



# Agenda

## May 18, 2010

### Placentia City Council

### Placentia Redevelopment Agency

#### *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.*

**Joseph V. Aguirre**  
Mayor

**Constance M. Underhill**  
Mayor Pro Tem

**Scott W. Nelson**  
Council Member

**Greg Sowards**  
Council Member

**Jeremy B. Yamaguchi**  
Council Member

**Patrick J. Melia**  
City Clerk

**Chad P. Wanke**  
City Treasurer

**Troy L. Butzlaff, ICMA-CM**  
City Administrator

**Andrew V. Arczynski**  
City Attorney

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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 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/Redevelopment Agency**

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 Agency Board 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, Council and Agency 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 AGENCY BOARD 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. Closed Sessions are held in the Council Caucus Room. While the public may be in attendance during oral announcements preceding Closed Sessions, Closed Sessions are not open to the public.

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

**Phone: (714) 993-8117**

**Fax: (714) 961-0283**

**Email: [administration@placentia.org](mailto:administration@placentia.org)**

**Website: [www.placentia.org](http://www.placentia.org)**

# EXECUTIVE SESSION AGENDA

May 18, 2010

5:30 p.m. – City Council Caucus Room  
401 E. Chapman Avenue

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## EXECUTIVE SESSION CALLED TO ORDER

**ROLL CALL:** Councilmember / Agency Member Nelson  
Councilmember / Agency Member Sowards  
Councilmember / Agency Member Yamaguchi  
Mayor Pro Tem / Agency Vice Chairman Underhill  
Mayor / Agency Chairman Aguirre

## ORAL COMMUNICATIONS

At this time the public may address the City Council and Redevelopment Agency Board of Directors concerning any items on the Executive Session Agenda.

## CITY COUNCIL

1. Pursuant to Government Code Section 54956.9(a) for Conference with Legal Counsel Regarding One (1) Item of Existing Litigation –
  - a. Jennifer McClary v. City of Placentia, et. al., Orange County Superior Court Case No. 00371522
2. Pursuant to Government Code Section 54956.9(b) for Conference with Legal Counsel Regarding Anticipated Litigation – Two (2) Items
3. Pursuant to Government Code Section 54956.9(c) for Conference with Legal Counsel Regarding the Initiation of Litigation - Two (2) Items

## REDEVELOPMENT AGENCY

4. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:
    - a. Property: 1616 Atwood Avenue, APN 346-181-05, -06, -07, -30, -35, -36  
Agency Negotiator: Troy Butzlaff  
Negotiating Parties: Julie Marques  
Under Negotiations: Price and Terms of Payment
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# REGULAR MEETING AGENDA

## CITY COUNCIL AND REDEVELOPMENT AGENCY

May 18, 2010

7:00 p.m. – City Council Chambers  
401 E. Chapman Avenue

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### MEETING CALLED TO ORDER

**ROLL CALL:** Councilmember / Agency Member Nelson  
Councilmember / Agency Member Sowards  
Councilmember / Agency Member Yamaguchi  
Mayor Pro Tem / Agency Vice Chairman Underhill  
Mayor / Agency Chairman Aguirre

**INVOCATION:** Richard Kryder, Police Chaplin

### PLEDGE OF ALLEGIANCE

### PRESENTATIONS

- 1. Huntington Beach Desalination Project**  
**Presenter: Scott Maloni, Vice President of Poseidon Resources**
- 2. Employee of the Quarter for the Public Works Department Maintenance Services Division**  
**Presenter: City Administrator Butzlaff**
- 3. Introduction of New City Employee**  
**Recipient: Jamie Wong, Accounting Technician**  
**Presenter: Karen Ogawa, Finance Director**

### CLOSED SESSION REPORT

### CITY ADMINISTRATOR REPORT

### ORAL COMMUNICATIONS

At this time the public may address the City Council or the Board of Directors of the Redevelopment Agency concerning any agenda item, which is not a public hearing item or matters within the jurisdiction of the City Council or the Redevelopment Agency Board of Directors.

## CITY COUNCIL 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 Member would like formal action on any of the discussed items it will be placed on a future Council Agenda.

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## CITY COUNCIL AGENDA

Next Ordinance No. 06

Next Resolution No. 25

### CONSENT CALENDAR

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 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.

