



Regular Meeting Agenda

October 21, 2014

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
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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, and at the 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
October 21, 2014
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. There is a five (5) minute time limit for each individual addressing the City Council and Boards of Directors.

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(d)(2) for Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Item
2. Pursuant to Government Code Section 54956.9(d)(4) for Conference with Legal Counsel Regarding the Initiation of Litigation – Two (2) Items
3. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
 - a. Property: 307 Baker Street APN: 339-392-14, 15
City Negotiator: Troy L. Butzlaff, City Administrator
Negotiating Parties: Wes Larmore, Domus Development
Under Negotiations: Price and Terms of Payment
 - a. Property: 207-209 W. Crowther Ave APN: 339-402-05; 07; 08; 11
City Negotiator: Troy L. Butzlaff, City Administrator
Negotiating Parties: Patrick Helgeson, Newport Equities
Under Negotiations: Price and Terms of Payment
4. Pursuant to Government Code Section 54957(b)(1) for Performance Evaluation of Employee:
 - a. City Attorney

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: 380 S. Placentia Avenue APN: 339-441-02
City Negotiator: Troy L. Butzlaff, Executive Director
Negotiating Parties: Larry West, Partner, Premier Automotive
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
October 21, 2014
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: **Arturo Rodriguez, Police Chaplain**

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

- a. **Commendation – Recognition of Virginia Thomas, (30 Years of Service) Police Department Volunteer**
Recipient: Virginia Thomas, Placentia Police Volunteer
Presenters: Mayor Nelson, Acting Chief of Police Smith, and Crime Prevention Officer Anderson
- b. **Presentation – Orange County Parks Update - Tri-City Park Improvements**
Presenter: Fourth District Supervisor Shawn Nelson
- c. **Presentation – Community Services Overview of 2014 Summer Programs**
Presenter: Director of Community Services Nicks

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**
Fiscal Impact: None
Recommended Action: Approve
- b. **Minutes**
City Council/Successor/ICDA Regular Meetings – August 19, September 16 and October 7, 2014
Recommended Action: Approve
- c. **City Fiscal Year 2014-15 Check Register for October 21, 2014**
Fiscal Impact: \$560,718.75
Recommended Action: It is recommended that the City Council:
1) Receive and file

COUNCIL CONSENT CALENDAR:

- d. **Approval of Agreement with the Muckenthaler Cultural Center for Use of Kraemer Memorial Park and the Teen Center for Arts Programs**
Fiscal Impact: Revenue: \$145,000 Estimated in Grants, In-Kind Services, and Facility Improvements
Expenditures: \$5,000 Matching Program Contribution (3.4%)
Budgeted: \$5,000 (Account No.: 104071-6099)
Recommended Action: It is recommended that the City Council:
1) Approve an agreement with the Muckenthaler Cultural Center to use Kraemer Memorial Park and the Teen Center for arts programs
2) Authorize the City Administrator, or his designee, to execute all applicable documents, in a form approved by the City Attorney
- e. **Appointment of Representatives to the Public Agency Risk Sharing Authority of California (PARSAC) Board of Directors**
Fiscal Impact: None
Recommended Action: It is recommended that the City Council:
1) Adopt Resolution No. R-2014-67, A Resolution of the City Council of the City of Placentia, California, appointing representatives to the PARSAC Board of Directors.
- f. **Approve an Agreement with USDA to Accept a Grant to Expand Marketing for the Placentia Farmers Market**
Fiscal Impact: Revenue: \$90,448 Total (FY 2014-15 \$33,916)
Expenditure: \$90,448 Total (FY 2014-15 \$33,916)
Recommended Action: It is recommended that the City Council:
1) Approve an agreement with the USDA to accept a \$90,448 restricted project grant to promote the Placentia Farmers Market over a two (2) year period

- 2) Adopt Resolution No. R-2014-68, A Resolution of the City Council of the City of Placentia, California, authorizing a Budget Amendment in the Fiscal Year 2014-15 in the aggregate amount of \$33,916 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures
- 3) Authorize the City Administrator, or his designee, to execute all applicable documents in a form approved by the City Attorney

g. **Adoption of Resolution Related to the Establishment of Disadvantaged Business Enterprise Participation Level (DBE) Goals for Federal Fiscal Year 2014-15**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2014-69, A Resolution of the City Council of the City of Placentia, California, approving and adopting the anticipated DBE participation levels for Federal Fiscal Year (FFY) 2014-15
- 2) Authorize the Mayor or City Administrator to execute Exhibit 9B and all other DBE documents required on behalf of the City to facilitate timely submission to the California Department of Transportation

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:

a. **Second Reading and Adoption of Ordinance No. O-2014-11 Adding § 1.18.130 to Chapter 1.18 of the Placentia Municipal Code Relating to Competitive Design-Build Processes**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Waive full reading, reading by title only, and conduct second reading and adoption of Ordinance No. O-2014-11, an Ordinance of the City Council of the City of Placentia, California, adding a new § 1.18.130 to Chapter 1.18 of the Placentia Municipal Code relating to Design-Build Alternate Methods

SUCCESSOR AGENCY OLD BUSINESS: None

ICDA OLD BUSINESS: None

4. NEW BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA NEW BUSINESS: None

COUNCIL NEW BUSINESS: None

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 4, 2014 at 5:30 p.m.

TENTATIVE AGENDA FORECAST

The Tentative Agenda Forecast is subject to change up until the posting of the Agenda for the Council Meeting listed below:

November 4, 2014

- Resolution of Support for Imperial Highway/SR-90 Corridor Traffic Light Synchronization Program Project
- Extension of Current Wireless Communication Facility Lease at Tuffree Park
- Revised Property Management Plan
- First Reading of Ordinance Effecting Compliance with Senate Bill 7
- Agreement with Kosmont Associates for Successor Agency Administrative Services

CERTIFICATION OF POSTING

I, Amy Diaz, Deputy City Clerk of the City of Placentia and Assistant Secretary of the Industrial Commercial Development Authority and Successor Agency, hereby certify that the Agenda for the October 21, 2014 meetings of the City Council, Successor Agency, and Industrial Commercial Development Authority was posted on October 16, 2014.

Amy Diaz, Deputy City Clerk

**COMMENDATION - RECOGNITION OF VIRGINIA THOMAS, (30 YEARS OF SERVICE) POLICE DEPARTMENT VOLUNTEER
CITY COUNCIL MEETING OCTOBER 21, 2014**

Mayor Nelson to introduce Acting Chief of Police Ward Smith, and Crime Prevention Officer Marilyn Anderson.

Virginia Thomas started volunteering for the Placentia Police Department on October 1, 1984. Her accomplishments over the 30 years include: Teaching Spanish to Law Enforcement Officers including assisting with translation services; assisting in City events including Shred Day, Drug Take Back Day, and the Heritage Festival; providing front counter assistance; conducting Library Patrols; Data Entry for Investigations; Property Bureau Assistance; and collection and reporting of Volunteer Hours.

Acting Chief of Police Smith and Mayor Nelson to present Recognition Plaque and Commendation Certificate to Virginia Thomas.

Presenters: Acting Chief of Police Smith, Crime Prevention Officer Anderson, and Mayor Nelson

Recipient: Virginia Thomas

**Presentation A
October 21, 2014**

**PRESENTATION- ORANGE COUNTY PARKS UPDATE- TRI-CITY PARK
IMPROVEMENTS
CITY COUNCIL MEETING OCTOBER 21, 2014**

Mayor Nelson to introduce Fourth District Supervisor Shawn Nelson.

Fourth District Supervisor Shawn Nelson will be presenting an Orange County Parks update that will provide an overview of Tri-City Park improvements that have been completed since the County took over operations.

Presenter: Fourth District Supervisor Shawn Nelson

**PRESENTATION- COMMUNITY SERVICES OVERVIEW OF 2014 SUMMER PROGRAMS
CITY COUNCIL MEETING OCTOBER 21, 2014**

Mayor Nelson to introduce Director of Community Services Jonathan Nicks.

Director of Community Services Nicks will be providing a video presentation that highlights all of the programs offered by the Community Services Department during the 2014 Summer including: Concerts in the Park Series, Movies in the Park Series, Recreation Classes, Excursions, Aquatics, and Sports Programs.

Presenter: Director of Community Services Jonathan Nicks

**Presentation C
October 21, 2014**

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
August 19, 2014
6:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor/Board Chair Nelson called the meeting to order at 6:03 p.m.

PRESENT: Councilmember/Board Member Underhill, Wanke, Yamaguchi, Aguirre, Nelson
ABSENT: None

ORAL COMMUNICATIONS: None

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(d)(2) for Conference with Legal Counsel Regarding Anticipated Litigation – Two (2) Items
2. Pursuant to Government Code Section 54956.9(d)(4) for Conference with Legal Counsel Regarding the Initiation of Litigation – Two (2) Items
3. 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 City Employees Association (PCEA)

City Representatives: Troy L. Butzlaff, City Administrator
Steve Pischel, Dir. Administrative Services
4. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
 - a. Property: 207-209 W. Crowther Ave APN: 339-402-05; 07; 08; 11
City Negotiator: Troy L. Butzlaff, City Administrator
Negotiating Parties: Patrick Helgeson, Newport Equities
Under Negotiations: Price and Terms of Payment

SUCCESSOR AGENCY: None

ICDA: None

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

PRESENT: Councilmember/Board Member Underhill, Wanke, Yamaguchi, Aguirre, Nelson
ABSENT: None

STAFF PRESENT: City Clerk, Patrick Melia; City Administrator/Executive Director, Troy L. Butzlaff; City Attorney/Authority Counsel, Andrew V. Arczynski; Assistant City Administrator, Damien R. Arrula; Director of Administrative Services, Stephen D. Pischel; Chief Financial Officer, Linda Magnuson; Acting Chief of Police, Ward Smith; Director of Community Services, Jon Nicks; Public Works Manager, Michael McConaha; Finance Manager, Michael Nguyen; Management Analyst, Maggie Le; Deputy City Clerk, Amy Diaz

INVOCATION: Police Chaplain Kenneth Milhander

PLEDGE OF ALLEGIANCE: Councilmember Underhill

PRESENTATIONS:

a. **Employee of the Quarter – Police Department**

Recipient: Sergeant Michael "Brad" Butts

Presenters: Mayor Nelson and City Administrator Butzlaff

City Administrator Butzlaff provided a brief narrative of the Employee of the Quarter program.

Acting Chief Smith introduced Michael "Brad" Butts as the Employee of the Quarter. He provided a brief narrative of Michael "Brad" Butts. He noted that Sergeant Butts began his career with the Placentia Police Department in January 2001. He noted it has been a pleasure to work with and honored to award him with the Employee of the Quarter.

Sergeant Butts thanked Council and Staff for the recognition. He noted there are a lot of good hardworking members within the Police Department and is humbled by the recognition of Employee of the Quarter.

Mayor Nelson thanked Sergeant Butts and presented him with a recognition plaque.

EXECUTIVE SESSION REPORT:

City Attorney/Agency Counsel Arczynski reported that the Council/Agency met in Executive Session to discuss the items on the agenda. He noted there were no reportable actions from the Executive Session that evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff announced the last Movies in the Park series for the Summer will be on Friday, August 22nd. He announced the American Red Cross is conducting a Blood Drive at the Placentia Library on Thursday, August 28th from 12:00 p.m. – 6:15 p.m. in the Library Conference Room. He announced that the Police Department will be holding a Dog Watcher Walk Program at Tri-City Park on Thursday, September 11th at 6:30 p.m. He reminded the community, in observance of Labor Day Holiday, City Hall will be closed on Monday, September 1st.

ORAL COMMUNICATIONS:

Stella Blair, resident, noted that she reviewed the City of Placentia's 2013 Comprehensive Annual Financial Report (CAFR) and noted that the MelloRoos special tax revenue bond falls under the title of fiduciary type fund.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Mayor Pro Tem Aguirre noted that he attended the special meeting of the Orange County Fire Authority (OCFA) Board of Directors on August 14, 2014 at which they interviewed for the Interim Fire Chief for OCFA. He noted that the next public meeting is August 28, 2014. He noted that a CalPers Committee voted 6 to 2 to pass to the full board, a proposal to the 2013 Pension Revision.

Councilmember Yamaguchi thanked Staff for taking him on a tour of a number of city facilities this past week. He noted that the evidence storage facility was an eye opening experience for him to see how the operation works. He noted he visited the Boys and Girls Club, the Old Packing House, Impound Yard and City Yard.

Mayor Nelson thanked Staff for another great Concert in the Park series. He noted that he attended the Orange County Transportation Authority Transit Board Committee meeting this past Monday.

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

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi, to approve Consent Calendar Item Nos. 1.a. through 1.m. Councilmember Wanke abstained from Item 1.c. 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 2013-14 Check Register for August 19, 2014**
Financial Impact: \$246,893.89
Recommended Action: It is recommended that the City Council:
1) Receive and file.
(5-0, as recommended)
- c. **City Fiscal Year 2014-15 Check Register for August 19, 2014**
Financial Impact: \$270,497.39
Recommended Action: It is recommended that the City Council:
1) Receive and file.
(4-0-1, Councilmember Wanke abstained)

COUNCIL CONSENT CALENDAR:

- d. **Approval of Extension to 911 Ambulance Service Contract**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
1) Authorize the Mayor to execute the submitted contract extension for the provision of 911 emergency medical transportation and related services.
(5-0, as recommended)
- e. **Resolution Amending the City's Conflict of Interest Code**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
1. Review the proposed amendments to the City's Conflict of Interest Code, provide input and/or updates as necessary
2. Approve Resolution No. 2014-54, A Resolution of the City Council of the City of Placentia, California, amending the City's Conflict of Interest Code by amending Appendix "A" thereto which lists current designated employees and officials, and amending Appendix "B" thereto relating to the disclosure categories
(5-0, as recommended)
- f. **Recommendation to Approve Easement Agreements with Orange County Transportation Authority for the Placentia Avenue Grade Separation Project**
Financial Impact: None
Recommended Action: It is recommended that the City Council:

1. Approve the attached easement dedications to the City of Placentia and Burlington Northern Santa Fe for roadway, maintenance access, public utilities, walls, and storm drain purposes
2. Authorize the Mayor to sign the subject easement dedications on behalf of the City
3. Direct the City Clerk to endorse the easement dedications which embodies the acceptance of said right-of-way easements, and cause the documents to be submitted to the Orange County Clerk Recorder for recording of the document

(5-0, as recommended)

g. **Ratification of Emergency Proposal and Purchase Orders related to a Sanitary Sewer Line Break and Relocation on Orangethorpe Avenue**

Financial Impact: Expense: \$124,444.00
 Budgeted: \$124,444.00 (Account No. 484376-6120)

Recommended Action: It is recommended that the City Council:

1. Approve proposal to Valverde Construction, Inc., for an amount not to exceed \$85,950
2. Approve proposal from Southern California Edison, for an amount not to exceed \$38,494
3. Authorize the City Administrator to execute contract documents on behalf of the City, in a form approved by the City Attorney

(5-0, as recommended)

Mayor Pro Tem Aguirre requested for Staff to provide a brief summary on item 1.g.

City Administrator Butzlaff noted that the item was placed on the agenda due to an emergency ratification on work that the City had to perform to restore the integrity of the sanitary sewer system off of Orangethorpe Avenue. He noted that during the relocation of utilities, specifically the high tension power poles from Southern California Edison (SCE), SCE decided to place one directly into one of the City's sewer lines. He noted that in order to make the repairs Staff had to contract SCE and a third party contractor to initiate the repairs that totaled an amount of \$124,000. He noted that because the City had to perform the work on an emergency basis, the City is asking that Council ratify the emergency purchase to restore the sewer line, to avoid further disruption of public services and to avoid environmental contamination from backed up sewage going into the environment.

Councilmember Wanke inquired if we would have to sue SCE or do they agree that this is a legitimate claim.

City Attorney/Authority Counsel Arczynski stated that SCE Company has been advised that they would be responsible for all of the costs including staff time and attorney fees. He noted that Staff is putting together a detailed report with videos and photos. He noted that the \$38,000 is a standard fee charged by SCE when utility poles have to be relocated and when repairs need to be done.

Councilmember Wanke inquired if we were seeking the \$38,000 reimbursement from SCE.

City Administrator Butzlaff noted that the City is seeking reimbursement from SCE.

Councilmember Wanke thanked staff for being diligent on the matter.

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Wanke, and carried (5-0) to approve a proposal to Valverde Construction, Inc., for an amount not to exceed \$85,950; to approve proposal from Southern California Edison, for an amount not to

exceed \$38,494; and to authorize the City Administrator to execute contract documents on behalf of the City, in a form approved by the City Attorney.

h. **Recommendation to Approve Long Term Maintenance Agreement for Shared Public Street Improvements with the City of Fullerton in relation to the Placentia Avenue Grade Separation Project**

Financial Impact: Minimal Annual Maintenance and Repairs

Recommended Action: It is recommended that the City Council:

1. Approve a Long Term Maintenance Agreement for Shared Public Street Improvements with the City of Fullerton in relation to the Placentia Avenue Grade Separation Project
2. Authorize the Mayor to execute the Maintenance and Repair Agreement on behalf of the City, in a form approved by the City Attorney.

(5-0, as recommended)

i. **Adoption of Resolution No. R-2014-55, Authorizing an Application for Funds for the Environmental Cleanup, Tier 1 Grant Program Under the Orange County Local Transportation Ordinance No. 3 for the City of Placentia Catch Basin Screen Installation Project**

Financial Impact: Expense: \$20,000

Offsetting Revenue: \$60,000

Recommended Action: It is recommended that the City Council:

1. Adopt Resolution No. 2014-55, A Resolution of the City Council of the City of Placentia, California, authorizing an application for funds for the Environmental Cleanup, Tier 1 Grant Program under the Orange County Local Transportation Ordinance No. 3 for the City of Placentia Catch Basin Screen Installation Project
2. Authorize the City Administrator or his designee to execute all necessary documents for securing grant funds

(5-0, as recommended)

j. **Response to Grand Jury's Report, "Orange County City Pension Liabilities – Budget Transparency Critically Needed"**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

1. Approve and authorize the Mayor to sign a letter to the Presiding Judge of Orange County that responds to the findings and recommendations of the Grand Jury's report, "Orange County City Pension Liabilities – Budget Transparency Critically Needed"

(5-0, as recommended)

k. **Consideration of an Amendment No. 1 to Professional Services Agreement with Lilley Planning Group to Complete the General Plan Update**

Financial Impact: Budgeted in Account No.: 332531-6017 JL#6108670159-6017

Recommended Action: It is recommended that the City Council:

1. Approve Amendment No. 1 to the Professional Services Agreement with Lilley Planning Group for an amount not to exceed \$55,500

(5-0, as recommended)

l. **Consideration of a Professional Services Agreement with Tom Dodson & Associates for General Plan-Related Environmental Review (CEQA) Services**

Financial Impact: Budgeted in Account No.: 332531-6017 JL#6108670159-6017

Recommended Action: It is recommended that the City Council:

1. Approve a Professional Services Agreement with Tom Dodson & Associates for General Plan-related CEQA services in an amount not to exceed \$66,000

(5-0, as recommended)

m. **Approve an Agreement with St. Jude Hospital to Accept a Restricted Project Grant to Prevent and Reduce Obesity**

Financial Impact: Revenue: \$125,000

Recommended Action: It is recommended that the City Council:

1. Approve an agreement with St. Jude Hospital to accept a \$125,000 restricted project grant to prevent and reduce obesity
2. Authorize the City Administrator or his designee to execute all applicable documents in a form approved by the City Attorney
3. Adopt Budget Resolution No. 2014-56, A Resolution of the City Council of the City of Placentia, California, authorizing a Budget Amendment in Fiscal Year 2014-15 budget allocating the additional \$125,000 in grant funds to designated expenditure accounts

(5-0, as recommended)

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:

a. **Second Reading and Adoption of Ordinance No. O-2014-09 Disposition and Development Agreement with Habitat for Humanity of Orange County to Develop Two (2) Single Family Affordable Homes in the Atwood Community**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

1. Waive full reading, reading by title only, and accept for second reading and adoption, Ordinance No. O-2014-09, An Ordinance of the City Council of the City of Placentia, California, approving that document entitled 'Disposition and Development Agreement No. 2014-01 concerning property commonly referred to as 1617 Oak Street pertaining to six (6) parcels of real property (APNs 346-181-05,-06,-07,-30,-35,-37), in the City of Placentia, California' and authorizing the Mayor and City Clerk to execute the same on behalf of the City of Placentia. DDA 2014-01

(5-0, as recommended)

City Administrator Butzlaff provided a brief overview on item 3.a. regarding the development agreement with Habitat for Humanity of Orange County to develop two (2) single family affordable homes in the Atwood Community.

A motion was made by Councilmember Wanke, seconded by Mayor Pro Tem Aguirre, and carried (5-0) to approve and waive full reading, reading by title only, and accept for second reading and adoption, Ordinance No. O-2014-09, An Ordinance of the City Council of the City of Placentia, California, approving that document entitled 'Disposition and Development Agreement No. 2014-01 concerning property commonly referred to as 1617 Oak Street pertaining to six (6) parcels of real property (APNs 346-181-05,-06,-07,-30,-35,-37), in the City of Placentia, California' and authorizing the Mayor and City Clerk to execute the same on behalf of the City of Placentia. DDA 2014-01.

b. **Second Reading and Adoption of Ordinance No. O-2014-10 Repealing Ordinance No. O-2014-01 Allowing Digital and Static Advertising Displays on City-Owned Property**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

1. Waive full reading, reading by title only, and accept for second reading and adoption, Ordinance No. O-2014-10, An Ordinance of the City Council of the City of Placentia, California, Repealing Ordinance O-2014-01, Zoning Code Amendment 2014-01

(5-0, as recommended)

City Administrator Butzlaff provided a brief summary of item 3.b.

A motion was made by Mayor Nelson, seconded by Councilmember Underhill, and carried (5-0) to approve and waive full reading, reading by title only, and accept for second reading and adoption, Ordinance No. O-2014-10, An Ordinance of the City Council of the City of Placentia, California, Repealing Ordinance O-2014-01, Zoning Code Amendment 2014-01.

SUCCESSOR AGENCY OLD BUSINESS: None

ICDA OLD BUSINESS: None

4. NEW BUSINESS:

COUNCIL/SUCCESSOR AGENCY/ICDA NEW BUSINESS: None

COUNCIL NEW BUSINESS: None

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 at 7:44 p.m. to September 2, 2014 at 5:30 p.m.

SCOTT W. NELSON
MAYOR/AGENCY CHAIR

ATTEST:

PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
September 16, 2014
6:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor/Board Chair Nelson called the meeting to order at 6:10 p.m.

PRESENT: Councilmember/Board Member Underhill, Wanke, Aguirre, Nelson

ABSENT: Yamaguchi

ORAL COMMUNICATIONS: None

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(d)(2) for Conference with Legal Counsel Regarding Anticipated Litigation - One (1) Item
2. Pursuant to Government Code Section 54956.9(d)(4) for Conference with Legal Counsel Regarding the Initiation of Litigation - One (1) Item
3. Pursuant to Government Code Section 54957.6 Conference with City Labor Negotiator Concerning Labor Negotiations with the following group:
 - a. Placentia City Employees Association (PCEA) City Representatives: Troy L. Butzlaff, City Administrator Steve Pischel, Dir. Administrative Services
4. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
 - a. Property: 307 Baker Street APN: 339-392-14, 15 City Negotiator: Troy L. Butzlaff, City Administrator Negotiating Parties: Wes Larmore, Domus Development Under Negotiations: Price and Terms of Payment
 - b. Property: 207-209 W. Crowther Ave APN: 339-402-05; 07; 08; 11 City Negotiator: Troy L. Butzlaff, City Administrator Negotiating Parties: Patrick Helgeson, Newport Equities Under Negotiations: Price and Terms of Payment

SUCCESSOR AGENCY: None

ICDA: None

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

CALL TO ORDER:

PRESENT: Councilmember/Board Member Underhill, Wanke, Yamaguchi, Aguirre, Nelson

ABSENT: None

STAFF PRESENT: City Clerk, Patrick Melia; City Attorney/Authority Counsel, Andrew V. Arczynski; Assistant City Administrator, Damien R. Arrula; Director of Administrative Services, Stephen D. Pischel; Chief Financial Officer, Linda Magnuson; Acting Chief of Police, Ward Smith; Director of Community Services, Jon Nicks; Public Works Manager, Michael McConaha; Finance Manager, Michael Nguyen; Management Analyst, Maggie Le; Deputy City Clerk, Amy Diaz

INVOCATION: Acting Chief of Police Smith

PLEDGE OF ALLEGIANCE: Councilmember Yamaguchi

PRESENTATIONS:

- a. **Proclamation Designating the Month of September, 2014 as Childhood Cancer Awareness Month**

Presenters: Mayor Nelson and Assistant City Administrator Arrula

Acting City Administrator Arrula provided a brief narrative for the proclamation for Childhood Cancer Awareness Month. He noted Staff would be mailing out the proclamation.

Mayor Nelson proclaimed the month of September, 2014 as Childhood Cancer Awareness Month.

- b. **Proclamation Proclaiming the City of Placentia as a Purple Heart City**

Recipients: Chapter 752 Former Commander Jim Pinnix, and Lupe Sazea

Presenters: Mayor Nelson and Assistant City Administrator Arrula

Acting City Administrator Arrula provided a brief narrative for the proclamation proclaiming the City of Placentia as a Purple Heart City. He introduced Chapter 752 Former Commander Jim Pinnix.

Commander Pinnix shared that the State of California is the first state in the nation to be a Purple Heart State. He noted that there will now be 28 Purple Heart Cities in Orange County, including the City of Placentia.

Mayor Nelson presented Commander Pinnix with the proclamation certificate.

- c. **Proclamation Designating the Week of October 5th-11th as Fire Prevention Week**

Recipient: Division Captain Jerrod McCalpin

Presenters: Mayor Nelson and Assistant City Administrator Arrula

Acting City Administrator Arrula provided a brief overview of Fire Prevention Week and introduced Division Captain Jerrod McCalpin.

Division Captain McCalpin thanked the City for the proclamation. He announced that Station 34 will be having an Open House at their training center in Irvine.

Mayor Nelson presented the proclamation to Division Captain McCalpin and declared the week of October 5th-11th as Fire Prevention Week.

d. **Proclamation Designating the Week of September 17th- 24th as Constitution Week**

Recipient: Mojave Chapter Daughters of the American Revolution Representative Sharon Corsiglia

Presenters: Mayor Nelson and Assistant City Administrator Arrula

Acting City Administrator Arrula provided a brief narrative for Constitution Week and introduced Sharon Corsiglia.

Ms. Corsiglia provided the brief history on the Constitution.

Mayor Nelson presented Ms. Corsiglia with the proclamation and declared the week of September 17th-24th as Constitution Week.

e. **Recognition of Mayor Nelson for his services as the League of California Cities OC Division President**

Recipient: Mayor Nelson

Presenter: League of California Cities Public Affairs Regional Manager, Tony Cardenas

Acting City Administrator Arrula introduced League of California Cities Public Affairs Regional Manager Mr. Tony Cardenas.

Public Affairs Regional Manager Cardenas provided a brief overview of Mayor Nelson's participation with the League of California Cities and thanked him for his services and commitment. He presented Mayor Nelson with a recognition plaque.

Mayor Nelson thanked Public Affairs Regional Manager Cardenas and the League of California Cities for the recognition.

EXECUTIVE SESSION REPORT:

City Attorney/Agency Counsel Arczynski reported the City Council/Agency met in Executive Session to discuss the item listed on the agenda. He noted that there were no reportable actions from the Executive Session that evening.

CITY ADMINISTRATOR REPORT:

Acting City Administrator Arrula provided an update of the Crossing Guards Program. He introduced Acting Chief of Police Smith to provide an update concerning the Crossing Guards program.

Acting Chief of Police Smith noted that he was contacted by Dr. Doug Domene, Placentia-Yorba Linda Unified School District Superintendent, and was informed that funding will be available to staff the additional crossing guard locations. He noted that the funding source will take effect immediately and will last through June 2015. He noted that Staff will work in conjunction with the School District, PTA Council and PTA President to augment and create a parenting volunteer program that will be administered through the Police Department. He noted that the Police Department will provide training and all of the crossing guards will be in place by Monday, September 22, 2014.

Councilmember Yamaguchi inquired if a pilot program will take place for the school year in 2015-16.

Acting Chief of Police Smith stated that they plan to have the program in place by no later than April 2015. He noted that the Police Department will be placing their patrol resources in the school zones at the beginning and end of the school year.

Councilmember Wanke inquired about communications with Parent/Teacher Associations (PTA) and other groups in advance of the school year.

Acting Chief of Police Smith explained that towards the end of the school year last year, the Police Department discussed the budget constraints with the School District regarding the different partnerships, i.e. SRO Program and Crossing Guard Program.

Councilmember Wanke clarified that the City attempted to get ahead of the situation prior to the start of the school year.

Acting Chief of Police Smith agreed with Councilmember Wanke comment and mentioned that Chief Hicks had addressed the issue.

