



Regular Meeting Agenda

November 20, 2012

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

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

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

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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 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
REGULAR MEETING AGENDA – EXECUTIVE SESSION
November 20, 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 – One (1) Item
 - a. City of Placentia vs. Woodruff, Spradlin & Smart, Orange County Superior Court Case No. 30-2010-00367949
2. Pursuant to Government Code Section 54956.9(b) for Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Item
3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation – Two (2) Items
4. Pursuant to Government Code Section 54956.8 for Real Property Negotiations:
 - a. Property: Four (4) Unimproved Parcels at or near 1616 Atwood Avenue and 1617 Oak Street (APN: 346-181-05, 346-181-06, 346-181-07)
City Negotiator: Troy L. Butzlaff, City Administrator
Negotiating Party: Mark Korando Habitat for Humanity of Orange County
Under Negotiations: Price and Terms of Payment
5. Pursuant to Government Code Section 54957.6 Conference with City Labor Negotiator (Troy L. Butzlaff, City Administrator) concerning Labor Negotiations with the Following Employee Group:
 - a. Unrepresented Employees
6. Pursuant to Government Code Section 54957 for Public Employee Performance Evaluations
 - a. City Administrator
 - b. City Attorney

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
November 20, 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 Gary Drabek

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

1. Requests for Commendations and Proclamations

- a. Orange County Human Relations Commission
Presenter: Commissioner Ruben Barron

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.t.):

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 Regular Meeting – October 16, 2012
Recommended Action: Approve
- c. **City Fiscal Year 2012-13 Warrant Register for October 17, 2012 through November 20, 2012**
Financial Impact: \$3,534,276.65
Recommended Action: Approve
- d. **Successor Agency Fiscal Year 2012-13 Warrant Register for October 17, 2012 through November 20, 2012**
Financial Impact: \$198.00
Recommended Action: Approve

COUNCIL CONSENT CALENDAR:

- e. **Interfund Reimbursement Agreement for Fiscal Year 2011-12**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Approve the Interfund Reimbursement Agreement in the amount of \$2,198,415.23
- f. **Resolution Approving Investment Policy for 2013**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
 - 1) Adopt Resolution No. R-2012-63, A Resolution of the City Council of the City of Placentia, California, acknowledging the receipt and filing of the Annual Statement of Investment Policy for the calendar year 2013
 - 2) Receive and file the Investment Policy for calendar year 2013
- g. **State Mandated Imposition of a "\$1.00 State Business License Fee" Pursuant to Senate Bill 1186**
Financial Impact: Revenues: \$1,900 (Estimate)
Recommended Action: It is recommended that the City Council:
 - 1) Adopt Resolution No. R-2012-64, A Resolution of the City Council of the City of Placentia, California, complying with Senate Bill 1186 to implement a new \$1.00 State fee on new and renewal business license applicants effective January 1, 2013
- h. **Budget Amendment – Asset Forfeiture Funds and Authorization to Purchase Computer Equipment**
Financial Impact: \$45,000 Expenditure of Asset Forfeiture Funds to purchase equipment (Account No.: 213041-6840) Fiscal Year 2012-13 Budget
Recommended Action: It is recommended that the City Council:
 - 1) Adopt Resolution R-2012-65, A Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2012-13 in the aggregate amount of \$45,000 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures

- 2) Authorize the purchase of the computers and related peripheral equipment and software with Asset Forfeiture funds in an amount not to exceed \$45,000
- 3) Authorize the City Administrator or his designee to execute all necessary document to effectuate these actions

i. **Request for Additional Appropriations for Patrol Overtime Budget to Participate in the Office of Traffic Safety Grant – “Sobriety Checkpoint Grant Program for 2012-2013”**

Financial Impact: Expense: \$62,225

Offsetting Revenue: \$62,225

Recommended Action: It is recommended that the City Council:

- 1) Approve the acceptance of the Office of Traffic Safety grant in the form presented and direct the Chief of Police to complete the final paperwork
- 2) Adopt Resolution R-2012-66, A Resolution of the City Council of the City of Placentia, California, authorizing a budget amendment in Fiscal Year 2012-13 in the aggregate amount of \$62,225 in compliance with City Charter §§ 1206 and 1209 pertaining to appropriations for actual expenditures

j. **Resolutions of Support for the Kraemer Boulevard/Glassell Street/Grand Avenue Corridor Traffic Signal Synchronization Project and Orangethorpe Avenue Widening and Rehabilitation Project**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution R-2012-67, A Resolution of the City Council of the City of Placentia, California, approving the submittal of the Kraemer Boulevard/Glassell Street/Grand Avenue Traffic Signal Synchronization Project to the Orange County Transportation Authority for funding under the Comprehensive Transportation Program
- 2) Adopt Resolution R-2012-68, A Resolution of the City Council of the City of Placentia, California, approving the submittal of the Orangethorpe Avenue Widening and Rehabilitation Project to the Orange County Transportation Authority for funding under the Comprehensive Transportation Program

k. **Recommendation to Approve Award of Contract to Willdan Engineering for City Preparation of a Sewer GIS Layer**

Financial Impact: Expense: Not to Exceed \$71,700

Budgeted: (Account No.: 484376-6120)

Recommended Action: It is recommended that the City Council:

- 1) Award an agreement, in a form approved by the City Attorney, to Willdan Engineering for preparation of a sewer GIS layer
- 2) Authorize the City Administrator to sign the required documents in a form approved by the City Attorney

l. **Approve Cooperative Agreement for Project No. C-2-1844 (Rose Drive and Yorba Linda Boulevard Intersection Improvement Project) between the City of Placentia and Orange County Transportation Authority**

