



Agenda

June 15, 2010

Placentia City Council

Placentia Redevelopment Agency

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.

Joseph V. Aguirre
Mayor

Constance M. Underhill
Mayor Pro Tem

Scott W. Nelson
Council Member

Greg Sowards
Council Member

Jeremy B. Yamaguchi
Council Member

Patrick J. Melia
City Clerk

Chad P. Wanke
City Treasurer

Troy L. Butzlaff, ICMA-CM
City Administrator

Andrew V. Arczynski
City Attorney

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/Redevelopment Agency

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 Agency Board 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, Council and Agency 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 AGENCY BOARD 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. Closed Sessions are held in the Council Caucus Room. While the public may be in attendance during oral announcements preceding Closed Sessions, Closed Sessions are not open to the public.

City of Placentia
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Placentia, CA 92870

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Website: www.placentia.org

EXECUTIVE SESSION AGENDA

June 15, 2010

5:30 p.m. – City Council Caucus Room
401 E. Chapman Avenue

EXECUTIVE SESSION CALLED TO ORDER

ROLL CALL: Councilmember / Agency Member Nelson
Councilmember / Agency Member Sowards
Councilmember / Agency Member Yamaguchi
Mayor Pro Tem / Agency Vice Chairman Underhill
Mayor / Agency Chairman Aguirre

ORAL COMMUNICATIONS

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

CITY COUNCIL

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding One (1) Item of Existing Litigation –
 - a. To identify the litigation would jeopardize the City's ability to conclude existing settlement negotiations to its advantage
 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. Pursuant to Government Code Section 54957.6 for Conference with the City's Labor Negotiators concerning the Placentia Police Officers Association (PPOA)
City Representatives: Troy Butzlaff, City Administrator
Steve Pischel, Director of Administrative/Community Services
James Anderson, Chief of Police
 5. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:
 - a. Property: 166 E. La Jolla Street, APN 344-211-03
City Negotiator: Troy Butzlaff
Negotiating Parties: Karagines Family Trust and Dennis Arthur Sigalos Trust
Under Negotiations: Price and Terms of Payment
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REGULAR MEETING AGENDA
CITY COUNCIL AND REDEVELOPMENT AGENCY

June 15, 2010

7:00 p.m. – City Council Chambers
401 E. Chapman Avenue

MEETING CALLED TO ORDER

ROLL CALL: Councilmember / Agency Member Nelson
Councilmember / Agency Member Sowards
Councilmember / Agency Member Yamaguchi
Mayor Pro Tem / Agency Vice Chairman Underhill
Mayor / Agency Chairman Aguirre

INVOCATION: Ed Faulk, Police Chaplain

PLEDGE OF ALLEGIANCE:

PRESENTATIONS

1. **Recognition of the 2009-2010 Teen Team**
Recipient: Teen Team
Presenter: Eddie De La Torre

2. **Presentation of the State “Mothers Against Drunk Driving” Award**
Recipient: Richard Pascarella
Presenter: Police Chief James Anderson

3. **Presentation of the 4th of July Safety and Fire Amnesty Program**
Presenter: Battalion Chief Nicola, Orange County Fire Authority

CLOSED SESSION REPORT

CITY ADMINISTRATOR REPORT

ORAL COMMUNICATIONS

At this time the public may address the City Council or the Board of Directors of the Redevelopment Agency concerning any agenda item, which is not a public hearing item or matters within the jurisdiction of the City Council or the Redevelopment Agency Board of Directors.

CITY COUNCIL 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 Member would like formal action on any of the discussed items it will be placed on a future Council Agenda.

CITY COUNCIL AGENDA

Next Ordinance No.: 7

Next Resolution No.: 33

CONSENT CALENDAR

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 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.

CC 1. Warrant Register for June 2 through June 15, 2010

Financial Impact: \$1,634,447.51

Recommended Action: Approve

CC 2. Consideration to Waive Reading in Full of all Ordinances and Resolutions

Recommended Action: Approve

CC 3. Minutes

Regular Meeting – June 1, 2010

Study Session – June 1, 2010

Recommended Action: Approve

CC 4. Measure M Eligibility Application Package for Fiscal Year 2010/2011

Fiscal Impact: It is anticipated that Placentia will receive approximately \$520,262 in local turn back funds this year.

