



## Regular Meeting Agenda February 7, 2023

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 February 7, 2023

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 Ward L. Smith  
District 5

Mayor Pro Tem Jeremy B. Yamaguchi  
Councilmember  
District 3

Kevin Kirwin  
Councilmember  
District 2

Rhonda Shader  
Councilmember  
District 1

Chad P. Wanke  
Councilmember  
District 4

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  
February 7, 2023  
5:30 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

**CALL TO ORDER:**

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

**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.

1. Pursuant to Government Code Section 54957(b)(1):  
**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Title: City Administrator
2. Pursuant to Government Code Section 54956.9(d)(1)  
**CONFERENCE WITH LEGAL COUNSEL – Existing Litigation**  
Rilie Silva vs. City of Placentia, Claim No. WC 19-143605
3. Pursuant to Government Code Section 54956.9(d)(1)  
**CONFERENCE WITH LEGAL COUNSEL – Existing Litigation**  
Zachary King vs. City of Placentia, Claim No. WC 20-146067
4. Pursuant to Government Code Section 54956.8  
**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
Property: 207 W. Chapman Avenue  
Agency Negotiator: Damien R. Arrula, City Administrator  
Negotiating Party: Damien R. Arrula, City Administrator  
Under Negotiations: Price and Terms
5. Pursuant to Government Code Section 54956.9(d)(1)  
**CONFERENCE WITH LEGAL COUNSEL – Existing Litigation**  
Claimant: George and Teri Lyles, Claim No. 2009250

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

**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  
February 7, 2023  
7:00 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

**CALL TO ORDER:**

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

**INVOCATION:** Chaplain Charles Frost

**PLEDGE OF ALLEGIANCE:** Engineer Dustin Sundahl

**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.j.):**

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 February 7, 2023**

**Check Register**

Fiscal Impact: \$2,143,775.16

**Electronic Disbursement Register**

Fiscal Impact: \$ 844,821.33

Recommended Action: It is recommended that the City Council:

1) Receive and file.

1.c. **Acceptance Of Construction Work and Notice of Completion for the Old City Hall Office Renovation Project, City Project No. 5106**

Fiscal Impact:

Expense:	\$465,000.00	Original Construction Contract
	\$ 99,902.30	Approved Change Orders No. 1 - 6
	\$ 0.00	Balancing Change Order No. 7
	<u>\$ 62,400.00</u>	<u>Construction Inspection Services</u>
	\$627,302.30	Total Construction Cost
Available Budget:	<u>\$49,441.40</u>	<u>FY 22-23 CIP Project Budget</u>
	\$49,441.40	Measure U Fund (795106-6185)

Recommended Action: It is recommended that the City Council:

- 1) Authorize the City Administrator to approve Balancing Contract Change Order No. 7 with A2Z Construct Inc., in the amount of \$0.00; and
- 2) Accept the work performed by A2Z Construct Inc., for construction of the Old City Hall Office Renovation Project, City Project No. 5106 for a grand total amount of \$564,902.30; and
- 3) Authorize the City Administrator to file a Notice of Completion with the Orange County Clerk-Recorder's Office for the Project; and
- 4) Authorize the City Administrator to release retention funds in accordance with the terms of the contract.

1.d. **Acceptance Of Construction Work and Approval of Notice of Completion for Construction of the Old City Hall ADA Improvement Project (City Project No. 5101)**

Fiscal Impact:

Expense:	\$12,251.75	Retention Payment
Available Budget:	<u>\$28,251.75</u>	<u>FY 2022-23 CIP Project Budget</u>
	\$19,302.75	Community Development Block Grant Fund (305101-6850)
	\$ 9,049.00	Measure U (795101-6850)

Recommended Action: It is recommended that the City Council:

- 1) Accept the work performed by A2Z, for construction of the Old Placentia City Hall ADA Improvement Project, City Project No. 5101 for a grand total amount of \$245,035; and
- 2) Authorize the City Administrator to file a Notice of Completion with the Orange County Clerk-Recorder's Office for the Project; and
- 3) Authorize the City Administrator to release retention funds in accordance with the terms of the contract.

1.e. **Approval of Plans & Specifications and Award of Construction Contract to Aneen Construction, Inc., for The Main Street and Crowther Ave Parking Lot Improvement Projects, City Project Nos. 5211 & 2204**

Fiscal Impact:

Expense:	<u>\$ 662,534.40</u>	<u>Total Construction Amount</u>
	\$ 602,304.00	Construction Contract Amount
	\$ 60,230.40	Construction Contingency Amount
Available Budget:	<u>\$662,714.63</u>	<u>FY 2022-23 CIP Budget</u>
	\$146,174.63	TOD Streetscape Impact Fee (722204-6741)
	\$466,000.00	Measure U (795211-6850)
	\$ 8,000.00	General Fund (105211-6850)

Recommended Action: It is recommended that the City Council:

- 1) Approve the construction Plans & Specifications prepared by the City Engineer and approve a Public Works Agreement with Aneen Construction, Inc., for the Main Street and Crowther Ave Parking Lot Improvement Project in the amount of \$602,304; and
- 2) Reject all other bids received and authorize the return of the bid bonds; and

- 3) Authorize the City Administrator to approve contract change orders up to ten percent (10%) of the contract not to exceed amount, or \$60,230.40; and
- 4) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney.

1.f. **Award of Construction Contract for the Santa Fe Avenue Outdoor Dining Platform Project**

Fiscal Impact:

Expense:	\$82,360.00	Total Construction Amount
	\$65,888.00	Construction Contract Amount
	\$16,472.00	Construction Contingency Amount
Budget:	\$150,000.00	Community Development Block Grant Fund (302534-6401, 232502-6401)

Recommended Action: It is recommended that the City Council:

- 1) Approve the construction Plans & Specifications prepared by the City Engineer and approve a Public Works Agreement with Global Builders, Inc., for the Santa Fe Avenue Outdoor Dining Platform Project in the amount of \$65,888; and
- 2) Reject all other bids received and authorize the return of the bid bonds; and
- 3) Authorize the City Administrator to approve contract change orders up to twenty-five percent (25%) of the contract not to exceed amount, or \$16,472.80; and
- 4) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney.

1.g. **Amendment No. 2 to Professional Services Agreement with NV5 Inc., for On-Call Construction Management and Inspection Services**

Fiscal Impact:

Expense:	\$170,240	Amendment Amount
Available Budget:	\$359,088	Fiscal Year 2022-23 CIP Budget
	\$343,358	TOD Sewer Impact Fees (713101-6750)
	\$ 15,730	Measure U Fund (795106-6740)

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 2 to the Professional Services Agreement with NV5 Inc., for an additional \$170,240.00 to provide additional services for the Old City Hall Renovation Project and TOD/Crowther Sewer Line Replacement Project for a cumulative contract not-to-exceed amount of \$470,240.00; and
- 2) Authorize the City Administrator and/or his designee to execute the necessary documents, in a form approved by the City Attorney.

1.h. **Amendment No. 2 to Professional Services Agreements with Transtech Engineers Inc. for On-Call Construction Management and Inspection Services**

Fiscal Impact:

Expense:	\$ 50,000.00	Amendment Amount
Available Budget:	\$ 382,033.36	Fiscal Year 2022-23 CIP Budget
	\$ 382,033.36	HSIP Grant (332908-6741)
	\$ 59,114.87	Measure U Fund (791101-6740)

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 2 to the Professional Services Agreement with Transtech for an additional \$50,000, for a cumulative contract not-to-exceed amount of \$325,000; and
- 2) Authorize the City Administrator and/or his designee to execute the necessary documents, in a form approved by the City Attorney.

1.i. **Amendment No. 2 to Professional Services Agreement with Dudek Corporation for Engineering Design Support Services for the Tod Crowther Sewer Pipeline Replacement Project**

Fiscal Impact:

Expense: \$ 42,600.00 Engineering Design Services  
 Available Budget: \$ 343,358.00 Fiscal Year 2022-23 CIP Budget  
 (713101-6750)

Recommended Action: It is recommended that the City Council:

- 1) Approve Amendment No. 2 to Professional Services Agreement with Dudek Corporation for an additional \$42,600 to complete additional design work for a cumulative contract not-to-exceed amount of \$114,855; and
- 2) Authorize the City Administrator and/or his designee to execute all the necessary documents, in a form approved by the City Attorney.

1.j. **Resolution Declaring Certain Properties located at 323, 307, 312 and 314 Baker Street in the City of Placentia, Exempt Surplus Land for Purposes of the Surplus Land Act**

Fiscal Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2023-05, A Resolution of the City Council of the City of Placentia, California declaring pursuant to the Surplus Land Act that certain real property owned by the City located at 323, 307, 312, and 314 Baker Street are exempt surplus land not necessary for the City’s use and proposed for a 100% affordable housing development finding that such declaration is exempt from environmental review pursuant to Section 15194 of the California Environmental Quality Act; and taking related actions; and
- 2) Authorize the City Administrator and/or his designee to execute all necessary documents, in a form approved by the City Attorney.

**2. PUBLIC HEARINGS:** None

**3. REGULAR AGENDA:**

3.a. **FY 2022-23 MID-YEAR (Q2) BUDGET REPORT**

Fiscal Impact:

<b>Fund</b>	<b>Revenues</b> (Including Transfers-In)	<b>Appropriations</b> (Including Capital & Transfers-Out)
General Fund	\$ 1,037,492	\$ 792,300
Special Revenue	\$ 848,600	\$1,187,301
Capital Projects	\$ 0	\$ 0
Enterprise Funds	\$ 0	\$ 0
Internal Service Fund	\$ 105,000	\$ 105,000
<b>Total</b>	<b>\$1,991,092</b>	<b>\$2,084,601</b>

Recommended Action: It is recommended that the City Council:

- 1) Approve the Second Quarter Budget Report and adopt Resolution No. R-2023-09, amending the City’s FY 2022-23 Budget; and
- 2) Approve the Second-Quarter Position Allocation Plan; and
- 3) Approve the Updated Salary Schedule.

3.b. **Study Session to Review Chapman Corridor Plan Progress**

Fiscal Impact: No fiscal impacts are associated with this Study Session. Potential significant economic benefit to the local Placentia economy, including jobs, public & private investment, and annual/one-time revenue.

Recommended Action: It is recommended that the City Council:

- 1) Receive and file the Staff Report and presentation; and
- 2) Solicit public comments (if any) regarding the proposed Chapman Corridor Revitalization Plan and supporting documentation; and
- 3) Provide direction to Staff as appropriate regarding the proposed Chapman Corridor Revitalization Plan.

**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, February 21, 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:

- Update to Travel Policy
- Resolution: Urban Area Security Initiative Grant
- City Council Appointments to Intergovernmental Agency and City Subcommittees
- Prop 69 Funding

**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 February 7, 2023 meetings of the City Council, Successor Agency, Industrial Commercial Development Authority, and the Placentia Public Financing Authority was posted on February 2, 2023.

---

Carole M. Wayman  
Deputy City Clerk