

Regular Meeting Agenda
September 21, 2010
Placentia City Council
Placentia Redevelopment Agency

Mission Statement

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

Vision Statement

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

Joseph V. Aguirre
Mayor

Constance M. Underhill
Mayor Pro Tem

Scott W. Nelson
Council Member

Greg Sowards
Council Member

Jeremy B. Yamaguchi
Council Member

Patrick J. Melia
City Clerk

Chad P. Wanke
City Treasurer

Troy L. Butzlaff, ICMA-CM
City Administrator

Andrew V. Arczynski
City Attorney

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

Procedures for Addressing the Council/Redevelopment Agency

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

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

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

Special Accommodations

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

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

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

City of Placentia
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Placentia, CA 92870

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**PLACENTIA
CITY COUNCIL AND REDEVELOPMENT AGENCY
REGULAR MEETING AGENDA – STUDY SESSION
September 21, 2010
5:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

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

ORAL COMMUNICATIONS:

At this time the public is invited to address the City Council/Board of Directors concerning the Study Session agenda items only.

SS 1. Update of Westgate Specific Plan

Recommended Action: Receive and file report and provide appropriate direction to staff.

ADJOURNMENT - The City Council/Redevelopment Agency will adjourn to their 6:00pm Regular Meeting for Executive (Closed) Session.

**PLACENTIA
CITY COUNCIL AND REDEVELOPMENT AGENCY
REGULAR MEETING AGENDA – EXECUTIVE (CLOSED) SESSION
September 21, 2010
6 :00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

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

ORAL COMMUNICATIONS:

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

The City Council/Redevelopment Agency Board of Director will recess to the City Council Caucus Room for the purpose of conducting its Executive (Closed) Session proceedings.

CITY COUNCIL:

1. Pursuant to Government Code Section 549569(a) for Conference with Legal Counsel Regarding Two (2) Items of Existing Litigation.
 - a. Del Cerro Mobile Estates and S&D Associates v. City of Placentia, et. al., Orange County Superior Court Case No. 00180072

- b. Arnie Pike v. City of Placentia, United States District Court of California, Case No. CV-08-8582
- 2. Pursuant to Government Code Section 54956.9(b) for Conference with Legal Counsel Regarding Anticipated Litigation - Two (2) Items
- 3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – Two (2) Items
- 4. Pursuant to Government Code Section 54957.6 Conference with City Labor Negotiator Concerning Labor Negotiations with PCEA, PPOA, PPMA and Unrepresented Mid-Management and Management.
City Representatives: Troy L. Butzlaff, City Administrator
Steve Pischel, Director of Administrative and Community Services
- 5. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:
Property: 312 S. Melrose Street, APN 339-393-10
City Negotiator: Troy Butzlaff, City Administrator/Executive Director
Negotiating Parties: Dayne Wagoner, Edge Development
Under Negotiations: Price and Terms of Payment

RDA:

- 1. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:
Property: 312 S. Melrose Street, APN 339-393-10
City Negotiator: Troy Butzlaff, City Administrator/Executive Director
Property: 226 West Santa Fe Avenue, APN 339-393-02
Negotiating Parties: Dayne Wagoner, Edge Development
Under Negotiations: Price and Terms of Payment

ADJOURNMANET: - The City Council/Redevelopment Agency will adjourn to their 7:00 p.m. Regular Meetings.

**PLACENTIA
CITY COUNCIL AND REDEVELOPMENT AGENCY
REGULAR MEETING AGENDA
September 21, 2010
7:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

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

INVOCATION: Ed Faulk, Police Chaplain

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

EXECUTIVE (CLOSED) SESSION REPORT:

CITY ADMINISTRATOR REPORT:

ORAL COMMUNICATIONS:

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

CITY COUNCIL COMMENTS AND REPORTS:

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

CITY COUNCIL AGENDA

CITY COUNCIL CONSENT CALENDAR:

All items on the Consent Calendar are considered routine and are enacted by one motion approving the recommended action listed on the Agenda. Any Member of the City Council or City Administrator may request an item be removed from the Consent Calendar for discussion. All items removed shall be considered immediately following action on the remaining items.

CC1 Warrant Register for August 18, 2010 through September 21, 2010

Financial Impact: \$1,118,455.43

Recommended Action: Approve

CC2 Consideration to Waive Reading in Full of all Ordinances and Resolutions

Financial Impact: None

Recommended Action: Approve

CC3 Minutes

Regular Meeting – August 17, 2010

Recommended Action: Approve

CC4 Acceptance of Replacement Subdivision Agreement and Public Improvement Bonds for Recorded Tract Map 16445

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve and authorize the Mayor and City Clerk to execute the replacement Subdivision Improvement Agreement as submitted by the new owners of Tract 16445; and
- 2) Accept the replacement Public Improvement Bonds from Arch Insurance Company for Tract No. 16445.