#### **CC 1. Warrant Register for May 5, 2010 through May 18, 2010**

Financial Impact: \$929,801.64

Recommended Action: Approve

#### **CC 2. Consideration to Waive Reading in Full of all Ordinances and Resolutions**

Recommended Action: Approve

#### **CC 3. Minutes**

**Regular Meeting – May 4, 2010**

Recommended Action: Approve

#### **CC 4. Consideration of Resolution to Prohibit Cuts and Excavations on any Public Street which has been Newly Constructed, Reconstructed, Slurry or Cape Sealed, Overlaid, or Improved within the City of Placentia**

Financial Impact: None

Recommended Action: Adopt **Resolution No. R-2010-** , A Resolution of the City Council of the City of Placentia Prohibiting Cuts and Excavations on any Public Street which has been newly constructed, reconstructed, slurry or cape seal, overlaid, or improved within the City of Placentia

**CC 5. Consideration to Approve a Contract Change Order with The R.J. Noble Company for Construction of the Placentia Avenue American Recovery & Reinvestment Act (ARRA) Pavement Rehabilitation Project**

Financial Impact: Expense: \$280,000 Account number 333552-6185 J/L 61031;  
Revenue: \$137,000 from Community Facilities District Funds, \$123,000 from Proposition 42 Traffic Congestion Relief (TCRP) County Funds, \$20,000 from Community Development Block Grant Funds

Recommended Action:

1. Authorize a Contract Change Order to The R.J. Noble Company in an Amount Not to Exceed \$260,000 for the Placentia Avenue American Recovery and Reinvestment Act (ARRA) Pavement Rehabilitation Project; and,
2. Approve an Amendment to On-call Construction Management Services Contract with Willdan Engineering Under a Pre-Approved Hourly Rate in an Amount Not to Exceed \$20,000; and,
3. Authorize the City Administrator to Execute Contract Amendment Documents on Behalf of the City, in a Form Approved by the City Attorney

**CC 6. February and March 2010 Financial Update Reports (Fiscal Year 2009-10)**

Financial Impact: None

Recommended Action: Receive and File

**PUBLIC HEARINGS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

**CC 7. Extension of Contract for Financial Auditing Services, Vavrinek Trine Day and Company, LLP**

Financial Impact: \$75,248.00 Budgeted for Fiscal Year 2010-2011

Recommended Action: Approve and Authorize the City Administrator to Enter into a Contract Extension, in a Form Approved by the City Attorney, with Vavrinek Trine Day and Company, LLP for Fiscal Year 2010-2011

**CC 8. First Reading of an Ordinance Pertaining to Tax Refund Claims**

Financial Impact: None

Recommended Action: Introduction and First Reading of **Ordinance No. O-2010-** , An Ordinance of the City Council of the City of Placentia, California, Adding Section 3.04.020 to Chapter 3.04 of Title 3 of the Placentia Municipal Code Regarding Tax Refund Claims Against the City

## **CITY COUNCIL REQUESTS**

Councilmembers may make requests or ask questions of staff. If a Councilmember would like to have formal action taken on a requested matter, it will be placed on a future Council Agenda.

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## **REDEVELOPMENT AGENCY AGENDA**

Next Resolution No. 04

### **CONSENT CALENDAR**

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 Redevelopment Agency or Executive Director 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.

#### **RA 1. Warrant Register for May 5, 2010 through May 18, 2010**

Financial Impact: \$43,031.80

Recommended Action: Approve

#### **RA 2. Consideration to Waive Reading in Full of all Ordinances and Resolutions**

Recommended Action: Approve

#### **RA 3. Minutes**

**Regular Meeting – May 4, 2010**

Recommended Action: Approve

### **PUBLIC HEARINGS**

None

### **OLD BUSINESS**

None

### **NEW BUSINESS**

None

# JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY AGENDA

## CC 9./RA 4. Draft Preliminary Annual Budget for Fiscal Year 2010/11

Financial Impact: To be Determined with Final Approved Budget

Recommended Action:

1. Receive the Draft Preliminary Annual Budget for Fiscal Year 2010-11; and,
2. Set a Public Hearing to Adopt the Fiscal Year 2010-11 Budget for June 15, 2010

## **ADJOURN**

The City Council and the Redevelopment Agency Board of Directors Adjourn to their next regular meeting.

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## **CERTIFICATION OF POSTING**

I, Angela Robles, Chief Deputy Clerk for the City of Placentia and Assistant Secretary of the Placentia Redevelopment Agency, hereby certify that the Agenda for the May 18, 2010, meetings of the City Council and Redevelopment Agency was posted on May 13, 2010.

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Angela Robles, Chief Deputy City Clerk