



Regular Meeting Agenda August 21, 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, CA 92870

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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
August 21, 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 – Three (3) Items
 - a. City of Placentia vs. Woodruff, Spradlin & Smart, Orange County Superior Court Case No. 30-2010-00367949
 - b. City of Placentia vs. The Gas Company, Orange County Superior Court Case No. 30-2012-005-53717
 - c. City of Placentia vs. Richard Johnson, Orange County Superior Court Case No. 30-2011-04477901
2. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding Potential Litigation – One (1) Item
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 Representative: Troy L. Butzlaff, City Administrator
 - b. Placentia City Employees Association (PCEA)
City Representative: Troy L. Butzlaff, City Administrator

5. Conference with Legal Counsel – Case Review/Planning – Government Code 54957.8:
 - a. 800 +/- Square Foot public right-of-way located at or about 312 W. Orangethorpe Ave and the north end of Nebraska Avenue Ray Baker, Lamar Outdoor Advertising

SUCCESSOR AGENCY: None

ICDA: None

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
August 21, 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: Police Chaplain Kenneth Milhandler

PLEDGE OF ALLEGIANCE:

1. Requests for Commendations and Proclamations

- a. Proclamation Designating the Month of September 2012, as World Alzheimer's Month
Recipients: Alzheimer's Association Orange County Chapter Representative
Presenters: 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. There is a five (5) minute time limit for each individual addressing 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.k.):

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 Special Meeting – July 30, 2012
City Council/Successor/ICDA Special Meeting – August 1, 2012
Recommended Action: Approve
- c. **City Fiscal Year 2011-12 Warrant Register for August 8, 2012 through August 21, 2012**
Financial Impact: \$247,078.83
Recommended Action: Approve
- d. **Successor Agency Fiscal Year 2011-12 Warrant Register for August 8, 2012 through August 21, 2012**
Financial Impact: \$8,591.01
Recommended Action: Approve
- e. **City Fiscal Year 2012-13 Warrant Register for August 8, 2012 through August 21, 2012**
Financial Impact: \$561,090.07
Recommended Action: Approve

COUNCIL CONSENT CALENDAR:

- f. **Recommendation to Approve Award of Contract for Traffic Signal Maintenance Services**
Financial Impact: Expense: Not to exceed \$164,620
Budgeted: (Account No.: 103652-6099)
Recommended Action:
 - 1) Award an agreement, in a form approved by the City Attorney, to Republic ITS, Inc., for traffic signal maintenance services
 - 2) Authorize the City Administrator to sign the required documents in a form approved by the City Attorney
- g. **Acceptance of Construction Work for the Citywide Traffic Signal Battery Back-Up Project**
Financial Impact: Expense: \$73,365
Offsetting Revenue: \$73,365 Gas Tax Bond
Budgeted: \$73,365 (Account No.: 333552-6185 J/L 61089 Construction Capital Projects)
Recommended Action:
 - 1) Accept contract work performed by Pelagic Engineering, for construction of the Citywide Traffic Signal Battery Back-up Project in the total amount of \$73,365
 - 2) Authorize the City Engineer to file a Notice of Completion with the Orange County Clerk Recorder's Office for the project
 - 3) Authorize the City Engineer to release retention funds in accordance with the terms of the contract

h. **A Resolution in Support of the Transfer of Ontario International Airport (ONT) to Local Control**

Financial Impact: None

Recommended Action:

- 1) Adopt Resolution No. R-2012-50, A Resolution of the City Council of the City of Placentia, California, in support of the transfer of Ontario International Airport (ONT) to local control

i. **Opposition Letter Regarding AB 2451 (Perez) Workers Compensation**

Financial Impact: None

Recommended Action:

- 1) Authorize the Mayor to sign a letter in opposition to AB 2451 (Perez) workers compensation

j. **Approve Award of Construction Contract to Micon Construction Inc. for the Neighborhood Park Facility and Accessibility Improvement Project**

Financial Impact: Expense: \$233,304.99 Construction

Offsetting Revenue: \$233,304.99 CDBG & Park Development Funds

Budgeted: \$240,500.00 (Account No.: 333555-6185 J/L 6109440133-6185)

Recommended Action:

- 1) Approve plans and specifications prepared by Richard Fisher Associates dated July 16, 2012 for the Neighborhood Park Facility and Accessibility Improvement Project
- 2) Award the construction contract to the lowest responsive and responsible bidder, Micon Construction Inc., for an amount not to exceed \$21,209.55 and authorize the appropriation of a 10% construction contingency fund of \$21,209.55
- 3) Reject all other bids
- 4) Authorize the City Administrator, or his designee, to approve construction change orders pursuant to the requirements set forth in the construction contract and in an amount not to exceed 10% of the project construction cost

k. **Opposition Letter Regarding AB 542 (Allen) Land Use, Housing Element, and Regional Housing Needs**

Financial Impact: None

Recommended Action:

- 1) Authorize the Mayor to sign a letter in opposition to AB 542 (Allen) land use: housing element: regional housing needs

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL:

a. **Fiscal Year 2012-13 Supplemental Law Enforcement Services Fund (SLESF Grant) – Approval of Future Expenditure Plan**

Financial Impact: Expense: \$100,000

Offsetting Revenue: \$100,000

Budgeted: \$ 0.00 (Account No.: 220000-4205)

Unbudgeted: \$100,000

Recommended Action:

- 1) Open the public hearing, receive public testimony, and close public hearing
- 2) Adopt Resolution No. R-2012-51, A Resolution approving the recommended Expenditure Plan for the Supplemental Law Enforcement Services Fund

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. **Ratify Agreements between Tri-City Park Authority Member Agencies and the County of Orange for Property Transfer**

Financial Impact: Anticipated Annual General Fund Savings of \$150,000 to City of Placentia

Recommended Action:

- 1) Ratify the Conveyance and Implementation Agreement between the Tri-City Park Authority and the County of Orange
- 2) Ratify the Cooperative Agreement Regarding Tri-City Park between the Tri-City Park Authority and the County of Orange

b. **Fiscal Year 2012-13 Budget Update and Fiscal Projections**

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 September 4, 2012 at 5:00 p.m.

*In
Memory
of
Russell Lee Connell
Father of Police Officer Joe Connell*

CERTIFICATION OF POSTING

I, Tania Moreno, Deputy City Clerk for the City of Placentia and Assistant Secretary of the Industrial Commercial Development Authority and Successor Agency, hereby certify that the Agenda for the August 21, 2012 meetings of the City Council, Successor Agency, and Industrial Commercial Development Authority was posted on August 16, 2012.

Tania Moreno, Deputy City Clerk