Financial Impact: Expense: \$280,000

Offsetting Revenue: Proposition 1B SLPP, Measure M2 Fairshare, and Developer Funds

Budgeted: \$280,000 (CIP Account No.: 333552-6185 J/L 61105) - Rose Drive /Yorba Linda Boulevard

Recommended Action: It is recommended that the City Council:

- 1) Approve the attached Cooperative Agreement for Project No. C-2-1844 between the City of Placentia and OCTA for the implementation of the Rose Drive and Yorba Linda Boulevard Intersection Improvement Project funded as part of the State Proposition 1B State-Local Partnership Program (SLPP)
 - 2) Authorize the Mayor to execute the Cooperative Agreement on behalf of the City
- m. **Approve Cooperative Agreement for Project No. C-2-1821 (Valencia Avenue Rehabilitation Project) Between the City of Placentia and Orange County Transportation Authority**
Financial Impact: Expense: \$636,000
 Offsetting Revenue: \$318,000 PROP 1B SLPP, \$318,000 Measure M2 Fairshare
 Budgeted: \$636,000 (CIP Account No.: 333552-6185 J/L 61034 Valencia Avenue Rehabilitation)
Recommended Action: It is recommended that the City Council:
- 1) Approve the attached Cooperative Agreement for Project No. C-2-1821 between the City of Placentia and OCTA for the implementation of the Valencia Avenue Rehabilitation Project funded as part of the State Proposition 1B State-Local Partnership Program (SLPP)
 - 2) Authorize the Mayor to execute the Cooperative Agreement on behalf of the City
- n. **Orange County Transportation Authority- Amendment No. 15 to Cooperative Agreement No. C-95-987 to Update the Combined Transportation Funding Programs (CTFP) Active Project List**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
- 1) Approve Amendment No. 15 to Cooperative Agreement No. C-95-987 with the Orange County Transportation Authority
 - 2) Authorize the Mayor to execute Amendment No. 15 to Cooperative Agreement on behalf of the City
- o. **Adoption of Resolution No. R-2012-69, Authorizing the City Administrator or his Designee to Execute all Necessary Documents for Securing Grant Funds from the Department of Resources Recycling and Recovery (CalRecycle) for the Rubberized Pavement Grant Program Cycle TRP3 and Adoption of Resolution No. R-2012-70, Approving the Amendment of City Policy 523 (Recycled Products – Procurement)**
Financial Impact: None
Recommended Action: It is recommended that the City Council:
- 1) Adopt Resolution No. R-2012-69, A Resolution of the City Council of the City of Placentia, California, approving the submittal of applications(s) for all CalRecycle Grants for which the City of Placentia is eligible
 - 2) Adopt Resolution No. R-2012-70, A Resolution of the City Council of the City of Placentia, California, approving and adopting amendments to the City of Placentia Policy and Procedure Manual regarding Recycled Products: Environmentally Preferable Procurement (Policy No. 523)
- p. **Approval of Plans and Specifications and Award of Construction to Bali Construction, Inc., for the City Yard Clarifier and Sewer Improvement Project**
Financial Impact: Expense: \$117,936 for Construction
 Offsetting Revenue: \$117,936 Sewer Maintenance Fund

Budgeted: \$215,000 (Account No.: 333556-6185 J/L 61026)

Recommended Action: It is recommended that the City Council:

- 1) Approve plans and specifications prepared by Hunsaker & Associates dated October 15, 2012, for City Yard Clarifier and Sewer Improvement Project
- 2) Award construction contract to the lowest responsive and responsible bidder, Bali Construction, Inc., for an amount not to exceed \$117,936
- 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 aggregate amount not to exceed 20% of the project construction
- 5) Authorize the City Administrator to execute contracts documents on behalf of the City, in a form approved by the City Attorney

q. **Declaration of Surplus Property**

Financial Impact: Revenue realized from the sale of surplus property will be deposited in the City's Equipment Replacement Fund

Recommended Action: It is recommended that the City Council:

- 1) Declare the attached list of equipment as surplus property and authorize their disposal

r. **Authorization of Designated Staff to Sign Emergency Management Assistance Program Applications**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2012-71, A Resolution of the City Council of the City of Placentia, California, authorizing certain individuals to sign Emergency Management Assistance Program applications

s. **Change in Title of City Employees Authorized to Accept and Consent to Deeds or Grants or Easements to the City**

Financial Impact: None

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2012-72, A Resolution of the City Council of the City of Placentia, California, authorizing certain persons to accept and consent to deeds or grants conveying any interest in or easement to real estate to the City of Placentia

t. **Earthquake Insurance for Specified City Facilities**

Financial Impact: Expenses: \$36,344

Budgeted: \$36,334 (Account No.: 404582-6201)

Recommended Action: It is recommended that the City Council:

- 1) Adopt Resolution No. R-2012-73, A Resolution of the City Council of the City of Placentia, California, approving the purchase of earthquake insurance for specified City facilities from Alliant Insurance Services, acting as the City's insurance broker, in an amount not-to-exceed \$37,000 for policy year 2012-2013
- 2) Authorize the City Administrator to execute all documents necessary to effectuate insurance coverage

SUCCESSOR AGENCY CONSENT CALENDAR: None

ICDA CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

COUNCIL/SUCCESSOR AGENCY/ICDA: None

COUNCIL: None

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: None

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 December 4, 2012.

*In
Memory
Of
Michael Melia
Son of City Clerk Patrick J. Melia*

*Phil Bush
Placentia Police Detective*

*Richard Jensen
Former Recreation & Parks Commissioner
Long Time Placentia Resident*

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 November 20, 2012 meetings of the City Council, Successor Agency, and Industrial Commercial Development Authority was posted on November 15, 2012.

Tania Moreno, Deputy City Clerk