Recommended Action:

1. Approve and direct staff to submit an application to the Orange County Transportation Authority for funding seven-year capital improvement program (CIP) projects
2. Adopt Resolution No. R-2010-, A Resolution of the City Council of the City of Placentia concerning the status of the circulation element for the City of Placentia, which meets Orange County Transportation Authority requirements.

CC 5. Approval of Final Tract Map 16839 including acceptance of offers of dedication, approval of subdivision agreement, and acceptance of public improvement bonds

Fiscal Impact: None

Recommended Action:

1. Approve Final Tract Map 16839 and accept the dedication and relinquishment of vehicular access rights as follows:

- a. An easement for public street, road and utility purposes along Orangethorpe Avenue and Cherry Street frontages.
 - b. Release and relinquishment of vehicular access rights along Orangethorpe Avenue and Cherry Street except at approved driveway locations.
2. Authorize the City Clerk to sign Final Tract Map 16839.
 3. Approve and authorize the Mayor and City Clerk to execute the Subdivision Improvement Agreement.
 4. Accept the Public Improvement Performance Bond #SU1106906 and Labor and Material Bond #11SU1106906, each in the amount of \$224,198 from Arch Insurance Company for the construction of public improvements.

CC 6. Request to remove resident-only permit parking on Moss Circle

Fiscal Impact: None

Recommended Action: Adopt Resolution No. R-2010-, A Resolution of the City Council of the City of Placentia rescinding Resolution No. 99-R-143, and removing permit parking privileges for residents residing on Moss Circle.

CC 7. Request to remove resident-only permit parking on Orchid Drive

Fiscal Impact: None

Recommended Action: Adopt Resolution No. R-2010-, A Resolution of the City Council of the City of Placentia rescinding Resolution No. 2005-55, and removing permit parking privileges for residents residing on Orchid Drive.

CC 8. Cooperative Agreement with the Orange County Transportation Authority (OCTA) for the Placentia Metrolink Station

Fiscal Impact: Expense: Not available, Revenue: Not available

Recommended Action:

1. Approve a Cooperative Agreement with the OCTA establishing the specific roles and responsibilities that will be followed in the design, construction, right-of-way acquisition and funding of the Placentia Metrolink Station.
2. Authorize the Mayor to execute all documents necessary to effectuate this agreement.

CC 9. Direct staff to conduct mandated biennial review of the City's Conflict of Interest Code

Fiscal Impact: None

Recommended Action: Direct staff to review the City's Conflict of Interest Code and submit, no later than October 1, 2010, a notice indicating whether amendments are necessary.

CC 10. Resolution authorizing Used Oil Payment Program Funds

Fiscal Impact: Minimum continued receipt of \$5,000 in Cal Recycle Used Oil Payment Program Funds

Recommended Action:

1. Adopt Resolution No. R-2010-, A Resolution of the City Council of the City of Placentia authorizing the Used Oil Payment Program Application

2. Direct the City Administrator to execute all required documents on behalf of the City of Placentia.

CC 11. Authorization to participate in unfunded State mandate test claim regarding California Regional Water Quality Control Board Municipal separate storm sewer permit

Fiscal Impact: Unknown, but limited shared participation costs, potential unknown reimbursement for unfunded mandates.

Recommended Action:

1. Authorize the City Administrator to participate in the test claim to the Commission on State Mandates for the purpose of seeking reimbursement for unfunded mandates created by Regional Board Order No. R8-2009-0030
2. Authorize the submission of documents by the City Administrator or designated staff, to include a Declaration in Support of Test Claim, and other documents as required in order to preserve the City's ability to seek reimbursement
3. Authorize the City Attorney's Office to support test claim efforts through legal analysis, document review and preparation, and necessary legal actions in support of test claim efforts directly related to the City's participation.

CC 12. Resolution supporting the construction and operation of the proposed Huntington Beach Water Desalination Facility

Fiscal Impact: None

Recommended Action: Adopt Resolution No. R-2010-, A Resolution of the City Council of the City of Placentia, California, supporting the construction and operation of the proposed Huntington Beach Water Desalination Facility

CC 13. Amendment to Settlement Agreement - Republic

Fiscal Impact: None

Recommended Action: Approve the proposed Amendment to Settlement Agreement and Contingent Release, to be effective upon execution of a new Franchise Agreement relating to solid waste disposal.

