



**AMENDED  
Regular Meeting Agenda  
December 6, 2022**

Placentia City Council  
Placentia City Council Acting as Successor Agency to the  
Placentia Redevelopment Agency  
Placentia Industrial Commercial Development Authority  
Placentia Public Financing Authority

**SPECIAL PROCEDURES NOTICE**

On March 4, 2020, pursuant to California Government Code Section 8625, Governor Newsom declared a State of Emergency as a result of the threat of the COVID-19 virus.

On September 17, 2021, Governor Newsom signed AB 361, which went into immediate effect as urgency legislation. AB 361 added subsection (e) to Section 54953 to authorize legislative bodies to conduct remote meetings provided the legislative body makes specified findings. As of February 9, 2022 it was reported that the COVID-19 pandemic had killed more than 81,811 Californians. Social distancing measures decrease the chance of the spread of COVID-19.

Given the health risks associated with COVID-19, please be advised that while the City Council Chambers are open to the public, some or all of the Placentia City Council Members may attend this meeting via teleconference. Those locations are not listed on the agenda and are not accessible to the public.

**How to Observe the Meeting**

To maximize public safety while maintaining transparency and public access, in addition to being open to the public, all City Council meetings are available to view live on AT&T U-verse (Channel 99), Spectrum (Channel 3), and online at [www.placentia.org/pctv](http://www.placentia.org/pctv).

**How to Submit Public Comment**

Members of the public may provide public comment in person or comments may be sent for City Council consideration by email to the City Clerk at [cityclerk@placentia.org](mailto:cityclerk@placentia.org). Please limit submitted comments to 200 words or less. Comments received before or during a Council meeting, until the close of the **Oral Communications** portion of the agenda, may not be read during the City Council meeting but will be summarized in the public record and are subject to the regular time limitations per speaker. Longer submittals will be included in the public record. If you are unable to provide your comments in writing, please contact the City Clerk's Office for assistance at (714) 993-8231.

**Americans with Disabilities Act Accommodation**

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 [cityclerk@placentia.org](mailto:cityclerk@placentia.org) or by calling (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City Staff to make reasonable arrangements to ensure accessibility while maintaining public safety. (28 CFR 35.102.35.104 ADA Title II)

Until further notice the City will implement the guidelines of the California Department of Public Health regarding social distancing.

The City of Placentia thanks you in advance for taking all precautions to prevent the spread of the COVID-19 virus.



## Regular Meeting Agenda December 6, 2022

Placentia City Council

Placentia City Council Acting as Successor Agency to the  
Placentia Redevelopment Agency  
Placentia Industrial Commercial Development Authority  
Placentia Public Financing Authority

Mayor Rhonda Shader  
District 1

Mayor Pro Tem Chad P. Wanke  
District 4

Craig S. Green  
Councilmember  
District 2

Ward L. Smith  
Councilmember  
District 5

Jeremy B. Yamaguchi  
Councilmember  
District 3

Robert S. McKinnell  
City Clerk

Kevin A. Larson  
City Treasurer

Damien R. Arrula  
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](http://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 ACTING AS SUCCESSOR AGENCY TO THE  
PLACENTIA REDEVELOPMENT AGENCY  
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY  
PLACENTIA PUBLIC FINANCING AUTHORITY  
REGULAR MEETING AGENDA - CLOSED SESSION  
December 6, 2022  
5:30 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

**CALL TO ORDER:**

**ROLL CALL:** Councilmember/Board Member Green  
Councilmember/Board Member Smith  
Councilmember/Board Member Yamaguchi  
Mayor Pro Tem/Board Vice Chair Wanke  
Mayor/Board Chair Shader

**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.

Pursuant to Government Code Section 54956.9(d)(1)

**CONFERENCE WITH LEGAL COUNSEL - Existing Litigation**

Dennis Lynn Blake, Trustee of the Blake Family Trust vs City of Placentia, et al.,  
Case No. 30-2022-01270422-CU-EI-CXC

