



Regular Meeting Agenda

May 7, 2013

Placentia City Council
Placentia City Council as Successor to the
Placentia Redevelopment Agency
Placentia Industrial Commercial
Development Authority

Scott W. Nelson
Mayor

Joseph V. Aguirre
Mayor Pro Tem

Constance M. Underhill
Council Member

Chad P. Wanke
Council Member

Jeremy B. Yamaguchi
Council Member

Patrick J. Melia
City Clerk

Craig S. Green
City Treasurer

Troy L. Butzlaff, ICMA-CM
City Administrator

Andrew V. Arczynski
City Attorney

City of Placentia
401 E. Chapman Avenue
Placentia, CA 92870

Phone: (714) 993-8117

Fax: (714) 961-0283

Email:
administration@placentia.org

Website: www.placentia.org

Mission Statement

The City Council is committed to keeping Placentia a pleasant place by providing a safe family atmosphere, superior public services and policies that promote the highest standards of community life.

Vision Statement

The City of Placentia will maintain an open, honest, responsive and innovative government that delivers quality services in a fair and equitable manner while optimizing available resources.

Copies of all agenda materials are available for public review in the Office of the City Clerk, online at www.placentia.org, and at Placentia Library Reference Desk. Persons who have questions concerning any agenda item may call the City Clerk's Office, (714) 993-8231, to make inquiry concerning the nature of the item described on the agenda.

Procedures for Addressing the Council/Board Members

Any person who wishes to speak regarding an item on the agenda or on a subject within the City's jurisdiction during the "Oral Communications" portion of the agenda should fill out a "Speaker Request Form" and give it to the City Clerk BEFORE that portion of the agenda is called. Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak on a Public Hearing item should fill out a "Speaker Request Form" and give it to the City Clerk BEFORE the item is called.

The Council and Board members encourage free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of an entire group. To encourage all views, the Council and Board discourage clapping, booing or shouts of approval or disagreement from the audience.

PLEASE SILENCE ALL PAGERS, CELL PHONES, AND OTHER ELECTRONIC EQUIPMENT WHILE COUNCIL AND BOARD MEMBERS ARE IN SESSION.

Special Accommodations

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City Staff to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

In compliance with California Government Code § 54957.5, any writings or documents provided to a majority of the City Council regarding any item on this agenda that are not exempt from disclosure under the Public Records Act will be made available for public inspection at the City Clerk's Office at City Hall, 401 East Chapman Avenue, Placentia, during normal business hours.

Study Sessions are open to the public and held in the City Council Chambers or City Hall Community Room. Executive Sessions are held in the Council Caucus Room. While the public may be in attendance during oral announcements preceding Executive Sessions, Executive Sessions are not open to the public.

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING AGENDA – EXECUTIVE SESSION
May 7, 2013
5:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

ROLL CALL: Councilmember/Board Member Underhill
Councilmember/Board Member Wanke
Councilmember/Board Member Yamaguchi
Mayor Pro Tem/Board Vice Chair Aguirre
Mayor/Board Chair Nelson

ORAL COMMUNICATIONS:

At this time the public may address the City Council and Boards of Directors concerning any items on the Executive Session Agenda only.

The City Council and Boards of Directors will recess to the City Council Caucus Room for the purpose of conducting their Executive Session proceedings.

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, US Federal District Court No. SACV-1878-JST(JPRx)
2. Pursuant to Government Code Section 54956.9(b) for Conference with Legal Counsel Regarding Anticipated Litigation – Two (2) Items
3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – One (1) Item
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

SUCCESSOR AGENCY: None

ICDA:

5. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:
 - a. Property: 132 Crowther Avenue, APN 339-091-08
Agency Negotiator: Troy L. Butzlaff, City Administrator/Executive Director
Negotiating Parties: Jon Coulombe, DaddyO's California LLC
Under Negotiations: Price and Terms of Lease

RECESS: The City Council and Boards of Directors will recess to their 7:00 p.m. Regular Meeting.