Acting City Administrator Arrula announced that there will be a Symposium on Tuesday, September 23rd at 6:00 p.m. in the Titan Student Union, hosted by the Cities of Placentia, Brea, Fullerton, La Habra, La Habra Heights and Yorba Linda in collaboration with the California State University of Fullerton. He announced on Tuesday, September 30th at 6:30 p.m., the League of Women Voters will be moderating a Candidates Forum. He announced there will be a General Plan Survey on Tuesday, September 30th that will be distributed at the Placentia Farmers Market and the survey will be available online on the City's website. He announced that the Community Emergency Response Team (CERT Program) starts on October 20th.

ORAL COMMUNICATIONS:

Ray Pongetti, resident, expressed his concerns regarding the crossing guard's issue. He spoke of the unwillingness to control the westbound traffic on Bastanchury Road between Valencia Drive and Brookhaven streets to the postage signage which is 25 mph. He spoke to the Placentia Traffic Bureau and asked what his estimate was for that area, Mr. Pongetti suggested between 45-54 mph and beyond and the person at the Bureau suggested 50 mph. The Staff at the Bureau agreed that 50 mph is unsafe. Mr. Pongetti suggests the traffic signal be set to a blinking red 20 minutes before the school bell rings. He suggests that the light be set for a two week period to slow down the traffic and then set it back to normal. His intention is not to disrupt traffic flow but to inform drivers.

Tommie Kalman, representative of Heritage Festival Committee and Placentia Round Table Club, announced that on October 3rd they will have a Casino Night at their Club; profits will go back to Heritage Festival Committee. She announced that two (2) restaurants, Tlaquepaque and Craftsman's Wood fired Pizza, will be hosting fundraiser night on Wednesday from 11:00 a.m. to 9:00 p.m., at which fifteen (15%) percent of the bill will be donated to Heritage Festival funds.

Stella Blair, resident, inquired how the surplus fund was created on the MelloRoos fund. She requested all backup financial information from the City so that residents can determine how the surplus occurred. She inquired what steps the City Council is taking to avoid bankruptcy and keep the City on track financially.

Patricia Yeamen, resident, mentioned that there was discussion at the August 5th meeting about the Brown Act about what can and cannot be discussed. She provided a brief description of the Brown Act.

Melissa Larson, resident, noted that has taken a lot of comfort knowing that the crossing guards are in place. She inquired about flashing signs on Valencia. She also requested that more police patrol the area and Police Department to produce a flyer listing the rules and distribute it to parents and young drivers.

Blake Larson, resident, thanked Council and Staff for their services. He expressed his concerns regarding the amount to time that was given notifying parents about the crossing guard changes.

Melanie Montoya, resident, noted that she is happy with the decision that the District will fund the crossing guards this year.

Paul Biddlecomb, resident, expressed his concerns regarding the MelloRoos issue and referred to an article in the Orange County Register regarding the MelloRoos. He noted there should be a complete audit on the MelloRoos funds and publicized it for all of the MelloRoos participants.

Craig Green, City Treasurer, inquired about new CAFR. He noted that he received a Generally Accepted Accounting Principles (GAAP) email that it is a counting theory and not a hard and fast set of rules; it allows for interpretation and especially the end goal of transparency and full disclosure to the public of financial data. He provided Council with four (4) pages within the existing CAFR. He noted that the CAFR should read ONTRAC not OCTA and the debt should be listed and not the balance.

CITY COUNCIL/BOARD MEMBERS COMMENTS AND REPORTS:

Councilmember Yamaguchi noted that Councilmember Wanke and he attended the League of California Cities Conference and participated in the Expo in the Los Angeles Convention Center. He thanked the American Legion Post for the September 11th Memorial. He commented that Staff did their job regarding the crossing guards and thanked Staff for their quick reactions to the situation. He requested for Acting Chief of Police Smith to provide a rollout schedule for the crossing guards.

Acting Chief of Police Smith stated we will have the schedule by mid-year and the recruitment effort will be to solicit and gain support from the parents. He noted that hands on training will take place after the first of the year and everything will be in place by April of 2015.

Councilmember Yamaguchi inquired if the City will communicate directly with the school district and parents.

Acting Chief of Police Smith said they will communicate with the School District.

Councilmember Underhill congratulated Mayor Nelson on his League of California Cities recognition. Councilmember Underhill commented regarding the information that was produced to students; as a former PTA President and former School Trustee, when information is given to the School District then it should be distributed. She noted a new law that went into effect that you now have to allow three (3) foot place between a car and bicyclist.

Councilmember Wanke commented on the work Mayor Nelson contributes to the League of California is tremendous and congratulated him on his recognition. He noted that

Councilmember Yamaguchi and he attended the League of California Cities. He requested for Acting Chief of Police Smith to discuss increasing traffic enforcement during school hours.

Councilmember Wanke noted that he attended the September 11th Memorial at the American Legion. He requested that the Finance Department or the City Administrators Office can prepare an audit or report what process would be to perform an audit on MelloRoos Funds.

Mayor Pro Tem Aguirre congratulated Mayor Nelson on his recognition. He noted that the Orange County Fire Authority (OCFA) had a meeting on August 28th and OCFA approved the hiring of an Interim Fire Chief, Jeffrey Bowman. He noted that the School District was contacted during the last school year was in session regarding the crossing guards situation.

Mayor Nelson noted that the City is moving forward as far as collaboration with the School District regarding the cross guard's issue. He noted that he attended the September 11th Memorial at the American Legion. He addressed Mr. Biddlecomb and Ms. Blair regarding their request and the City will work with both of them regarding the MelloRoos issue.

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

A motion was made by Councilmember Yamaguchi, seconded by Mayor Pro Tem Aguirre to approve Consent Calendar Nos. 1.a. through 1.h. Mayor Pro Tem Aguirre pulled Consent Calendar Item 1.i. for separate discussion. Councilmember Yamaguchi and Councilmember Wanke pulled Consent Calendar Item No. 1.o for separate discussion. Acting City Administrator Arrula requesting to remove Consent Calendar Item No. 1.i.

COUNCIL/SUCCESSOR AGENCY/ICDA CONSENT CALENDAR:

- a. Consideration to Waive Reading in Full of all Ordinances and Resolutions
Fiscal Impact: None
Recommended Action: Approve
(5-0, as recommended)
- b. Minutes
City Council/Successor/ICDA Regular Meetings - May 27, June 3, June 10, July 15, July 22, 2014
Recommended Action: Approve
(5-0, as recommended)
- c. City Fiscal Year 2013-14 Check Register for September 16, 2014
Fiscal Impact: \$455,510.28
Recommended Action: It is recommended that the City Council:
1) Receive and file
(5-0, as recommended)
- d. City Fiscal Year 2014-15 Check Register for September 16, 2014
Fiscal Impact: \$931,621.53
Recommended Action: It is recommended that the City Council:
1) Receive and file
(5-0, as recommended)

COUNCIL CONSENT CALENDAR:

e. **Certification of Addendum No. 1 to the Placentia Metrolink Station Project Environmental Impact Report**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Find that the analysis and conclusions documented in Addendum No. 1 to the Certified EIR prepared for the Project are adequate and appropriate and have been relied upon for documentation of the effects of the Project on the environment, that changes and additions to the timing of the contemplated building demolition justify the issuance of an Addendum to the City's original Certified EIR, and that the proposed Project does not alter the conclusions contained in the Certified EIR (SCH No. 2007011046) as adopted by the City Council in 2010, and that the changes in the Project do not exceed the thresholds outlined in §§ 15162 and 15164 of the State CEQA Guidelines
- 2) Determine that Addendum No. 1 to the Certified EIR Prepared for the Project is adequate and appropriate and no further analysis of the environmental impacts of this proposed Project is required in a Supplemental/Subsequent EIR or MND

(5-0, as recommended)

f. **Approval of Plans and Specifications and Award of Contract to Unlimited Environmental, Inc., for the Demolition and Clean Up of the Placentia Packing House**

Fiscal Impact: Expense: \$343,176.10 for Construction Services

Offsetting Revenue: \$343,176.10 Developer Funding

Budgeted: \$343,176.10 (Account No.: 333552-6185 J/L 61133)

Recommended Action: It is recommended that the City Council:

- 1) Approve plans and specifications prepared by City Staff dated December 6, 2013, for the Demolition and Clean Up of the Placentia Packing House Project
- 2) Accept the proposal submitted by Unlimited Environmental, Inc., the lowest responsive and responsible bidder, in the amount of \$298,414.00, and award them a construction contract
- 3) Reject all other bids
- 4) Adopt Resolution No. R-2014-58, A Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2014-15 in the aggregate amount of \$343,176.10 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures
- 5) Authorize the City Administrator to execute documents on behalf of the City, in a form approved by the City Attorney
- 6) Authorize the City Administrator, or his designee, to approve construction change orders pursuant to the requirements set forth in the construction contract in an aggregate amount not-to-exceed \$44,762.10 (15% of the project construction contract amount).

(5-0, as recommended)

- g. **Professional Services Agreement for Provision of Building Official and Building and Public Works Inspection Services**
Fiscal Impact: Fiscal Year 2014-15 Expense: \$168,400
 Offsetting Revenue: \$168,400
 Budgeted: \$168,400 (Account No.: 102532-6045, 102532-6290, 103550-6290)
Recommended Action: It is recommended that the City Council:
- 1) Approve a Professional Services Agreement with Lilley Planning Group to provide for professional services related to Public Works and Development Services for the period September 16, 2014 to September 15, 2015
 - 2) Authorize the City Administrator to sign the Agreement and approve contract extensions, in a form approved by the City Attorney
- (5-0, as recommended)**
- h. **Request for Additional Appropriations for Patrol Overtime Budget to Participate in the Office of Traffic Safety Grant – “Selective Traffic Enforcement Program (STEP) for Fiscal Year 2014-15”**
Fiscal Impact: Expense: \$105,100 (Account No. 103041-5015)
 Offsetting Revenue: \$105,100
Recommended Action: It is recommended that the City Council:
- 1) Approve the acceptance of the Office of Traffic Safety grant in a form presented and direct the Acting Chief of Police to complete the final paperwork
 - 2) Adopt Resolution No. R-2014-59, A Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2014-15 in the aggregate amount of \$105,100 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures
- (5-0, as recommended)**
- i. **Approval of Agreement with the Muckenthaler Cultural Center for Use of Kraemer Memorial Park and the Teen Center for Arts Programs**
Fiscal Impact: Revenue: \$145,000 Estimated in Grants, In-Kind Services and Facility Improvements
 Expenditures: \$5,000 Matching Program Contribution (3.4%)
 Budgeted: \$5,000 (Account No.: 104071-6099)
Recommended Action: It is recommended that the City Council:
- 1) Approve an agreement with the Muckenthaler Cultural Center to use Kraemer Memorial Park and the Teen Center for arts programs
 - 2) Authorize the City Administrator, or his designee, to execute all applicable documents, in a form approved by the City Attorney
- (Item pulled)**
- j. **Approval of Memorandum of Understanding between the City and the Placentia Police Officers Association**
Fiscal Impact: Expense: \$9,000 Estimated in Fiscal Year 2014-15
Recommended Action: It is recommended that the City Council:

- 1) Approve the proposed Memorandum of Understanding with the Placentia Police Officers Association
- 2) Authorize the Director of Administrative Services and Finance Services Manager to sign the document on behalf of the City Council and City Administrator

(5-0, as recommended)

k. **Adoption of Resolution Authorizing Temporary Suspension of Regulatory Ordinance Section 10.28.010 to Facilitate the Placentia Founders Society Special Event Scheduled for Sunday, December 7, 2014**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve Resolution No. R-2014-60, A Resolution of the City Council of the City of Placentia, California, authorizing the temporary suspension of regulatory Ordinance Section 10.28.010 of the Placentia Municipal Code to facilitate the Placentia Founders Society special event scheduled for December 7, 2014

(5-0, as recommended)

l. **Adoption of Resolution Authorizing Temporary Suspension of Regulatory Ordinance Sections 23.76.050 and 10.28.010 for the Operation of the Las Posadas and Tamale Festival Scheduled for Wednesday, December 10, 2014**

Fiscal Impact: Expense: \$8,500 (Estimated)

Revenue: \$8,500 (Reimbursement from Placita Santa Fe Merchants)

Recommended Action: It is recommended that the City Council:

- 1) Provide approval for the Placita Santa Fe Merchants Association to hold the Las Posadas and Tamale Festival on December 10, 2014, contingent upon the Merchants Association continuing to work with City Staff to obtain all appropriate permits, and insurance; and agreeing to follow all City regulations for the event and reimburse the City for all event costs
- 2) Adopt Resolution No. R-2014-61, A Resolution of the City Council of the City of Placentia, California, authorizing the Temporary Suspension of Regulatory Ordinance Sections 23.76.050 and 10.28.010 of the Placentia Municipal Code for the operation of the Las Posadas and Tamale Festival on December 10, 2014 on the 100 and 200 Blocks of Santa Fe Avenue and the 200 Block of Bradford Avenue

(5-0, as recommended)

m. **Approval of Plans and Specifications and Award of Contract to CHI Construction for the Public Alley Way and Related Improvements**

Fiscal Impact: Expense: \$108,244.50 for Construction Services

Offsetting Revenue: \$108,244.50 Gas Tax

Budgeted: \$108,244.50 (Account No.: 333552-6185 J/L 61132)

Recommended Action: It is recommended that the City Council:

- 1) Approve plans and specifications prepared by Willdan Engineering dated August 6, 2014, for Public Alley Way and Placentia Parking Lot, 235 South Bradford Avenue Project
- 2) Accept the proposal submitted by CHI Construction, the lowest responsive and responsible bidder, in the amount of \$94,125.65, and award them a construction contract
- 3) Reject all other bids
- 4) Adopt Resolution No. R-2014-62, A Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2014-15 in the aggregate amount of \$108,244.50 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures
- 5) Authorize the City Administrator to execute documents on behalf of the City, in a form approved by the City Attorney
- 6) Authorize the City Administrator, or his designee, to approve construction change orders pursuant to the requirements set forth in the construction contract in an aggregate amount not-to-exceed \$14,118.85 (15% of the project construction contract amount)

(5-0, as recommended)

n. **Purchase of CrafcO Crack Sealer**

Fiscal Impact: Expense: \$30,417.29

Budgeted: \$30,419.29 Gas Tax Funds (Account No.: 173552-6840)

Recommended Action: It is recommended that the City Council:

- 1) Approve the purchase of a Crack Sealer from CrafcO in the amount of \$30,417.29
- 2) Adopt Resolution No. R-2014-63, A Resolution of the City Council of the City of Placentia, authorizing a budget amendment in Fiscal Year 2014-15 in the aggregate amount \$30,417.29 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures

(5-0, as recommended)

o. **Award of Contract for Street Sweeping Services**

Fiscal Impact: Expense: \$178,686.03

Offsetting Revenue: \$178,868.03

Budgeted: \$178,868.03 (Account No.: 374387-6099)

Recommended Action: It is recommended that the City Council:

- 1) Award a contract for street sweeping services to Athens Services, in an annual amount not-to-exceed \$178,868.03 for an initial three (3) year term with two (2) additional one (1) year extensions at the discretion of the City Administrator
- 2) Authorize the City Administrator to execute contract documents on behalf of the City, in a form approved by the City Attorney

(5-0, as recommended)

Councilmember Yamaguchi inquired about language on the agreement that allow City Administrator to extend the contract. He requested for additional extensions to be brought before Council for approval versus the City Administrator.

Councilmember Wanke noted that he is in favor of approving and awarding the contract to Athens Services for Street Sweeping Services.

Mayor Nelson commented that the City Administrator's discretion is up to \$25,000 and inquired about the approval from Council for an extension based on the amount.

Acting City Administrator Arrula replied that it is typically tied to an operations perspective, and it's at the discretion of the Council should they choose to modify the recommendation to have extensions come back to Council for review and approval.

A motion was made by Councilmember Wanke, seconded by Councilmember Yamaguchi and carried a (5-0) to Award a contract for street sweeping services to Athens Services, in an annual amount not-to-exceed \$178,868.03 for an initial three (3) year term with two (2) additional one (1) year extensions at the discretion of the City Council; and Authorize the City Administrator to execute contract documents on behalf of the City, in a form approved by the City Attorney.

p. **Budget Amendment- Asset Forfeiture Funds and Authorization to Purchase Equipment**

Fiscal Impact: \$12,000 Expenditure of Asset Forfeiture Funds to Purchase Equipment (Account No.: 213041-6840) Fiscal Year 2014-15

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2014-64, A Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2014-15 in the aggregate amount of \$12,000 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures
- 2) Authorize the purchase of equipment and related peripheral installation with Asset Forfeiture Funds in an amount not-to-exceed \$12,000
- 3) Authorize the City Administrator, or his designee, to execute all necessary documents to effectuate these actions

(5-0, as recommended)

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: None

SUCCESSOR AGENCY NEW BUSINESS:

a. **Recognized Obligation Payment Schedule Covering January 1, 2015 to June 30, 2015 (ROPS 14-15B)**

Financial Impact: Expenditures: RPTTF \$1,205,573 ACA \$27,950

Recommended Action: It is recommended that the City Council:

- 1) Approve Resolution No. RSA-2014-04, A Resolution of the City Council of the City of Placentia, California, Acting as the Successor Agency to the Redevelopment Agency of the City of Placentia, approving and adopting the Recognized Payment Obligation Schedule for the period covering January 1, 2015 to June 30, 2015 (ROPS 14-15B)

(5-0, as recommended)

Acting City Administrator Arrula provided a brief overview on item 4.a.regarding the Recognized Obligation Schedule covering January 1, 2015 to June 30, 2015 (ROPS 14-15B).

A motion was made by Councilmember Yamaguchi, seconded by Councilmember Underhill and carried a (5-0) to Approve Resolution No. RSA-2014-04, A Resolution of the City Council of the City of Placentia, California, Acting as the Successor Agency to the Redevelopment Agency of the City of Placentia, approving and adopting the Recognized Payment Obligation Schedule for the period covering January 1, 2015 to June 30, 2015 (ROPS 14-15B).

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Councilmember Yamaguchi requested that Council continue discussion on community involvement in the budget process for the next fiscal year.

Councilmember Wanke requested that the City Administrator's Office ensure that City Staff perform their duties during the election season, specifically following rules regarding signs.

Acting City Administrator Arrula noted that Code Enforcement has been informed to respect signs that are private property.

Councilmember Wanke requested that Council be given, in advance, upcoming agenda items for the future Council meetings.

Acting City Administrator Arrula noted that Staff will look into placing an agenda forecast on the agenda.

ADJOURNMENT:

The City Council/Successor Agency/ICDA Agency Board of Directors adjourned at 8:48 p.m. to October 7, 2014 at 5:30 p.m.

SCOTT W. NELSON
MAYOR/AGENCY CHAIR

ATTEST:

PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY

**PLACENTIA CITY COUNCIL
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES – EXECUTIVE SESSION
October 7, 2014
5:30 P.M. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Mayor/Board Chair Nelson called meeting to order at 5:39 p.m.

ROLL CALL:

PRESENT: Councilmember/Board Member Underhill, Wanke, Aguirre, Nelson
ABSENT: Yamaguchi

ORAL COMMUNICATIONS:

CITY COUNCIL:

1. Pursuant to Government Code Section 54956.9(d)(1) for Conference with Legal Counsel Regarding Existing Litigation – One (1) Item
Name of Case: OCFA & City of Irvine v. All Persons; OCSC Case No. 30-2013-00694527-CU-MC-CJC
2. Pursuant to Government Code Section 54956.9(d)(2) for Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Item
3. Pursuant to Government Code Section 54956.9(d)(4) for Conference with Legal Counsel Regarding the Initiation of Litigation – Two (2) Items
4. Pursuant to Government Code Section 54957.6 Conference with City Labor Negotiator Concerning Labor Negotiations with the following group:
 - a. Placentia City Employees Association (PCEA)
City Representatives: Troy L. Butzlaff, City Administrator
Steve Pischel, Dir. Administrative Services
5. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:
 - a. Property: 307 Baker Street APN: 339-392-14, 15
City Negotiator: Troy L. Butzlaff, City Administrator
Negotiating Parties: Wes Larmore, Domus Development
Under Negotiations: Price and Terms of Payment
 - b. Property: 207-209 W. Crowther Ave APN: 339-402-05; 07; 08; 11
City Negotiator: Troy L. Butzlaff, City Administrator
Negotiating Parties: Patrick Helgeson, Newport Equities
Under Negotiations: Price and Terms of Payment

6. Pursuant to Government Code Section 54957(b)(1) for Performance Evaluation of Employee:

a. City Attorney

SUCCESSOR AGENCY: None

ICDA:

1. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:

a. Property: 380 S. Placentia Avenue APN: 339-441-02
City Negotiator: Troy L. Butzlaff, Executive Director
Negotiating Parties: Larry West, Partner, Premier Automotive
Under Negotiations: Price and Terms of Payment

2. Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator:

a. Property: 120 S. Bradford APN: 339-052-23
ICDA Negotiator: Troy L. Butzlaff, Executive Director
Negotiating Parties: John Jackson, Director of Center for Entrepreneurship, Cal State University at Fullerton
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.

ROLL CALL:

PRESENT: Councilmember/Board Member Underhill, Wanke, Aguirre, Nelson
ABSENT: Yamaguchi

STAFF PRESENT: City Clerk, Patrick Melia; City Administrator/Executive Director, Troy L. Butzlaff; City Attorney/Agency Counsel, Andrew V. Arczynski; Assistant City Administrator, Damien R. Arrula; Director of Administrative Services, Steve Pischel; Director of Community Services, Jonathan K. Nicks; Chief Financial Officer, Linda G. Magnuson; Acting Police Chief, Ward Smith; Finance Manager, Michael Nguyen; Public Works Manager, Michael McConaha; Deputy City Clerk, Amy Diaz; Management Analyst Maggie Le

INVOCATION: Acting Chief of Police Smith

PLEDGE OF ALLEGIANCE: Councilmember Wanke

PRESENTATIONS:

a. **Proclamation – Freedom from Workplace Bullies Week of October 19th-25th**
Recipients: Michelle Smith and Carrie Clark, Co-founders
Presenters: Mayor Nelson and City Administrator Butzlaff

City Administrator Butzlaff provided a brief narrative of Freedom for Workplace Bullies. He noted that the California Workplace Advocate Group was unable to attend the meeting tonight and Staff would mail out the proclamation.

Mayor Nelson proclaimed the week of October 19th-25th as Freedom from Workplace Bullies Week.

b. Proclamation – World Habitat Day October 6, 2014

Recipient: Gladys Hernandez, Habitat for Humanity of Orange County

Presenters: Mayor Nelson and City Administrator Butzlaff

City Administrator Butzlaff provided a brief narrative of World Habitat Day and introduced Senior Vice President, Mark Grundo.

Senior Vice President Grundo gave a brief narrative of Habitat for Humanity. He stated that there are currently 1.6 billion people around the world without adequate shelter and that Habitat for Humanity International has been providing the opportunity for people to own their own homes with low income loans.

Mayor Nelson proclaimed October 6, 2014 as World's Habitat Day. He provided a proclamation to Senior Vice President Grundo.

c. Proclamation – Native American Heritage Month for November

Recipient: Nathan K. Banda, Four Directions Foundation

Presenters: Mayor Nelson and City Administrator Butzlaff

City Administrator Butzlaff provided a brief narrative of Native American Heritage Month. He noted that the proclamation will be mailed out to the Four Directions Foundation.

Mayor Nelson proclaimed the month of November as Native American Heritage Month.

d. Presentation – Orange County Vector Control West Nile Virus Update

Presenter: Cynthia Ross, Orange County Vector Control Representative

City Administrator Butzlaff requested for Councilmember Underhill to provide a brief summary on the Orange County Vector control presentation.

Councilmember Underhill provided a brief overview of the presentation and noted the high risk of getting sick with the West Nile Virus in Orange County.

Councilmember Underhill introduced the Orange County Vector Control District (OCVCD) Representative, Cynthia Ross.

OCVCD Representative Ross provided a PowerPoint presentation regarding the West Nile Virus. She noted that Orange County has up to 183 human cases of the West Nile Virus, with 3 human cases in the City of Placentia. She noted that the West Nile Virus is a debilitating disease and can leave permanent damage and there are 4 reportable deaths in Orange County. She stated that the Orange County Vector Control is asking the public to "Dump and Drain", avoid runoff by avoiding water lawns and washing vehicles, make sure

all windows and doors screens are in good repair, wear mosquito repellent when outdoors, and Contact the Orange County Vector Control District to report dead birds.

Discussed ensued between City Council and OCVCD Representative Ross. They discussed West Nile Virus Symptoms, and the type of mosquitoes that reside in Orange County.

City Council thanked OCVCD Representative Ross for the presentation.

- e. Citizens of the Year Recognition
Recipients: Brian Yamaguchi and Peggie Yamaguchi
Presenters: Mayor Nelson and Dwayne DeRose, President of Chamber of Commerce

City Administrator Butzlaff introduced President of Chamber of Commerce, Dwayne DeRose and Citizens of the Year Brian Yamaguchi and Peggie Yamaguchi.

Chamber of Commerce President DeRose announced and congratulated the Chamber of Commerce Citizens of the Year Brian and Peggie Yamaguchi. He provided as brief overview of all their involvement with the City and the positive impact they have had over the community.

Mayor Nelson noted the enormous amount of work the Brian and Peggie Yamaguchi have put into the community.

Mayor Nelson and Dwayne DeRose presented Certificates of Recognition to Brian Yamaguchi and Peggie Yamaguchi.

Peggie Yamaguchi thanked the Police Explorers.

Brian Yamaguchi thanked the Placentia Chamber of Commerce and the Placentia Police Explorers.

EXECUTIVE SESSION REPORT:

City Attorney/Agency Counsel Arczynski reported the Council/Agency met in Executive Session to discuss items listed on the agenda. He noted there were no reportable actions for Executive Session that evening.

CITY ADMINISTRATOR REPORT:

City Administrator Butzlaff announced that the City is currently working on updating its General Plan. He noted that the City is seeking input from the public regarding the General Plan and advised the community to visit the City's website and complete a survey. He noted that the survey will also be available at the Famers Market. He announced that the 50th Annual Heritage Festival and Parade that will take place this Saturday, October 11th at 6:30 a.m. He announces that the City will be participating in the Great California Shakeout on October 16th at 10:16 a.m. He noted that Staff has added a Tentative Agenda Forecast on the City Council agenda.

ORAL COMMUNICATIONS:

Jeff Buchanan, resident, expressed his concerns regarding Closed Session meeting items. He noted that he has not find anything in an open forum minutes discussing contracts for the City Attorney or City Administrator. He gave a brief overview of the San Diego Union vs. City of San Diego case and provided Council with a copy of the case. He requested for

Center for a Business Workshop. She noted that it will be held at the Backs Community Building from 6:00 p.m. to 9:00 p.m. She noted that the City will be putting together a branding component and will be conducting one-on-one sessions with selected stake holders in the community on October 14th and October 16th, and On October 15th there will be a Community Input Workshop in the Community Room at City Hall.

City Administrator Butzlaff announced that on October 15th the City invites residents to share their thoughts are the best characteristics and attributes, top selling points that the City should be using as a marketing material to contract business opportunities.

Mayor Nelson recognized and thanked Management Analyst Le for putting a tremendous amount of work into our Economic Development Committee. Mayor Nelson also recognized Chamber of Commerce President DeRose for his work within the Chamber of Commerce.

Mayor Nelson requested clarification from the City Attorney Arczynski regarding Council's authority with employment for the City Attorney and City Administrator, and how to distinguish between a subcontractor and an employee.

City Attorney Arczynski noted that the Government Code states the purposes of closed session performance evaluation, an independent contractor who functions as an employee or officer is governed by that and its permissible to have a closed session item for a performance evaluation.

Councilmember Wanke requested for Staff to provide an audit for the funds in the Community Facilities District. He noted that Staff has provided a portion of the information he requested and received an accounting of the way surplus funds have been used from 2008 to present.

Mayor Nelson requested for City Administrator Butzlaff to invite the Bond Council to discuss this particular item and to schedule a Study Session.

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

A motion was made by Mayor Pro Tem Aguirre, seconded by Councilmember Underhill to approve Consent Calendar Nos. 1.a. through 1.h. Councilmember Wanke pulled Item 1.i. for separate discussion.