CC5 Request for City Council authorization to receive Federal Reimbursement through the Orange County Sheriff's Department for Emergency Planning and Management Activities, 2010 EMPG

Financial Impact: Receipt of \$5,564 of Federal Grant Funds (Estimate)

Recommended Action: It is recommended that the City Council:

- 1) Approve and authorize the City Administrator to sign the certification forms to allow the Orange County Sheriff's Department to transfer grant funds to the City of Placentia and to sign any implementing agreements required for use of

- the Grant funds, (Agreements to Transfer Funds for 2010 Emergency Management Performance Great Program); and
- 2) Approve Resolution R-2010-57, A Resolution of the City Council of the City of Placentia authorizing a budget amendment in Fiscal Year 2010/11 in the aggregate amount of \$5,564.00 in compliance with City Charter requiring sufficient appropriations for actual expenditures.

CC6 Memorandum of Understanding for North Orange County Transportation Partnership

Financial Impact: Minimal In-Kind Staffing Expenses Due to Attendance at Meetings.

Recommended Action: It is recommended that City Council:

- 1) Approve the Memorandum of Understanding for the North Orange County Transportation Partnership; and
- 2) Authorize the Mayor to execute the Memorandum of Understanding on behalf of the City, in a form approved by the City Attorney.

CC7 Ordinance Authorizing Contracting for Graffiti Abatement (Second Reading)

Financial Impact: None

Recommended Action:

It is recommended that the City Council consider the Graffiti Abatement Contracting Ordinance and adopt said Ordinance upon second reading, by title only, and adoption of Ordinance No. 0-2010-08, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, ADDING A NEW § 10.56.120 TO CHAPTER 10.56, TITLE 10, OF THE PLACENTIA MUNICIPAL CODE PERTAINING TO CONTRACTING FOR GRAFFITI ABATEMENT

CC8 Approval of resolution authorizing temporary suspension of regulatory ordinances pertaining to the operation of the Heritage Festival and Parade scheduled for October 9, 2010

Financial Impact: None

Recommended Action: It is recommended that the City Council approve Resolution R-2010-58, A Resolution of the City Council of the City of Placentia authorizing the temporary suspension of certain regulatory sections of the Placentia Municipal Code for the operation of City of Placentia Heritage Festival.

CC9 Mandated Biennial Review of the City's Conflict of Interest Code (2010 Local Agency Biennial Notice)

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Direct staff to prepare a revised Conflict of Interest Code, include all necessary amendments, and place the document on an agenda prior to December 31, 2010, for the City Council's consideration; and
- 2) Receive and file this report.

CITY COUNCIL PUBLIC HEARINGS:

CC10 First reading of an Ordinance Amending Chapters 23.39, 23.47, 23.105 and Chapter 23.107 of Title 23 of the Placentia Municipal Code (Zoning Code) pertaining to findings and determinations to be made by the Planning

Commission regarding proposed uses within various Commercial and Manufacturing Zones

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Conduct the public hearing; and
- 2) Read the title and introduce Ordinance No. 0-2010-09, An Ordinance of the City Council of the City of Placentia Amending Chapters 23.39, 23.47, 23.105 and Chapter 23.107 of Title 23 (Zoning Ordinance) of the Placentia Municipal Code pertaining to use Conformity Determinations.

CC11 FY 2010/11 Supplemental Law Enforcement Services Fund (SLESF GRANT) – Approval of Future Expenditure Plan

Financial Impact: Approximately \$100,000.00 (Positive).

Approval will establish a SLESF account for future disbursement of grant funds

Recommended Action: It is recommended that the City Council:

- 1) Open the public hearing and receive public testimony regarding the proposed use of Supplemental Law Enforcement Services Funds for Fiscal Year 2010-11; and
- 2) Adopt Resolution R-2010-59, A Resolution of the City Council of the City of Placentia, California, approving the recommended expenditure plan for the supplemental law enforcement services fund.

CITY COUNCIL OLD BUSINESS:

CC12 Six month review of Downtown Placentia Parking Permit Program

Financial Impact: Not applicable

Recommended Action: It is recommended that the City Council receive and file this report, making changes as directed by Council, if necessary.

CITY COUNCIL NEW BUSINESS:

CC13 Introduction and Scheduling of Public Hearing for an Ordinance of the City Council of the City of Placentia, California, Repealing Chapter 18.04 of the Title 18 and Chapters 20.03, 20.04, 20.08, 20.12, 20.16, and 20.20 of Title 20 of the Placentia Municipal Code and Adopting by Reference, the California Fire Code, 2010 Edition, the California Building Code, 2010 Edition, the California Residential Code, 2010 Edition, the California Green Building Standards Code, 2010 Edition, the California Plumbing Code, 2010 Edition, the California Mechanical Code, 2010 Edition, and the California Electrical Code, 2010 Edition, Including all Appendices, with Certain Amendments, Additions and Deletions Thereto, Including Fees and Penalties.