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING AGENDA
May 7, 2013
7:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

ROLL CALL: Councilmember/Board Member Underhill
Councilmember/Board Member Wanke
Councilmember/Board Member Yamaguchi
Mayor Pro Tem/Board Vice Chair Aguirre
Mayor/Board Chair Nelson

INVOCATION: Police Chaplain Gary Drabek

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

1. Requests for Commendations and Proclamations

- a. Proclamation Designating the Week of May 19-25, 2013, as National Public Works Week
Recipient: Director of Public Works Steve Drinovsky
Presenter: Mayor Nelson
- b. Proclamation Designating May 7, 2013, as National Teacher Day
Recipient: President of North Orange County Division #41 California Retired Teachers Association Robert Kennedy
Presenter: Mayor Nelson
- c. Proclamation Designating the Month of May 2013, as Poppy Month
Recipient: American Legion Auxiliary Judy Gomez
Presenter: Mayor Nelson
- d. Recognition of 2013 Miss Placentia, Miss Placentia Outstanding Teen, Miss Yorba Linda, and Miss Yorba Linda Outstanding Teen Titleholders
Recipient: Miss Placentia/Miss Yorba Linda Executive Director Kathryn Baldwin
Presenter: Mayor Nelson
- e. Update on the Orangethorpe and Tustin/Rose Grade Separation Project
Presenters: OCTA Senior Communication Specialist Tresa Oliveri and City Project Manager Roy Stephenson

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

EXECUTIVE SESSION REPORT:

CITY ADMINISTRATOR REPORT:

ORAL COMMUNICATIONS:

At this time the public may address the City Council and Boards of Directors concerning any agenda item, which is not a public hearing item, or on matters within the jurisdiction of the

City Council and Boards of Directors. There is a five (5) minute time limit for each individual addressing the City Council and Boards of Directors.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

The purpose of these reports is to provide information on projects and programs that are discussed at interagency board, committee, and commission meetings. No decisions are to be made on these issues. If a Council or Board Member would like formal action on any of the discussed items, it will be placed on a future Council or Board Agenda.

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

All items on the Consent Calendar are considered routine and are enacted by one motion approving the recommended action listed on the Agenda. Any Member of the City Council and Boards of Directors or City Administrator may request an item be removed from the Consent Calendar for discussion. All items removed shall be considered immediately following action on the remaining 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
- b. **Minutes**
City Council/Successor/ICDA Regular Meeting – April 16, 2013
Recommended Action: Approve
- c. **City Fiscal Year 2012-13 Warrant Register for April 17, 2013 through May 7, 2013**
Financial Impact: \$1,591,696.48
Recommended Action: Approve

COUNCIL CONSENT CALENDAR:

- d. **January – March 2013 Treasurer’s Reports**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
1) Receive and file the January – March 2013 Treasurer’s Reports
- e. **Approval of Plans and Specifications and Award of Construction to Sully-Miller Contracting Company for the Valencia Avenue Rehabilitation Project, and Approve Construction Management Services with Harris & Associates**
Financial Impact: Expense: \$696,478.04
Offsetting Revenue: \$318,000 State Proposition 1B Funding & \$378,478.04 Measure M Fair Share Funds
Budgeted: \$636,000 (Account No.: 333552-6185 J/L 61034)
Recommended Action: It is recommended that the City Council:
1) Approve plans prepared by GHD Incorporated and specifications prepared by the City of Placentia dated February 12, 2013, for the Valencia Avenue Rehabilitation Project
2) Award construction contract to the lowest responsive and responsible bidder, Sully-Miller Contracting Company, in a form approved by the City Attorney, for an amount not to exceed \$538,731.70
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 15% of the project construction

- 5) Approve construction management services contract, in a form approved by the City Attorney, with Harris & Associates for the time and materials in an amount not to exceed \$50,000
- 6) Authorize the City Administrator to execute contract documents on behalf of the City, in a form approved by the City Attorney

f. **Approve Cooperative Agreement for Project No. 174-46013 Between the City of Placentia, City of Fullerton and City of Anaheim for the Placentia Avenue Corridor Project Regional Traffic Signal Synchronization Program**

Financial Impact: Expense: \$43,200 Local Match

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

Budgeted: \$43,200 (Account No.: 333552-6185 J/L 61098)

Recommended Action: It is recommended that the City Council:

- 1) Approve the attached Cooperative Agreement for Project No. 174-46013 between the City of Placentia, City of Fullerton and City of Anaheim for the implementation of the Placentia Avenue Corridor Project funded as part of the Measure M2 Regional Traffic Signal Synchronization Program (Project P)
- 2) Authorize the Mayor to execute the Cooperative Agreement on behalf of the City

g. **Authorize Opposition Letter to Assembly Bill 323 (Chesbro) – Solid Waste Diversion - Greenwaste**

Financial Impact: Potential costs between \$236,000 to \$1.5 million per year for additional recycling of material

