



Adjourned Regular Meeting Agenda

January 12, 2016

Placentia City Council

Placentia City Council as Successor to the Placentia

Redevelopment Agency

Placentia Industrial Commercial

Development Authority

Jeremy B. Yamaguchi
Mayor

Craig S. Green
Mayor Pro Tem

Scott W. Nelson
Council Member

Constance M. Underhill
Council Member

Chad P. Wanke
Council Member

Patrick J. Melia
City Clerk

Kevin A. Larson
City Treasurer

Damien R. Arrula
Interim City Administrator

Christian L. Bettenhausen
City Attorney

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

Phone: (714) 993-8117

Fax: (714) 961-0283

Email:

administration@placentia.org

Website: www.placentia.org

Mission Statement

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

Vision Statement

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

Copies of all agenda materials are available for public review in the Office of the City Clerk, online at www.placentia.org, and at 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
ADJOURNED REGULAR MEETING AGENDA- CLOSED SESSION
JANUARY 12, 2016
5:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

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

ORAL COMMUNICATIONS:

At this time the public may address the City Council and Boards of Directors concerning any items on the Closed 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 Closed Session proceedings.

CITY COUNCIL:

1. Pursuant to Government Code Section 54957(b)(1):
PERFORMANCE EVALUATION
Title: Interim City Administrator
2. **CONFERENCE WITH LEGAL COUNSEL- POTENTIAL LITIGATION**
Significant Exposure to Litigation Pursuant to California Government Code Section 54956.9(d)(2)(e)(3)
3. Pursuant to Government Code Section 54956.8:
CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Property: 207-209 W. Crowther Ave APN: 339-402-05; 07; 08; 11
Agency Negotiator: Damien R. Arrula, Interim City Administrator
Negotiating Parties: Patrick Helgeson, Newport Equities
Under Negotiations: Price and Terms of Payment
4. Pursuant to Government Code Section 54957.6:
CONFERENCE WITH LABOR NEGOTIATOR
Agency Designated Representatives: Damien R. Arrula, Interim City Administrator
Steve Pischel, Dir. Administrative Services
Employee Organizations: Placentia Police Officers Association (PPOA) and Placentia Police Management Association (PPMA)

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

**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
ADJOURNED REGULAR MEETING AGENDA
JANUARY 12, 2016
7:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

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

INVOCATION: Police Chaplain Ken Milhander

PLEDGE OF ALLEGIANCE:

PRESENTATIONS: None

CLOSED 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.

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

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.

1.a. Developer Requested Amendment No. 5 to the Exclusive Negotiating Agreement with Newport Equities, LLC, Extending the Term until March 15, 2016

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 5 to the Exclusive Negotiating Agreement ("ENA") with Newport Equities, LLC., extending the term until March 15, 2016 to allow the parties to continue their negotiations and to facilitate the preparation of a Purchase and Sale Agreement for the Packing House site; and
- 2) Authorize the Mayor to execute Amendment No. 5 to the ENA in a form approved by the City Attorney.

1.b. **Professional Services Agreement with John L. Hunter and Associates, Inc., for National Pollutant Discharge Elimination System (NPDES) Consulting Services**

Fiscal Impact: Expense: Amount not-to-exceed \$72,473 from January 12, 2016 to June 30, 2017

Recommended Action: It is recommended that the City Council:

- 1) Approve a Professional Services Agreement with John L. Hunter and Associates, Inc. for an amount not to exceed \$72,473 for NPDES consulting services from January 12, 2016 to June 30, 2017; and
- 2) Authorize the Interim City Administrator to execute all necessary documents in a form approved by the City Attorney.

2. PUBLIC HEARING:

2.a. **Zoning Code Amendment ZCA-2015-05, Recommending that the City Council Adopt an Ordinance Prohibiting Marijuana Cultivation**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Open the Public Hearing concerning Zoning Code Amendment ZCA-2015-05; and
- 2) Receive the staff report and consider all Public Testimony; and
- 3) Close the Public Hearing; and
- 4) Find that the project is Categorically Exempt Pursuant to the California Environmental Quality Act of 1970, as amended, the Guideline promulgated thereunder (14 CCR § 15303) and Placentia Environmental Guidelines; and
- 5) Find that the proposed amendment is merely preserving the City's current prohibition of marijuana cultivation throughout the City. Adoption of the proposed amendment expressly prohibiting marijuana cultivation within the City is recommended for the express and specific purpose of preserving the City's authority to ban and/or adopt future regulations pertaining to marijuana cultivation as is required by California Health and Safety Code section 11372.777(c)(4), effective January 1, 2016; and
- 6) Waive full reading, by title only, and introduce for first reading, Ordinance O-2016-01, an ordinance of the City Council of the City of Placentia, California, adding Chapter 23 to the City of Placentia City Municipal Code prohibiting marijuana cultivation.

2.b. **Zoning Code Amendment ZCA-2015-04, Governing Massage Establishments**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Continue the Public Hearing to January 19, 2016 at 7:00 p.m.

3. REGULAR AGENDA:

3.a. **October 2015 Preliminary Treasurer's Report**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Receive and file the October 2015 Preliminary Treasurer's Report.

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 January 19, 2016 at 5:30 p.m.

In Memory of

Joe Vargas Aguirre, Father of Former City Council Member Joseph V. Aguirre

Van Minh Nguyen, Father of Finance Services Manager Michael Nguyen

Daniel G. Kraemer, Member of Placentia Kraemer Family

Chip Schaefer, Son of Planning Commission Chairperson Christine Schaefer

CERTIFICATION OF POSTING

I, Rosanna Ramirez, Chief 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 January 12, 2016 meetings of the City Council, Successor Agency, and Industrial Commercial Development Authority was posted on January 7, 2016.


for _____
Rosanna Ramirez, Chief Deputy City Clerk