COUNCIL/SUCCESSOR AGENCY/ICDA CONSENT CALENDAR:

- a. Consideration to Waive Reading in Full of all Ordinances and Resolutions
Fiscal Impact: None
Recommended Action: Approve
(4-0, Councilmember Yamaguchi absent)
- b. Minutes
City Council/Successor/ICDA Regular Meetings - June 17, 2014
Recommended Action: Approve
(4-0), Councilmember Yamaguchi absent)
- c. City Fiscal Year 2014-15 Check Register for October 7, 2014
Fiscal Impact: \$2,317,012.96
Recommended Action: It is recommended that the City Council:
1) Receive and file
(4-0, Councilmember Yamaguchi absent)

COUNCIL CONSENT CALENDAR:

d. **Integrated Law & Justice Agency for Orange County Governance Document Amendments and New Member Approval to Existing JPA**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve the addition of the California State University Fullerton on behalf of their Police Department, as a new Member of the Integrated Law & Justice Agency for Orange County JPA
- 2) Approve the recommended amendments to the Governance Document of the Integrated Law & Justice Agency for Orange County JPA
- 3) Direct the City Clerk to provide a minute order to the Integrated Law & Justice Agency for Orange County Recording Secretary confirming the Council's action

(4-0, Councilmember Yamaguchi absent)

e. **Acceptance of Construction Work and Filing Notice of Completion for the Richfield Road Widening Project**

Fiscal Impact: Expense: \$404,255

Offsetting Revenue: \$350,000 OCTA Cooperative Agreement Funds and \$186,030 City Matching Funds

Budgeted: \$404,255 (Account No.: 333552-6185 J/L 61020)

Recommended Action: It is recommended that the City Council:

- 1) Approve Change Order No. 1 to the Bali Contract in the amount of \$61,756, which is \$32,725 over the original contingency amount, and authorize City Administrator to execute the change order
- 2) Accept the work performed by Bali Construction, Inc., for construction of the Richfield Road Widening and RC Box Culvert Extension Project in the total amount of \$384,325
- 3) Authorize the City Engineer to file a Notice of Completion with the Orange County Clerk Recorder's Office for the Project; and
- 4) Authorize the City Engineer to release retention funds in accordance with the terms of the Bali Contract
- 5) Approve and authorize the City Administrator to execute Agreement Amendment No. 1 with Onward Engineering for additional Construction Management & Inspection Services, in the amount of \$19,930

(4-0, Councilmember Yamaguchi absent)

f. **Recommendation to Approve Amendment No. 3 to Cooperative Agreement No. C-2-1330 between Orange County Transportation Authority and the City of Placentia for the Richfield Road Widening Project**

Fiscal Impact: Expense: \$397,000 for Professional and Construction Services

Offsetting Revenue: \$377,000 OCTA, \$20,000 City of Yorba Linda

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 3 to Cooperative Agreement No. C-2-1330 between the City of Placentia and the Orange County Transportation Authority for the Richfield Road Widening Project
- 2) Authorize the Mayor to execute Amendment No. 3 to Cooperative Agreement No. C-2-1330 on behalf of the City

(4-0, Councilmember Yamaguchi absent)

g. **Approval of Memorandum of Understanding between the City and the Placentia City Employees Association**

Fiscal Impact: Expense: \$6,700 estimated in Fiscal Year 2014-15

Recommended Action: It is recommended that the City Council:

- 1) Approve the proposed Memorandum of Understanding with the Placentia City Employees Association
- 2) Authorize the Director of Administrative Services and Finance Services Manager to sign the document on behalf of the City Council and City Administrator

(4-0, Councilmember Yamaguchi absent)

h. **Award of Contract for Official Tow Service and Issuance of Certificate of Public Convenience and Necessity**

Fiscal Impact: Expense: None

Revenue: \$32,500 per Tow Company (Annually) for Vehicle Towing Administrative Cost Recovery Fee

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2014-65, A Resolution of the City Council of the City of Placentia, California, issuing Certificates of Public Convenience and Necessity and Approving Official Tow Service Agreements
- 2) Approve the Tow Service Agreements and Exhibit "A" (Schedule of Rates) and authorize the Mayor to execute such agreements with A One Auto Body & Towing and Anaheim Fullerton Towing Company
- 3) Reject the other Request for Proposal/Statement of Qualifications submitted by the remaining tow service provider

(4-0, Councilmember Yamaguchi absent)

i. **Approve the Agreement with All City Management Services and the Letter Agreement with the Placentia-Yorba Linda Unified School District for School Crossing Guard Services**

Fiscal Impact: \$148,416 Expenditure of General Funds to provide School Crossing Guard Services (Account #103047-6099) Fiscal Year 2014-2015 Budget of which \$98,426 will be reimbursed by the Placentia-Yorba Linda Unified School District (Account #100000-4299)

Recommended Action: It is recommended that the City Council:

- 1) Approve the contract amendment with All City Management Services for an amount not to exceed \$148,416
- 2) Approve the Letter Agreement between the City of Placentia and the Placentia-Yorba Linda Unified School District

- 3) Adopt Budget Resolution No. R-2014-66, A Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2014-15 in the amount of \$98,426 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures and offsetting revenues
- 4) Authorize the City Administrator and/or his designee to execute all the necessary documents to effectuate these actions

(4-0, Councilmember Yamaguchi absent)

Councilmember Wanke noted that last year, there were sixteen (16) sites within that City that were staffed with Crossing Guards and this year only five (5) locations were being staffed, due to budget reductions. He noted that Staff has negotiated with the Placentia-Yorba Linda Unified School District to staff the additional eleven (11) locations while the City works on a Volunteer Program to supply volunteers. He requested for a report from Staff for parents and residents to understand the status of the current crossing guard issue.

City Administrator Butzlaff noted that Staff is currently in process of recruiting Volunteers. He noted that Acting Police of Chief Smith is hoping that by the end of the school year there will have a core group of parents and others to work with the City to provide volunteers within these eleven (11) locations. He noted that if there are not enough volunteers by the start of the next school year, Staff will bring this item back to Council during the budget process advising Council of options. He thanked the School District for providing the additional funding needed to provide for paid school crossing guards at the eleven locations for the remaining of this academic year.

Councilmember Wanke noted that the School District was originally going to cover \$105,000 and asked why it was slightly lower now.

City Administrator Butzlaff replied that the amount is a per location basis and based on the number of locations that the City is already paying for and the additional cost to provide for those locations, \$105,000 the remainder that is due. Councilmember Wanke thanked Staff and Police for all the work that they have done.

A motion was made by Councilmember Wanke, seconded by Councilmember Underhill, and carried (4-0, Councilmember Yamaguchi absent) to approve the contract amendment with All City Management Services for an amount not to exceed \$148,416; to approve the Letter Agreement between the City of Placentia and the Placentia-Yorba Linda Unified School District; to adopt Budget Resolution No. R-2014-66, a Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2014-15 in the amount of \$98,426 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures and offsetting revenues; and authorize the City Administrator and/or his designee to execute all the necessary documents to effectuate these actions.

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. **First Reading of an Ordinance Adding § 1.18.030 to Chapter 1.18 of the Placentia Municipal Code Relating to Competitive Design-Build Processes**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Waive full reading, reading by title only, and conduct first reading of Ordinance No. O-2014-11, an Ordinance of the City Council of the City of Placentia, California, adding a new § 1.18.130 to Chapter 1.18 of the Placentia Municipal Code relating to Design-Build Alternate Methods

(4-0, Councilmember Yamaguchi absent)

City Administrator Butzlaff requested for City Attorney Arczynski to provide an overview of the item 4.a. relating to Competitive Design-Build.

City Attorney Arczynski noted that Council directed Staff to carefully analyze the provisions of the City Charter in so far as it permitted the use of various design-build for public works projects. He noted that Staff is recommending to approve an amendment to the existing design-build ordinance which will allow the City to better facilitate the impact of the City Charter by permitting Staff to take advantage of new approaches to the construction of various public works projects. He noted that the document amends the existing ordinance by providing a dollar amount for the amount of money that can be spent on a project and also provides that there should be a four fifths (4/5) vote of the City Council for utilizing this best value procedure.

A motion was made by Councilmember Wanke, seconded by Councilmember Underhill, and carried a (4-0, Councilmember Yamaguchi absent) to waive full reading, reading by title only, and conduct first reading of Ordinance No. O-2014-11, an Ordinance of the City Council of the City of Placentia, California, adding a new § 1.18.130 to Chapter 1.18 of the Placentia Municipal Code relating to Design-Build Alternate Methods.

- b. **Retail Gap Analysis Study Presentation**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

1) Receive and file.

(4-0, Councilmember Yamaguchi absent)

City Administrator Butzlaff introduced Assistant City Administrator Arrula.

Assistant City Administrator Arrula provided a brief overview on item 4.b, Retail Gap Analysis and introduced CBRE, Inc. Representatives Scott Kaplan and Erik Westedt.

CBRE Representative Kaplan noted that their presentation will go over necessary steps on to create a better the retail environment on the City of Placentia's borders. He began his PowerPoint Presentation with slides including: CBRE Consumer Profiling Approach on Trade Area, and Trade Area Statistics. He noted that the drive time covered the extent of the city and the retails on the city borders, including the mall and retail along Imperial Boulevard to give them an idea what retail and restaurants should be focused on. He noted that the demographics are comparable as far as the education level, age, growth rate and income.

He continued the PowerPoint presentation with the slides including: Placentia-Income & Population Density, Placentia-Asian Population, Placentia-Hispanic Population, and Placentia-Caucasian Population and Area Retail and OC Retail. He noted that the displays the demographics of the City based on the 2014 Median Household Income and 2014 Population Density. He noted that the Asian Population is 20%, Hispanic Population is evenly throughout the City with larger density towards the south, Caucasian being 50% and above.

He continued the PowerPoint presentation with slides including: Gap Analysis and Gap Report. He noted that the Gap Report shows the full description of the analysis and how it is done. He continued his presentation with the following slide: Key Findings. He noted that there currently is a \$200 million dollar gap that is not being fulfilled within the city borders that the residents on a statistical basis spend on services elsewhere. He noted that the major void is within grocery stores and the reason most close is not a result of the need for the store but rather the operator.

CBRE representative Westedt provided several examples of poor operators with good brands.

CBRE representative Kaplan noted that within the ten-minute drive, they found that there is a need for \$115 million of food and beverage services.

CBRE representative Kaplan continued the PowerPoint presentation with the slide including: Gap Report. He noted that the numbers in black are where the opportunity is, which reflects the areas where the city is being underserved and the numbers in red reflect the amount of people that come into the City of Placentia to shop versus the number of residents that shop within the City of Placentia.

City Administrator Butzlaff clarified that the \$81 million in surplus for Motor Vehicles and Parts Dealers because we have more people coming into the City to purchase vehicles versus our own residents.

CBRE representative Kaplan continued the PowerPoint presentation with the slide including: Retail Strategy. He noted that based upon their overall analysis, they have narrowed it down to five (5) recommendations of areas to focus on to achieve the best results. He noted that one of the areas is the intersection of Rose Drive and Alta Vista, specifically the southeast corner.

CBRE representative Westedt provided an example from the City of Claremont on Auto Center Drive, one of their biggest challenges were that 50% percent of their sales tax revenue was coming from automobile sales.

Mayor Nelson requested clarification on poor operators.

CBRE representative Westedt noted that most people go to multiple stores to purchase their different items and that is currently the pattern across the United States that placed a lot of pressure on major grocery's and forced them to change their format.

CBRE representative Kaplan mentioned that the other shopping center location would be on the corner of Placentia Avenue and Bastanchury Road.

Councilmember Wanke inquired what type of grocery store would be placed in that location that would be a long term positive impact.

CBRE representative Kaplan replied that one option could be Sprouts.

CBRE representative Westedt said that all retailers are concerned about operational efficiencies. He noted that health ratio is their sales divided by their occupancy costs and in the grocery business their margins are very thin.

CBRE representative Kaplan noted that the other shopping center location would be on the corner of Rose Drive and Yorba Linda Boulevard. He noted that one option was to combine the Big Lots Center and redevelop it with the Car dealership behind it.

Mayor Nelson noted that placing a business, such as Orchard Supply, at Placentia Avenue and Bastanchury Road could be an option that might work.

CBRE representative Westedt mentioned that they would meet with a retailer to get them into the City.

CBRE representative Kaplan continued the PowerPoint presentation with the slide including: Taxes.

Assistant City Administrator Arrula, noted that the slide for Taxes shows how the portfolio can be diverse.

CBRE representative Westedt noted that they are currently working with Council and Staff on the five (5) most important Economic interests in the City.

CBRE representative Kaplan continued the PowerPoint presentation with the slide including: Vacancy Report. He noted that the vacancy within the City is eight (8) percent, which is overall low.

Mayor Nelson provided an example of the shopping center located at Kraemer and Yorba Linda Boulevard and explained that the City had issues with the landlord at that shopping center. He inquired how the brokers address these problems.

CBRE representative Kaplan continued the PowerPoint presentation with the slide including: Study Area Map. He noted that one of their recommendations is to bring back Downtown Placentia and to install 200 parking stalls within a close proximity in the Downtown area.

Councilmember Wanke inquired will the traffic flow in the Downtown area be an issue for restaurants.

CBRE representative Kaplan stated that they believe that the current traffic flow is adequate.

Assistant City Administrator Arrula noted that Staff will be conducting an Old Town Santa Fe District Revitalization Plan as a separate work element and that there will be a discussion of traffic study for standards in that area.

Councilmember Wanke noted that most downtowns have natural through traffic flows such as Fullerton, Brea and Orange. He inquired how CBRE foresees that impacting the downtown area.

CBRE representative Kaplan answered that people will still come to downtown area. He continued the PowerPoint presentation with the slide including: Commercial Retail Centers Data. He noted that the summary slide shows that within our retail centers, forty-five (45) percent are non-tax generating and fifteen (15) percent are vacant.

Assistant City Administrator Arrula requested if CBRE representative Westedt to briefly mention what the common benchmark in terms of service base versus retail base in a retail center.

CBRE representative Westedt noted that they would typically review the average square footage of the center, and roughly fifteen or twenty percent would be non-taxable. He noted opportunities the City has such as a solid upper middle class demographics and a great trade area. He noted that the weaknesses are that there is not a great day time population. He noted the void in sales is large and parking should be increased to help revitalize the Downtown and the quantity of non-retail restaurants in retail shopping centers should be carefully looked at.

Mayor Nelson requested a Study Session for the Retail Gap Analysis Study Presentation.

City Administrator Butzlaff noted that there will be a number of opportunities where the City will have CBRE Representative's Kaplan and Westedt return to present additional information.

A motion was made by Councilmember Underhill, seconded by Councilmember Wanke, and carried (4-0, Councilmember Yamaguchi absent) to receive and file the Retail Gap Analysis Study.

SUCCESSOR AGENCY NEW BUSINESS: None

ICDA NEW BUSINESS: None

CITY COUNCIL/BOARD MEMBERS REQUESTS:

Councilmember Wanke requested for reports, such as the Retail Gap Analysis report, can be provided to Council in advance to the meeting for review. He thanked Staff for the Tentative Agenda Forecast on the agenda.

ADJOURNMENT:

The City Council/Successor Agency/ICDA Agency Board of Directors adjourned at 9:22 p.m. to October 21, 2014 at 5:30 p.m. in memory of Jose Guadalupe Felipe.

SCOTT W. NELSON
MAYOR/AGENCY CHAIR

ATTEST:

PATRICK J. MELIA, CITY CLERK/AGENCY
SECRETARY

City of Placentia
Check Register

For 10/21/2014

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount Invoice#	PO #	Check #	Check Date
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Check Totals by ID	
AP	552,690.73
EP	8,028.02
IP	0.00
OP	0.00

Fund Name	Check Totals by Fund
101-General Fund (0010)	266,063.41
208-Secssr Agency Ret Oblg (0054)	6,268.65
225-Asset Seizure (0021)	12,606.92
265-Landscape Maintenance (0029)	49,223.97
275-Sewer Maintenance (0048)	8,786.86
280-Misc Grants Fund (0050)	331.06
401-City Capital Projects (0033)	14,057.92
501-Refuse Administration (0037)	28,291.47
601-Employee Health & Wfire (0039)	138,879.87
605-Risk Management (0040)	1,770.33
615-Information Technology (0042)	11,615.81
701-Special Deposits (0044)	21,522.48
715-Community Fac District (0047)	1,300.00

Void Total: 0.00
Check Total: 560,718.75

LEGEND	
EP	Electronic Payment
MW IP	Machine Written (Immediate Pay)
MW OH	Machine Written (Open Hold)
RV	Reversed Check

Check Total: 560,718.75

1.c.
October 21, 2014

*Reversed & approved
Approved by [Signature]*

City of Placentia
Check Register
For 10/16/2014

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
MW OH	ABBOT, JEFF V006201	HERITAGE ENTERTAINMENT	0044-2067 Heritage Committee	TK100214	495.00	092914		00085336	10/02/2014
				Check Total:	495.00				
MW OH	ADAMSON POLICE V007539	BODY ARMOR-RODGERS	103041-6360 / 50142-6360 Uniforms	TK100214	729.00	INV151482	P10302	00085337	10/02/2014
MW OH	ADAMSON POLICE V007539	BODY ARMOR-PD PERSONNEL	103041-6360 / 50040-6360 Uniforms	TK100214	4,374.01	INV151482	P10302	00085337	10/02/2014
MW OH	ADAMSON POLICE V007539	BODY ARMOR-DETECTIVES	103042-6360 / 50072-6360 Uniforms	TK100214	1,458.00	INV151482	P10302	00085337	10/02/2014
				Check Total:	6,561.01				
MW OH	ANTHEM LIFE INSURANCE V000046	OPTIONAL LIFE INSURANCE	0010-2186 Optional Life Insurance	TK100214	5.00	100114A		00085338	10/02/2014
				Check Total:	5.00				
MW OH	ATHENS SERVICES V006622	JULY STREET SWEEPING SVS	374387-6099 Other Professional Services	TK100214	15,717.98	PL03899190714	P10428	00085339	10/02/2014
				Check Total:	15,717.98				
MW OH	BCSRA V007687	JULY-AUG OFFICIATING	104071-6275 / 79105-6275 Officiating	TK100214	84.00	44		00085340	10/02/2014
				Check Total:	84.00				
MW OH	BLAIS & ASSOCIATES V008128	AUG GRANT MGMT SVS	101511-6290 Dept. Contract Services	TK100214	250.00	08-2014-PL1		00085341	10/02/2014
				Check Total:	250.00				
MW OH	BREA TROPHY AND V004181	PARADE TROPHIES	0044-2067 Heritage Committee	TK100214	1,616.22	2959		00085342	10/02/2014
MW OH	BREA TROPHY AND V004181	BAND REVIEW TROPHIES	0044-2067 Heritage Committee	TK100214	2,269.57	2960		00085342	10/02/2014
				Check Total:	3,885.79				
MW OH	CALIFORNIA PUBLIC V006234	OCT MEDICAL PREMIUMS	395000-4715 ISF Health Ins Reimbursement	TK100214	112,644.39	10000001437777		00085343	10/02/2014

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MW OH	CALIFORNIA PUBLIC V006234	OCT MEDICAL PREMIUMS	395083-5161 Health Insurance Premiums	TK100214	12,903.08 10000001437777		00085343	10/02/2014
				Check Total:	125,547.47			
MW OH	CARDENAS, JOEL V002648	OCT MONTHLY EXPENSES	103650-5001 Salaries/Full-Time Regular	TK100214	50.00 OCTOBER 14		00085344	10/02/2014
				Check Total:	50.00			
MW OH	CARL WARREN & CO V008011	SEPT 3RD PARTY LIABILITY	404582-6025 Third Party Administration	TK100214	1,541.66 1622788	P10364	00085345	10/02/2014
				Check Total:	1,541.66			
MW OH	CARLSON, DALE V006502	HERITAGE ENTERTAINMENT	0044-2067 Heritage Committee	TK100214	300.00 092914		00085346	10/02/2014
				Check Total:	300.00			
MW OH	CARTER, CARLOS V006511	HERITAGE DJ SERVICES	0044-2067 Heritage Committee	TK100214	475.00 501		00085347	10/02/2014
				Check Total:	475.00			
MW OH	CDW GOVERNMENT INC V003755	PLANNING COMMISSION IPADS	421523-6840 Machinery & Equipment	TK100214	1,431.60 PQ71236		00085348	10/02/2014
				Check Total:	1,431.60			
MW OH	CITY OF BREA V000125	PRINTING SERVICES	102534-6225 Advertising/Promotional	TK100214	52.82 6-1947		00085349	10/02/2014
				Check Total:	52.82			
MW OH	COUNTY OF ORANGE V007152	SEPT SHARED AFIS COSTS	103040-6290 Dept. Contract Services	TK100214	1,417.35 SH37231	P10382	00085350	10/02/2014
				Check Total:	1,417.35			
MW OH	DE LA PAZ, SHARLYN V009396	OCT MONTHLY EXPENSES	103040-5001 Salaries/Full-Time Regular	TK100214	50.00 OCTOBER 14		00085351	10/02/2014
				Check Total:	50.00			
MW OH	DE LA TORRE, EDUARDO V003527	OCT MONTHLY EXPENSES	101511-5001 Salaries/Full-Time Regular	TK100214	5.00 OCTOBER 14		00085352	10/02/2014
				Check Total:	5.00			

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MW OH	DE LA TORRE, EDUARDO V003527	OCT MONTHLY EXPENSES	101514-5001 Salaries/Full-Time Regular	TK100214	20.00	OCTOBER 14		00085352	10/02/2014
MW OH	DE LA TORRE, EDUARDO V003527	OCT MONTHLY EXPENSES	374386-5001 Salaries/Full-Time Regular	TK100214	25.00	OCTOBER 14		00085352	10/02/2014
			Check Total:		50.00				
MW OH	DIAZ, AMY V009453	OCT MONTHLY EXPENSES	101002-5001 Salaries/Full-Time Regular	TK100214	25.00	OCTOBER 14		00085353	10/02/2014
MW OH	DIAZ, AMY V009453	OCT MONTHLY EXPENSES	101513-5001 Salaries/Full-Time Regular	TK100214	25.00	OCTOBER 14		00085353	10/02/2014
			Check Total:		50.00				
MW OH	DUDEK & ASSOCIATES INC V004114	JULY ENGINEERING SVS	484376-6120 R & M/Sewer & Storm Drain	TK100214	2,465.00	20143789	P10355	00085354	10/02/2014
			Check Total:		2,465.00				
MW OH	FAIRWAY FORD V000376	VEHICLE REPAIRS	103658-6134 Vehicle Repair & Maintenance	TK100214	1,514.80	201455		00085355	10/02/2014
			Check Total:		1,514.80				
MW OH	FENSTERMAKER, DANIEL V005067	SEPT MEDIA SERVICES	441573-6099 Other Professional Services	TK100214	4,149.92	PLA-14-009	P10351	00085356	10/02/2014
			Check Total:		4,149.92				
MW OH	GE CAPITAL V008085	OCT COPIER LEASE-REC	109595-6175 Office Equipment Rental	TK100214	145.03	61417443	P10279	00085357	10/02/2014
MW OH	GE CAPITAL V008085	OCT COPIER LEASE-REC	374386-6175 Office Equipment Rental	TK100214	145.03	61417443	P10279	00085357	10/02/2014
MW OH	GE CAPITAL V008085	OCT COPIER LEASE-ADMIN	374386-6175 Office Equipment Rental	TK100214	164.58	61415817	P10280	00085357	10/02/2014
MW OH	GE CAPITAL V008085	OCT COPIER LEASE-ADMIN	109595-6175 Office Equipment Rental	TK100214	164.58	61415817	P10280	00085357	10/02/2014
			Check Total:		619.22				
MW OH	GOHRES, JOHANNA	EXCURSION REFUND	100000-4340	TK100214	15.00	2000301.002		00085358	10/02/2014

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	V009539		Recreation Programs						
MW OH	GOLDEN STAR TECHNOLOG V009410	ISCO PHONE EQUIPMENT	102532-6315 Office Supplies	TK100214	15.00 286.96	JAI109256		00085359	10/02/2014
MW OH	GOLDEN STAR TECHNOLOG V009410	PC REPLACEMENT BATTERY	421523-6135 Repair/Maint Off Furn & Eqp	TK100214	365.31	JAI109461		00085359	10/02/2014
MW OH	GOLDEN STAR TECHNOLOG V009410	MWARE SUPPORT/SUBSCRIPTION	421523-6136 Software Maintenance	TK100214	1,890.90	JAI109482		00085359	10/02/2014
MW OH	GOLDEN STAR TECHNOLOG V009410	ISCO PHONE EQUIPMENT	102532-6315 Office Supplies	TK100214	23.62	JAI109497		00085359	10/02/2014
MW OH	GOLDEN STATE WATER V000928	JULY-SEPT WATER CHARGES	109595-6335 Water	TK100214	2,566.79 20,072.09	100214		00085360	10/02/2014
MW OH	GOLDEN STATE WATER V000928	JULY-SEPT WATER CHARGES	296561-6335 Water	TK100214	9,536.86	100214		00085360	10/02/2014
MW OH	HENDRICKSON, ERIC V007376	OCT MONTHLY EXPENSES	102021-5001 Salaries/Full-Time Regular	TK100214	29,608.95 50.00	OCTOBER 14		00085361	10/02/2014
MW OH	HI-WAY SAFETY RENTALS V000459	STREET SIGNS	103652-6310 Street Signs	TK100214	50.00 1,815.91	21988		00085362	10/02/2014
MW OH	HOROWITZ, FREDRIC R V009536	CITY NEGOTIATIONS SVS	101005-6005 Legal Services	TK100214	1,815.91 3,000.00	4495		00085363	10/02/2014
MW OH	HOYT ROOFS INC V003476	ROOFING BOND REFUND-1021	RASHB044-2033 Construction & Demo Deposit	TK100214	3,000.00 100.00	30-14-59		00085364	10/02/2014
MW OH	HOYT ROOFS INC V003476	ROOFING BOND REFUND-407	0044-2033 Construction & Demo Deposit	TK100214	100.00	30-14-74		00085364	10/02/2014

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			Check Total:		200.00				
MW OH	HR GREEN INC V007928	AUG ENGINEERING SVS	0044-2048 / 45040-2048 Engineering Plan Check Deposit	TK100214	560.00	94321		00085365	10/02/2014
MW OH	HR GREEN INC V007928	AUG ENGINEERING SVS	0044-2048 / 45052-2048 Engineering Plan Check Deposit	TK100214	280.00	94322		00085365	10/02/2014
MW OH	HR GREEN INC V007928	AUG ENGINEERING SVS	333552-6015 / 6105615155-6015 Engineering Services	TK100214	5,506.25	94279	P10389	00085365	10/02/2014
			Check Total:		6,346.25				
MW OH	KEY GOVERNMENT FINANCING NOV PHONE SYSTEM LEASE V007864		333523-6840 / 30016-6840 Machinery & Equipment	TK100214	3,000.92	153495001411	P10273	00085366	10/02/2014
			Check Total:		3,000.92				
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS-TRAFFIC	103047-6360 Uniforms	TK100214	50.00	5411	P10324	00085367	10/02/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS-FIELD SVS	103041-6360 Uniforms	TK100214	420.03	5655	P10324	00085367	10/02/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS-FIELD SVS	103041-6360 Uniforms	TK100214	102.19	5656	P10324	00085367	10/02/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS-FIELD SVS	103041-6360 Uniforms	TK100214	58.99	5658	P10324	00085367	10/02/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS-ADMIN	103040-6360 Uniforms	TK100214	30.00	5785	P10324	00085367	10/02/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS-SUPPORT SVS	103043-6360 Uniforms	TK100214	49.67	5825	P10324	00085367	10/02/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS-FIELD SVS	103041-6360 Uniforms	TK100214	186.54	5826	P10324	00085367	10/02/2014
MW OH	KEYSTONE UNIFORMS V009178	PD UNIFORMS-FIELD SVS	103041-6360 Uniforms	TK100214	10.00	5827	P10324	00085367	10/02/2014
			Check Total:		907.42				
MW OH	KIDZ LOVE SOCCER	FALL INSTRUCTOR PAYMENT	104071-6060	TK100214	2,779.85	FALL 2014	P10435	00085368	10/02/2014

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	V008469		Instructional Services					
		Check Total:			2,779.85			
MW OH	KOSMONT COMPANIES V006131	JULY REAL ESTATE ADVISORY SVS	547525-6099 Other Professional Services	TK100214	3,814.20 0043	P10431	00085369	10/02/2014
MW OH	KOSMONT COMPANIES V006131	AUG REAL ESTATE ADVISORY SVS	547525-6099 Other Professional Services	TK100214	2,454.45 0044	P10431	00085369	10/02/2014
		Check Total:			6,268.65			
MW OH	LE-NGUYEN, MAGGIE V007345	OCT MONTHLY EXPENSES	101511-5001 Salaries/Full-Time Regular	TK100214	35.00 OCTOBER 14		00085370	10/02/2014
MW OH	LE-NGUYEN, MAGGIE V007345	OCT MONTHLY EXPENSES	102534-5001 Salaries/Full-Time Regular	TK100214	10.00 OCTOBER 14		00085370	10/02/2014
MW OH	LE-NGUYEN, MAGGIE V007345	OCT MONTHLY EXPENSES	103650-5001 Salaries/Full-Time Regular	TK100214	5.00 OCTOBER 14		00085370	10/02/2014
		Check Total:			50.00			
MW OH	MAKOWSKI, ROBERT V005712	OCT MONTHLY EXPENSES	103041-5001 Salaries/Full-Time Regular	TK100214	42.50 OCTOBER 14		00085371	10/02/2014
MW OH	MAKOWSKI, ROBERT V005712	OCT MONTHLY EXPENSES	374386-5001 Salaries/Full-Time Regular	TK100214	7.50 OCTOBER 14		00085371	10/02/2014
		Check Total:			50.00			
MW OH	MANAGED HEALTH V008122	SEPT EAP SERVICES	395083-5161 Health Insurance Premiums	TK100214	308.20 3200061771		00085372	10/02/2014
		Check Total:			308.20			
MW OH	MANAGEMENT PARTNERS V008226	9/2-11 GENERAL PALN ASSISTANCE	332531-6017 / 6108670159-6017 Special Studies	TK100214	779.58 INV01416	P10403	00085373	10/02/2014
		Check Total:			779.58			
MW OH	MARTINEZ, JOSE V009424	DEPOSIT REFUND-BACKS BLDG	100000-4385 Facility Rental	TK100214	150.00 2000308.002		00085374	10/02/2014
		Check Total:			150.00			
MW OH	MCCONAHA, MICHAEL	OCT MONTHLY EXPENSES	103550-5001	TK100214	50.00 OCTOBER 14		00085375	10/02/2014