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

**PLACENTIA CITY COUNCIL  
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PLACENTIA REDEVELOPMENT AGENCY  
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY  
PLACENTIA PUBLIC FINANCING AUTHORITY  
REGULAR MEETING AGENDA  
December 6, 2022  
7:00 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

**CALL TO ORDER:**

**ROLL CALL:** Councilmember/Board Member Green  
Councilmember/Board Member Smith  
Councilmember/Board Member Yamaguchi  
Mayor Pro Tem/Board Vice Chair Wanke  
Mayor/Board Chair Shader

**INVOCATION:** Chaplain Ken Milhander

**PLEDGE OF ALLEGIANCE:** Firefighter Lucas Dochmaschewsky

**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.

**CITY COUNCIL/BOARD MEMBER COMMENTS:**

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

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

Fiscal Impact: None

Recommended Action: Approve

1.b. **City Fiscal Year 2022-23 Registers for December 6, 2022  
Check Register**

Fiscal Impact: \$1,907,174.36

**Electronic Disbursement Register**

Fiscal Impact: \$1,458,268.68

Recommended Action: It is recommended that the City Council:

1) Receive and file

- 1.c. **Making the Legally Required Findings to Continue to Authorize the Conduct of Remote “Telephonic” Meetings During the State of Emergency**  
Fiscal Impact: None  
Recommended Action: It is recommended that the City Council:  
 1) Approve Resolution R-2022-81, a Resolution of the City Council of the City of Placentia, California, making the legally required findings to continue to authorize the conduct of remote “telephonic” meetings during the state of emergency.
- 1.d. **Second Reading and Adoption of Ordinance No. O-2022-08, Zoning Code Amendment/Zone Change (ZCA) No. 2022-05 (Previously incorrectly referred to as ZCA 2022-03), and General Plan Amendment (GPA) No. 2022-02 Affecting Two Project Areas Generally Described as: 1) The Area of the City of Placentia Previously Known as Unincorporated Hamer Island, which Consists of 76 Acres Completely Surrounded by the City of Placentia and Generally Located North of Palm Drive, South of Shadburn Avenue, West of Carbon Creek Channel, and East of Arrowhead Drive, and 2) Citywide**  
Fiscal Impact: None  
Recommended Action: Approve
- 1.e. **Second Reading and Adoption of Ordinance No. O-2022-09, Zoning Code Amendment (ZCA) No. 2022-04 A Zoning Code Amendment to Amend the Placentia Municipal Code (PMC) Chapter 23, to Create an Administrative Use Permit Process in which Certain Applications for Use Permits and/or Use Permit Modifications (including but not limited to those for outdoor dining) could be Evaluated Administratively at the Staff Level Instead of Being Evaluated by the Planning Commission**  
Fiscal Impact: None  
Recommended Action: Approve
- 1.f. **Second Reading and Adoption of Ordinance No. O-2022-10, Adoption of an Updated Library Impact Fee Program on Behalf of the Placentia Library District**  
Fiscal Impact: These Development Impact Fees are established for cost recovery or statutory purposes only, and any fees collected will be utilized by the Placentia Library District, not the City of Placentia.  
Fiscal Impact: None  
Recommended Action: Approve
- 1.g. **Second Reading and Adoption of State Mandated Ordinance No. O-2022- 11 of the City Council of the City of Placentia, California Repealing Chapter 18.04 of Title 18 and Chapters 20.04, 20.08, 20.12, 20.16, 20.20, 20.46, 20.48, 20.50, 20.52 and 20.54 of Title 20 of the Placentia Municipal Code and Adopting by Reference, the California Fire code, 2022 Edition, the 2022 Editions of the California Building, Residential, Electrical, Plumbing, Mechanical, and Green Building Standards Code, 2021 Edition of the International Property Maintenance Code, 2022 Edition of the California Existing Building Code, 2022 Edition of the California Historical Building Code and 2022 California Energy Code, Including all Appendices, with Certain Amendments, Additions and Deletions Thereto, Including Fees and Penalties.**  
Fiscal Impact: No fiscal impacts are anticipated with this ordinance as all costs will be recovered through the plan check and inspection process.  
Recommended Action: Approve.

1.h. **Approval of Artist Agreements for the Caltrans Public Art Project and Amendments No. 1 to the Landscape Maintenance Agreement and Transportation Art Cooperative Agreement with CalTrans**

Fiscal Impact:

Expenditure: \$575,000 (101206-6730)  
Revenue: \$650,000 CALTRANS (101206-6240)

Recommended Action: It is recommended that the City Council:

- 1) Approve the Artist Agreement with Cliff Garten & Associates, Inc., for the approved freeway gateway art monument "Chromatic Ascension," in the amount of \$475,000; and
- 2) Approve the Artist Agreement with Alejandro Poli Jr., for the approved freeway art mural "The Good People Under our Sun and Moon," in the amount of \$100,000; and
- 3) Authorize the City Administrator to approve contract change orders up to 10% of the contract not-to-exceed amount; and
- 4) Approve Amendments Nos. 1 to the Landscape Maintenance Agreement and the Transportation Art Cooperative Agreement with Caltrans; and
- 5) Authorize the City Administrator to execute the agreements and amendments in a form approved by the City Attorney.

1.i. **Reimbursement Agreement with the Yorba Linda Water District to Adjust Water and Sewer Facilities as Part of City Street Resurfacing Projects**

Fiscal Impact: There is no immediate fiscal impact associated with executing this proposed reimbursement agreement.

Recommended Action: It is recommended that the City Council:

- 1) Approve the Reimbursement Agreement with the Yorba Linda Water District for a period of three (3) years; and
- 2) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney.

1.j. **Placentia Small Business Emergency Relief Grant Program to Assist Small Businesses located within eligible CDBG Census Tract Areas that have been Affected by the COVID-19 Pandemic (Round 4)**

Fiscal Impact: REVENUE: \$150,000 (302534-4201 232502-4201)  
EXPENSE: \$150,000 (302534-6401 232502-6401)

Recommended Action: It is recommended that the City Council:

- 1) Authorize the continuation of the Placentia Small Business Emergency Relief Grant Program to assist Placentia small businesses within the Census Tract in the Low to Moderate Income areas affected by the COVID-19 pandemic; and
- 2) Authorize the City Administrator and/or City Attorney to make non-substantive changes to the program guidelines, application and associated documents, as necessary; and
- 3) Adopt Resolution No. R-2022-85, A Resolution of the City Council of the City of Placentia, California authorizing a budget amendment in Fiscal Year 2022-23 in compliance with City Charter of the City of Placentia §§1206 and 1209 pertaining to appropriations for actual expenditures; and
- 4) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney to receive the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds in the amount of \$150,000 through the County of Orange Community Development Block Grant Funds (CDBG-CV) and distribute the funds for Round 4 of the Small Business Emergency Relief Grant Program.

1.k. **Contract for the Purchase, Fabrication, and Installation of a Manufactured Butler Building for the Placentia Public Safety Center Project, No. 5213**

Fiscal Impact:

Expense: \$ 939,809  
Available Budget: \$6,180,625 FY 2022-23 CIP BUDGET (105213-6850)

Recommended Action: It is recommended that the City Council:

- 1) Approve a contract with BlueScope Construction pursuant to Sourcewell procurement contract 013019-BSC in the amount of \$939,809, to design, build and install a new Butler Building for the Placentia Public Safety Center; and
- 2) Authorize the City Administrator to approve contract change orders up to 10% of the total not-to-exceed contract amount or \$93,980; and
- 3) Authorize the City Administrator to execute the above-mentioned contract, in a form approved by the City Attorney.

