 2) Adopt Resolution No. R-2013-06, A Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2012-13 in the aggregate amount of \$207,000 in compliance with the City Charter §§1206 and 1209 pertaining to appropriations for actual expenditures

(3 - 0 - 2, as recommended)

City Administrator Butzlaff provided a brief staff report on item 4.b. He noted that the Finance Department and executive team worked on the midyear budget adjustments that are up for consideration.

Director of Finance Ogawa presented a PowerPoint Presentation, the slides included: Mid-Year Budget Update Fiscal Year 2012-13, Executive Summary, Major General Fund, Revenues, and General Fund Expenditures.

City Administrator Butzlaff and Chief of Police recommended the two (2) new positions to ease overtime costs.

Chief of Police Hicks noted that unexpected events affect the overtime costs. He noted that the Department is force to fill patrolling positions with motorcycle officers and detectives.

Director of Finance Ogawa continued her PowerPoint Presentation, the slides included: Budget Adjustments Requests, Budget Summary, General Fund Projections, and General Fund Projection Assumptions.

Mayor Nelson spoke in support of the conservative approach taken by Staff.

City Council inquired about the two (2) percent indicators.

Director of Finance Ogawa noted that Staff took a conservative approach and is not including any economic projections. She noted that Staff evaluated past practices. She continued her PowerPoint Presentation, the slides included: Next Budgetary Steps and Questions.

A motion was made by Councilmember Underhill, seconded by Mayor Pro Tem Aguirre, and carried (3 - 0 - 2) to receive presentation on the City's Fiscal Year 2012-13 budget; and adopt Resolution No. R-2013-06, A Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2012-13 in the aggregate amount of \$207,000 in compliance with the City Charter §§1206 and 1209 pertaining to appropriations for actual expenditures.

SUCCESSOR AGENCY NEW BUSINESS: None

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS: None

ADJOURNMENT:

The City Council/Successor Agency/ICDA Board of Directors adjourned at 8:00 p.m. to a Study Session on January 29, 2013 at 6:00 p.m.

SCOTT W. NELSON
MAYOR/AGENCY CHAIR

ATTEST:


PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY