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	V002517		Salaries/Full-Time Regular						
MW OH	NGUYEN, MICHAEL V005291	OCT MONTHLY EXPENSES	102021-5001 Salaries/Full-Time Regular	TK100214	50.00	OCTOBER 14		00085376	10/02/2014
				Check Total:	50.00				
MW OH	NIXON, CAROLE V006528	BAND REVIEW SUPPLIES	0044-2067 Heritage Committee	TK100214	132.17	093014		00085377	10/02/2014
				Check Total:	132.17				
MW OH	OFFICE INDUSTRIES V007477	RECYCLED PAPER	374386-6315 Office Supplies	TK100214	244.13	047214		00085378	10/02/2014
MW OH	OFFICE INDUSTRIES V007477	RECYCLED PAPER	374386-6315 Office Supplies	TK100214	244.13	047267		00085378	10/02/2014
MW OH	OFFICE INDUSTRIES V007477	RECYCLED PAPER	374386-6315 Office Supplies	TK100214	244.13	047326		00085378	10/02/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	102020-6315 Office Supplies	TK100214	429.13	0473311		00085378	10/02/2014
				Check Total:	1,161.52				
MW OH	ORTEGA, JEANETTE V007724	OCT MONTHLY EXPENSES	101572-5001 Salaries/Full-Time Regular	TK100214	50.00	OCTOBER 14		00085379	10/02/2014
				Check Total:	50.00				
MW OH	PATRICKS' MUSIC SCHOOL V006887	FALL INSTRUCTOR PAYMENT	104071-6060 Instructional Services	TK100214	426.40	FALL 2014		00085380	10/02/2014
				Check Total:	426.40				
MW OH	PERALTA, EDUARDO V009537	DEPOSIT REFUND-KRAEMER	100000-4385 Facility Rental	TK100214	100.00	2000313.002		00085381	10/02/2014
				Check Total:	100.00				
MW OH	PLACENTIA, CITY OF V002877	HERITAGE PETTY CASH	0044-2067 Heritage Committee	TK100214	1,300.00	092914		00085382	10/02/2014
				Check Total:	1,300.00				

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MW OH	PRINCIPAL LIFE V008141	SEPT DENTAL PREMIUMS	395000-4720 ISF Dental Ins Reimbursement	TK100214	556.64	SEPT 2014		00085383	10/02/2014
MW OH	PRINCIPAL LIFE V008141	SEPT DENTAL PREMIUMS	395083-5162 Dental Insurance Premiums	TK100214	674.24	SEPT 2014		00085383	10/02/2014
		Check Total:			1,230.88				
MW OH	RAGGED ROBIN RANCH INC/9/18 PLAN CHECK SVS V009274		0044-2048 / 45052-2048 Engineering Plan Check Deposit	TK100214	33.75	CR0925A		00085384	10/02/2014
MW OH	RAGGED ROBIN RANCH INC/9/23 RESEARCH DEV AGREEMENT V009274		0044-2048 / 45040-2048 Engineering Plan Check Deposit	TK100214	202.50	CR0925A		00085384	10/02/2014
MW OH	RAGGED ROBIN RANCH INC/9/15-25 PLANNING SERVICES V009274		102531-6290 Dept. Contract Services	TK100214	6,957.50	CR0925	P10340	00085384	10/02/2014
		Check Total:			7,193.75				
MW OH	RAMIREZ, PAULINA V009319	FALL INSTRUCTOR PAYMENT	104071-6060 Instructional Services	TK100214	120.00	FALL 2014		00085385	10/02/2014
MW OH	REESE, STACY V009331	FALL INSTRUCTOR PAYMENT	104071-6060 Instructional Services	TK100214	873.60	FALL 2014		00085386	10/02/2014
		Check Total:			873.60				
MW OH	REIMER, DEBORAH V009346	9/15-25 BLDG PERMIT TECH SVS	102532-6290 Dept. Contract Services	TK100214	2,860.00	0118	P10366	00085387	10/02/2014
		Check Total:			2,860.00				
MW OH	RELIANCE STANDARD LIFE AUG LIFE INSURANCE V008214		0010-2186 Optional Life Insurance	TK100214	487.32	AUG 14		00085388	10/02/2014
MW OH	RELIANCE STANDARD LIFE AUG LIFE INSURANCE V008214		395000-4730 ISF LTD Ins Reimbursements	TK100214	3,173.82	AUG 14		00085388	10/02/2014
MW OH	RELIANCE STANDARD LIFE AUG LIFE INSURANCE V008214		395083-5163 Life Insurance Premiums	TK100214	934.99	AUG 14		00085388	10/02/2014
MW OH	RELIANCE STANDARD LIFE AUG LIFE INSURANCE V008214		395000-4725 ISF Life Ins Reimbursements	TK100214	1,707.10	AUG 14		00085388	10/02/2014

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MW OH	RELiance STANDARD LIFE SEPT LIFE INSURANCE V008214		0010-2186 Optional Life Insurance	TK100214	487.32	SEPT 14		00085388	10/02/2014
MW OH	RELiance STANDARD LIFE SEPT LIFE INSURANCE V008214		395083-5163 Life Insurance Premiums	TK100214	934.99	SEPT 14		00085388	10/02/2014
MW OH	RELiance STANDARD LIFE SEPT LIFE INSURANCE V008214		395000-4725 ISF Life Ins Reimbursements	TK100214	1,718.60	SEPT 14		00085388	10/02/2014
MW OH	RELiance STANDARD LIFE SEPT LIFE INSURANCE V008214		395000-4730 ISF LTD Ins Reimbursements	TK100214	3,173.82	SEPT 14		00085388	10/02/2014
			Check Total:		12,617.96				
MW OH	ROOFING SERVICES V009540		ROOFING BOND REFUND-1012 HENR0044-2033 Construction & Demo Deposit	TK100214	100.00	30-14-69	P10421	00085389	10/02/2014
			Check Total:		100.00				
MW OH	SCI CONSULTING GROUP V009433		296561-6017 Special Studies	TK100214	23,387.97	C5619		00085390	10/02/2014
			Check Total:		23,387.97				
MW OH	SCSBOA V009538		PARADE BAND REVIEW JUDGE SVS 0044-2067 Heritage Committee	TK100214	2,750.00	092414	P10433	00085391	10/02/2014
			Check Total:		2,750.00				
MW OH	SHRED-IT LOS ANGELES V000905		374386-6299 Other Purchased Services	TK100214	92.74	9404173444		00085392	10/02/2014
MW OH	SHRED-IT LOS ANGELES V000905		374386-6299 Other Purchased Services	TK100214	92.74	9404237859		00085392	10/02/2014
			Check Total:		185.48				
MW OH	SIGALOS, DENNIS A. V007072		103041-6160 Facility Rental	TK100214	15,927.00	092514	P10429	00085393	10/02/2014
			Check Total:		15,927.00				
MW OH	SMITH, DONNA V001269		104071-6060 Instructional Services	TK100214	686.40	FALL 2014		00085394	10/02/2014
			Check Total:		686.40				

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MW OH	SMITH, KATHLEEN V009541	FACILITY REFUND-OBERLE	100000-4385 Facility Rental	TK100214	100.00	2000315.002		00085395	10/02/2014
MW OH	SMITH, WARD V002806	OCT MONTHLY EXPENSES	103040-5001 Salaries/Full-Time Regular	Check Total: TK100214	100.00	50.00	OCTOBER 14	00085396	10/02/2014
MW OH	SOUTHLAND BAND V001454	HERITAGE ENTERTAINMENT	0044-2067 Heritage Committee	Check Total: TK100214	50.00	800.00	092914	00085397	10/02/2014
MW OH	SPARKLETTTS V000967	SEPT WATER DELIVERY	109595-6301 Special Department Supplies	Check Total: TK100214	800.00	107.27	4106122 091714	00085398	10/02/2014
MW OH	STITH PRINTING V008626	CAR SHOW T-SHIRTS	0044-2067 Heritage Committee	Check Total: TK100214	107.27	3,074.42	41134	00085399	10/02/2014
MW OH	THE KARAGINES FAMILY V007073	OCT-DEC LEASE-166 E. LA JOLLA	103041-6160 Facility Rental	Check Total: TK100214	3,074.42	15,927.00	092514	00085400	10/02/2014
MW OH	THORNBURY, DAVE V006536	HERITAGE ENTERTAINMENT	0044-2067 Heritage Committee	Check Total: TK100214	15,927.00	600.00	092914	00085401	10/02/2014
MW OH	TRAFFIC MANAGEMENT V008463	PAINT	103652-6301 Special Department Supplies	Check Total: TK100214	600.00	257.04	207079	00085402	10/02/2014
MW OH	TRAFFIC MANAGEMENT V008463	RPM ADHESIVE PAD	103652-6301 Special Department Supplies	Check Total: TK100214	600.00	342.09	209514	00085402	10/02/2014
MW OH	TRIEPEI SMITH & V007848	JULY IT CONSULTING SVS	421523-6290 Dept. Contract Services	Check Total: TK100214	599.13	93.75	1099	00085403	10/02/2014
MW OH	TRIEPEI SMITH &	AUG IT CONSULTING SVS	421523-6290	TK100214	375.00	1139	P10432	00085403	10/02/2014

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	V007848		Dept. Contract Services						
MW OH	TRIPEPI SMITH & V007848	SEPT IT CONSULTING SVS	421523-6290 Dept. Contract Services	TK100214	281.25	1174	P10432	00085403	10/02/2014
			Check Total:		750.00				
MW OH	VERA, SANDRA V009293	OCT MONTHLY EXPENSES	101512-5001 Salaries/Full-Time Regular	TK100214	50.00	OCTOBER 14		00085404	10/02/2014
			Check Total:		50.00				
MW OH	VORTEX INDUSTRIES INC. V009180	REPAIR CORP YARD GATE	103554-6130 Repair & Maint/Facilities	TK100214	840.21	08-848980-1		00085405	10/02/2014
			Check Total:		840.21				
MW OH	VULCAN MATERIALS V001102	PAVING ASPHALT	103652-6301 Special Department Supplies	TK100214	223.56	70504761		00085406	10/02/2014
MW OH	VULCAN MATERIALS V001102	PAVING ASPHALT	103652-6301 Special Department Supplies	TK100214	222.83	70510953		00085406	10/02/2014
			Check Total:		446.39				
MW OH	WAHL, KATHI V003743	FALL INSTRUCTOR PAYMENT	104071-6060 Instructional Services	TK100214	252.00	FALL 2014		00085407	10/02/2014
			Check Total:		252.00				
MW OH	WEST COAST LIGHTS & SIREN V006106	OUTFIT PD VEHICLES	213041-6840 Machinery & Equipment	TK100214	2,759.24	10299	P10439	00085408	10/02/2014
MW OH	WEST COAST LIGHTS & SIREN V006106	OUTFIT PD VEHICLES	213041-6840 Machinery & Equipment	TK100214	2,771.11	10313	P10439	00085408	10/02/2014
MW OH	WEST COAST LIGHTS & SIREN V006106	OUTFIT PD VEHICLES	213041-6840 Machinery & Equipment	TK100214	2,205.24	10371	P10439	00085408	10/02/2014
MW OH	WEST COAST LIGHTS & SIREN V006106	OUTFIT PD VEHICLES	213041-6840 Machinery & Equipment	TK100214	2,302.63	10426	P10439	00085408	10/02/2014
			Check Total:		10,038.22				
MW OH	WEX BANK V007269	SEPT PD FLEET GASOLINE	103658-6345 Gasoline & Diesel Fuel	TK100214	844.09	38224688	P10335	00085409	10/02/2014

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Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
				Check Total:	844.09				
MW OH	WILLDAN ENGINEERING V007112	JULY TRAFFIC ENGINEERING	332531-6017 / 6108670159-6017 Special Studies	TK100214	420.00	00612807	P10418	00085410	10/02/2014
				Check Total:	420.00				
MW OH	WILLDAN FINANCIAL V005723	ARBITRAGE REBATE SVS	476562-6030 Trustee Fees	TK100214	1,300.00	010-25325		00085411	10/02/2014
				Check Total:	1,300.00				
MW OH	WM CURBSIDE INC V000230	AUG USED OIL COLLECTION	504315-6301 / 20045-6301 Special Department Supplies	TK100214	231.00	0000710-2960-7		00085412	10/02/2014
				Check Total:	231.00				
MW OH	ZUMAR INDUSTRIES INC V001156	SIGN BRACKETS	103652-6310 Street Signs	TK100214	358.60	0154514		00085413	10/02/2014
				Check Total:	358.60				
MW IP	MANAGED MOBILE INC V009496	VEHICLE MAINTENANCE	103658-6290 Dept. Contract Services	TK100614	1,902.42	64260	P10376	00085414	10/06/2014
MW IP	MANAGED MOBILE INC V009496	VEHICLE MAINTENANCE	103658-6290 Dept. Contract Services	TK100614	1,261.21	64292	P10376	00085414	10/06/2014
MW IP	MANAGED MOBILE INC V009496	VEHICLE MAINTENANCE	103658-6290 Dept. Contract Services	TK100614	242.41	64358	P10376	00085414	10/06/2014
MW IP	MANAGED MOBILE INC V009496	VEHICLE MAINTENANCE	103658-6290 Dept. Contract Services	TK100614	530.37	64359	P10376	00085414	10/06/2014
MW IP	MANAGED MOBILE INC V009496	VEHICLE MAINTENANCE	103658-6290 Dept. Contract Services	TK100614	2,248.54	64415	P10376	00085414	10/06/2014
				Check Total:	6,184.95				
MW OH	CALIFORNIA STATE V004813	P/E 9/27/14 PD DATE 10/3/14	0010-2196 Garnishments W/H	PY14020	461.53	2700/1401020		00085415	10/06/2014
				Check Total:	461.53				
MW OH	CALPERS LONG-TERM CARE/E V000845	9/27/14 PD DATE 10/3/14	0010-2160 PERS Long Term Care	PY14020	43.08	2630/1401020		00085416	10/06/2014

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				Check Total:	43.08				
MW OH	GREAT WEST V006983	P/E 9/27/14 PD DATE 10/3/14	0010-2172 Deferred Comp Pay. - Gr West	PY14020	696.82	2607/1401020		00085417	10/06/2014
MW OH	GREAT WEST V006983	P/E 9/27/14 PD DATE 10/3/14	0029-2172 Deferred Comp Pay. - Gr West	PY14020	9.94	2607/1401020		00085417	10/06/2014
MW OH	GREAT WEST V006983	P/E 9/27/14 PD DATE 10/3/14	0048-2172 Deferred Comp Pay. - Gr West	PY14020	21.12	2607/1401020		00085417	10/06/2014
				Check Total:	727.88				
MW OH	ORANGE COUNTY V000699	P/E 9/27/14 PD DATE 10/3/14	0010-2176 PCEA/OCEA Assoc Dues	PY14020	255.86	2610/1401020		00085418	10/06/2014
MW OH	ORANGE COUNTY V000699	P/E 9/27/14 PD DATE 10/3/14	0029-2176 PCEA/OCEA Assoc Dues	PY14020	8.47	2610/1401020		00085418	10/06/2014
MW OH	ORANGE COUNTY V000699	P/E 9/27/14 PD DATE 10/3/14	0037-2176 PCEA/OCEA Assoc Dues	PY14020	5.77	2610/1401020		00085418	10/06/2014
MW OH	ORANGE COUNTY V000699	P/E 9/27/14 PD DATE 10/3/14	0048-2176 PCEA/OCEA Assoc Dues	PY14020	18.50	2610/1401020		00085418	10/06/2014
				Check Total:	288.60				
MW OH	PCEA C/O NORTH ORANGE V000679	P/E 9/27/14 PD DATE 10/3/14	0010-2176 PCEA/OCEA Assoc Dues	PY14020	26.60	2615/1401020		00085419	10/06/2014
MW OH	PCEA C/O NORTH ORANGE V000679	P/E 9/27/14 PD DATE 10/3/14	0029-2176 PCEA/OCEA Assoc Dues	PY14020	0.88	2615/1401020		00085419	10/06/2014
MW OH	PCEA C/O NORTH ORANGE V000679	P/E 9/27/14 PD DATE 10/3/14	0037-2176 PCEA/OCEA Assoc Dues	PY14020	0.60	2615/1401020		00085419	10/06/2014
MW OH	PCEA C/O NORTH ORANGE V000679	P/E 9/27/14 PD DATE 10/3/14	0048-2176 PCEA/OCEA Assoc Dues	PY14020	1.92	2615/1401020		00085419	10/06/2014
				Check Total:	30.00				
MW OH	PLACENTIA POLICE V000839	P/E 9/27/14 PD DATE 10/3/14	0010-2180 Police Mgmt Assn Dues	PY14020	984.17	2625/1401020		00085420	10/06/2014
				Check Total:	984.17				

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MW OH	PLACENTIA POLICE V003519	P/E 9/27/14 PD DATE 10/3/14	0010-2178 Placentia Police Assoc Dues	PY14020	2,946.76	2620/1401020		00085421	10/06/2014
MW OH	PLACENTIA POLICE V003519	P/E 9/27/14 PD DATE 10/3/14	0050-2178 Placentia Police Assoc Dues	PY14020	100.06	2620/1401020		00085421	10/06/2014
Check Total:					3,046.82				
MW OH	VANTAGEPOINT TRANSFER V007191	P/E 9/27/14 PD DATE 10/3/14	0029-2170 Deferred Comp Payable - ICMA	PY14020	17.72	2606/1401020		00085422	10/06/2014
MW OH	VANTAGEPOINT TRANSFER V007191	P/E 9/27/14 PD DATE 10/3/14	0010-2170 Deferred Comp Payable - ICMA	PY14020	1,160.74	2606/1401020		00085422	10/06/2014
MW OH	VANTAGEPOINT TRANSFER V007191	P/E 9/27/14 PD DATE 10/3/14	0048-2170 Deferred Comp Payable - ICMA	PY14020	26.59	2606/1401020		00085422	10/06/2014
MW OH	VANTAGEPOINT TRANSFER V007191	P/E 9/27/14 PD DATE 10/3/14	0037-2170 Deferred Comp Payable - ICMA	PY14020	19.51	2606/1401020		00085422	10/06/2014
Check Total:					1,224.56				
MW OH	ABBA TERMITES & PEST V000087	PEST CONTROL-SPORTS COMPLEX	103554-6130 Repair & Maint/Facilities	TK100914	100.00	23322		00085423	10/09/2014
MW OH	ABBA TERMITES & PEST V000087	PEST CONTROL-LOS NINOS	103554-6130 Repair & Maint/Facilities	TK100914	100.00	23984		00085423	10/09/2014
MW OH	ABBA TERMITES & PEST V000087	PEST CONTROL-SPORTS COMPLEX	103554-6130 Repair & Maint/Facilities	TK100914	100.00	23985		00085423	10/09/2014
Check Total:					300.00				
MW OH	AMERICAN LEGION V009543	HERITAGE FOOD VENDOR REFUND	0044-2067 Heritage Committee	TK100914	80.00	10114		00085424	10/09/2014
MW OH	ANAHEIM REGIONAL V007613	EXAM FOR CASE 143454	103040-6099 Other Professional Services	TK100914	750.00	001318773		00085425	10/09/2014
Check Total:					750.00				
MW OH	ARAMARK UNIFORM V004232	PW UNIFORMS	103650-6360 Uniforms	TK100914	144.54	530059908	P10406	00085426	10/09/2014

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MW OH	ARAMARK UNIFORM V004232	PW UNIFORMS	103650-6360 Uniforms	TK100914	64.25	530059909	P10406	00085426	10/09/2014
MW OH	ARAMARK UNIFORM V004232	PW UNIFORMS	103650-6360 Uniforms	TK100914	152.72	530076963	P10406	00085426	10/09/2014
MW OH	ARAMARK UNIFORM V004232	PW UNIFORMS	103650-6360 Uniforms	TK100914	111.68	530076964	P10406	00085426	10/09/2014
			Check Total:		473.19				
MW OH	ARCZYNSKI, ANDREW V V005588	SEPT LEGAL SERVICES	101005-6005 Legal Services	TK100914	15,282.42	093014	P10383	00085427	10/09/2014
MW OH	ARCZYNSKI, ANDREW V V005588	SEPT LITIGATION SERVICES	101005-6006 Litigation	TK100914	593.50	093014	P10383	00085427	10/09/2014
			Check Total:		15,875.92				
MW OH	AT & T V008736	OCT POWELL BLDG INTERNET	109595-6215 Telephone	TK100914	60.00	OCTOBER 2014		00085428	10/09/2014
MW OH	AT & T V008736	SEPT INTERNET CHARGES	109595-6215 Telephone	TK100914	55.00	SEPTEMBER 14		00085428	10/09/2014
			Check Total:		115.00				
MW OH	AT&T V004144	AUG-SEPT PHONE CHARGES	0010-1220 Accts Rec/Plac Library Dist	TK100914	8.34	092514		00085429	10/09/2014
MW OH	AT&T V004144	AUG-SEPT PHONE CHARGES	296561-6215 Telephone	TK100914	517.98	092514		00085429	10/09/2014
MW OH	AT&T V004144	AUG-SEPT PHONE CHARGES	109595-6215 Telephone	TK100914	2,337.40	092514		00085429	10/09/2014
			Check Total:		2,863.72				
MW OH	ATHENS SERVICES V006622	AUG STREET SWEEPING SVS	374387-6099 Other Professional Services	TK100914	10,879.05	PL_3899190814	P10428	00085430	10/09/2014
			Check Total:		10,879.05				
MW OH	AUDISS, JAY S V003366	PD TRAINING MILEAGE	103041-6250 Staff Training	TK100914	15.98	3288		00085431	10/09/2014

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MW OH	BILL WHEAT PAINTING & V009532	PAINTING SVS-120 S. BRADFORD	333554-6185 / 6200240011-6185 Construction Services	TK100914	3,925.00	4376	P10408	00085432	10/09/2014
				Check Total:	15.98				
MW OH	BROWNFIELD, SANDRA V009016	EXCURSION REFUND	100000-4340 / 79506-4340 Recreation Programs	TK100914	48.00	200325.002		00085433	10/09/2014
				Check Total:	3,925.00				
MW OH	BURGESS, MIKE V009286	SEPT RESERVE OFFICER STIPEND	103041-5005 / 50065-5005 Salaries/Part-Time	TK100914	200.00	SEPT 2014		00085434	10/09/2014
				Check Total:	48.00				
MW OH	CANON FINANCIAL SERVICES V008867	SEPT WHITTEN COPIER LEASE	109595-6175 Office Equipment Rental	TK100914	15.09	14215939	P10290	00085435	10/09/2014
MW OH	CANON FINANCIAL SERVICES V008867	SEPT WHITTEN COPIER LEASE	374386-6175 Office Equipment Rental	TK100914	15.08	14215939	P10290	00085435	10/09/2014
MW OH	CANON FINANCIAL SERVICES V008867	SEPT WHITTEN COPIER LEASE	109595-6175 Office Equipment Rental	TK100914	250.00	14215940	P10291	00085435	10/09/2014
MW OH	CANON FINANCIAL SERVICES V008867	SEPT WHITTEN COPIER LEASE	374386-6175 Office Equipment Rental	TK100914	250.00	14215940	P10291	00085435	10/09/2014
				Check Total:	530.17				
MW OH	CBE V008124	SEPT WHITTEN COPIER LEASE	101572-6135 Repair/Maint Off Furn & Eq	TK100914	41.81	IN1625563	P10326	00085436	10/09/2014
MW OH	CBE V008124	SEPT WHITTEN COPIER LEASE	109595-6175 Office Equipment Rental	TK100914	753.54	IN1626312	P10327	00085436	10/09/2014
MW OH	CBE V008124	SEPT WHITTEN COPIER LEASE	109595-6175 Office Equipment Rental	TK100914	607.96	IN1626311	P10328	00085436	10/09/2014
				Check Total:	1,403.31				
MW OH	CDW GOVERNMENT INC V003755	ADOBE PRO SOFTWARE	102531-6301 Special Department Supplies	TK100914	243.60	PL91060		00085437	10/09/2014
				Check Total:	243.60				

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MW OH	CITY OF BREA V000125	PRINTING SVS-PD FORMS	109595-6230 Printing & Binding	TK100914	498.57	6-1946		00085438	10/09/2014
MW OH	CITY OF BREA V000125	PRINTING SVS-PD BUSINESS CARDS	103040-6315 Office Supplies	TK100914	229.38	6-1946		00085438	10/09/2014
		Check Total:			727.95				
MW OH	CITY OF LA HABRA V000600	COURT LIASION SERVICES	103043-6290 Dept. Contract Services	TK100914	7,753.75	LH 15-301-AR	P10300	00085439	10/09/2014
		Check Total:			7,753.75				
MW OH	CLEAN CITY V007411	JULY GRAFFITI REMOVAL SVS	103652-6290 Dept. Contract Services	TK100914	19,273.00	687	P10437	00085440	10/09/2014
MW OH	CLEAN CITY V007411	AUG GRAFFITI REMOVAL SVS	103652-6290 Dept. Contract Services	TK100914	19,273.00	692	P10437	00085440	10/09/2014
		Check Total:			38,546.00				
MW OH	COMMERCIAL AQUATIC V005203	SEPT GOMEZ POOL MAINT	103554-6130 Repair & Maint/Facilities	TK100914	300.00	14-3051		00085441	10/09/2014
MW OH	COMMERCIAL AQUATIC V005203	POOL CHEMICALS FOR GOMEZ	103554-6130 Repair & Maint/Facilities	TK100914	629.53	114-2881		00085441	10/09/2014
MW OH	COMMERCIAL AQUATIC V005203	POOL CHEMICALS FOR WHITTEN	103554-6130 Repair & Maint/Facilities	TK100914	409.86	114-2882		00085441	10/09/2014
MW OH	COMMERCIAL AQUATIC V005203	SEPT WHITTEN POOL MAINT	103554-6130 Repair & Maint/Facilities	TK100914	300.00	114-3050		00085441	10/09/2014
		Check Total:			1,639.39				
MW OH	CRADDOCK, KATHERINE V006342	PD TRAINING-REG, MILEAGE	103043-6250 Staff Training	TK100914	47.33	3219		00085442	10/09/2014
MW OH	DIVISION OF THE STATE V008904	SB1186 2014 3RD QTR TAXES	0044-2032 SB 1186 BL State Fee	TK100914	154.20	093014		00085443	10/09/2014
		Check Total:			47.33				
MW OH	DREW, BRIAN	PD TRAINING MILEAGE	103041-6250	TK100914	15.98	7712		00085444	10/09/2014
		Check Total:			154.20				

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	V004950		Staff Training						
MW OH	DURATECH USA INC V009370	MDC SOFTWARE	213041-6840 Machinery & Equipment	TK100914	15.98 2,568.70	4207	P10423	00085445	10/09/2014
				Check Total:	2,568.70				
MW OH	EILEY, TIFFANY V009544	PD TRAINING MILEAGE	103041-6250 Staff Training	TK100914	28.39	32191		00085446	10/09/2014
				Check Total:	28.39				
MW OH	FERRELL, JONATHAN V007312	PD TRAINING MILEAGE	103041-6250 Staff Training	TK100914	15.98	3310		00085447	10/09/2014
				Check Total:	15.98				
MW OH	FOOTHILL HIGH SCHOOL V009549	HERITAGE BAND REVIEW REFUND	0044-2067 Heritage Committee	TK100914	75.00	10114		00085448	10/09/2014
				Check Total:	75.00				
MW OH	GAS CO, THE V000909	SEPT GAS CHARGES	109595-6340 Natural Gas	TK100914	57.69	092914		00085449	10/09/2014
				Check Total:	57.69				
MW OH	GLOE, ADAM V002828	PD TRAINING-REG.MEALS,MILEAGE	103041-6250 Staff Training	TK100914	483.68	32001		00085450	10/09/2014
				Check Total:	483.68				
MW OH	GOLDEN STAR TECHNOLOGY	PORTABLE DVDS-RW	333523-6899 / 30029-6899 Other Capital Outlay	TK100914	426.17	JAI109552		00085451	10/09/2014
MW OH	GOLDEN STAR TECHNOLOGY	SEPT IT SUPPORT SVS	421523-6290 Dept. Contract Services	TK100914	7,178.00	JAI109534	P10285	00085451	10/09/2014
				Check Total:	7,604.17				
MW OH	GOLDEN STATE WATER V000928	JULY-SEPT WATER CHARGES	109595-6335 Water	TK100914	1,761.73	092914		00085452	10/09/2014
MW OH	GOLDEN STATE WATER V000928	JULY-SEPT WATER CHARGES	296561-6335 Water	TK100914	15,494.46	092914		00085452	10/09/2014