1.l. **Reject All Bids Received for Phase I Construction of the Placentia Public Safety Center Project, Project No. 5213, and Authorize Re-Bidding of Project**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Reject all bids received for Phase I construction of the Placentia Public Safety Center and authorize return of the bid bonds; and
- 2) Authorize staff to solicit new bids for Phase I construction of the Placentia Public Safety Center.

1.m. **Construction Contract for The Old Town Placentia Façade Improvement Project**

Fiscal Impact:

Expense: \$226,421.80 Project Construction Cost  
Cost Budgeted: \$ 50,000.00 Community Development Block Grant Fund (302535-6401 JL#232501)

Recommended Action: It is recommended that the City Council:

- 1) Approve the engineered plans and specifications prepared by BOA Architecture, Inc., for the Old Town Placentia Façade Improvement Project at 101 W. Santa Fe Avenue; and
- 2) Approve a Public Works Agreement with Loengreen, Inc. for an amount not to exceed \$205,838; and
- 3) Reject all other bids received and authorize the return of the bid bonds; and
- 4) Authorize the City Administrator to approve contract change orders up to fifteen percent (10%) of the contract not to exceed amount, or \$20,583.80; and
- 5) Adopt Resolution No. R-2022-83, A Resolution of the City Council of the City of Placentia, California authorizing a budget amendment in Fiscal Year 2022-23 in compliance with City Charter of the City of Placentia §§1206 and 1209 pertaining to appropriations for actual expenditures; and
- 6) Authorize the City Administrator and/or his designee to execute all necessary documents including the Old Town Placentia Façade Program documents, in a form approved by the City Attorney.

1.n. **Professional Services Agreement with Kabbara Engineering for Civil Engineering and Landscape Architecture Design Services for the Old Town Placentia Streetscape Improvement Project, No. 1205**

Fiscal Impact:

Expense: \$628,418 Professional Services Agreement  
Budget: \$691,259 FY 2022-23 Capital Improvement Budget

Recommended Action: It is recommended that the City Council:

- 1) Award a Professional Services Agreement to Kabbara Engineering for a not-to-exceed amount of \$628,418 to provide civil engineering and landscape architecture design services for the Old Town Placentia Streetscape Improvement Project, No. 1205; and
- 2) Authorize the City Administrator to approve any change orders up to 10% of the contract not-to-exceed amount, or \$62,841; and

- 3) Adopt Resolution No. R-2022-84, A Resolution of the City Council of the City of Placentia, California authorizing a budget amendment in Fiscal Year 2022-23 in compliance with City Charter of the City of Placentia §§1206 and 1209 pertaining to appropriations for actual expenditures; and
- 4) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney.

1.o. **Purchase of SB 1383 Compliance Reporting Software**

Fiscal Impact:

Expense: \$56,000 Software Subscription Purchase and Implementation (3-Year Subscription)  
 Budgeted: \$73,147 CalRecycle SB 1383 Local Assistance Grant (833593-6365)

Recommended Action: It is recommended that the City Council:

- 1) Approve a Service Agreement with MSW Consultants, Inc. for the SB 1383 compliance reporting and recording keeping software subscription purchase and implementation in an amount not to exceed \$56,000; and
- 2) Authorize the City Administrator to approve contract change orders up to ten percent (10%) of the contract not to exceed amount, or \$5,600; and
- 3) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney.

1.p. **Measure M (M2) Expenditure Report for Fiscal Year 2021-22**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2022-82, a Resolution of the City Council of the City of Placentia, California, concerning the Fiscal Year 2021-22 Measure M2 (M2) Expenditure Report for the City of Placentia.