CC 14. Lease agreement for Police Impound Yard

Fiscal Impact: Expense - \$120,000 annually, \$181,800 over lease term
Revenues: \$80,000 annually from increase in daily storage and vehicle release fees

Recommended Action:

1. Approve a Lease Agreement, in a form acceptable to the City Attorney, with Karagines Family Trust and Dennis Arthur Sigalos Trust for the property located at 166 E. La Jolla Street for an initial term of eighteen (18) months in an amount not-to-exceed \$181,800 over the base lease term.
2. Authorize the Mayor to execute all documents necessary to effectuate this agreement.

JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY PUBLIC HEARING

PUBLIC HEARING

CC 15. /RA 1 Annual budget (City and RDA) for Fiscal Year 2010/2011, Capital Improvement Program (CIP) Budget for Fiscal Year 2010/2011 and GANN Appropriation Limit For Fiscal Year 2010/2011

Recommended Action:

1. Open and conduct a Public Hearing.
2. Adopt Resolution R-2010-, A Resolution of the City Council of the City of Placentia taking actions necessary to adopt the 2010/2011 Fiscal Year Budget in the amount of \$28,000,375.
3. Adopt Resolution RA-2010-, A Resolution of the Board of Directors of the City of Placentia taking actions necessary to adopt the 2010/2011 Fiscal Year Budget in the amount of \$3,988,145.
4. Adopt Resolution No. R-2010-, A Resolution of the City Council of the City of Placentia taking actions necessary to adopt the 2010-2011 Fiscal Year Capital Improvement Program (CIP) Budget in the amount of \$9,248,895.
5. Adoption Resolution 2010-, A Resolution of the City Council of the City of Placentia approving and adopting the annual appropriations limit for the Fiscal Year 2010/2011 in the amount of (final numbers to be provided Monday, June 14, 2010).

RECESS REDEVELOPMENT AGENCY MEETING

CITY COUNCIL AGENDA - Continued

PUBLIC HEARING

CC 16. Continued Public Hearing and Resolution Establishing New Fees, Rates, and Charges for Various City Services and Amending the Comprehensive Fee Schedule Accordingly

Financial Impact: Unknown positive revenue increase for the 2010/2011 Fiscal Year

Recommended Action:

1. Reopen the continued public hearing, if applicable, take public testimony, and close the public hearing.
2. Adopt Resolution No. R-2010-, A Resolution of the City Council of the City of Placentia, California amending the comprehensive fee schedule setting the fees and charges for various City fees

OLD BUSINESS

None

NEW BUSINESS

CC 17. Temporary suspension of Placentia Municipal Code Chapter 14.12.040 as it relates to street tree removals

Fiscal Impact: None

Recommended Action: Adopt Resolution No. R-2010-, A Resolution of the City Council of the City of Placentia temporarily suspending implementation of Section 14.12.040 of Chapter 14.12 of the Placentia Municipal Code relating to street tree removal, except for those circumstances where there is a potential hazard or danger to people or property.

CITY COUNCIL REQUESTS

Councilmembers may make requests or ask questions of staff. If a Councilmember would like to have formal action taken on a requested matter, it will be placed on a future Council Agenda.

RECONVENE REDEVELOPMENT AGENCY MEETING

REDEVELOPMENT AGENCY AGENDA

Next Resolution No. 0

CONSENT CALENDAR

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 Redevelopment Agency or Executive Director 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.

RA 2. Warrant Register for June 2, 2010 through June 15, 2010

Financial Impact: \$42,979.35

Recommended Action: Approve

RA 3. Consideration to Waive Reading in Full of all Ordinances and Resolutions

Recommended Action: Approve

RA 4. Minutes

Regular Meeting – June 1, 2010

Recommended Action: Approve

PUBLIC HEARINGS

None

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURN

The City Council and the Redevelopment Agency Board of Directors will adjourn to a 5:00 p.m. Study Session on June 22, 2010 and then to an Adjourned Regular Meeting at 7:00 p.m.

CERTIFICATION OF POSTING

I, Vida Barone, Interim Chief Deputy Clerk for the City of Placentia and Assistant Secretary of the Placentia Redevelopment Agency, hereby certify that the Agenda for the June 15, 2010, meetings of the City Council and Redevelopment Agency was posted on June 10, 2010.



Vida Barone, Interim Chief Deputy City Clerk