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				Check Total:	17,256.19				
MW OH	GOLDEN WEST COLLEGE V001174	8/1, 8/15, 9/5 RANGE FEES	103041-6250 Staff Training	TK100914	148.00	CJ14804		00085453	10/09/2014
				Check Total:	148.00				
MW OH	HALO CONFIDENTIAL V008544	SEPT PD TRAINING MGMNT SVS	103040-6290 Dept. Contract Services	TK100914	2,770.00	0034	P10301	00085454	10/09/2014
				Check Total:	2,770.00				
MW OH	HALVERSON, JOY V007235	HERITAGE ENTERTAINER	0044-2067 Heritage Committee	TK100914	495.00	101114		00085455	10/09/2014
				Check Total:	495.00				
MW OH	HONEYWELL V001388	10/18-1/17 HVAC MAINTENANCE	103554-6290 Dept. Contract Services	TK100914	8,997.50	5230430860	P10372	00085456	10/09/2014
				Check Total:	8,997.50				
MW OH	IMPERIAL SPRINKLER V006506	IRRIGATION SUPPLIES	103655-6301 Special Department Supplies	TK100914	13.02	2089876-01		00085457	10/09/2014
MW OH	IMPERIAL SPRINKLER V006506	IRRIGATION SUPPLIES	103655-6301 Special Department Supplies	TK100914	751.47	2091080-00		00085457	10/09/2014
MW OH	IMPERIAL SPRINKLER V006506	IRRIGATION SUPPLIES	103655-6301 Special Department Supplies	TK100914	436.80	2096219-00		00085457	10/09/2014
MW OH	IMPERIAL SPRINKLER V006506	LMD IRRIGATION SUPPLIES	296561-6115 Landscaping	TK100914	21.80	2096285-00		00085457	10/09/2014
				Check Total:	1,223.09				
MW OH	INTERNAL CONTROL V000504	SEPT PRE EMPLOYMENT EXAMS	103040-6099 Other Professional Services	TK100914	375.00	10652		00085458	10/09/2014
				Check Total:	375.00				
MW OH	J H DOUGLAS & ASSOCIATES V007589	PLANNING CONSULTING SVS	109595-6999 Other Expenditure	TK100914	12,825.00	083114	P10438	00085459	10/09/2014
				Check Total:	12,825.00				
MW OH	JOHN L HUNTER &	NPDES PROGRAM PREP	103550-6290	TK100914	1,187.50	PLANP0814	P10436	00085460	10/09/2014

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	V008757		Dept. Contract Services						
MW OH	JUAREZ, JANET V005824	EXCURSION REFUND	100000-4340 / 79506-4340 Recreation Programs	TK100914	1,187.50	2000324.002		00085461	10/09/2014
				Check Total:	96.00				
MW OH	KENEHAN, KELLY V002879	PD TRAINING MILEAGE	103041-6250 Staff Training	TK100914	96.00	3288		00085462	10/09/2014
				Check Total:	15.98				
MW OH	KUSUNOKI HEARING V004347	10/1 PARKING CITATION HEARINGS	103047-6099 Other Professional Services	TK100914	110.00	1138	P10316	00085463	10/09/2014
				Check Total:	110.00				
MW OH	LEWIS, DAVE V009550	HERITAGE ENTERTAINER	0044-2067 Heritage Committee	TK100914	600.00	101114		00085464	10/09/2014
				Check Total:	600.00				
MW OH	MALONE, SEAN V003148	PD TRAINING MILEAGE	103041-6250 Staff Training	TK100914	15.98	6219A		00085465	10/09/2014
				Check Total:	15.98				
MW OH	MARTINEZ, STEVE V006490	SEPT RESERVE OFFICER STIPEND	103041-5005 / 50065-5005 Salaries/Part-Time	TK100914	200.00	SEPT 2014		00085466	10/09/2014
				Check Total:	200.00				
MW OH	MENELY, RICKI V003570	VIP, EXPLORER MTG SUPPLIES	103040-6301 Special Department Supplies	TK100914	25.68	092714		00085467	10/09/2014
				Check Total:	25.68				
MW OH	MIDAMERICA V008972	2ND QTR PROCESSING FEE	395083-6025 Third Party Administration	TK100914	150.00	4460		00085468	10/09/2014
				Check Total:	150.00				
MW OH	NELSON, SCOTT V003479	LEAGUE MTG REIMBURSEMENT	101001-6245 Meetings & Conferences	TK100914	442.34	092314		00085469	10/09/2014

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			Check Total:		442.34				
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	102531-6315 Office Supplies	TK100914	10.50	0472921		00085470	10/09/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	101572-6315 Office Supplies	TK100914	345.47	0472941		00085470	10/09/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	102531-6315 Office Supplies	TK100914	3.22	0473121		00085470	10/09/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	102020-6315 Office Supplies	TK100914	26.99	0473871		00085470	10/09/2014
MW OH	OFFICE INDUSTRIES V007477	OFFICE SUPPLIES	103040-6315 Office Supplies	TK100914	135.17	0474341	P10337	00085470	10/09/2014
			Check Total:		521.35				
MW OH	ORANGE COUNTY HONDA V008818	MOTORCYCLE REPAIRS	103658-6301 Special Department Supplies	TK100914	54.53	78798		00085471	10/09/2014
MW OH	PAK WEST PAPER & V000815	JANITORIAL SUPPLIES	103554-6137 Repair Maint/Equipment	TK100914	1,668.27	PINV154324		00085472	10/09/2014
			Check Total:		54.53				
MW OH	PALUMBO, ZACHARY V000800	PD TRAINING MILEAGE	103041-6250 Staff Training	TK100914	15.98	3100		00085473	10/09/2014
			Check Total:		1,668.27				
MW OH	PARKHOUSE TIRE INC V004472	TIRES	103658-6134 Vehicle Repair & Maintenance	TK100914	1,386.73	1020137720		00085474	10/09/2014
MW OH	PARKHOUSE TIRE INC V004472	TIRES	103658-6134 Vehicle Repair & Maintenance	TK100914	373.00	1020137726		00085474	10/09/2014
			Check Total:		1,759.73				
MW OH	PARTS SOURCE V000817	VEHICLE PARTS	103658-6301 Special Department Supplies	TK100914	69.51	5046		00085475	10/09/2014
			Check Total:		69.51				

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Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
MW OH	PENNYSAVER USA V000856	HERITAGE FESTIVAL ADVERTISING	0044-2067 Heritage Committee	TK100914	329.73	13028521		00085476	10/09/2014
				Check Total:	329.73				
MW OH	PISCHEL, STEVE V002520	HEALTH FAIR SUPPLIES	101512-6250 Staff Training	TK100914	44.85	100114		00085477	10/09/2014
				Check Total:	44.85				
MW OH	RIM OF THE WORLD HIGH V009546	HERITAGE BAND REVIEW REFUND	0044-2067 Heritage Committee	TK100914	150.00	101114		00085478	10/09/2014
				Check Total:	150.00				
MW OH	RUEZGA, MARLENN V009547	CLASS REFUND	100000-4340 Recreation Programs	TK100914	69.00	2000318,002		00085479	10/09/2014
				Check Total:	69.00				
MW OH	SCIENTIA CONSULTING V005617	SEPT MDC MAINTENANCE	103043-6099 Other Professional Services	TK100914	1,254.00	7383	P10362	00085480	10/09/2014
MW OH	SCIENTIA CONSULTING V005617	OCT MDC MAINTENANCE	103043-6099 Other Professional Services	TK100914	1,254.00	7385	P10362	00085480	10/09/2014
				Check Total:	2,508.00				
MW OH	SOUTHERN CALIFORNIA V000910	AUG-SEPT ELECTRICAL CHARGES	109595-6330 Electricity	TK100914	28,839.38	093014		00085481	10/09/2014
MW OH	SOUTHERN CALIFORNIA V000910	AUG-SEPT ELECTRICAL CHARGES	0010-1232 Accts Rec/City of Anaheim	TK100914	25.51	093014		00085481	10/09/2014
MW OH	SOUTHERN CALIFORNIA V000910	AUG-SEPT ELECTRICAL CHARGES	109595-6330 / 61138-6330 Electricity	TK100914	201.13	093014		00085481	10/09/2014
MW OH	SOUTHERN CALIFORNIA V000910	AUG-SEPT ELECTRICAL CHARGES	296561-6330 Electricity	TK100914	141.43	093014		00085481	10/09/2014
MW OH	SOUTHERN CALIFORNIA V000910	AUG-SEPT ELECTRICAL CHARGES	109595-6330 / 61141-6330 Electricity	TK100914	19.46	093014		00085481	10/09/2014
MW OH	SOUTHERN CALIFORNIA V000910	AUG-SEPT ELECTRICAL CHARGES	0010-1220 Accts Rec/Plac Library Dist	TK100914	8,638.78	093014		00085481	10/09/2014

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Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
MW OH	SOUTHERN CALIFORNIA V000910	AUG-SEPT ELECTRICAL CHARGES	0010-1224 AR/City of Fullerton	TK100914	147.51	093014		00085481	10/09/2014
				Check Total:	38,013.20				
MW OH	SPRINT V006533	8/26-9/25 PD RELAY SVS	109595-6215 Telephone	TK100914	37.99	313574471-035		00085482	10/09/2014
				Check Total:	37.99				
MW OH	STUBER, CHRIS V002807	PD TRAINING MILEAGE	103041-6250 Staff Training	TK100914	15.98	4129		00085483	10/09/2014
				Check Total:	15.98				
MW OH	TALX UC eXpress V002944	9/1-11/30 UNEMPLOYMENT ADMIN	404581-5155 Employee Insurance Claims	TK100914	228.67	1665038		00085484	10/09/2014
				Check Total:	228.67				
MW OH	TIME WARNER CABLE V004450	OCT 10MB FIBER OPTICS SVS	109595-6215 Telephone	TK100914	1,799.26	101114		00085485	10/09/2014
				Check Total:	1,799.26				
MW OH	TODD, LARRY V002103	FALL INSTRUCTOR PAYMENT	104071-6060 Instructional Services	TK100914	2,520.00	FALL 2014	P10440	00085486	10/09/2014
				Check Total:	2,520.00				
MW OH	TORRES, CAROLINA V009169	PD TRAINING-MEALS,MILEAGE	103043-6250 Staff Training	TK100914	60.81	3178		00085487	10/09/2014
				Check Total:	60.81				
MW OH	TRAFFIC MANAGEMENT V008463	PAINT	103652-6301 Special Department Supplies	TK100914	82.77	208422		00085488	10/09/2014
				Check Total:	82.77				
MW OH	US BANK PARS #6746022400 V008781	PARS/ARS P/E 9/27 PD 10/3	0010-2131 Employer PARS/ARS Payable	TK100914	1,259.99	101614K		00085489	10/09/2014
				Check Total:	1,259.99				
MW OH	US BANK PARS #6746022400 V008781	PARS/ARS P/E 9/27 PD 10/3	0010-2126 Employee PARS/ARS W/H	TK100914	1,259.99	101614K		00085489	10/09/2014
				Check Total:	2,519.98				

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Check Register
For 10/16/2014

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
MW OH	VAN NGUYEN, KHANH V009542	HERITAGE ENTERTAINER	0044-2067 Heritage Committee	TK100914	300.00	092914		00085490	10/09/2014
Check Total:					300.00				
MW OH	VERIZON WIRELESS V008735	AUG-SEPT PD AIRCARD SVS	109595-6215 Telephone	TK100914	1,178.90	9732374859		00085491	10/09/2014
MW OH	VERIZON WIRELESS V008735	9/17-20 ACA IPAD CHARGES	109595-6215 Telephone	TK100914	42.93	9732374860		00085491	10/09/2014
MW OH	VERIZON WIRELESS V008735	8/21-9/20 KRAEMER SUMP PUMP	109595-6215 / 61139-6215 Telephone	TK100914	38.01	9732381408		00085491	10/09/2014
Check Total:					1,259.84				
MW OH	VERIZON WIRELESS V009548	REFUND-PLAN REVIEW FEES	100000-4305 Planning Division Fees	TK100914	2,500.00	CR006932		00085492	10/09/2014
MW OH	WILLDAN ENGINEERING V007112	AUG ENGR SVS-STORMDRAIN GIS	484376-6120 R & M/Sewer & Storm Drain	TK100914	5,601.50	00513053	P10417	00085493	10/09/2014
Check Total:					2,500.00				
MW OH	WOLFLEY, CHRISTOPHER V002623	PD TRAINING-MEAL,MILEAGE	103043-6250 Staff Training	TK100914	37.06	10017		00085494	10/09/2014
MW OH	WOLFLEY, CHRISTOPHER V002623	PD TRAINING-MEAL,MILEAGE	103043-6250 Staff Training	TK100914	37.06	10132		00085494	10/09/2014
MW OH	WOLFLEY, CHRISTOPHER V002623	PD TRAINING-MEAL,MILEAGE	103043-6250 Staff Training	TK100914	37.06	6129		00085494	10/09/2014
Check Total:					5,601.50				
MW OH	YORBA LINDA WATER V006633	AUG SEWER FEES	484356-6297 Billing Services	TK100914	250.00	74299		00085495	10/09/2014
MW OH	YORBA LINDA WATER V006633	SEPT SEWER FEES	484356-6297 Billing Services	TK100914	250.00	75162		00085495	10/09/2014
Check Total:					111.18				
Type Total:					500.00				
Type Total:					552,690.73				

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For 10/16/2014

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
				Check Total:	552,690.73				

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For 10/16/2014

Type	Vendor Name/ID	Description	Account/Description	Batch ID	Amount	Invoice#	PO #	Check #	Check Date
EP	ICMA RETIREMENT TRUST V000496	P/E 9/27/14 PD DATE 10/3/14	0048-2170 Deferred Comp Payable - ICMA	PY14020	152.23	2995/1401020		00006329	10/06/2014
EP	ICMA RETIREMENT TRUST V000496	P/E 9/27/14 PD DATE 10/3/14	0037-2170 Deferred Comp Payable - ICMA	PY14020	143.50	2995/1401020		00006329	10/06/2014
EP	ICMA RETIREMENT TRUST V000496	P/E 9/27/14 PD DATE 10/3/14	0010-2170 Deferred Comp Payable - ICMA	PY14020	7,645.83	2995/1401020		00006329	10/06/2014
EP	ICMA RETIREMENT TRUST V000496	P/E 9/27/14 PD DATE 10/3/14	0029-2170 Deferred Comp Payable - ICMA	PY14020	86.46	2995/1401020		00006329	10/06/2014
					Check Total:	8,028.02			
					Type Total:	8,028.02			
					Check Total:	8,028.02			



Placentia City Council

AGENDA REPORT

TO: CITY COUNCIL
VIA: CITY ADMINISTRATOR
FROM: DIRECTOR OF COMMUNITY SERVICES
DATE: OCTOBER 21, 2014
SUBJECT: **APPROVAL OF AGREEMENT WITH THE MUCKENTHALER CULTURAL CENTER FOR USE OF KRAEMER MEMORIAL PARK AND THE TEEN CENTER FOR ARTS PROGRAMS**

FISCAL
IMPACT: REVENUE: \$145,000 ESTIMATED IN GRANTS, IN-KIND SERVICES, & FACILITY IMPROVEMENTS
EXPENDITURES: \$ 5,000 MATCHING PROGRAM CONTRIBUTION (3.4%)
BUDGETED: \$ 5,000 (ACCOUNT NO.: 104071-6099)

SUMMARY:

The Muckenthaler Cultural Center has provided a proposal to the City's Community Services Department to offer arts programs at Kraemer Memorial Park and the Teen Center. The Muckenthaler proposal includes financial assistance in the form of grants, in-kind services, and facility improvements to support their arts programs including providing staffing, materials, supplies, and insurance. The Muckenthaler Cultural Center has requested the City to provide a \$5,000 matching program contribution toward programs and services. This action approves an agreement to allow the Muckenthaler Cultural Center to use Kraemer Memorial Park and the Teen Center for arts programs and authorizes a \$5,000 matching program contribution.

RECOMMENDATION:

It is recommended that the City Council take the following actions:

1. Approve an agreement with the Muckenthaler Cultural Center to use Kraemer Memorial Park and the Teen Center for arts programs; and
2. Authorize the City Administrator, or his designee, to execute all applicable documents, in a form approved by the City Attorney.

DISCUSSION:

The Muckenthaler Cultural Center (the Muck) has approached the City's Community Services Department with a proposal to use the Teen Center facility and Kraemer Memorial Park with a primary focus on programs geared towards youth ages 12 to 17 years old (Attachment 1). The program would include ethnic dance classes, music production, visual art, graphic art (comic book drawing), and ceramics programs. Additionally, the Muck will reach out to the Boys and Girls Club, Valencia High School, and other community organizations to engage youth and create awareness of the unique programs they will offer. The initial teen arts program will be offered to youth at no cost and can be expanded to offer additional classes for older adults during the day and other arts classes for a nominal program fee. The Muck proposes to cover all direct program cost including staffing, materials, supplies, and insurance.

1.d.

October 21, 2014

The Executive Director of the Muck, Zoot Velasco, presented the program concept to the Recreation and Parks Commission during their regular meeting on Monday, May 12, 2014. The Commission reviewed a revised program proposal on September 8, 2014. After reviewing the presentation and revised proposal from the Muck, the Commission supported moving forward with the proposal to provide additional services to teens that are not currently offered by the City. An agreement with the Muck has been prepared and is attached as Attachment 2.

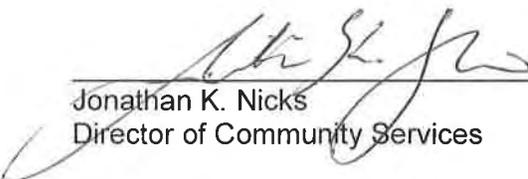
While there is no term for the Agreement, the initial commitment is for one (1) year and the City can terminate the Agreement within thirty (30) days notice. After the first year, the City will receive an annual report from the Muck outlining the program's operation. The City can then determine if it wishes to continue the partnership for operation of the Teen Center programs and facility.

FINANCIAL IMPACT:

The Muck will cover over ninety-six percent (96%) of direct program costs through grants and in-kind services. The Muck will also provide capital contributions including equipment and facility improvements such as painting and light repairs to the facility. In addition the Muck will provide a liability insurance policy for \$1 million for use of the Teen Center facility. The Muck requests that the City contribute a \$5,000 program match, which equates to less than four percent (4%) of the total resources needed for the program. The funding for this match is already in the Fiscal Year 2014-15 Community Services operating budget and with City Council approval, will be reallocated to this program. The City will incur a few additional indirect costs such as an increase in utilities for the Teen Center due to the increased use, but the overall financial impact should be nominal. In addition to providing expanded programming for our teens during after-school hours, the Muck programs will aid in the potential reduction of negative juvenile activity, which may create financial savings in the long-term.

Prepared by:

Reviewed and approved:


Jonathan K. Nicks
Director of Community Services


Damien R. Arrula
Assistant City Administrator

Reviewed and approved:


Troy L. Butzlaff, ICMA-CM
City Administrator

Attachments:

1. Proposal from The Muckenthaler Cultural Center
2. Agreement with The Muckenthaler Cultural Center



Muckenthaler
Cultural Center
1201 W. Malvern Ave.,
Fullerton, CA 92833

866.411.1212
714.738.6595
info@themuck.org
www.TheMuck.org

2012 Most Eclectic Venue
Orange Coast Magazine

2010 Best Arts Program
Arts OC

2010 Best Museum
Reader's Poll
Orange County Register

2009 Best Non-Profit
*Fullerton Chamber of
Commerce*

2008 Best Historical Site
OC Parenting Magazine

Harold Muckenthaler,
Founder

Fred Ouweleen,
President

Jane Parker,
President Emeritus

Britt Sullivan
*Center Circle Guild
President*

Zoot Velasco
Executive Director

Managed in
Partnership with
The City of Fullerton

Thursday, July 24, 2014

Jonathan Nicks, Director of Community Services
City of Placentia
401 E. Chapman Avenue
Placentia, CA 92870

Dear Mr. Nicks:

On behalf of The Muckenthaler Cultural Center (hereinafter referred to as the "Muck"), we would like to thank you for accepting our proposal to partner with the City of Placentia hereinafter referred to as the "City") to bring arts programming to the teens of Placentia. We propose the following terms regarding the Muck/City Partnership and would be in effect for a minimum three full Fiscal Years ending June 30, 2017. However, either party can terminate the agreement at any time with good cause. We look forward to a long-lasting working association with you.

The Muck shall take over operation of the Teen Arts Center of Placentia formerly called the "Kraemer Clubhouse" building under the following conditions:

The City will be responsible for basic renovations of the building, making it "up to code" for operation as a youth center- specifically providing a new floor covering, patching walls/roof interior and exterior, and making sure plumbing, electricity, heating and air conditioning are in good working order. The Muck will help with cosmetic changes like painting, minor repairs, and beautifications.

The Muck is responsible for programming a minimum of 10 hours/week for 36 weeks in the new space for the first year with a schedule of 20 hours/week for 48 weeks by the third year of the agreement. The Muck, however, exceed that and program as often as they like between the hours of 8 AM and 10 PM seven days/week.

The Muck will be responsible for working with the Boys & Girls Club, Valencia High School, and other partners to attract teens for the programs they provide.

The City will be responsible for providing basic tables and chairs, general maintenance of the space, and capital repairs for any major disaster requiring major repairs to the space. Major repairs would be any needed repairs over \$500 in a year.

The City would also provide \$5,000/year for 3 years and support the Muck's grant applications to the Placentia Community Foundation for three years. The funding would be used for Muck programs at the site and would be seed money for more funding. The Muck intends to match this with grant funding, foundation funding, and use this investment to attract new funding and programs. The Muck anticipates putting more than \$100,000/year in money and in-kind donations into this center by the third year of our partnership.

The City will consider the Muck the tenant of the center and no other tenant will be given access without going through the Muck for permission. Any other programs not related to teen arts programs would cease in the building unless conducted with express permission from the Muck's Executive Director. This is important to provide scheduling for new programs.

Muck programs may include dance, music, art, ceramics, theatre, puppetry, clowning, creative writing, video, photography, among other art forms. Current plans include graphic art (comic book drawing), ethnic dance classes, music production, visual art, and ceramics. The Muck will utilize grants and donations for some classes taught by professional artists. Other classes will use a peer-to-peer model with teen and young adult volunteers teaching other teens. The Muck will also utilize partnerships to provide programs, such as college partners, to bring programs taught by Cal State students.

The Muck will provide an annual report to the City by September 30 of the following fiscal year for each of the three years. The Muck will provide a liability insurance policy for the space valued at \$1 Million. The Muck can make improvements to the space as they see fit. Any exterior public art will be approved by the City before it is produced.

The Muck prides itself on its reputation for high quality arts and cultural programs and wishes to bring that reputation to Placentia. If the City finds fault with our programs, it is well within its power to opt out of this agreement.

We are very grateful to you for your support of our programs.

Zoot Velasco, Executive Director,
Muckenthaler Cultural Center Foundation

Muckenthaler - Teen Arts Program Budget (Proposed)

Source	Amount	Status	Use
Rinehart Family	\$5,000	Committed	Music Program
Velasco Family	\$1,000	Committed	Various Programs
Muck Ceramics	\$4,800	Committed	Ceramics Programs
Placentia Foundation	\$1,000	Committed	Staffing
OC Community Foundation	\$10,000	Committed	Staffing
Cal State Peer-toPeer	\$14,400	In-Kind	Visual Art Programs
Ballet Folklorico Monte Alban	\$14,400	In-Kind	Dance Program
Valenica Peer-to-Peer	14,400	In-Kind	Various Programs
Comic Book HideOut	\$4,800	In-Kind	Comic Drawing Program
Cal State African Studies	\$14,400	In-Kind	African Dance
City of Placentia	\$5,000	Pending	Staffing
Pacific Life Grant	\$15,000	Pending	Various Programs
Picerne Grant	\$24,000	Pending	Visual Art Programs
Rytmo	\$5,000	Pending	Music Program
Subtotal	\$133,200		
Capital Outlays	Amount	Status	Use
Muck cosmetic Renovations	\$10,000	In-Kind	Paint, repairs, etc.
Grand Piano	\$2,000	In-Kind	Piano
Grand Total	\$145,200		

**LEASE OF REAL PROPERTIES LOCATED AT
166 N. WALNUT AVENUE & 201 N. BRADFORD AVENUE,
PLACENTIA, CALIFORNIA**

THIS LEASE OF REAL PROPERTIES (“Lease”), dated as of October 21, 2014 is made and entered into by and between the Muckenthaler Cultural Center, a California non-profit corporation (“Muck”), and the City of Placentia, a Charter City and municipal corporation (“City”).

A. Recitals.

This Lease is entered into based upon the following facts, circumstances and understandings:

(1). City owns those certain parcels of real property, located at 116 N. Walnut Avenue and 201 N. Bradford Avenue, the legal descriptions of which are set forth in Exhibit “A”, attached hereto and incorporated herein by this reference and hereinafter is referred to as the “Premises.” Muck desires to lease the Premises, as expressly described in Exhibit “A”.

(ii). Muck desires to operate its business functions on the Premises.

(iii). Based on the foregoing facts, circumstances and understandings and on the terms and conditions set forth below, City is willing to lease the Premises to Muck for Muck’s proposed use(s) subject to the terms and conditions of this Lease.

(iv). All legal prerequisites to the making of this Lease have occurred.

WHEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in consideration of the facts, circumstances and understandings set forth above (which are incorporated into the body of this Lease Agreement by this reference) and the terms and conditions set forth herein, the parties, intending to be legally bound, hereto agree as follows:

B. Lease.

1. Grant and Acceptance of Lease. City hereby leases to Muck and Muck hereby leases from City the Premises for Muck’s proposed use(s), subject to the following terms and conditions for the Term.

2. Permitted Uses. The Premises may be used by Muck for its day-to-day business operations, including meetings and conferences. Under this Lease, Muck may install, place, use, modify, operate and remove on the Premises furniture, fixtures and related equipment (“FF&E”) as Muck deems necessary for its business operation at the Premises. Further, Muck shall perform ongoing maintenance, repairs, and improvements as Muck determines is necessary and appropriate for its ongoing business and has the right to do all work necessary to maintain the

Premises as required for Muck's operations. Notwithstanding the foregoing, however, modification or replacement of equipment or improvements at the Premises shall be the same or greater quality as the equipment or improvements being modified or replaced.

3. Conditions Precedent: Prior Approvals. This Lease Agreement is conditioned upon Muck:

(a). Obtaining all governmental licenses, permits and approvals enabling Muck to enter upon and operate its business at the Premises.

(b). Submit to City any plans for improvements in or about the Premises prior to commencing business operations.

(c). City agrees to cooperate with Muck's reasonable requests for City's signatures as real property owner on permit applications, for allowing Premises inspections by governmental agencies required in connection with reviewing permit applications, provided that such cooperation and assistance shall be at no expense to City.

4. Term; Commencement Date. The term of this Lease Agreement ("Term") shall commence on the date (a) Muck begins construction of Muck's improvements at the Premises, if any, or (b) the first day of the month following the month in which Muck obtains its building permit(s) for the installation of Muck's improvements, if any; or (c) on the first business day following execution of this Lease, whichever is later. This Lease shall terminate, except as otherwise provided herein, on December 31, 2020.

5.1. Rent. Upon the Commencement Date, Muck shall pay to City (a) One Dollar (\$1.00) per year. Said payments shall be made in advance annually and shall not be prorated for any portion of time less than a complete year.

6. Due Diligence Contingency and Pre-Commencement Date Access to Premises.

(a). Muck shall have the right (but not the obligation) at any time following the full execution of this Lease and prior to the Commencement Date, to enter the Premises for the purpose of making necessary inspections, taking measurements to determine the suitability of the Premises for Muck's use ("Due Diligence"), and for the purpose of preparing the Premises for the installation or construction of Muck's Improvements. During any Due Diligence activities or pre-installation or pre-construction work, Muck shall have insurance which covers such activities as set forth in § 16, Insurance. Muck shall notify City of any proposed tests, measurements or pre-installation or pre-construction work and shall coordinate the scheduling of such activities with City. If, in the course of its Due Diligence, Muck determines that the Premises are unsuitable for Muck's contemplated use, then Muck shall have the right to terminate this Lease prior to the Commencement Date without any further liability or obligation to City by delivery of written notice of termination to City as set forth in § 13, Termination. In the event Muck terminates this Lease pursuant to the provisions of this § 6, then, and in that event, Muck, at Muck's sole cost, shall immediately return the Premises to the condition thereof existing prior to Muck engaging in all Due Diligence Activities.

