



## Regular Meeting Agenda

November 5, 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**

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### *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](http://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  
November 5, 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. Placentia Police Officers Association v. City of Placentia, Orange County Superior Court, Case No. 30-2011-00485327
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. 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)
  - b. Placentia Police Management Association (PPMA)
  - c. Placentia City Employees Association (PCEA)City Representatives: Troy L. Butzlaff, City Administrator  
Steve Pischel, Dir. Administrative/Community Services
5. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
  - a. Property: 334 W. Santa Fe Avenue, APN 140-09-08  
City Negotiator: Troy L. Butzlaff, City Administrator  
Negotiating Parties: Maria Medina  
Under Negotiations: Price and Terms of Payment
  - b. Property: Vacant 0.0631 Acre Parcel, APN 339-102-01  
City Negotiator: Troy L. Butzlaff, City Administrator

Negotiating Parties: Suburban Propane, L.P.  
Under Negotiations: Price and Terms of Payment

**SUCCESSOR AGENCY:**

1. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
  - a. Property: 132 Crowther Avenue, APN 339-091-08  
Agency Negotiator: Troy L. Butzlaff, Executive Director  
Negotiating Parties: Mark McEwen, DMWP, LLC  
Under Negotiations: Price and Terms of Lease

**ICDA:**

1. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
  - a. Property: 235 South Bradford Avenue, APN 339-365-15  
Agency Negotiator: Troy L. Butzlaff, Executive Director  
Negotiating Parties: Gerald Near  
Under Negotiations: Price and Terms of Payment
  - b. Property: 120 South Bradford Avenue, APN 339-052-23  
Agency Negotiator: Troy L. Butzlaff, Executive Director  
Negotiating Parties: Budget Finance Company (Lender)  
Under Negotiations: Price and Terms of Payment

**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  
November 5, 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 Arturo Rodriguez

**PLEDGE OF ALLEGIANCE:**

**PRESENTATIONS:**

**1. Requests for Commendations and Proclamations**

- a. Proclamation Declaring the Month of November, as Pancreatic Cancer Awareness Month  
Recipients: Pancreatic Cancer Action Network and Heide Bush  
Presenter: Mayor Nelson
- b. Orange County Grand Jury 2014/15 Recruiting Campaign  
Presenters: Orange County Grand Jury Barry Durham and April Lancaster
- c. Recognition of Valencia High School Interact Club  
Recipients: Valencia High School Students Sunny Le, Gabby Szczablowski, Sonia Dinh, Lisa Jian, Ryan Borden, and Yash Kelkar  
Presenter: Mayor Nelson

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.i.):**

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 – October 15, 2013**  
Recommended Action: Approve
- c. **City Fiscal Year 2013-14 Warrant Register for October 16, 2013 through November 5, 2013**  
Financial Impact: \$1,058,172.72  
Recommended Action: Approve

**COUNCIL CONSENT CALENDAR:**

- d. **Acceptance of Construction Work for the Valencia Avenue Rehabilitation Project**  
Financial Impact: Expense: \$592,626.67  
Offsetting Revenue: \$296,313.33 State Proposition 1B Funding & \$296,313.34 Measure M Fair Share Funds  
Budgeted: \$592,626.67 (Account No.: 333552-6185 J/L 61034)  
Recommended Action: It is recommended that the City Council:
  - 1) Accept contract work performed by Sulley-Miller Contracting Company, for construction work of the Valencia Avenue Rehabilitation Project in the amount of \$593,626.67
  - 2) Authorize the City Engineer to file a Notice of Completion with the Orange County Clerk Recorder's Office for the project
  - 3) Authorize the City Engineer to release retention funds in accordance with the terms of the contract
- e. **Recommendation to Approve Pipeline License Agreements 13-48136 and 13-47969 with Burlington Northern Santa Fe Railway Company for Lakeview Grade Separation Project**  
Financial Impact: None  
Recommended Action: It is recommended that the City Council:
  - 1) Approve Pipeline License Agreement 13-48136 for a sewer pipeline
  - 2) Approve Pipeline License Agreement 13-47969 for a storm water pipeline
  - 3) Authorize the Mayor to execute the Pipeline License Agreement on behalf of the City, in a form approved by the City Attorney
- f. **Recommendation to Approve Amendment No. 2 to Cooperative Agreement C-2-1330 between the Orange County Transportation Authority and City of Placentia for the Richfield Road Widening Project**  
Financial Impact: Expense: \$350,000.00 for Construction Services  
Offsetting Revenue: \$350,000.00 OCTA

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 2 to Cooperative Agreement No. C-2-1330 between the City of Placentia and the Orange County Transportation Authority for the Richfield Road Widening Project, in a form approved by the City Attorney
- 2) Authorize the Mayor to execute Amendment No. 2 to Cooperative Agreement No. C-2-1330 on behalf of the City

g. **Acceptance of Construction Work for the Pedestrian Accessibility Phase II Project**

Financial Impact: Expense: \$217,715.21

Offsetting Revenue: \$217,715.21 CDBG

Budgeted: \$217,715.21 (Account No.: 333552-6185 J/L 61102, Construction Capital Projects)

Recommended Action: It is recommended that the City Council:

- 1) Accept contract work performed by Y & M Construction, for the Pedestrian Accessibility Phase II Project in the total amount of \$217,715.21
- 2) Authorize the City Engineer to file a Notice of Completion with Orange County Clerk Recorder's Office for the project
- 3) Authorize the City Engineer to release retention funds in accordance with the terms of the contract

h. **Approval of Final Tract Map No. 17489 Including Conditional Acceptance of Offers of Dedication, Approval of Subdivision Agreement and Acceptance of Improvement Bonds**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve Final Tract Map 17489, subject to review and approval of the County Surveyor, and accept the dedication and relinquishment of vehicular access rights, subject to final completion, as follows:
  - a. An easement for road and utility purposes along Golden Avenue
  - b. Release and relinquishment of vehicular access rights along Golden Avenue except at the approved driveway location
- 2) Authorize the City Clerk to sign Final Tract Map 17489
- 3) Approve and authorize the Mayor and City Clerk to execute the Subdivision Improvement Agreement
- 4) Accept the Improvement Performance Bond #0635564 and Labor and Material Bond #0635564, each in the amount of \$556,217.00 from International Fidelity Insurance Company for the construction of Improvements

i. **Adoption of Resolution Authorizing the Submission of an Application to the California Infrastructure and Economic Development Bank for Financing of the Acquisition and Capital Improvement of 132 E. Crowther Avenue**

Financial Impact: Savings: \$300,000.00 in avoided lease payments over remaining lease term

Expenditures: \$88,673.52 estimates monthly loan payment for \$1,300,000.00 at 2.44 percent for 15-year term

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2013-52, A Resolution of the City Council of the City of Placentia, California, authorizing the submission of an application to the California Infrastructure and Economic Development Bank for financing of 132 E. Crowther Avenue

- 2) Authorize the City Administrator to submit an application to I-Bank for a 15-year loan of \$1,300,000.00 at an interest rate of approximately 2.44 percent for the purchase and related capital improvements of 132 Crowther Avenue

**SUCCESSOR AGENCY CONSENT CALENDAR:** None

**ICDA CONSENT CALENDAR:** None

**2. PUBLIC HEARINGS:**

**COUNCIL/SUCCESSOR AGENCY/ICDA:** None

**COUNCIL:**

- a. **Public Hearing, Introduction and First Reading for an Ordinance of the City Council of the City of Placentia, California, Repealing Chapter 18.04 of title 18 and Chapters 20.04, 20.08, 20.12, 20.16, 20.20 and 20.56 of Title 20 of the Placentia Municipal Code and Adopting by Reference, the California Fire Code, 2013 Edition, the California Building Code, 2013 Edition, the California Residential Code, 2013 Edition, the California Green Building Standards Code, 2013 Edition, the California Plumbing Code, 2013 Edition, the California Mechanical Code, 2013 Edition, and the California Electrical Code, 2013 Edition, Including all Appendices, with Certain Amendments, Additions and Deletions Thereto, Including Fees and Penalties; and Approval of Resolution Making Required Findings Pursuant to the California Health & Safety Code**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Conduct public hearing and consider Staff and public input pertaining to the ordinance and amendments recommended by Staff. Close public hearing upon completion of testimony
- 2) Introduce for First Reading Ordinance O-2013-08, "An Ordinance of the City Council of the City of Placentia, California, Repealing Chapter 18.04 of Title 18 and Chapters 20.04, 20.08, 20.12, 20.16, 20.20 and 20.56 of Title 20 of the Placentia Municipal Code and Adopting By, Reference, the California Fire Code, 2013 Edition, the California Building Code, 2013 Edition, the California Residential Code, 2013 Edition, the California Plumbing Code, 2013 Edition, the California Electrical Code, 2013 Edition, California Mechanical Code, 2013 Edition, and the California Green Building Standards Code, 2013 Edition, Including all Appendices, with Certain Amendments, Additions and Deletions Thereto, Including Fees and Penalties"
- 3) Adopt Resolution No. R-2013-53, A Resolution of the City Council of the City of Placentia, California, making required findings pursuant to California Health and Safety Code § 17958.5(a) pertaining to modifications to the standardized codes promulgated by the State of California

**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

**ICDA NEW BUSINESS:** None

**COUNCIL NEW BUSINESS:**

- a. **Adoption of Goals and Policies for the Implementation of the Mello-Roos Community Facilities Act of 1982, as Amended, California Government Code § 53311, Et Seq., Regarding the Formation of Community Facilities Districts**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Consider the evidence supplied by Staff and the City's consultant, Willdan Engineering
- 2) Adopt Resolution No. R-2013-54, A Resolution of the City Council of the City of Placentia, California, adopting Goals and Policies for the Implementation of the Mello-Roos Community Facilities Act of 1982, as Amended, California Government Code § 53311, Et Seq., Regarding the Formation of Community Facilities Districts

**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 November 19, 2013 at 5:30 p.m.

*In  
Memory  
of  
Joe Rodarte  
Retired Placentia Police Officer*

**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 November 5, 2013 meetings of the City Council, Successor Agency, and Industrial Commercial Development Authority was posted on October 31, 2013.

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Tania Moreno, Deputy City Clerk