



Agenda

February 16, 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

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/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
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EXECUTIVE SESSION AGENDA

February 16, 2010

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

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 Two (2) Items of Existing Litigation –
 - a. Republic Waste Services of Southern California LLC v. City of Placentia, Orange County Superior Court Case No. 30-2009-00322220
 - b. Del Cerro Mobile Estates and S&D Associates v. City of Placentia, et. al., Orange County Superior Court Case No. 00180072
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 54957.6 for Conference with Labor Negotiators as follows:
City Representatives – Troy L. Butzlaff, City Administrator, and Stephen D. Pischel, Director of Administrative Services and Community Services
Regarding: Placentia Police Officers Association (PPOA)
5. Pursuant to Government Code Section 54957 for Public Employee Performance Evaluation – City Administrator
6. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:
 - a. Property: 913 Bradford, APN 339-283-17
City Negotiator: Troy Butzlaff
Negotiating Parties: Teri Niebhur, HIS House
Under Negotiations: Price and Terms of Payment
 - b. Property: Tuffree Park, 2101 N. Tuffree, APN 336-141-28
City Negotiator: Troy Butzlaff
Negotiating Parties: Danny Cornish, Royal Communications
Under Negotiations: Price and Terms of Payment

REDEVELOPMENT AGENCY

7. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8:
 - c. Property: 132 Crowther Avenue, APN 339-091-08
Agency Negotiator: Troy Butzlaff
Negotiating Parties: The Boys and Girls Club of Placentia-Yorba Linda-Brea
Under Negotiations: Price and Terms of Payment
 - d. 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

REGULAR MEETING AGENDA

CITY COUNCIL AND REDEVELOPMENT AGENCY

February 16, 2010

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

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. Recognition of Placentia Police Explorer Post Chandler Arizona Competition Awards**
Presenter: Police Chief Anderson
- 2. Employee of the Quarter – Police Department**
Presenter: City Administrator Butzlaff
- 3. Cultural Arts Commission CAPES Presentation**
Presenter: Evelyn Lawrence, Cultural Arts Commission Chair and Daniel Davis, Cultural Arts Commission Member

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.

CITY COUNCIL AGENDA

Next Ordinance No. 01

Next Resolution No. 11

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 February 3, 2010 through February 16, 2010

Financial Impact: \$787,958.45

Recommended Action: Approve

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

Recommended Action: Approve

CC 3. Minutes

Regular Meeting – February 2, 2010

Recommended Action: Approve

CC 4. Consideration of Resolution to Appropriate Funds to 700 MHz Portable Radios

Financial Impact: \$ \$13,009.77

Recommended Action: Adopt **Resolution No. R-2010-** , A Resolution of the City Council of the City of Placentia Authorizing a Budget Amendment in Fiscal Year 2009/10 in the Aggregate Amount of \$65,048.83 in Compliance with City Charter Requiring Sufficient Appropriations for Actual Expenditures

CC 5. Acceptance of Construction Work for Kraemer Boulevard and Bastanchury Road Intersection Improvement Project

Financial Impact: Expense: \$238,421.15 Budgeted Account 333552-6185, J/L 61025 (Construction State Grants). Revenue: \$238,421.15 Account 503552-4205 J/L 6102540141 (Measure M – Growth Management Area and Intersection Improvement Funds)

Recommended Action:

1. Accept the Contract Work by High Light Electric for Construction of the Kraemer Boulevard and Bastanchury Road Intersection Improvement Project in the Amount of \$238,421.15
2. Authorize the City Engineer to File a Notice of Completion with the Orange County Recorder
3. Authorize the City Engineer to Release the Retention in Accordance with the Terms of the Contract

CC 6. Acceptance of Dedication of 12 Square Foot Wide Easement at the Northwest Corner of Palm Drive and Placentia Avenue for Public Sidewalk Purposes and ADA Compliance

Financial Impact: None

Recommended Action:

1. Adopt Resolution No. R-2010- , A Resolution of the City Council of the City of Placentia Approving and Accepting an Offer of Dedication for Public Sidewalk Purposes and Authorizing the Mayor to Execute Said Acceptance and the City Clerk to Record Said Acceptance
2. Direct the City Clerk to Endorse the Certificate of Acceptance and Submit the Document to the County Recorder of Orange County for Recording