(b). City hereby expressly disclaims all Warranties of Merchantability and Fitness for a Particular Purpose associated with the Premises. Muck accepts the Premises "As Is."

7. Ongoing Access to Premises. Throughout the Term of this Lease, City shall have the right of access, without escort, to the Premises for its employees and agents twenty-four (24) hours a day, seven (7) days per week, at no charge to City. In exercising its use of the Premises herein, Muck agrees to cooperate with any reasonable security or access control procedures utilized by City and further agrees not to unduly disturb or interfere with the business or other activities of City or of other tenants or occupants of the Premises. City shall maintain all existing access roadways or driveways extending from the nearest public roadway to the Premises in accordance with City standards and budget constraints. City shall have the right to reconfigure the traffic flow and location of such roadways and driveways without approval of or compensation to Muck provided doing so does not prohibit Muck's ability to access the Premises. City shall be responsible for maintaining and repairing such roadways and driveways at City's sole expense, except for any damage caused by Muck's use of such roadways or driveways. If Muck causes any such damage, Muck shall promptly repair the same at its sole expense to the condition in which it was prior to such damage. Muck shall be responsible for the maintenance and compliance with laws of all structures and appurtenances located on the Premises.

8. Muck's Work, Maintenance, Repairs and Restoration. All of Muck's construction and installation work at the Premises shall be performed at Muck's sole cost and expense and in a good and workmanlike manner. Muck shall maintain the Premises in neat and safe condition in compliance with all applicable codes and governmental regulations, including and any and all security lighting or appliances installed. Muck, at Muck's expense, shall be required to make all repairs to the Premises due to damage caused by Muck, its agents or contractors. Upon the expiration, cancellation or termination of this Lease Agreement, Muck shall, within ninety (90) calendar days thereafter, surrender the Premises in good condition, less ordinary wear and tear and casualty not caused by Muck, its agents or contractors. Muck shall not permit or suffer any mechanic's or materialmen's liens to be lodged against the Premises. The City shall provide regular custodial services for the facility and make necessary repairs caused by normal wear and tear.

9. Title to Muck's Facilities. Title to FF&E and any equipment placed on the Premises by Muck shall be held by and remain with Muck. All FF&E shall remain the property of Muck and are not fixtures. Muck has the right to remove all FF&E at its sole expense on or before the expiration or termination of this Lease Agreement. City acknowledges that Muck may enter into financing arrangements including promissory notes and financial and security agreements for the financing of FF&E (the "Collateral") with a third party financing entity and may in the future enter into additional financing arrangements with other financing entities. In connection therewith, City (i) consents to the installation of the Collateral to the extent that the Collateral is part of the approved FF&E; (ii) disclaims any interest in the Collateral, as fixtures or otherwise, whether arising at law or otherwise, including, but not limited to any statutory landlord's lien; and (iii) agrees that the Collateral shall be exempt from execution, foreclosure, sale, levy,

attachment, or distress for any Rent due or to become due and that such Collateral may be removed at any time without recourse to legal proceedings.

10. Utilities. Muck shall have the right to install utilities, at Muck's expense, and to improve the present utilities on the Premises (including, but not limited to the installation of emergency back-up power).

11. Taxes. Muck shall pay personal property taxes assessed against FF&E, and shall pay when due all real property taxes, *in lieu* and all other taxes, fees and assessments attributable to the Premises and this Lease.

12. Termination. This Lease Agreement may be terminated by Muck in its sole discretion effective immediately without further liability by delivery of written notice thereof to City prior to the Commencement Date for any reason resulting from Muck's Due Diligence which may adversely affect Muck's use of the Premises for Muck's intended use, or for any other or no reason. This Lease may be terminated without further liability on thirty (30) days prior written notice as follows: (a) by either party upon a default of any covenant, condition, or term hereof by the other party, which default is not cured within sixty (60) days of receipt of written notice of default; (b) by Muck if it does not obtain licenses, permits or other approvals necessary to the construction or operation of FF&E ("Permits"), is unable to obtain such Permits without conditions which, in Muck's reasonable discretion, are not standard or typical for premises where facilities as contemplated herein are located or is unable to maintain such licenses, permits or approvals despite reasonable efforts to do so; (c) by Muck in its sole discretion upon written notice to City, surrender as required in § 8 of this Lease, and upon Muck's written notice and payment to City of an early termination payment as liquidated damages by Muck to City of \$500.00. The early termination payment in this Section shall not in any way be considered as Rent or Rent offset. Other than as stated herein, City and Muck shall not have the right to terminate, revoke or cancel this Lease Agreement. If termination of the Lease occurs as a result of Muck's election pursuant to subsection 12(c) of this Lease, Muck shall upon giving written notice and paying the early termination payment also immediately discontinue use of the Premises.

13. Destruction of Premises. If the Premises is destroyed by natural disaster or by any party other than the Muck, Muck may elect to terminate this Lease Agreement pursuant to § 12(c) of this Lease, except that no early termination payment shall be paid by Muck to City.

14. Condemnation. If a condemning authority takes all of City's Real Property, or any portion thereof, which in Muck's sole discretion is sufficient to render the Premises unsuitable for Muck's ongoing operation, then this Lease shall terminate without further liability of Muck as of the date when possession is delivered to the condemning authority. In any condemnation proceeding each party shall be entitled to make a claim against the condemning authority for just compensation recoverable under applicable condemnation law. Sale of all or part of the Premises to a purchaser with the power of eminent domain in the face of the exercise of its power of eminent domain shall be treated as a taking by a condemning authority.

15. Insurance. Muck shall maintain the following insurance: (1) Commercial General Liability with limits of One Million Dollars (\$1,000,000.00) per occurrence, (2) Automobile Liability with a combined single limit of One Million Dollars (\$1,000,000.00) per accident, (3) Workers Compensation as required by law, and (4) Employer's Liability with limits of One Million Dollars (\$1,000,000.00) per occurrence. City, at City's sole cost and expense, shall procure and maintain on the City's Real Property, bodily injury and property damage insurance with a combined single limit of at least One Million Dollars (\$1,000,000.00) per occurrence. Such insurance shall insure, on an occurrence basis, against liability of City, its employees and agents arising out of or in connection with City's use, occupancy and maintenance of City's Real Property. City, City's elected officials, officers, employees, and volunteers shall be named as an additional insured on Muck's Commercial General Liability and Automobile Liability policies. Each party shall provide to the other a certificate of insurance evidencing the coverage required by this paragraph within thirty (30) days of the Commencement Date. Each party waives any rights of recovery against the other for injury or loss due to hazards covered by their property insurance, and each party shall require such insurance policies to contain a waiver of recovery against the other. All required insurance limits shall be increased by twenty percent (20%) every fifth (5th) year.

16. Assignments or Transfers. Muck shall not assign or transfer this Lease Agreement to any other person or entity in whole or in part. Notwithstanding anything to the contrary contained in this Lease, Muck may assign, mortgage, pledge, hypothecate or otherwise transfer without consent its interest in this Agreement to any financing entity, or agent on behalf of any financing entity to whom Muck (i) has obligations for borrowed money or in respect of guaranties thereof, (ii) has obligations evidenced by loans, bonds, debentures, notes or similar instruments, or (iii) has obligations under or with respect to letters of credit, bankers acceptances and similar facilities or in respect of guaranties thereof.

17. Nondisturbance and Quiet Enjoyment; Subordination; Estoppel Certificates.

(a). So long as Muck is not in default under this Lease Agreement, Muck shall be entitled to quiet enjoyment of the Premises during the term of this Lease Agreement or any Renewal Term, and Muck shall not be disturbed in its occupancy and use of the Premises or the exercise of its rights and privileges as granted herein.

(b). This Lease shall be subordinate to each and every deed of trust, mortgage or other security instrument which may now or hereafter affect City's Real Property and to any renewals, extensions, supplements, amendments, modifications or replacements thereof. In confirmation of such subordination, Muck shall execute and deliver promptly any commercially reasonable certificate of subordination that City may reasonably request, provided that such certificate acknowledges that this Lease remains in full force and effect, recognizes Muck's right to nondisturbance and quiet enjoyment of the Premises so long as Muck is not in default under this Lease, only contains true and accurate statements and Muck's liability shall be capped at the remaining rent under this Lease. If any mortgagee or lender succeeds to City's interest in City's Real Property through a foreclosure proceeding or by a deed in lieu of foreclosure, Muck shall attorn to and recognize such successor as City under this Lease provided such party similarly

agrees not to disturb Muck's occupancy and use of the Premises or the exercise of its rights and privileges as granted herein.

(c). At any time upon not less than ten (10) days' prior written notice by City, Muck shall execute, acknowledge and deliver to City or any other party specified by City, a statement in writing certifying that this Lease Agreement is in full force and effect, if true, and the status of any continuing defaults under this Lease Agreement.

18. Indemnification.

(a). Muck's Indemnity. Muck hereby agrees to defend, indemnify and hold City and City's elected and appointed officials, officers, employees, and volunteers free and harmless from and against any and all losses, claims, liabilities, damages, actions, causes of action, costs and expenses including attorney's fees and costs of court, and injuries, including personal injuries or death to the extent caused by Muck's negligent: occupation, use, operation, maintenance or repair of FF&E at the Premises or access over City's Real Property to the Premises, except those resulting from the negligence or willful misconduct of City or City's Indemnities.

(b). City's Indemnity. City hereby agrees to defend, indemnify and hold Muck and Muck's officers, directors, partners, shareholders; employees, agents, contractors or subcontractors free and harmless from and against any and all losses, claims, liabilities, damages, actions, causes of action, costs and expenses (including attorney's fees and costs of court) and injuries (including personal injuries or death) to the extent caused by City's negligent use, operation, maintenance or repair of improvements on City's Real Property, the use of City's Real Property by other tenants or Mucks of City, any violation of governmental regulations relating to the Premises, except those resulting from the negligence or willful misconduct of Muck or Muck's officers, directors, partners, shareholders, employees, agents, contractors or subcontractors.

(c). Special Damages. Notwithstanding any other provision of this Lease, neither Party shall be liable to the other for consequential damages, damages for lost income and profits, exemplary or punitive damages or other special damages, whether in tort, contract or equity.

(d). Survival of Indemnity Provisions. The indemnity provisions of this § 19 shall survive the expiration, cancellation or expiration of this Lease Agreement for the length of the applicable statute of limitations term during which a claim may be filed plus 30 days, and any claims for indemnification under this § 19 shall be brought within that period.

19. Hazardous Material. Muck agrees that it will not use, generate, store or dispose of any Hazardous Material (as defined below) on, under, about or within the City's Real Property in violation of any law or regulation. City represents, warrants and agrees: (1) that neither City nor, to City's knowledge, any third party has used, generated, stored or disposed of, or permitted the use, generation, storage or disposal of, any Hazardous Material (defined below) on, under, about or within City's or upon the Premises in violation of any law or regulation, and (2) that City will not, and will not permit any third party to use, generate, store or dispose of any

Hazardous Material on, under, about or within the Premises in violation of any law or regulation. City and Muck each agree to defend, indemnify and hold harmless the other and the other's partners, affiliates, agents and employees against any and all losses, liabilities, claims and/or costs (including reasonable attorneys' fees and costs) arising from any breach of any representation, warranty or agreement contained in this paragraph. As used in this paragraph, "Hazardous Material" shall mean petroleum or any petroleum product, asbestos, any substance known by the state in which City's Real Property is located to cause cancer and/or reproductive toxicity, and/or any substance, chemical or waste that is identified as hazardous, toxic or dangerous in any applicable federal, state or local law or regulation.

20. Notices and Deliveries. Any notice or demand required to be given herein shall be made by certified or registered mail, return receipt requested, or by reliable overnight delivery service with a copy delivered by facsimile to the address of the respective parties set forth below:

City: City of Placentia
401 E. Chapman Avenue
Placentia, CA 92870
Attn: City Administrator
Telephone: (714) 993-8118
Facsimile: (714) 961-0283
Federal Taxpayer ID Number: 95-6000763

With a copy to: Andrew V. Arczynski,
City Attorney
1400 N. Brea Boulevard
Fullerton, CA 92835-3538
Telephone: (714) 578-8838
Facsimile: (714) 578-9322

Muck: Muckenthaler Cultural Center
Attention: Executive Director
1201 West Malvern Avenue
Fullerton, CA 92833

City or Muck may from time to time designate any other addressees and addresses for notices or deliveries by written notice to the other party.

21. Bankruptcy.

(a). City and Muck hereby expressly agree and acknowledge that it is the intention of both parties that in the event during the term of this Lease, either party shall become a debtor in any voluntary or involuntary bankruptcy proceeding (a Proceeding) under the United States Bankruptcy Code, 11 U.S.C. § 101, *et seq.*, ("Code"), this Lease is and shall be treated as an unexpired lease of nonresidential real property for purposes of § 365 of the Code, 11 U.S.C. § 365 (as may be amended), and, accordingly, shall be subject to the provisions of subsections (d)(3) and (d)(4) of said § 365 (as may be amended).

(b). Any person or entity to which this Lease is assigned pursuant to the provisions of the Bankruptcy Code, 11 USC §§ 101, *et seq.*, shall be deemed without further act to have assumed all of the obligations of Muck arising under this Lease both before and after the date of such assignment. Any such assignee shall upon demand execute and deliver to City an instrument confirming such assumption. Any monies or other considerations payable or otherwise to be delivered in connection with such assignment shall be paid to City, shall be the exclusive property of City, and shall not constitute property of the Muck or of the estate of Muck within the meaning of the Code. Any monies or other considerations constituting City's property under the preceding sentence not paid or delivered to City shall be held in trust for the benefit of City and be promptly paid to City.

23. Miscellaneous.

(a). Severability. If any provision of this Lease is held to be invalid or unenforceable by a court of competent jurisdiction with respect to any party, the remainder of this Lease or the application of such provision to persons other than those as to whom it is held invalid or unenforceable shall not be affected, each provision of this Lease shall be valid and enforceable to the fullest extent permitted by law, and the parties shall negotiate in good faith to amend this Lease to retain the economic effect of the invalid or unenforceable provisions.

(b). Binding Effect. Each party represents and warrants that said party has full power and authority, and the person(s) executing this Lease have full power and authority, to execute and deliver this Lease, and that this Lease constitutes a valid and binding obligation of each party, enforceable in accordance with its terms, except as enforceability may be limited by applicable bankruptcy, insolvency, reorganization, moratorium or other laws affecting the enforcement of creditor's rights generally and by general equitable principles (whether enforcement is sought in proceedings in equity or at law). This Lease shall be binding on and inure to the benefit of the successors and permitted assignees of the respective parties.

(c). Waivers. No provision of this Lease shall be deemed to have been waived by a party unless the waiver is in writing and signed by the party against whom enforcement of the waiver is attempted. No custom or practice which may develop between the parties in the implementation or administration of the terms of this Lease shall be construed to waive or lessen any right to insist upon strict performance of the terms of this Lease.

(d). Governing Law, Courts. This Lease shall be governed by and construed in accordance with the laws of the State of California. Sole venue for any legal claim arising hereunder shall be in the Superior Court of the State of California in Orange County at the courthouse or in the court district closest to the Premises.

(e). Attorneys' Fees and Costs. The prevailing party in any legal claim arising hereunder shall be entitled to its reasonable attorneys' fees and costs and court costs as may be awarded by the court.

(f). Survival. Terms, conditions, obligations, and indemnifications of this Lease which by their sense and context survive the termination, cancellation or expiration of this Lease will so survive.

(g). Memorandum of Lease. City acknowledges that a Memorandum of Lease substantially in the form annexed hereto as Exhibit "F" will be recorded by Muck in the Official Records of the County where the City's Real Property is located.

(h). Entire Agreement; Amendments. This Lease constitutes the entire agreement and understanding between the parties regarding Muck's lease of the Premises and supersedes all prior and contemporaneous offers, negotiations and other agreements concerning the subject matter contained herein. There are no representations or understandings of any kind not set forth herein. Any amendments to this Lease must be in writing and executed by duly authorized representatives of both parties.

(i). No Presumptions Regarding Preparation of Lease. The parties acknowledge and agree that each of the parties has been represented by counsel or has had full opportunity to consult with counsel and that each of the parties has participated in the negotiation and drafting of this Lease. Accordingly it is the intention and agreement of the parties that the language, terms and conditions of this Lease are not to be construed in any way against or in favor of any party hereto by reason of the roles and responsibilities of the parties or their counsel in connection with the preparation of this Lease.

(j). Interpretation.

(1). Unless the context of this Lease clearly requires otherwise: (i) the plural and singular numbers shall be deemed to include the other; (ii) the masculine, feminine and neuter genders shall be deemed to include the others; (iii) "or" is not exclusive; and (iv) "includes" and "including" are not limiting.

(2). The headings in this Lease Agreement are for reference only and are not incorporated in any term herein.

(k). No Personal Liability of Officials and Employees of either Party. No elected official, officer, employee, agent, or volunteer of either Party shall be personally liable for any default or liability whatsoever under this Lease, except in instances of criminal negligence.

(l). Public Document. City is a municipal corporation under the laws of the State of California. City and Muck acknowledge that this Lease is subject to public disclosure as specified by California Government Code § 6250 *et seq.*, and is a "public record" within the meaning of California Government Code § 6252(e).

(m). City Business License and City Permits Required. Muck, including without limitation Muck's contractors and/or representatives who perform any work at the Premises on behalf of Muck, shall obtain a City of Placentia Business License before performing any services permitted by this Lease, and shall maintain such license(s) in force at all times subsequent during

the Term of this Lease and any month-to-month tenancy thereafter. Licensee shall obtain and maintain in force such business license during the Term hereof.

IN WITNESS WHEREOF, the parties have caused this Lease Agreement to be executed by their duly authorized representatives on the dates set forth below and acknowledge that this Lease Agreement is effective as of the date first above written.

CITY:

City of Placentia,
a Charter City and municipal corporation

By:

Troy L. Butzlaff, ICMA-CM
City Administrator

Date:

Approved as to Form:

ATTEST:

By:

Andrew V. Arczynski,
City Attorney

By:

Patrick J. Melia,
City Clerk

MUCK:

MUCKENTHALER CULTURAL CENTER
A California Corporation

By:

Zoot Velasco, Executive Director

Date:



Placentia City Council

AGENDA REPORT

TO: CITY COUNCIL

VIA: CITY ADMINISTRATOR

FROM: SENIOR MANAGEMENT ANALYST

DATE: OCTOBER 21, 2014

SUBJECT: **APPOINTMENT OF REPRESENTATIVES TO THE PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA ("PARSAC") BOARD OF DIRECTORS**

FISCAL IMPACT: NONE

SUMMARY:

The City of Placentia is a member of the Public Agency Risk Sharing Authority of California (PARSAC), a joint powers authority providing risk management services and joint insurance benefits. Pursuant to the PARSAC bylaws, each Member Entity shall appoint a representative and alternate to the PARSAC Board of Directors (Board). With the reclassification of Mr. Eddie De La Torre from the Management Analyst to Senior Management Analyst position (the "SMA"), a Resolution must be adopted by the City Council in order to authorize the SMA to represent the City on the PARSAC Board. Currently, the City Administrator serves as the City's Director and the Management Analyst serves as the Alternate Director to PARSAC. The attached Resolution provides the legal authorization to appoint the City Administrator to serve as the Director and the SMA to serve as Alternate Director on the PARSAC Board.

RECOMMENDATION:

It is recommended that City Council take the following action:

1. Adopt Resolution No. R-2014-___, A Resolution of the City Council of the City of Placentia, California, appointing representatives to the PARSAC Board of Directors.

DISCUSSION:

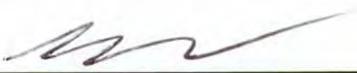
The City has been a member entity of PARSAC since its inception in 1986. PARSAC provides risk management services, claims pooling and joint insurance purchase benefits to member cities for liability coverage. The documents governing PARSAC requires that "any vacancy in the office of a Director, whether because of death, incapacity, resignation, removal or otherwise, shall be filled by the legislative body of the respective Member Entity."

1.e.

October 21, 2014

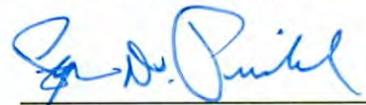
On May 21, 2013, the City Council approved a resolution appointing the Management Analyst as the Alternate Director to PARSAC. On July 1, 2014, Management Analyst De La Torre was reclassified to SMA and in order to comply with PARSAC's bylaws, Staff is requesting that the SMA be designated as the Alternate Director to PARSAC. The change allows the SMA to represent the City at PARSAC Board meetings in the event the City Administrator is unable to attend, including the upcoming meeting scheduled for December 4, 2014 in Sacramento.

Prepared by:



Eddie De La Torre
Senior Management Analyst

Reviewed and approved:



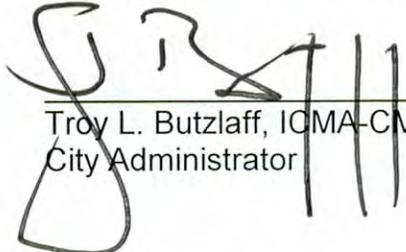
Stephen D. Pischel
Director of Administrative Services

Reviewed and approved:



Damien R. Arrula
Assistant City Administrator

Reviewed and approved:



Troy L. Butzlaff, ICMA-CM
City Administrator

Attachment:

1. Resolution No. R-2014-___, A Resolution of the City Council of the City of Placentia, California, appointing representatives to the PARSAC Board of Directors.

RESOLUTION NO. R-2014-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF PLACENTIA, CALIFORNIA, APPOINTING
REPRESENTATIVES TO THE PUBLIC AGENCY RISK
SHARING AUTHORITY OF CALIFORNIA BOARD OF
DIRECTORS

A. Recitals.

(i). The City of Placentia is a Member Entity of the Public Agency Risk Sharing Authority of California ("PARSAC"), a joint powers agency providing risk management services, claims pooling and joint insurance benefits to its members.

(ii). In order to transact business or vote on business of PARSAC, the City is required to appoint a City representative to serve on the Board of Directors to act on behalf of the City.

(iii). The City is required to appoint a second individual to serve as Alternate Director when the respective Director is absent.

(iv). All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.

2. Appoints the City Administrator as City Representative and the Senior Management Analyst as Alternate Representative to serve on the Board of Directors of the Public Agency Risk Sharing Authority of California.

IT IS FURTHER RESOLVED that the City Clerk be instructed to inform the Secretary to the Public Agency Risk Sharing Authority of California the above appointments by transmitting a copy of this Resolution.

PASSED AND ADOPTED AND APPROVED this 21st day of October, 2014.

SCOTT W. NELSON,
MAYOR

Attest:

PATRICK J. MELIA,
CITY CLERK

STATE OF CALIFORNIA
COUNTY OF ORANGE

I, PATRICK J. MELIA, City Clerk of the City of Placentia, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Placentia held on the 21st day of October, 2014.

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

PATRICK J. MELIA,
CITY CLERK

APPROVED AS TO FORM:

ANDREW V. ARCZYNSKI,
CITY ATTORNEY



Placentia City Council

AGENDA REPORT

TO: CITY COUNCIL

VIA: CITY ADMINISTRATOR

FROM: MANAGEMENT ANALYST

DATE: OCTOBER 21, 2014

SUBJECT: **APPROVE AN AGREEMENT WITH USDA TO ACCEPT A GRANT TO EXPAND MARKETING FOR THE PLACENTIA FARMERS MARKET**

FISCAL
IMPACT: REVENUE: \$90,448 Total (FY 2014-15 \$33,916)
EXPENDITURE: \$90,448 Total (FY 2014-15 \$33,916)

SUMMARY:

The United States Department of Agriculture (the "USDA") has approved a 2014 Farmers Market Promotion Program grant of up to \$90,448 to the City of Placentia. The purpose of the grant is to market and promote activities for farmers market, community supported agriculture's, and other direct producer-to-consumer outlets for local food. The grant will allow the City to provide staff support, marketing and promotion of the farmers market, electronic benefit transfer (EBT) components, and community outreach and education to Placentia residents, which will align with the City's numerous healthy living initiatives. The City will also add free shuttle service for three (3) targeted senior citizen and low-income communities, so that Placentia residents who traditionally have limited access to fresh local food will experience improved access. This action will approve an agreement with the USDA to accept a \$90,448 restricted project grant to promote the Placentia Farmers Market over a two (2) year period.

RECOMMENDATION:

It is recommended that the City Council take the following actions:

1. Approve an agreement with the USDA to accept a \$90,448 restricted project grant to promote the Placentia Farmers Market over a two (2) year period; and
2. Adopt Resolution No. R-2014-____, A Resolution of the City Council of the City of Placentia, California, authorizing a Budget Amendment in Fiscal Year 2014-15 in the aggregate amount of \$33,916 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures; and
3. Authorize the City Administrator, or his designee, to execute all applicable documents in a form approved by the City Attorney.

1.f.

October 21, 2014

DISCUSSION:

The City has established strong partnerships with the Placentia-Yorba Linda Unified School District, the Placentia Families First Collaborative, and other local organizations that promote community wellness and education, and provide meaningful health and recreational services to Placentia residents. The City has launched initiatives that have resulted in healthy after-school programs, including a nutritional food program, additional outdoor physical activities, more open park and field space for the school district, and support for a citywide collaborative of local community organizations aimed at increasing access to, and consumption of healthy foods, and increasing opportunities for physical activity in the community. In addition, the certified Placentia Farmers Market (the "PFM") opened in July 2014 at the Placentia Town Center offering farmers and ranchers around the region with tools to reach consumers, strengthen ties between urban and rural communities, and help meet the growing demand for locally and regionally produced food.

The PFM occurs every Tuesday from 4:00 p.m. to 8:00 p.m. and is independently operated by Palas Creations. To ensure a robust and successful weekly Farmers Market for Placentia residents, the City submitted a proposal to the USDA's 2014 Farmers' Market Promotion Program to support and promote the PFM in providing locally-grown, fresh food, and improved access to Placentia residents. The USDA has accepted the City's proposal and awarded \$90,448 over a two (2) year period to support the following activities from September 2014 to September 2016:

- **Contractual Staff Hours - \$35,907**

The City will use contractual Community Services and Neighborhood Services Staff to oversee the PFM manager duties as related to City-supported activities, manage the City's market activities, promote the PFM at community events, oversee production of promotional videos for the City's cable station and its website, and directly lead health and wellness outreach and programming with community groups, schools, the Placentia Chamber of Commerce, and at senior apartment centers.

- **Free shuttle/loop service to the PFM for targeted senior citizen and low-income residents - \$27,500**

The City will contract with Western Transit to utilize an 18-seat, ADA-accessible shuttle bus with a wheelchair lift to run from 4:00 p.m. to 8:00 p.m. on Tuesday to Bradford Terrace Senior Apartments, Whitten Community Center, and Emerald Isle Senior Apartments.

- **Supplies and Miscellaneous Items - \$27,041**

The City will lease portable restrooms, EBT equipment, and purchase onsite evaluation supplies. Other miscellaneous items to be purchased include temporary banners, street-wide banner, City quarterly newsletter space and advertisement space within the Placentia News Times, OC Register online, and transit shelter billboards.

FISCAL IMPACT:

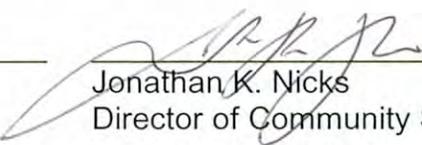
The agreement with the USDA will provide up to \$90,448 in grant funding over a two (2) year period. The grant does not require any matching funds from the City. The grant term will encompass expenditures from September 30, 2014 through September 29, 2016. The attached budget resolution will recognize revenue from and expenditure of grant funds in the amount of \$33,916 in FY 2014-15. The remaining revenue and expenditures will be reflected in the FY 2015-16 (\$45,224) and FY 2016-17 budgets (\$11,308).