Recommended Action: It is recommended that the City Council:

- 1) Authorize the Mayor to submit a letter of opposition to AB 323 to Assemblymember Wesley Chesbro addressing the impact of this Bill

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL:

a. **First Reading and Introduction of an Ordinance of the City Council of the City of Placentia Approving a Development Agreement with Olson Urban LLC for Property Located at 1049 Golden Avenue**

Financial Impact: Revenue: \$347,540 + (Public Benefits)

Recommended Action: It is recommended that the City Council:

- 1) Open the hearing, receive public testimony, and close public hearing
- 2) Waive full reading, reading by title only, and introduce for first reading, Ordinance O-2013-04, An Ordinance of the City Council of the City of Placentia, California approving a development agreement with Olson Urban Housing LLC for property located at 1049 Golden Avenue
- 3) Approve the applicants request to allow for grading and building permit issuance for construction before the recordation of the final map pursuant to § 66464 of the California Government Code at the applicants sole risk
- 4) Adopt Resolution No. R-2013-17, A Resolution of the City Council of the City of Placentia, California, approving a Negative Declaration of

Environmental Impacts and approving a Tentative Tract Map for the development of a 33-unit housing subdivision

SUCCESSOR AGENCY: None

ICDA: None

3. OLD BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA OLD BUSINESS: None

COUNCIL OLD BUSINESS:

- a. **Conduct Second Reading by Title Only and Adopt Ordinance Amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code Pertaining to Emergency Shelters, Supportive and Transitional Housing Facilities, Single Room Occupancies and Provisions for Reasonable Accommodations for Persons with Disabilities, Including Standards and Procedures Therefore**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Conduct second reading by title only and adopt Ordinance O-2013-03, An Ordinance of the City Council of the City of Placentia, California, Amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code pertaining to emergency shelters, supportive and transitional housing facilities, single room occupancies and provisions for reasonable accommodations for persons with disabilities, including standards and procedures therefore

- b. **Conduct Second Reading by Title Only and Adopt Ordinance Amending Sections 20.30.030 and 20.30.040 of Chapter 20.30 of Title 20 of the Placentia Municipal Code Pertaining to Maintenance and Rehabilitation of Long-Term Boarded and Vacant Buildings**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Conduct second reading by title only and adopt Ordinance O-2013-02, An Ordinance of the City Council of the City of Placentia, California, Amending Sections 20.30.030 and 20.30.040 of Chapter 20.30 of Title 20 of the Placentia Municipal Code pertaining to maintenance and rehabilitation of long-term boarded and vacant buildings

SUCCESSOR AGENCY OLD BUSINESS: None

ICDA OLD BUSINESS: None

4. NEW BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA NEW BUSINESS: None

COUNCIL NEW BUSINESS:

- a. **Recommendation to Rescind City Council Policy No. 606 for the Placement of Adult Crossing Guards and Adopt the Criteria in the California Manual on Uniform Traffic Control Devices (CA MUTCD) as the City's Official Policy**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Rescind City Council Policy No. 606 for the Placement of Adult Crossing Guards and adopt the criteria in the CA MUTCD as the City's official policy

b. **Acceptance of Resignation and Temporary Suspension of the Cultural Arts Commission**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Accept the resignation of Maria Gibbs (Cultural Arts Commission)
- 2) Temporarily suspend the Cultural Arts Commission and direct Staff to handle all Commission activities and functions
- 3) Relieve the three (3) remaining Cultural Arts Commissioners from their positions, with appreciation
- 4) Open the annual application/recruitment process for all positions on the Cultural Arts Commission

SUCCESSOR AGENCY NEW BUSINESS: None

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Council/Board Members may make requests or ask questions of Staff. If a Council/Board Member would like to have formal action taken on a requested matter, it will be placed on a future Council or Board Agenda.

ADJOURNMENT:

The City Council/Successor Agency/ICDA Agency Board of Directors will adjourn to May 15, 2013 at 6:00 p.m.

*In
Memory
of
June Auld*

Long Time Resident and Friend of City Treasurer Craig Green

CERTIFICATION OF POSTING

I, Tania Moreno, Deputy City Clerk for the City of Placentia and Assistant Secretary of the Industrial Commercial Development Authority and Successor Agency, hereby certify that the Agenda for the May 7, 2013 meetings of the City Council, Successor Agency, and Industrial Commercial Development Authority was posted on May 2, 2013.

Tania Moreno, Deputy City Clerk