



Regular Meeting Agenda May 15, 2012

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

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.

Jeremy B. Yamaguchi
Mayor

Chad P. Wanke
Mayor Pro Tem

Joseph V. Aguirre
Council Member

Scott W. Nelson
Council Member

Constance M. Underhill
Council Member

Patrick J. Melia
City Clerk

Craig S. Green
City Treasurer

Troy L. Butzlaff, ICMA-CM
City Administrator

Andrew V. Arczynski
City Attorney

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 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.

City of Placentia
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**PLACENTIA CITY COUNCIL
PLACENTIA CITY COUNCIL AS SUCCESSOR TO THE
PLACENTIA REDEVELOPMENT AGENCY
PLACENTIA INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY
REGULAR MEETING AGENDA – EXECUTIVE SESSION
May 15, 2012
5:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

ROLL CALL: Councilmember/Board Member Aguirre
Councilmember/Board Member Nelson
Councilmember/Board Member Underhill
Mayor Pro Tem/Board Vice Chair Wanke
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 Executive Session Agenda only.

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(a) for Conference with Legal Counsel Regarding Existing Litigation – Two (2) Items
 - a. City of Placentia vs. Woodruff, Spradlin & Smart, Orange County Superior Court, Case No. 30-2010-00367949
 - b. City of Placentia vs. Richard Johnson, Orange County Superior Court, Case No. 30-2011-00477091
2. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding Potential Litigation – Two (2) Items
3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – One (1) Item
4. 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)
City Representatives: Troy L. Butzlaff, City Administrator
 - b. Placentia City Employees Association (PCEA)
City Representative: Troy L. Butzlaff, City Administrator

SUCCESSOR AGENCY: None

ICDA:

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

- a. Property: 601 W. Orangethorpe Avenue, APN 339-112-03
Agency Negotiator: Troy L. Butzlaff, City Administrator/Executive Director
Negotiating Parties: Jim Williams, JAW Land & Trading LLC
Under Negotiations: Price and Terms of Payment
- b. Property: 109 W. Santa Fe Avenue, APN 339-365-25
Agency Negotiator: Troy L. Butzlaff, City Administrator/Executive Director
Negotiating Parties: John Adger
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
May 15, 2012
7:00 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER:

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

INVOCATION: OCFA Chaplain Jeff Hetschel

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

1. Requests for Commendations and Proclamations

- a. Proclamation Designating the Week of June 3 - 9, 2012, as Community United Week
Recipient: St. Josephfest Committee Chair Michael Spillman and Placentia Rotary Club President Roy Redman
Presenter: Mayor Yamaguchi

Recommended Action: It is recommended that the City Council:
Approve requests as submitted and make presentations to those present

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.

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.i.):

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**
Financial Impact: None
Recommended Action: Approve
- b. **Minutes**
City Council/Successor/ICDA City Council Regular Meeting - May 1, 2012
Recommended Action: Approve
- c. **City Fiscal Year 2011-12 Warrant Register for May 2, 2012 Through May 15, 2012**
Financial Impact: \$630,825.70
Recommended Action: Approve
- d. **Successor Agency Fiscal Year 2011-12 Warrant Register for May 2, 2012 Through May 15, 2012**
Financial Impact: \$317,343.11
Recommended Action: Approve
- e. **Corrective Action Plan for the Independent Audit for Fiscal Year 2010-11**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Receive and file the Corrective Action Plan for the period ended June 30, 2011

COUNCIL CONSENT CALENDAR:

- f. **Request for City Council Authorization to Receive Federal Reimbursement Through the Orange County Sheriff's Department for 2011 Emergency Management Performance Grant (EMPG) Program**
Financial Impact: Receipt of \$7,422 of Emergency Management Performance Grant Funds
Recommended Action: It is recommended that the City Council:
 - 1) 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
- g. **Approve Right-of-Way Agreement to Acquire Easement for the Corporate Yard Sewer Project**
Financial Impact: Expense: \$26,400 for right-of-way
Offsetting Revenue: \$26,400 Sanitary Sewer Fund
Budgeted: \$26,400 (Account No.: 333556-6013 J/L 61026)
Recommended Action: It is recommended that the City Council:
 - 1) Approve the attached "Right-of-Way Agreement" as the purchase and sale agreement between the City of Placentia and the property owner, MNC Brothers, for the purchase of a right-of-way easement at 378 E. Orangethorpe Avenue, Placentia, California, Assessor's Parcel Number 344-102-11 & 12, for an amount of \$26,400
 - 2) Authorize the City Administrator to sign the subject Right-of-Way agreement on behalf of the City

- 3) Acquire and accept the subject right-of-way easement located at 378 E. Orangethorpe Avenue for sewer infrastructure purposes
- 4) Direct the City Clerk to endorse on the Certificate of Acceptance, which embodies the acceptance of said right-of-way easement, and cause the document to be submitted to the Orange County Clerk-Recorder for recording of the document

h. Vista Del Verde Offsite Traffic Mitigation Bond - Release of Indemnity Improvement Bond (Toll Brothers)

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) To authorize the City Engineer to release the original surety and performance bonds in the amount of \$1,999,047

i. Recommendation to Approve Maintenance and Repair Agreement with Placentia Lakes Community Association in Relation to Kraemer Boulevard Railroad Grade Separation Project

Financial Impact: Minimal annual maintenance and repairs

Recommended Action: It is recommended that the City Council:

- 1) Approve Maintenance and Repair Agreement with Placentia Lakes Community Association in relation to the Kraemer Boulevard 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

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL:

a. Public Hearing and Resolution Establishing New Fees, Rates and Charges for Various City Services and Amending the Comprehensive Fee Schedule Accordingly

Financial Impact: Estimated increase unknown

Recommended Action: It is recommended that the City Council:

- 1) Open the hearing on consideration of a Resolution of the City Council of Placentia, California, amending the Comprehensive Fee Schedule for certain City fees, rates and charges for various City Fees
- 2) Receive the Comprehensive User Fee Study
- 3) Adopt Resolution No. R-2012-18, a resolution of the City Council of the City of Placentia, California, establishing and adopting certain City fees, rates and charges for various City services

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. **Report for Facility Condition Assessment**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Receive and file the Facility Condition Assessment

- b. **Designation of Voting Delegate for the 2012 League of California Cities Annual Conference**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Appoint one delegate to represent the City at the League of California Cities Annual Conference 2012
 - 2) Appoint an alternate to represent the City at the League of California Cities Annual Conference 2012

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 a Study Session on May 29, 2012 at 5:00 p.m.

CERTIFICATION OF POSTING

I, Tania Moreno, Deputy City Clerk for the City of Placentia and Assistant Secretary of the Industrial Commercial Development Authority, hereby certify that the Agenda for the May 15, 2012 meetings of the City Council, Successor Agency, and Industrial Commercial Development Authority was posted on May 10, 2012.

Tania Moreno, Deputy City Clerk