Prepared by:



Maggie Le
Management Analyst

Reviewed and approved:



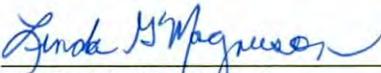
Jonathan K. Nicks
Director of Community Services

Reviewed and approved:



Stephen D. Pischel
Director of Administrative Services

Reviewed and approved:



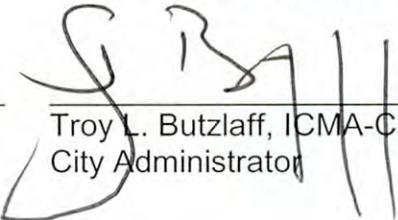
Linda G. Magnuson
Chief Financial Officer

Reviewed and approved:



Damien R. Arrula
Assistant City Administrator

Reviewed and approved:



Troy L. Butzlaff, ICMA-CM
City Administrator

Attachments:

1. USDA's Agricultural Marketing Service Grant Agreement
2. Budget Resolution No. R-2014-__, A Resolution of the City Council of the City of Placentia, California, authorizing a Budget Amendment in Fiscal Year 2014-15 in the aggregate amount of \$33,916 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures

**United States Department of Agriculture
Agricultural Marketing Service
AGREEMENT FACE SHEET**

1. Accounting Code: 14142500DB80TMD3400ZZZZZZ	2. Vendor I.D. (EIN): 95-6000763	3. DUNS Number: 040504417
4. Agreement Number: 14-FMPPX-CA-0013	Amendment Number:	5. Type of Instrument: Grant
6. CFDA Number: 10.168		
7. Title of Agreement: Placentia Farmers' Market (Placentia, California)		
8. Objective: To develop and establish a marketing campaign to promote the year-round Placentia's Farmers Market and new EBT acceptance program.		
9. Statement of Work: This agreement shall be carried out by the organizational units or officials of the Federal Agency and the Grantee in the manner and subject to the conditions provided in the Farmers' Market Promotion Program (FMPP) Grant Program General Terms and Conditions attached hereto and made a part of this agreement.		
10. Legal Authority: The Agricultural Act of 1946 (7 U.S.C. 1621-1627), the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3001-3006) and the recent passage of the Agriculture Act of 2014 (Public Law 113-79) (2014 Farm Bill) that reauthorized, funded, expanded, and renamed the Farmers Market Promotion Program as the "Farmers' Market and Local Food Promotion Program" (7 U.S.C. 3005).		
11. Federal Agency (Name and Address): Farmers' Market Promotion Program Agricultural Marketing Service United States Department of Agriculture Washington, DC 20250		12. Grantee: City of Placentia 0405044170000 Placentia, CA 92870-6101
13. Federal Agency Project Manager: Carmen H. Humphrey, FMPP Program Manager Telephone: (202) 720-8317 Email: Carmen.Humphrey@ams.usda.gov		14. Grantee Project Coordinator: Jonathan Nicks Telephone: (714) 993-8227 E-mail: jnicks@placentia.org
15. Period of Performance: September 30, 2014 thru September 29, 2016	16. Federal Agency Funding Amount: \$90448	Non-Federal Matching Amount: \$0

PROVISIONS

This Grant Award incorporates the following:

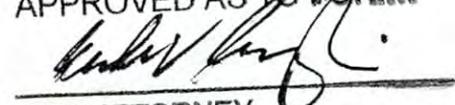
- The referenced grantee 2014 FMPP Project Proposal Narrative and Supplemental Budget, including any AMS budget revisions – incorporated by reference.
- The grantee will complete activities outlined in the FMPP Project Proposal, Supplemental Budget Narrative, and Approved Award Budget.
- The Grantee agrees to comply with and require Sub-Grantees to comply with the requirements in the Farmers' Market Promotion Program (FMPP) Grant Program General Terms and Conditions – incorporated by reference.
- 7 CFR Part 3015, 7 CFR Part 3016, 7 CFR Part 3019, and FAR 31.2 – incorporated by reference.
- The FMPP Announcement, Fiscal Year 2014 Request for Applications, including all requirements and post-award grant management – incorporated by reference.
- The obligation of funds may be terminated without further cause unless the recipient commences the timely drawdown of funds; initial drawdown must be made within the first eight (8) months of the project.
- Awards made under this announcement are subject to the provisions contained in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012, P.L. No. 112~55, Division A, Sections 738 and 739 regarding corporate felony convictions and corporate federal tax delinquencies.

FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE

This agreement, subject to the provisions above, shall constitute an obligation of funds on behalf of the Government, unless amended or terminated by mutual consent of the parties in writing, or terminated by either party upon 60 days notice in writing.

17. Federal Agency Representative Approval: Arthur L. Neal Deputy Administrator Transportation and Marketing Programs Agricultural Marketing Service		18. Grantee Representative Approval (Please Print): Name: Troy L. Butzclaff Title: City Administrator	
19. Federal Agency Representative Approval Signature: ARTHUR NEAL <small>Digitally signed by ARTHUR NEAL DN: c=US, o=U.S. Government, ou=Department of Agriculture, cn=ARTHUR NEAL, 0.9.2342.1.9200300.100.1.1+1.2001000408954 Date: 2014.09.28 05:27:18 -0400</small>	Date:	20. Grantee Representative Approval Signature: 	Date: 10/8/14

APPROVED AS TO FORM:


**CITY ATTORNEY
CITY OF PLACENTIA**

CA-319

Project Title: **Placentia Farmers' Market**

Organization: **City of Placentia**

Phone: **714.993.8135**

Contact: **Maggie Le**

Contact Email: mle@placentia.org

FMPP 2014

This Column for
FMPP Staff Use Only:
Revised/Approved

Budget Summary Itemization:	Requested Budget	This Column for FMPP Staff Use Only: Revised/Approved
Management Analyst (49.67/hour x 2 Personnel: hours per week x 104 weeks)	\$10,331	\$10,331
Contractual: Farmers' Market Staff (2 years) Program Coordinator = \$17,420 (\$17.42/hour x 10 hours/week x 100 weeks = \$1,7420) Community Service Leader = \$4,356 (\$10.89/hour x 4 hours/week x 100 weeks = \$4,356) Shuttle Driver (Western Transit) (\$55/hour x 5 hours/week x 100 weeks)	\$21,776	\$21,776
(BLS: \$19.62, 53-3021), 19.62 x5x100 is \$9,810. However, it is not clear and this may be for the van AND driver. Leave it. Graphic Designer (Placentia) 25 hrs x \$19 x 8)	\$27,500	\$27,500
Travel:	\$0	\$0
Equipment:	\$0	\$0
Supplies: Portable Restrooms (Lease)	\$2,140	\$2,140
Onsite Evaluation Supplies	\$1,570	\$1,570
Other: 15 Temporary Banners (\$144 x 15 = \$2,160) Transit Shelter Billboards Monthly 1/4 page Color Ad in Placentia News (2 Year) Orange County Register Online Ads City Quarterly Newsletter (2 Years) Over-the-Street Banner Lease EBT Equipment	\$2,160 \$2,790 \$5,088 \$6,000 \$5,200 \$1,000 \$1,093	\$2,160 \$2,790 \$5,088 \$6,000 \$5,200 \$1,000 \$1,093
Total Direct	\$90,448	\$90,448
Indirect Cost:		
Indirect Percentage of Total Budget (maximum 10% of total budget)	0%	
TOTAL	\$90,448	\$90,448

* 
 Organization: **City of Placentia**
 Project Title: **Placentia Farmers' Market**

Supplemental Budget Summary Narrative: Add additional lines, as needed.**PERSONNEL:**

1. **Management Analyst:** The City's Management Analyst, Ms. Maggie Le, will have hours added to her schedule, and will oversee the FMM's duties as related to City-supported activities, and act as the City Liaison between the City, the FMM, and RPAI Properties (a portion of project time will be grant-funded). **\$10,331** (\$49.67/hour x 2 hours x 52 weeks x 2 years = \$10,331)

CONTRACTUAL:

2. **Program Coordinator (PC):** An existing staff member, Veronica Cervantes, will have hours added to her schedule in order to serve as the Program Coordinator, and will manage the City's market activities. Ms. Cervantes will promote the Market at community events, oversee production of promotional videos for the City's cable station and its website, and directly lead health and wellness outreach and programming with community groups, schools, the Placentia Chamber of Commerce, and senior apartment centers (hourly increase grant-funded). **\$17,420** (\$17.42/hour x 10 hours per week x 50 weeks x 2 years = \$17,420)

3. **Farmers Market Community Services Leader (CSL):** An existing city staff member, Alex Ruiz, will have hours added to his schedule in order to serve as the Farmers Market Community Services Leader (CSL). The Community Services Leader will support the activities of the FMM, in addition to staffing the Market's informational booth each week (hourly increase grant-funded). **\$4,356** (\$10.89/hour x 4 hours per week x 50 weeks x 2 years = \$4,356)

4. **Graphic Designer:** An existing Placentia city staff member, David McLaren, will have his hours expanded and be given the new task of designing all project graphics and promotional materials including flyers, newsletters, and website content to promote the Market city-wide. **\$3,800** (\$19/hour x 25 hours x 8 weeks = \$3,800)

5. **Shuttle Driver:** The City of Placentia will contract with Western Transit for transportation services on "market days" to ensure that low-access and underserved individuals have barrier-free access to the Market. **\$27,500** (\$55/hour x 5 hours x 100 weeks = \$27,500)

TRAVEL: No travel budget is being requested.

EQUIPMENT: No equipment is being requested.

SUPPLIES:

A portable restroom will be leased and available for public use on market days to meet customer needs. **\$2,140** (A&J Portables provided a price quote - attached)

Supplies for onsite evaluation activities \$1,570

The City will implement Dot Surveys to capture relevant survey data from the Placentia Farmers' Market. The CSL will be responsible for setting up the easels, collecting data, and providing a report to Management Analyst. 4 easels and weights: \$200/Weighted Easel x 4 Easels = \$800 Flipcharts: \$40/each x 8 Flip Charts/Year x 2 Years = \$640 Paper: \$40/Box x 2 Boxes = \$80 Flip Chart Markers: \$20 Dot Stickers: \$30 Total = \$1,570

OTHER:

The City's goal is to advertise the new Placentia Farmers' Market through various media outlets, including transit shelter billboards, small banners, one over-street banner, and print and online advertising, to inform the public about the Market, the hours (Tuesdays, 4:00 p.m. to 8:00 p.m.) and the proposed Free Shuttle Service. The City has found that blanketing the City with multiple forms of media is an effective way to ensure patronage. As such, the City proposes the following advertising media for grant funding:

Transit Shelter Billboard Campaign to promote the Placentia Farmers Market: **\$2,790** (\$150/month for transit stop billboards x 9 shelters x 2 months + \$90 per production = \$2,790) The City will target Orange County Transportation Authority (OCTA) bus shelters across the City, once a year, to advertise the Farmers' Market and the proposed free shuttle service. The quote was provided by Lamar Advertising.

Temporary Banners (15) **\$2,160** (\$78/banner x 15 banners = \$1,170; \$66/hardware set (including fiberglass poles, endcaps, brackets, nylon straps, and 40" stainless steel bands) x 15 = \$990) \$1,170 + 990 = \$2,160 (Vendor quote attached)

Overstreet banner: **\$1,000** (A vendor quote from a reputable local vendor was obtained via telephone call.) The double-sided, over-street banner will alert all vehicle, bicycle, and pedestrian traffic to the hours of the new market.

Print Advertising in Placentia News (Newspaper): Monthly 1/4 page color ad x 2 years: **\$5,088** (\$212/month x 24 months = \$5,088) (Vendor quote attached)

Print Advertising in city newsletter: **\$5,200** (\$650/page in quarterly newsletter x 8 quarters = \$5,200)

Online Advertising with Orange County Register: **\$6,000** (\$1,000/month x 6 months - 3 months each year = \$6,000) The Orange County Register has 3.9 million unique website visitors each month, and will ensure a robust online presence, as well as traditional print to promote the market and shuttle service. (Vendor quote attached)

Lease of Electronic Benefits Transfer (EBT) Equipment: The City utilized quotes from MerchantSource (initial set-up cost and monthly costs) and Minnesota's Department of Agriculture's document, "How to Implement SNAP and EBT into your Farmers' Market" (credit card/check card charges). Both documents are attached in Supporting Documents section. \$0 for Equipment (provided free through MerchantSource). **\$1,093** for Equipment lease (\$100 for initial set-up; \$18.95/month x 24 months for wireless fee = \$473.75; \$0.10 per transaction - assuming 50 transactions per market - \$5 x 104 weeks = \$520; \$100 + \$473.75 + 520 = \$1,093.)

The City will own the EBT equipment, and the Farmers' Market Manager will operate/facilitate the use of the equipment at each Farmers' Market

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0235. The time required to complete this information collection is estimated to average 10 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable sex, marital status, or familial status, parental status religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

RESOLUTION NO. R-2014-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, AUTHORIZING A BUDGET AMENDMENT IN FISCAL YEAR 2014-15 IN THE AGGREGATE AMOUNT OF \$33,916 IN COMPLIANCE WITH CITY CHARTER §§ 1206 AND 1209 PERTAINING TO APPROPRIATIONS FOR ACTUAL EXPENDITURES

A. Recitals.

(i). The adopted budget for the 2014-15 Fiscal Year sets out estimated appropriations for City expenses throughout the year.

(ii). From time to time the adopted budget must be adjusted when precise expenditures are finally determined or when estimated expenditures exceed projected costs allocated.

(iii). All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.

2. The adopted budget for Fiscal Year 2014-15, Resolution No. R-2014-37, as heretofore amended, hereby is amended to reflect the following transfer of funds from the Account specified to the Account specified:

FUND	DESCRIPTION	DEPARTMENT	GL ACCOUNT #	AMOUNT
General Fund	Grant Revenue	Admin	100000-4201	33,916.00
General Fund	PT Salaries	Admin	101572-5005	13,278.00
General Fund	Comm Programs	Admin	101572-6401	10,312.00
General Fund	Spc Dept Supp	Admin	101572-6301	10,326.00

PASSED, ADOPTED AND APPROVED this 21st day of October, 2014.

SCOTT W. NELSON,
MAYOR

Attest:

PATRICK J. MELIA,
CITY CLERK

STATE OF CALIFORNIA
COUNTY OF ORANGE

I, PATRICK J. MELIA, City Clerk of the City of Placentia, do hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Placentia held on the 21st day of October, 2014 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

PATRICK J. MELIA,
CITY CLERK

APPROVED AS TO FORM:

ANDREW V. ARCZYNSKI,
CITY ATTORNEY



Placentia City Council

AGENDA REPORT

TO: CITY COUNCIL
VIA: CITY ADMINISTRATOR
FROM: PUBLIC WORKS MANAGER
DATE: OCTOBER 21, 2014
SUBJECT: **ADOPTION OF RESOLUTION RELATED TO THE ESTABLISHMENT OF DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION LEVEL (DBE) GOALS FOR FEDERAL FISCAL YEAR 2014-15**

FISCAL
IMPACT: NONE

SUMMARY:

In order to maintain eligibility to receive federal transportation funds, the City is required to establish an anticipated Disadvantaged Business Enterprise (DBE) participation percentage on U.S. Department of Transportation (DOT) assisted contracts for Federal Fiscal Year 2014-15. This action adopts a resolution setting DBE participation level goals for Federal Fiscal Year 2014-15 related to the Golden Avenue Bridge Replacement and Pedestrian Accessibility Phase III projects and authorizes submittal of all necessary DBE related documents.

RECOMMENDATION:

It is recommended that the City Council take the following actions:

1. Adopt Resolution No. R-2014-____, A Resolution of the City Council of the City of Placentia, California, approving and adopting the anticipated DBE participation levels for Federal Fiscal Year (FFY) 2014-15; and
2. Authorize the Mayor or City Administrator to execute Exhibit 9B and all other DBE documents required on behalf of the City to facilitate timely submission to the California Department of Transportation.

DISCUSSION:

On May 1, 2006, the City implemented a wholly race-neutral DBE program in accordance with directives issued by the California Department of Transportation (Caltrans). The directive was issued as a result of a decision from the Ninth Circuit Court of Appeals and guidelines promulgated by the Federal Highway Administration (FHWA) in response to that decision. The decision mandated that evidence of discrimination in the transportation contracting industry must be documented in order to implement a DBE race-conscious program. After careful analysis, Caltrans and FHWA concluded that Caltrans lacked sufficient evidence to satisfy the strict scrutiny and newly established evidentiary standards established by the Ninth Circuit to request a waiver from US DOT to continue its use of race-conscious measures to meet the State's Overall DBE Goal. To provide evidence of discrimination in the transportation contracting industry, Caltrans prepared an "Availability and Disparity Study" that revealed Caltrans should return to a Race Conscious DBE Program. The Disparity Study results

1.g.

October 21, 2014

indicated "statistically significant" underutilization in four of the six groups presumed to be disadvantaged as defined by the Code of Federal Regulations, 49 CFR Part 26. The Disparity Study results required local agencies to split out their Annual Anticipated DBE Participation Levels (AADPL) into Race Neutral and Race Conscious portions. The FHWA required all local agencies receiving federal-aid funds through Caltrans must use a race-conscious DBE Program.

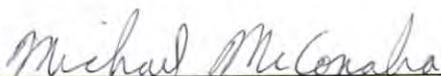
The US DOT has informed Caltrans that the DBE program waiver has been rescinded. That waiver allowed race-conscious (RC) contract goals to be limited to only four (4) groups referred to as Underutilized Disadvantaged Business Enterprise (UDBE). With rescission of the waiver, contract goals for federally funded projects authorized on and after July 1, 2012, must include all DBE groups (African Americans, Asian Pacific American, Native American, Women, Hispanic American, and Subcontinent Asian American and any other groups whose members are certified as socially and economically disadvantaged).

In past years the City set one Annual Anticipated DBE percentage goal for the complete Federal Fiscal Year. The "DBE Availability Advisory Percentages" represent the level of DBE participation that could reasonably be expected on individual federal-aid contracts. The City is now required to establish an anticipated DBE percentage goal specifically for each project in order to be eligible for Federal funding. The City has two projects planned for Federal Fiscal Year 2014-15 that will use Federal funding. The City will use \$441,000 from Federal Highway Bridge Replacement Funding for engineering services related to the Golden Avenue Bridge Replacement Project. The DBE goal for this project is 4.06%. The City will also use \$350,000 from Community Development Block Grant Fund for construction services related to the Pedestrian Accessibility Project Phase III. The DBE goal for this project is 9%.

FISCAL IMPACT:

There is no fiscal impact.

Prepared by:



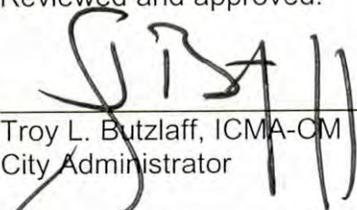
Michael McConaha
Public Works Manager

Reviewed and approved:



Damien R. Arrula
Assistant City Administrator

Reviewed and approved:



Troy L. Butzlaff, ICMA-CM
City Administrator

Attachments:

1. Resolution No. R-2014-___, A Resolution of the City Council of the City of Placentia, California, approving and adopting the anticipated DBE participation levels for Federal Fiscal Year (FFY) 2014-15
2. Local Agency Annual Submittal

RESOLUTION NO. R-2014-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, APPROVING AND ADOPTING THE ANTICIPATED DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION LEVELS FOR FEDERAL FISCAL YEAR (FFY) 2014-15

A. Recitals.

(i). The City of Placentia is required to develop and submit an Anticipated Disadvantaged Business Enterprise ("DBE") Participation Level for each project that utilizes Federal Funding, including DBE Availability Advisory Percentages for DOT-assisted contracts, as a condition of federal financial assistance, pursuant to the State of California's Department of Transportation's ("Caltrans") Race-Conscious Program directives.

(ii). In accordance with DBE regulations, the City of Placentia has developed a narrowly tailored Anticipated DBE Participation Level of 4.06% for the Golden Avenue Bridge Replacement Project and 9% for the Pedestrian Accessibility Project Phase III for Federal Fiscal Year ("FFY") 2014-15.

(ii). City Council adoption is required to ensure compliance with Department of Transportation federal funding requirements, provisions and financial responsibilities.

(iii). All legal prerequisites to the adoption of this resolution have occurred.

B. Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.

2. The Anticipated DBE Participation Level goals of 4.06% for the Golden Avenue Bridge Replacement Project and 9% for the Pedestrian Accessibility Project Phase III for FFY 2014-15 hereby are established.

3. The Mayor shall sign this Resolution, and the City Clerk shall attest and certify to the passage and adoption thereof.

4. The City Clerk shall submit a certified copy hereof to Caltrans, on behalf of the City of Placentia.

5. The Mayor or City Administrator hereby authorized and directed to execute any implementing documents on behalf of the City.

APPROVED and ADOPTED this 21st day of October, 2014.

SCOTT W. NELSON,
MAYOR

ATTEST:

PATRICK J. MELIA,
City CLERK

STATE OF CALIFORNIA
COUNTY OF ORANGE

I, PATRICK J. MELIA, City Clerk of the City of Placentia, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Placentia, held on the 21st day of October, 2014, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

PATRICK J. MELIA,
CITY CLERK

APPROVED AS TO FORM:

ANDREW V. ARCZYNSKI,
CITY ATTORNEY

The People are the City



Mayor
SCOTT W. NELSON
Mayor Pro Tem
JOSEPH V. AGUIRRE
Councilmembers:
CONSTANCE M. UNDERHILL
CHAD P. WANKE
JEREMY B. YAMAGUCHI

City Clerk:
PATRICK J. MELIA
City Treasurer:
CRAIG S. GREEN
City Administrator
TROY L. BUTZLAFF, ICMA-CM

401 East Chapman Avenue – Placentia, California 92870

October 21, 2014

Mr. Jim Kaufman
Chief, Office of Local Assistance
Caltrans – District 12
3347 Michelson Drive, Suite 100
Irvine, CA 92612-8894

SUBJECT: City of Placentia's Response to the Department's Race Conscious DBE Policy Directives

RE: Exhibit 9-A, 9-B, 9-C "LOCAL AGENCY DBE ANNUAL SUBMITTAL FORM" (INCLUDES DBE ORGANIZATIONAL CHART)

Dear Mr. Kaufman:

The City of Placentia has enclosed for your review and approval Exhibit 9-A, 9-B, and 9-C, for the "Disadvantaged Business Enterprise Race-Neutral Program," including the Anticipated DBE Participation Level (ADPL) and DBE Availability Advisory Percentages, as applicable, in accordance with DBE Policy directives delineated in Chapter 9 of the Local Assistance Procedures Manual (LAPM). The City does not anticipate using Federal Funding at this time, however with potential future projects that may utilize Federal Funding the City is submitting its required forms. The City of Placentia has established an ADPL of 4.06% for engineering services related to the Golden Avenue Bridge Replacement Project and 9% for construction services related to the Pedestrian Accessibility Project Phase III for the Federal Fiscal Year 2014/2014, beginning on October 1, 2014 and ending on September 30, 2015.

The aforementioned Exhibits further serve to acknowledge the City of Placentia's commitment to implement the DBE Program. The City is confident that it has fully complied with all the Department's stipulated requirements and looks forward to the Department's favorable response. Should you have any questions regarding these submissions and corresponding attachments, please contact me at (714) 993-8131.

Sincerely,

Michael McConaha
DBE Liaison Officer

Enclosures: Exhibit 3A – Request For Authorization to Proceed With Preliminary Engineering – Golden Avenue Bridge, Exhibit 9B – Annual Submittal Form, Exhibit 9C – ADA Annual Certification Form, DBE Organization Chart, Resolution.

EXHIBIT 9-A DBE IMPLEMENTATION AGREEMENT FOR LOCAL AGENCIES
**CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) DISADVANTAGED
BUSINESS ENTERPRISE (DBE) IMPLEMENTATION AGREEMENT**

For the City of Placentia, hereinafter referred to as "SUB-RECIPIENT."

I. Definition of Terms

The terms used in this agreement have the meanings defined in 49 CFR 26.5.

II. Objective/Policy Statement (49 CFR 26.1 and 26.23)

SUB-RECIPIENT intends to receive federal financial assistance from the U. S. Department of Transportation (DOT) through the California Department of Transportation (Caltrans), and as a condition of receiving this assistance, SUB-RECIPIENT will sign the California Department of Transportation Disadvantaged Business Enterprise Implementation Agreement (hereinafter referred to as Agreement). SUB-RECIPIENT agrees to implement the State of California, Department of Transportation Disadvantaged Business Enterprise (DBE) Program Plan (hereinafter referred to as the DBE Program Plan) as it pertains to local agencies. The DBE Program Plan is based on U.S. Department of Transportation (DOT), 49 CFR 26 requirements.

It is the policy of SUB-RECIPIENT to ensure that DBEs, as defined in 49 CFR 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also SUB-RECIPIENT's policy:

- To ensure nondiscrimination in the award and administration of DOT-assisted contracts.
- To create a level playing field on which DBE's can compete fairly for DOT-assisted contracts.
- To ensure that the DBE participation percentage is narrowly tailored, in accordance with applicable law.
- To ensure that only firms that fully meet 49 CFR 26 eligibility standards are permitted to participate as DBEs.
- To help remove barriers to the participation of DBEs in Federal-aid contracts.
- To assist the development of firms that can compete successfully in the market place outside the DBE Program.

III. Nondiscrimination (49 CFR 26.7)

SUB-RECIPIENT will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR 26 on the basis of race, color, sex, or national origin. In administering the local agency components of the DBE Program Plan, SUB-RECIPIENT will not, directly, or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE Program Plan with respect to individuals of a particular race, color, sex, or national origin.

IV. Annual DBE Submittal Form (49 CFR 26.21)

SUB-RECIPIENT will provide to the Caltrans District Local Assistance Engineer (DLAE) a completed "Local Agency DBE Annual Submittal Form" (Exhibit 9-B), by June 30 of each year for the following Federal Fiscal Year (FFY). This form must include the name, phone number, email address of the designated Disadvantaged Business Enterprise Liaison Officer (DBELO), and the choice of Prompt Pay Provision to be used by SUB-RECIPIENT for the following FFY.

V. Race-Neutral Means of Meeting Caltrans Overall Statewide Annual DBE Goal (49 CFR 26.51(a))

Caltrans expects SUB-RECIPIENT to meet the maximum feasible portion of Caltrans Overall Statewide Annual DBE Goal through race-neutral means of facilitating DBE participation. Race-neutral DBE participation includes when a DBE wins a prime contract through customary competitive procurement procedures, is awarded a subcontract on a prime contract that does not carry a DBE goal, or even if there is a DBE goal, wins a subcontract from a prime contractor that did not consider its DBE status in making the award (e.g., a prime contractor that uses a strict low-bid system to award subcontracts). Race-neutral means include, but are not limited to, the following:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate the participation of DBE and other small businesses (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
2. Providing assistance in overcoming limitations such as inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs and other small businesses obtain bonding and financing);
3. Providing technical assistance and other services;
4. Carrying out information and communication programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs and other small businesses on SUB-RECIPIENT mailing lists of bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);
5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
6. Providing services to help DBEs and other small businesses improve long-term development, increase opportunities to participate in a variety of types of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low;
8. Ensuring distribution of your DBE directory through print and electronic means to the widest feasible universe of potential prime contractors; and
9. Assisting DBEs and other small businesses to develop their capability to utilize emerging technology and conduct business through electronic media.

VI. Race-conscious Means of Meeting Caltrans Overall Statewide Annual DBE Goal (49 CFR 26.51(d))

SUB-RECIPIENT must establish DBE contract goals to meet any portion of Caltrans Overall Statewide Annual DBE Goal that cannot be achieved through race-neutral means.

VII. Quotas (49 CFR 26.43)

SUB-RECIPIENT will not use quotas or set-asides in any way in the administration of the local agency component of the DBE Program Plan.

VIII. DBE Liaison Officer (DBELO) (49 CFR 26.25)

SUB-RECIPIENT has designated a DBE Liaison Officer. The DBELO is responsible for implementing the DBE Program Plan as it pertains to the SUB-RECIPIENT, and ensures that the SUB-RECIPIENT is fully and properly advised concerning DBE Program Plan matters. [Specify resources available to the DBELO; e.g., the DBELO has a staff of two professional employees assigned to the DBE program on a

full-time basis and two support personnel who devote a portion of their time to the program.] The name, address, telephone number, email address, and an organization chart displaying the DBELO's position in the organization are found and attached to this Agreement. This information will be updated annually and included on the DBE Annual Submittal Form.

The DBELO is responsible for developing, implementing, and monitoring the SUB-RECIPIENT's requirements of the DBE Program Plan in coordination with other appropriate officials. Duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to determine DBE contract goals.
4. Ensures that bid notices and requests for proposals are made available to DBEs in a timely manner.
5. Analyzes DBE participation and identifies ways to encourage participation through race-neutral means.
6. Participates in pre-bid meetings.
7. Advises the CEO/governing body on DBE matters and DBE race-neutral issues.
8. Provides DBEs with information and recommends sources to assist in preparing bids, obtaining bonding and insurance.
9. Plans and participates in DBE training seminars.
10. Provides outreach to DBEs and community organizations to fully advise them of contracting opportunities.

IX. Federal Financial Assistance Agreement Assurance (49 CFR 26.13)

Each agreement SUB-RECIPIENT signs with Caltrans must include the following assurance:

The SUB-RECIPIENT shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract, or in the administration of its DBE Program, or the requirements of 49 CFR 26. The SUB-RECIPIENT shall take all necessary and reasonable steps under 49 CFR 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The SUB-RECIPIENT's DBE Program, as required by 49 CFR 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the SUB-RECIPIENT of its failure to carry out its approved program, Caltrans may impose sanctions as provided for under 49 CFR 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

Each contract SUB-RECIPIENT signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the SUB-RECIPIENT deems appropriate.

X. DBE Financial Institutions (49 CFR 26.27)

SUB-RECIPIENT must investigate the full extent of services offered by financial institutions owned and

controlled by socially and economically disadvantaged individuals in the community to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions.

Information on the availability of such institutions can be obtained from the DBELO. The Caltrans Disadvantaged Business Enterprise Program may offer assistance to the DBELO.