CC 7. Acceptance of Construction Work for Alta Vista Sidewalk Project

Financial Impact: Expense: \$81,933.45 Budgeted Account 333552-6185 J/L 61012 (Construction State Grants); Revenue: Account 503552-4205 J/L 6101240151 (State Safe Routes to School Grant Funds)

Recommended Action:

1. Accept the Contract Work from Pave West Incorporated for Construction of the Alta Vista Sidewalk Project for a Total Amount of \$81,933.45
2. Authorize the City Engineer to File a Notice of Completion with the Orange County Recorder for the Project
3. Authorize the City Engineer to Release the Retention in Accordance with the Terms of the Contract

CC 8. Approve Purchase and Agreement to Acquire Right of Way for the Widening of Bradford Avenue at 128 West Madison Avenue Pursuant to Safe Routes to School Project

Financial Impact: Expense: \$33,900 Account No. 333552 J/L 61004 (R/W Street/Curb/Gutter Capital Improvement Projects-Madison Avenue at Bradford Avenue); Funding Source: \$33,600 Budgeted

Recommended Action:

1. Approve the Attached “Agreement for Conveyance of Property” as the Purchase and Sale Agreement between the City of Placentia and the Property Owner, Jill C. Sundes, for the Purchase of a 12 Foot Wide Right-of-Way Easement at 128 West Madison Avenue, Assessor’s Parcel Number 339-283-13, for an Amount of \$33,900
2. Authorize the City Administrator to Sign the Subject Purchase and Sale Agreement on Behalf of the City
3. Acquire and Accept the Subject 12 Foot Wide Right-of-Way Easement Located at 128 West Madison Avenue for Public Street and Public Utilities Purposes

END OF CONSENT CALENDAR

PUBLIC HEARINGS

CC 9. Consideration of Resolution No. R-2010- , to Adopt the General Plan Amendment No. GPA 2010/01, Adopting the 2006-2014 Housing Element as an Update to the General Plan and Approving the Mitigated Negative Declaration Report

Financial Impact: Not Applicable

Recommended Action: Open the Public Hearing, Take Public Comment, and Continue the Public Hearing to March 2, 2010

OLD BUSINESS

None

NEW BUSINESS

CC 10. First Reading of an Ordinance to Repeal Chapter 20.02 of the Placentia Municipal Code Pertaining to Bonds for Home Improvement

Financial Impact: None

Recommended Action: First Reading of Ordinance No. O-2010- , An Ordinance of the City Council of the City of Placentia, California, Repealing Chapter 20.02 of the Placentia Municipal Code.

CC 11. A Resolution to Oppose the Simultaneous Closure of All Seven (7) Grade Crossings Under the Orange County Gateway Project

Financial Impact: None

Recommended Action: Adopt a **Resolution No. R-2010-** , A Resolution of the City Council of the City of Placentia Opposing any Change in the Construction Schedule for the Orange County Gateway Project that would Result in the Simultaneous Construction of All Seven Grade Crossings Along the Orangethorpe Rail Corridor that Runs through the Cities of Anaheim, Fullerton, Placentia, and Yorba Linda

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.

REDEVELOPMENT AGENCY AGENDA

Next Resolution No. 02

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 February 3, 2010 through February 16, 2010

Financial Impact: \$32,780.16

Recommended Action: Approve

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

Recommended Action: Approve

RA 3. Minutes

Regular Meeting – February 2, 2010

Recommended Action: Approve

PUBLIC HEARINGS

None

OLD BUSINESS

None

NEW BUSINESS

RA 4. Lease Agreement with Option to Purchase for 132 E. Crowther Avenue (Boys and Girls Club)

Financial Impact: Expense: Fiscal Year 2009-10 - \$400,000 Plus Closing Costs from RDA Capital Projects Fund and \$37,000 for Lease Costs. Fiscal Year 2010-11 Lease Costs Total \$150,000. Total Estimated Expense with Twenty Four Month Lease: \$1,450,000

Recommended Action: Approve the Lease Agreement with Option to Purchase with Mariard Inc. or Assignee for 132 E. Crowther Avenue, Placentia, California and Authorize the Executive Director to Execute All Applicable Documents

ADJOURN

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

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 February 16, 2010, meetings of the City Council and Redevelopment Agency was posted on February 11, 2010.

Angela Robles, Chief Deputy City Clerk