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Introduce and read the title of the ordinance, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, REPEALING CHAPTER 18.04 OF TITLE 18 AND CHAPTERS 20.03, 20.04, 20.08, 20.12, 20.16, AND 20.20 OF TITLE 20 OF THE PLACENTIA MUNICIPAL CODE AND ADOPTING BY REFERENCE, THE CALIFORNIA FIRE CODE, 2010 EDITION, THE CALIFORNIA BUILDING CODE, 2010 EDITION, THE CALIFORNIA RESIDENTIAL CODE, 2010 EDITION, THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2010 EDITION, THE CALIFORNIA PLUMBING CODE, 2010 EDITION, THE CALIFORNIA MECHANICAL CODE, 2010 EDITION, AND THE CALIFORNIA ELECTRICAL CODE, 2010 EDITION, INCLUDING ALL APPENDICES, WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO, INCLUDING FEES AND PENALTIES"; and

- 2) Schedule a public hearing for October 19, 2010 to conduct a First Reading and take public comments on the proposed ordinance.

CC14 Corrective Action Plan for Independent Audit for the Fiscal Year 2008-09

Financial Impact: None

Recommended Action: It is recommended that the City Council receive and file the Corrective Action Plan for the year ended June 30, 2009.

CC15 Approval to Enter Into an Agreement with California Yellow Cab for Transportation Services Under the Orange County Transportation Authority Senior Mobility Program for Fiscal Years 2008-09 through 2010-11

Financial Impact: Expense: \$9,526 – FY 2010-2011 City Match

Budgeted in Account#101572-6401

Recommended Action: It is recommended that the City Council:

- 1) Authorize the Mayor to enter into a professional services agreement, in a form approved by the City Attorney, with California Yellow Cab to provide transportation services under the Orange County Transportation Authority Senior Mobility Program for Fiscal Years 2008-09, 2009-10, and 2010-11.

CITY COUNCIL REQUESTS:

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

REDEVELOPMENT AGENCY AGENDA

REDEVELOPMENT AGENCY CONSENT CALENDAR:

All items on the Consent Calendar are considered routine and are enacted by one motion approving the recommended action listed on the Agenda. Any Member of the Redevelopment Agency or Executive Director may request an item be removed from the Consent Calendar for discussion. All items removed shall be considered immediately following action on the remaining items.

RA1 Warrant Register for August 18, 2010 through September 21, 2010

Financial Impact: \$6,300.06

Recommended Action: Approve

RA2 Consideration to Waive Reading in Full of all Ordinances and Resolutions

Financial Impact: None

Recommended Action: Approve

RA3 Minutes

Regular Meeting – August 17, 2010

Recommended Action: Approve

RA4 Fiscal Year 2010-11 Budget Amendment – Low and Moderate Housing Fund

Financial Impact: Appropriation (RDA 347536-6130) \$20,000
(RDA 347536-6199) \$10,000
(RDA 347536-6499) \$35,000

Recommended Action: It is recommended that the Agency Board approve Resolution RA 2010-05, A Resolution of the Board of Directors of the Placentia Redevelopment Agency authorizing a budget amendment in Fiscal Year 2010/11 in the aggregate amount of \$65,000.00 in compliance with City Charter requiring sufficient appropriations for actual expenditures.

PUBLIC HEARINGS: None

OLD BUSINESS: None

NEW BUSINESS: None

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA

CC15/RA5 Extension to Exclusive Negotiating Agreement with Edge

Financial Impact: None

Recommended Action: It is recommended that the City Council and Agency Board do the following:

- 1) Approve the Second Extension to the Exclusive Negotiating Agreement ("ENA") with EDGE which will allow for six (6) month period of exclusive negotiation between the City/Agency and EDGE to evaluate the potential size, design, construction and operational costs, and financing options available to construct a downtown parking structure and retail plaza; and
- 2) Authorize the Mayor/Chairman to execute the Second Extension to the ENA on behalf of the City/Agency.

ADJOURNMENT:

The City Council and the Redevelopment Agency Board of Directors will adjourn to a Regular Meeting on October 5, 2010 at 5:00 p.m.

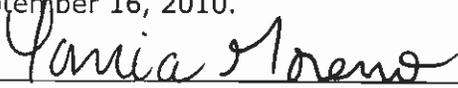
*In
Memory
Of
Andrea Andreeff
Former City of Placentia
Maintenance Worker from 1984-2002*

*Marine Corps Major Elliot Mora
Valencia High School Graduate and Purple Heart Recipient*

*Terry Turner
Long time Placentia Resident and
Friend of Councilmember Scott W. Nelson*

CERTIFICATION OF POSTING

I, Vida Barone, Interim Chief Deputy Clerk for the City of Placentia and Assistant Secretary of the Placentia Redevelopment Agency, hereby certify that the Agenda for the September 21, 2010, meetings of the City Council and Redevelopment Agency was posted on September 16, 2010.

A handwritten signature in cursive script that reads "Yania Moreno". The signature is written in black ink and is positioned above a horizontal line.

Vida Barone, Interim Chief Deputy City Clerk