XI. Directory (49 CFR 26.31)

SUB-RECIPIENT will refer interested persons to the Unified Certification Program DBE directory available from the Caltrans Disadvantaged Business Enterprise Program's website at: www.dot.ca.gov/hq/bep.

XII. Required Contract Clauses (49 CFR 26.13 and 26.29)

SUB-RECIPIENT ensures that the following clauses or equivalent will be included in each DOT-assisted prime contract:

A. Contract Assurance

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as SUB-RECIPIENT deems appropriate.

NOTE: This language is to be used verbatim, as is stated in "Required Federal-aid Contract Language" (Exhibit 12-G). See also 49 CFR 26.13(b).

B. Prompt Payment

Prompt Progress Payment to Subcontractors

The local agency shall require contractors and subcontractors to be timely paid as set forth in Section 7108.5 of the California Business and Professions Code concerning prompt payment to subcontractors. The 7-day is applicable unless a longer period is agreed to in writing. Any delay or postponement of payment over thirty (30) days may take place only for good cause and with the agency's prior written approval. Any violation of Section 7108.5 shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies of that Section. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

Prompt Payment of Withheld Funds to Subcontractors

The local agency shall ensure prompt and full payment of retainage from the prime contractor to the subcontractor within thirty (30) days after the subcontractor's work is satisfactorily completed and accepted. This shall be accompanied by including; either (1), (2), or (3) of the following provisions [local agency equivalent will need Caltrans approval] in their federal-aid contracts to ensure prompt and full payment of retainage [withheld funds] to subcontractors in compliance with 49 CFR 26.29.

1. No retainage will be held by the agency from progress payments due to the prime contractor. Prime contractors and subcontractors are prohibited from holding retainage from subcontractors. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to

the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

2. No retainage will be held by the agency from progress payments due to the prime contractor. Any retainage kept by the prime contractor or by a subcontractor must be paid in full to the earning subcontractor in thirty (30) days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.
3. The agency shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within thirty (30) days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of: a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance; and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

XIII. Local Assistance Procedures Manual

The SUB-RECIPIENT will advertise, award and administer Federal-aid contracts in accordance with the current *Local Assistance Procedures Manual (LAPM)* including forms and Exhibits.

XIV. Vehicle Manufacturers/Specialized Equipment (§26.49)

If Federal-aid contracts will include vehicle/specialized equipment procurements, SUB-RECIPIENT will require each vendor, as a condition of being authorized to bid or propose on vehicle/specialized equipment procurements, to certify that it has complied with the requirements of 49 CFR 26.69.

XV. Reporting to the DLAE

SUB-RECIPIENT will promptly submit a copy of the Consultant Proposal DBE Commitment (Exhibit 10-01) at the time of award of the consultant contract.

SUB-RECIPIENT will promptly submit a copy of Consultant Contract DBE Information (Exhibit 10-02) or the Local Agency Bidder DBE Commitment (Construction Contracts) (Exhibit 15-G) to the DLAE within 30 days after execution of consultant or construction contract.

SUB-RECIPIENT will promptly submit a copy of the Final Report-Utilization of DBE, First-Tier Subcontractors (Exhibit 17-F) of the LAPM, immediately upon completion of each consultant or

construction contract.

XVI. Certification (§26.83(a))

SUB-RECIPIENT ensures that only DBE firms currently certified by the California Unified Certification Program (CUCP) will participate as DBEs on Federal-aid contracts.

XVII. Confidentiality

SUB-RECIPIENT will safeguard from disclosure to third parties, information that may reasonably be regarded as confidential business information consistent with federal, state, and local laws.

By: _____ Date: October 21, 2014
(Signature)

Scott W. Nelson, Mayor, City of Placentia Phone #: 714-993-8117
(Print Name and Title)
ADMINISTERING AGENCY
(Authorized Governing Body Representative)

This California Department of Transportation’s Disadvantaged Business Enterprise Program Implementation Agreement is accepted by:

_____ Date: _____
(Signature of DLAE)

(Print Name of DLAE)

Distribution: (1) Original – DLAE
(2) Signed copy by the DLAE – Local Agency



Mayor
SCOTT W. NELSON

Mayor Pro Tem
JOSEPH V. AGUIRRE

Councilmembers:
CONSTANCE M. UNDERHILL
CHAD P. WANKE
JEREMY B. YAMAGUCHI

City Clerk:
PATRICK J. MELIA

City Treasurer:
CRAIG S. GREEN

City Administrator
TROY L. BUTZLAFF, ICMA-CM

401 East Chapman Avenue – Placentia, California 92870

To: Monroe Johnson
District Local Assistance Engineer
Caltrans District 12, Office of Local Assistance
3347 Michelson Drive, Ste. 100
Irvine, CA 92612-8894

Date: October 10, 2014
FTIP/FSTIP ID: ORA020501
Federal Project No: TBD
Project ID: TBD
PPNO (For STIP Projects): _____
High-Risk ITS: _____

Project Description: Golden Ave over Carbon Canyon Channel near Rose Drive. Replace existing functional obsolete bridge

Dear Monroe Johnson:

In order to begin federally reimbursable preliminary engineering work for the above-referenced project, we request that you secure Federal "Authorization to Proceed" (E-76) and Obligation of Funds. The federal funds requested will not exceed those provided to this agency in the federally approved Federal Transportation Improvement Program (FTIP)/Federal Statewide Transportation Improvement Program (FSTIP).

Attached are the following documents required to authorize this phase of work:

Request for Authorization Package

- Completed Exhibit 3-E *Request for Authorization to Proceed Data Sheet(s)*
- Copy of FTIP/FSTIP Reference
- Completed Exhibit 3-O *Sample Local Federal-aid Project Finance Letter*
- For High-Risk ITS Projects: FHWA approved Systems Engineering Management Plan (SEMP). (Federal approval of the SEMP is contingent on prior federal approval of the Systems Engineering Review Form [SERF])
- Copy of Executed Cooperative Agreement (only for projects on State Highway System)
- Exhibit 3-H *Request for Capital Subvention Reimbursement Allocation* (only for projects on State Highway System)

Toll Credit Usage

- This project will use Toll Credit. It is fully funded.
- This project will NOT use Toll Credit.

Field Review Form (Exhibit 7-B)

- Completed Exhibit 7-B *Field Review Form*, or
- A Field Review Form will be submitted within four (4) months of the Federal Authorization date, otherwise, it is understood the authorization to proceed will be canceled automatically. It is further understood that a Program Supplement Agreement will NOT be prepared until after the Field Review Form is submitted.

Environmental Document

- Type of NEPA Document. Approval Date: _____.
- Categorical Exclusion (CE)
- Findings of No Significant Impact (FONSI)

- Record of Decision (ROD)
 Revalidation
 This agency has not completed the environmental process. The NEPA Document will be submitted at a later date, prior to beginning of final design (PS&E).

DBE Contract Goal Methodology Form (Exhibit 9-D)

- Anticipated (or actual) Executed Date December 2014.
 Completed Exhibit 9-D *DBE Contract Goal Methodology* and the DBE goal is 4.06%.
 Exhibit 9-D *DBE Contract Goal Methodology* is not required as the contract was executed prior to October 1, 2014, and the contract has a DBE contract goal, which is a percentage of the entire contract.
 The DBE goal is 0% because there are no subconsulting opportunities for DBE participation. Documentation verifying this determination is attached to this exhibit, on file with the local agency and has been approved by the DLAE.
 There is no goal because work is to be performed by the local agency. Documentation verifying this determination is attached to this exhibit, on file with the local agency and has been approved by the DLAE.

California Transportation Commission (CTC) Allocation

Check which of the following applies:

- A CTC allocation is not required, or
 A CTC allocation of \$ _____ (federal/state) funds for the PA/ED and/or PS&E component(s) of work was made at the _____ meeting of the CTC, or
 A CTC allocation of funds has been scheduled for the _____ meeting of the CTC. It is understood that the authorization/obligation of any federal STIP funds will not be made until after the CTC allocation.

Project Agreement and Liquidation of Funds

Upon FHWA issuance of the "Authorization to Proceed" (E-76) and Agency submittal of the Exhibit 7-B *Field Review Form*, a "Program Supplement Agreement" will be prepared to encumber the federal and/or state funds for the project. This Agency understands that any federal and/or state funds encumbered for the project are available for disbursement for limited period(s) of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act, to the applicable Fund Reversion date shown on the state approved project finance letter (unless an extension is granted by the Department of Finance). It is anticipated that this phase of work will be completed by 12/2016.

Invoice Submittal

This Agency understands that only work performed after federal "Authorization to Proceed" (E-76) is eligible for reimbursement. Invoices for reimbursement will not be submitted until after the federal and state (if applicable) funds are encumbered via an executed "Program Supplement Agreement" and/or state approved "Finance Letter". In addition, it is also understood that an invoice must be submitted at least once every six (6) months for each project phase until all funds are expended.

CERTIFICATION

I certify that the facts and statements in this Request for Authorization Package are accurate and correct. This Agency agrees to comply with the applicable terms and conditions set forth in Title 23, U.S. Code, Highways, and the policies and procedures promulgated by the Federal Highway Administration and California Department of Transportation (Caltrans) relative to the above-designated project.

I understand that this Agency is responsible for all costs in excess of the federal and/or state funds obligated/encumbered as well as for all costs it incurred prior to receiving the FHWA issued "Authorization to Proceed"(E-76). I further understand that all subsequent phases of the project will require a separate "Federal Authorization to Proceed".

For High-Risk and Low-Risk ITS projects, I understand that our project shall be consistent with the Regional ITS Architecture, adhere to ITS Standards, and undergo Systems Engineering analysis. A SERF will be included in the Field Review Package. For High-Risk ITS projects, I understand that this Agency shall not proceed with component detailed design until after FHWA approval of the SEMP and receipt of "Authorization to Proceed."

Please advise us as soon as the "Federal Authorization to Proceed" has been issued. You may direct any questions to: Michael McConaha at 714-993-8120 and mmcconaha@placentia.org.

Signature of Local Agency Representative

Michael McConaha

Print Name

Public Works Manager

Title

City of Placentia

Agency

EXHIBIT 9-B LOCAL AGENCY DBE ANNUAL SUBMITTAL FORM

Mr. Jim Kaufman
Chief, Office of Local Assistance
Caltrans – District 12
3347 Michelson Drive, Suite 100
Irvine, CA 92612-8894

The information for Exhibit 9-B presented herein, in accordance with Title 49 of the Code of Federal Regulations (CFR), Part 26, and the State of California Department of Transportation (Caltrans) Disadvantaged Business Enterprise (DBE) Program Plan.

The City of _____ City of Placentia _____
submits our annual 9-B information for the Federal Fiscal Year 2014/2015, beginning on October 1 and ending on
September 30.

Disadvantaged Business Enterprise Liaison Officer (DBELO)

The City of Placentia (DBELO) is Michael McConaha, 401 East Chapman Avenue, Placentia, CA 92870, phone number 714-993-8120, fax number 714-961-0283 and email address is mmcconaha@placentia.org.

Planned Race-neutral Measures

Race-neutral means include, but are not limited to, the following:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
2. Providing assistance in overcoming limitations such as inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs, and other small businesses, obtain bonding and financing);
3. Providing technical assistance and other services;
4. Carrying out information and communication programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists of bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);
5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
6. Providing services to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of types of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low;
8. Ensuring distribution of your DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors; and
9. Assisting DBEs, and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.

Prompt Pay

Federal regulation 49 CFR 26.29 requires one of three methods be used in federal-aid contracts to ensure prompt and full payment of any retainage kept by the prime contractor or subcontractor to a subcontractor. (Attached is a listing of the three methods. On the attachment, please designate which prompt payment provision the local agency will use.)

Prompt Pay Enforcement Mechanism

49 CFR 26.29(d) requires providing appropriate means to enforce prompt payment. These means may include appropriate penalties for failure to comply with the terms and conditions of the contract. The means may also provide that any delay or postponement of payment among the parties may take place only for good cause with the local agency's prior written approval. **Please briefly describe the monitoring and enforcement mechanisms in place to ensure that all subcontractors, including DBEs, are promptly paid.**

(Signature)

Scott W. Nelson, Mayor, City of Placentia

(Print Name and Title)
ADMINISTERING AGENCY
(Authorized Governing Body Representative)

October 21, 2014
(Date)

714-993-8117

(Phone Number)

(Signature of Caltrans District Local Assistance Engineer)

(Date)

Distribution: (1) Original – DLAE
(2) Signed copy by the DLAE – Local Agency

(Attachment)

**Prompt Payment of Withheld Funds to
Subcontractors**

Federal regulation (49 CFR 26.29) requires one of the following three methods be used in federal-aid contracts to ensure prompt and full payment of any retainage kept by the prime contractor or subcontractor to a subcontractor.

Please check the box of the method chosen by the local agency to ensure prompt and full payment of any retainage.

- Method 1:** No retainage will be held by the agency from progress payments due to the prime contractor. Prime contractors and subcontractors are prohibited from holding retainage from subcontractors. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.
- Method 2:** No retainage will be held by the agency from progress payments due to the prime contractor. Any retainage kept by the prime contractor or by a subcontractor must be paid in full to the earning subcontractor in 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.
- Method 3:** The agency shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative or judicial remedies otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

EXHIBIT 9-C LOCAL AGENCY ADA ANNUAL CERTIFICATION FORM

Local Agency ADA Annual Certification Form
49 CFR 27: Nondiscrimination on the Basis of Disability in
Programs or Activities
Receiving Federal Financial AssistanceLocal Agency: City of PlacentiaProgram Year: Federal Fiscal Year 2014/2015Date Certification submitted: October 21, 2014I. Name of ADA Liaison Officer: Stephen PischelTelephone Number: 714-993-8141E-mail Address: spischel@placentia.org

II. ADA Complaint Procedure Adopted:

Yes: Date of Adoption: March 6, 1992No: Planned Date of Adoption: _____Final Completion Date: N/A

III. Self-evaluation completed:

Yes: Date of Completion: December 21, 1991No: Planned Date of Completion: _____Final Completion Date: N/ASystem established for periodically reviewing and updating the evaluation: Reviewed during annual Capital Improvement Program process, as well as when ADA concerns or issues are raised.

IV. Transition Plan completed:

Yes: Date of Completion: March 6, 1992. Last formally updated March 2, 2009. On-going efforts review the transition plan and a formal update is proposed for calendar year 2015.Date of Implementation: 1992No: Planned Date of Completion: _____

Final Completion Date: _____

V. Policies, procedures, and criteria for implementing ADA compliance improvements in maintenance and capital improvement programs have been reviewed and the required revisions have been made:

Yes: No:

VI. Division of State Architect (DSA) Checklists are used to verify compliance of design packages, standard plans and field inspections to ensure compliance with both State and federal accessibility standards:

Yes: No:

DSA website: http://www.dsa.dgs.ca.gov/Access/ud_accessmanual.htm

Reminder: State of California Government Code Section 4454 requires Division of State Architect (DSA) review and approval of the plans and specifications for local agency pedestrian projects using State funds.

VII. Standard Plans are reviewed and updated on an ongoing basis for full ADA and California Accessibility compliance:

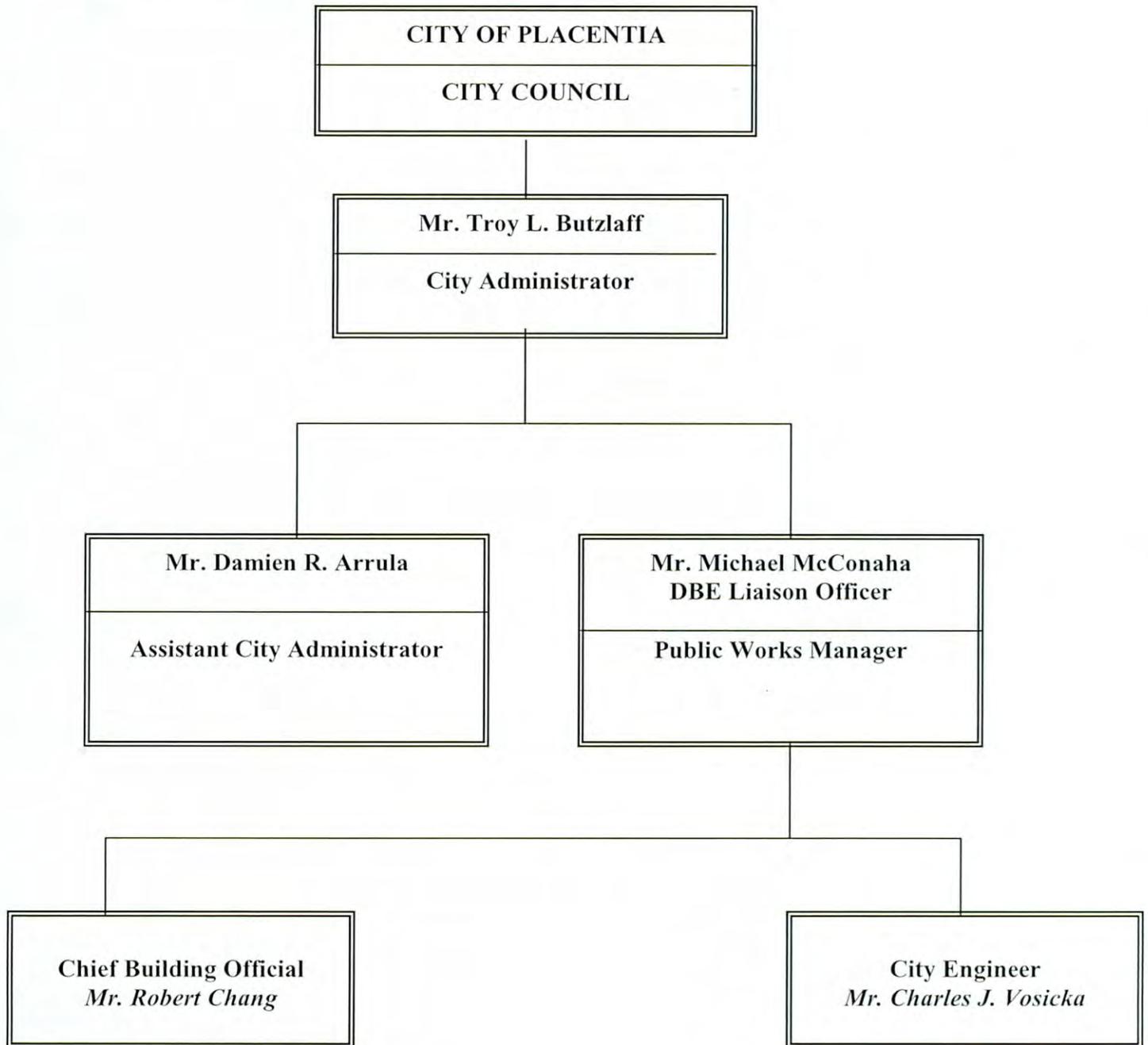
Yes: No:

Date: October 21, 2014

Signature
(ADA Liaison Officer)

Distribution: (1) Original - DLAE

**CITY OF PLACENTIA
DISADVANTAGED BUSINESS
ENTERPRISE (DBE) PROGRAM
ORGANIZATIONAL CHART**



DBE Liaison Officer Contact Information: Michael McConaha, Public Works Manager

714-993-8131

Phone

714-961-0283

Fax

mconaha@placentia.org

E-mail

PEDESTRIAN ACCESSIBILITY PROJECT PHASE III
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

Item No.	Approx. Quant.	Meas. Unit	Item Description	Unit Price	Total	Likely to be Performed by Sub-contractor (Y/N)?	Truckin or Supply of Mateial involved (Y/N)?	Work Category Code (enter a code if corresponding cell in either Column G or H is "y")	Number of Available DBEs	DBE Work Factor (input a percentage only if the number of available DBEs greater than 9)	DBE Work Dollar Amount
1	1	LS	Project Mobilization & Demobilization	\$5,000.00	\$5,000.00	N	N				
2	180	CY	Unclassified Excavation	\$80.00	\$14,400.00	N	Y	238190	98	100	\$14,140.00
3	1	LS	Traffic Control	\$5,000.00	\$5,000.00	Y	N	238110	72	100	\$500.00
4	1	EA	Public Notification	\$1,500.00	\$1,500.00	N	N				
5	59	EA	Remove Existing and Construct New PCC Access Ramp Complete in Place Per SPPWD STD Plan 111-5	\$3,000.00	\$177,000.00	Y	N	238110	72	10	\$17,700.00
6	2	EA	Install Cast-in-Place Detectable Warning Surface	\$500.00	\$1,000.00	Y	N	238110	72	10	\$100.00
7	5,000	SF	Remove Existing PCC Sidewalk and Construct 4" Thick PCC Sidewalk Adjacent To New Access Ramp/Landing Per SPPWC 113-2	\$2.00	\$10,000.00	Y	N	238110	72	10	\$1,000.00
8	1	EA	Remove Existing PCC Driveway Approach and Construct PCC Driveway Approach Per SPPWC 110-2	\$7,500.00	\$7,500.00	Y	N	238110	72	10	\$750.00
9	5,800	LF	Remove Existing and Construct Curb and Gutter Per SPPWC Standard Plan 120-2	\$15.00	\$87,000.00	Y	N	238110	72	10	\$8,700.00
10	1	LS	Water Quality Management and Storm Water Pollution Prevention	\$3,000.00	\$3,000.00	Y	N	541330	305	100	\$3,000.00
11	1	LS	Signing and Striping	\$5,000.00	\$5,000.00	Y	N	238910	98	100	\$5,000.00
			SUBTOTAL		\$316,400.00					Total DBE Work	\$50,890.00
			Contingency		\$31,640.00						
				10.00%							
			Grand Total		\$348,040.00					HKW Goal =	10%
										Work Avail.	9%



Placentia City Council

AGENDA REPORT

TO: CITY COUNCIL

VIA: CITY ADMINISTRATOR

FROM: CITY ATTORNEY

DATE: OCTOBER 21, 2014

SUBJECT: **SECOND READING AND ADOPTION OF ORDINANCE O-2014-11 ADDING § 1.18.130 TO CHAPTER 1.18 OF THE PLACENTIA MUNICIPAL CODE RELATING TO COMPETITIVE DESIGN-BUILD PROCESSES**

FISCAL

IMPACT: EXPENSE: N/A

SUMMARY:

City Charter § 608 authorizes the City Council to utilize "best value processes," including design-build and construction manager at risk approaches, when such procedures are approved and adopted by ordinance. Such procedures are intended for use where the City Council finds such processes will reduce project cost, expedite project completion, or provide unique design features. The proposed ordinance further augments existing procedures for awarding design build contracts and was accepted for introduction and first reading on October 7, 2014. This action waives full reading and adopts the proposed ordinance amendment.

RECOMMENDATION:

It is recommended that the City Council take the following action:

1. Waive full reading, reading by title only, and conduct second reading and adoption of Ordinance No. O-2014-11, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, ADDING A NEW § 1.18.130 TO CHAPTER 1.18 OF THE PLACENTIA MUNICIPAL CODE RELATING TO DESIGN-BUILD ALTERNATE METHODS."

DISCUSSION:

The City Charter allows for the use of "best value processes," including design-build and construction manager at risk approaches, in lieu of standard public works bidding procedures. In order to take advantage of such processes, the City Council adopted Municipal Code Chapter 1.18, which established procedures to implement the design-build and construction manager at risk approaches. Originally, Municipal Code § 1.18.020 limited these alternative approaches to

3.a.

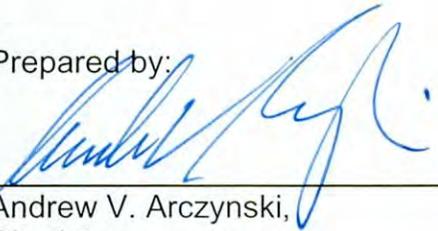
October 21, 2014

public works projects that were at least \$2,000,000 in value. On June 17, 2014, the City Council amended Municipal Code § 1.18.020 to ensure that Chapter 1.18 was applicable to smaller projects in order to take full advantage of such approaches on specialized public works projects.

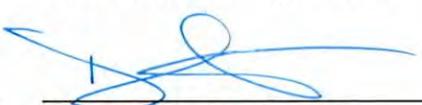
The purpose of this proposed ordinance is to further supplement the procedures for awarding contracts using the design-build and construction manager at risk approaches. The proposed ordinance would (1) establish criteria for the selection of a design-build contractor or developer, (2) create guidelines for determining when the design-build and construction manager at risk approaches are appropriate, and (3) require four (4) affirmative City Council votes to award a contract for a design-build public works project. The proposed ordinance also clarifies that § 1.18.130 will prevail in the event that there is a conflict between Chapter 1.18 and the California Public Contract Code. The Ordinance strengthens the City's objective, systematic approach for approval of important projects. City Staff, therefore, recommends that Ordinance No. O-2014-11 be accepted for second reading, by title only, and adoption.

FISCAL IMPACT:

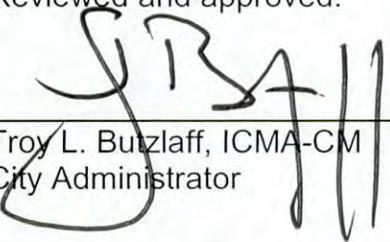
Not applicable.

Prepared by:


Andrew V. Arczynski,
City Attorney

Reviewed and approved:


Damien R. Arrula
Assistant City Administrator

Reviewed and approved:


Troy L. Butzlaff, ICMA-CM
City Administrator

Attachment:

- 1. Design-Build Contracts Ordinance Amendment

ORDINANCE NO.0-2014-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PLACENTIA, CALIFORNIA, ADDING A NEW § 1.18.130 TO
CHAPTER 1.18 OF THE PLACENTIA MUNICIPAL CODE
RELATING TO DESIGN-BUILD ALTERNATE METHODS

City Attorney's Summary

This Ordinance adds a new § 1.18.130 to Chapter 1.18 of the Placentia Municipal Code to implement the provisions of § 608 of the Charter of the City of Placentia to enable the City Council to take advantage of design-build methods for construction of public projects when the City Council determines it is in the City's best interests to utilize design-build methods.

A. Recitals.

(i). Section 608 of the Charter of the City of Placentia provides, in relevant part, that contracts on public works and projects shall be let pursuant to competitive bidding procedures except where best value processes, including but not limited to use of design-build and construction manager at risk approaches, adopted by the City Council by ordinance in such cases as the City Council finds such processes will reduce project cost, expedite project completion, or provide unique design features.

(ii). The City Council desires to augment established policies and procedures to more effectively utilize best value processes.

(iii). All legal prerequisites to the adoption of this ordinance have occurred.

B. Ordinance.

The City Council of the City of Placentia does ordain as follows:

Section 1. In all respects as set forth in the Recitals, Part A., of this Ordinance.

Section 2. Chapter 1.18 of the Placentia Municipal Code hereby is amended by the addition of a new Section 1.18.130 to read, in words and figures, as follows:

"1.18.130. Design-Build Alternate Method.

"A. Notwithstanding the requirements of this Chapter 1.18 regarding competitive procedures for public works projects and contracts, the City Council may approve the use of an alternate public works construction project procurement procedure instead of the bidding/competitive procedures set forth in § 608 of the Charter of the City of Placentia and this Chapter 1.18 of the Municipal Code as follows:

"(1). The alternate procedure may include the Design-Build method of construction whereby the City enters into a single contract with a developer or contractor for the design and construction of the facility.

"(2). The contractor or developer may be procured by a selection process based on the criteria of experience, qualifications and best value. Any Design Build project with an estimated cost of less than \$1,000,000.00 shall not require implementation of the provisions of §§ 1.18.060 and 1.18.070. Any Design Build project with an estimated cost of \$1,000,000.00 to \$6,000,000.00 shall not require implementation of the provisions of § 1.18.070.

"(3). This procedure/method may be used, but is not limited to use, when it is anticipated that the method will reduce project cost, expedite project completion, enable use of public/private partnership forms of project finance, and/or create certainty for total project expense.

"(4). Design Build public works projects and contracts may be negotiated and awarded on such procedures, terms and conditions as the City Council deems appropriate in the exercise of its authority as a Charter City. Any such award shall require four (4) affirmative votes by the City Council.

"B. Public Contract Code. The provisions of this § 1.18.130 authorizing the use of the Design- Build construction procurement alternate method shall be the prevailing regulations for public works design and construction procurement where there are conflicts between the provisions of this Chapter and the provisions of the California Public Contract Code, pursuant to § 1100.7 of the California Public Contract Code."

Section 3. Severability.

The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

Section 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED and ADOPTED this 21st day of October, 2014.

SCOTT W. NELSON,
MAYOR

ATTEST:

PATRICK J. MELIA,
CITY CLERK

I, PATRICK J. MELIA, City Clerk of the City of Placentia, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council held on the 7th day of October, 2014 and was finally adopted at a regular meeting held on the 21st day of October, 2014, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

PATRICK J. MELIA,
CITY CLERK

APPROVED AS TO FORM:

ANDREW V. ARCZYNSKI,
CITY ATTORNEY