**2. PUBLIC HEARINGS:** None

**I. RECOGNITION OF 2022 MAYOR RHONDA SHADER AND RECOGNITION OF RETIREMENT OF COUNCILMEMBER CRAIG S. GREEN**

- a. Office of U.S. Representative Young Kim, California's 39th District  
Presenter: Brendon J. Moeller, District Representative
- b. Office of State Senator Josh Newman, 29th Senate District  
Presenter: Nathan Bass, District Representative
- c. Orange County Supervisor Doug Chaffee, Orange County 4th District  
Presenter: Doug Chaffee, Orange County Supervisor
- d. Office of State Assemblyman Phillip Chen, 55th Assembly District  
Presenter: Mayor Pro Tem Wanke
- e. City of Placentia  
Presenters: Mayor Pro Tem Wanke, City Council Members and City Administrator Arrula
- f. Comments from Outgoing Mayor Rhonda Shader
- g. Comments from Retiring Councilmember Craig S. Green

**3. REGULAR AGENDA:**

**[NOTE: The City Council took action to renumber the agenda, moving the Certification of the Canvass to Item 3b and adding walk-on Item agenda Item No. 3.a. (PFA MOU)]**

**3.a. Memorandum of Understanding Terms Between the City and the Placentia Firefighters' Association**

Fiscal Impact: Fiscal Year 2022-23 \$80,920

Recommended Action: It is recommended that the City Council:

- 1) Approve the Memorandum of Understanding between the City of Placentia and the Placentia Firefighters' Association; and
- 2) Authorize the City Administrator, to execute the necessary documents, in a form approved by the City's Labor Counsel.

**3.ab. Certification of the Canvass of the November 8, 2022 General Municipal Election Results**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Receive and file the Certificate of Registrar of Voters Result of the Canvass of the General Election Returns; and
- 2) Adopt Resolution No. 2022-86, A Resolution of the City Council of the City of Placentia, California, reciting the fact of the General Municipal Election held on Tuesday, November 8, 2022, declaring the result and such other matters as provided by law.

**II. OATHS OF OFFICE ADMINISTERED AND PRESENTATION OF CERTIFICATES OF ELECTION**

- a. City Clerk Robert S. McKinnell
- b. Councilmember Kevin Kirwin, District 2
- c. Councilmember Chad P. Wanke, District 4

**III. REORGANIZATION OF THE CITY COUNCIL**

- a. City Clerk Calls for the Selection of Mayor of the City of Placentia
- b. Ceremonial Oath Administered to New Mayor
- c. Comments from New Mayor
- d. New Mayor Calls for the Selection of Mayor Pro Tem of the City of Placentia

**IV. COMMENTS FROM ELECTED OFFICIALS**

- a. Councilmember Kevin Kirwin, District 2
- b. Councilmember Chad P. Wanke, District 4
- c. City Clerk Robert S. McKinnell

**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/PPFA Board of Directors will adjourn to a regular City Council meeting on Tuesday, January 10, 2023 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:

- Award of Construction Contract for Phase I Public Safety Center
- Award of Construction Contract Kraemer Memorial Park Fountain Renovation Project
- NOC: Civic Center Pergola Project
- NOC: Old City Hall ADA Improvement
- NOC: Old City Hall Office Renovation Project
- Tentative Tract Map No. 19251 subdivide approx. 0.40-acre lot for 12 new townhome condo units located along west side of Van Buren Street, south of Orangethorpe – R-3 zoning district)

***RECEPTION RECOGNIZING MAYOR,  
ELECTED COUNCILMEMBERS, CITY CLERK AND  
CITY COUNCIL REORGANIZATION***

**CERTIFICATION OF POSTING**

I, Carole M. Wayman, Deputy City Clerk of the City of Placentia and Assistant Secretary of the Industrial Commercial Development Authority, the Successor Agency, and the Placentia Public Financing Authority hereby certify that the Agenda for the December 6, 2022 meetings of the City Council, Successor Agency, Industrial Commercial Development Authority, and the Placentia Public Financing Authority was posted on December 1, 2022.

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Carole M. Wayman  
Deputy City Clerk