
CITY OF YORBA LINDA
CITY COUNCIL/REDEVELOPMENT AGENCY
JOINT MEETING MINUTES

NOVEMBER 6, 2007

CITY COUNCIL REDEVELOPMENT AGENCY ADJOURNED
JOINT MEETING CONVENING AT 3:00 P.M.

CALL TO ORDER

The City Council/Redevelopment Agency convened at 3:00 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda.

ROLL CALL

Council/Agency Members Present: Anderson, Castellano, Horton, Wedaa, Winder

Staff Members Present: Carvalho, Letourneau

CLOSED SESSION ITEM

PUBLIC EMPLOYEE PERFORMANCE EVALUATION – TITLE: CITY MANAGER AND CITY ATTORNEY – GOVERNMENT CODE SECTION 54957

RECESS

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING CONVENING AT 5:30 P.M.

CALL TO ORDER

The City Council/Redevelopment Agency reconvened at 5:30 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda.

ROLL CALL

Council/Agency Members Present: Anderson, Castellano, Horton, Wedaa, Winder

Staff Members Present: Carvalho, Gruchow, Letourneau

CLOSED SESSION

CITY COUNCIL

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

- 1) Government Code Section 54956.9(a)
Name of Case: Stuart Glenn, Wen Jong Wu, et al. v. City of Yorba Linda, et al
Case Number: Orange County Superior Court Case No. 06CC00083
- 2) Government Code Section 54956.9(a)
Name of Case: John W. Taylor v. City of Yorba Linda
Case Number: Orange County Superior Court Case No. 06CC07457

RECESS

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING RECONVENING AT 6:30 P.M.

CALL TO ORDER

The City Council/Redevelopment Agency reconvened at 6:30 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda.

ROLL CALL

Council/Agency Members Present: Anderson, Castellano, Horton, Wedaa, Winder

Staff Members Present: Bugbee, Carvalho, Christiansen, Gruchow, Hartman, Kreimeier, Leto, Letourneau, Mendoza, Stowell

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Winder

INVOCATION

Karl Cramer, Church Of Jesus Christ Of Latter-Day Saints

CLOSED SESSION REPORT

City Attorney Carvalho reported there was no reportable action on Item 1) the Stuart Glenn, Wen Jong Wu, et al. v. City of Yorba Linda, et al case; and on Item 2) the City prevailed in the John W. Taylor v. City of Yorba Linda case and jury trial dismissed the action.

INTRODUCTIONS & PRESENTATIONS

PRESENTATION BY ASSEMBLYMAN MICHAEL DUVALL

Assemblyman (formerly Councilman) Duvall presented a wood carving of the City Seal and Mayor Castellano accepted the wood carving on behalf of the City. Mayor Castellano stated it is a pleasure to have Assemblyman Duvall represent the City.

PROCLAMATION RECOGNIZING "RED RIBBON WEEK" – ROSE DRIVE ELEMENTARY SCHOOL REPRESENTATIVES GINA KRONBERG, PTA PRESIDENT, AND CARRIE BUCK, RED RIBBON WEEK COORDINATOR, WILL ACCEPT THE PROCLAMATION

Mayor Castellano presented a Proclamation acknowledging Red Ribbon Week to Carrie Buck, the Red Ribbon Week coordinator, whose daughter Madison was present to represent Rose Drive Elementary School as Gina Kronsberg could not attend. Madison read the Red Ribbon Pledge for the audience.

ORAL COMMUNICATIONS – ITEMS ON THE CONSENT CALENDAR OR ITEMS NOT ON THE REMAINDER OF THE AGENDA

Alan Cummins, on behalf of Shapell Industries, contributed \$25,000 to the Veteran's Memorial Fund in honor of those who serve our country.

Paul Armstrong, treasurer of the Veterans Memorial Fund Board, presented the amounts received to date in donations and fund raisers for the Veterans Memorial Fund.

Irv Gold, co-chairman of the Yorba Linda Monument Association, thanked Mr. Cummins and Shapell Industries for the generous contribution and announced a luncheon and dinner event tomorrow at Bobby D's Mexican Restaurant, across from Veterans Park, between 10:30 a.m. and 8:00 p.m. and stated if a flyer is presented at the time of your order, 20 percent of the bill will be donated to the Veteran's Memorial Fund.

Lee Day, resident, stated that on October 23rd the Planning Commission approved another two-year extension for Friends Christian High School, that the traffic study done for that project is obsolete now, and that another study should be done. Mrs. Day spoke relative to the duties of Commissions, signs in the City, and the long week-ends coming up due to the holidays.

Gabriella Rollins, Director of the Yorba Linda Arts Alliance, announced the following events to be held in Yorba Linda: the Southern California Choral Festival is this Saturday at 7:30 p.m. at the Messiah Lutheran Church; Sunday, November 18th from 6:00 p.m. to 8:00 p.m. is Javapella, an evening of cappella, at Java Joe's Coffee Lounge; Sunday, November 25th is Handel's Messiah sing along and there are two concerts, 1 p.m. and 3:30 p.m., free to the public at the Richard Nixon Library and Birthplace; and the Old Town Holiday on Main Street will be held on Thursday, December 6th from 5:00 p.m. to 9:00 p.m.

Pat Nelson, resident, reported that some trees have come down due to the winds on the El Cajon Trail and gave the location of a wooden sign that says "Yorba Linda Boulevard" that has disappeared. Mrs. Nelson also stated the driveway onto Imperial

Highway from the Community Center is a right-turn only and seniors, including the senior meal's truck, turn left in front of traffic.

Steve Nelson, Regional Manager of Southern California Edison Company (SCE), gave an update on SCE's progress in Yorba Linda in making a more reliable electrical system and discussed system upgrades and SCE's graffiti abatement program.

Mary Carbone, resident, spoke relative to an incident in her neighborhood regarding a fence that was blown down on the trail. Mrs. Carbone also discussed the evacuation of animals during the fire and stated she would like to see a plan in effect for evacuating horses, and that it is up to each horse owner to be more prepared and to have the proper equipment. Mrs. Carbone responded to questions from Council.

Greg Gillespy, resident, thanked Council for doing a great job last Tuesday in selecting Planning Commissioners and wrapping it up in one evening. Mr. Gillespy discussed Council's vote on the Chamber of Commerce contract.

Louie Scull, local business property owner, spoke regarding the selection of Planning Commissioners, selection of Mayor, elections, and the Chamber of Commerce.

Nancy Rikel, resident, discussed former Councilmembers.

Walter Bruckner, resident, called attention to a Los Angeles Times newspaper article regarding the economy and stated Council should not change the City's reserve policy and not float any bonds.

CONSENT CALENDAR

Mayor Castellano stated that he would abstain from voting on Item 7 regarding a pavement resurfacing program as he owns property within 500 feet of one of the streets in the project.

Staff responded to questions from Council relative to Item 9 - Acceptance Of Public Improvement Bonds For Landscaping, Tentative Tract 16549, Vista Del Verde II, LP.

It was **MOVED/SECONDED - HORTON/WINDER** - to approve the Consent Calendar with Mayor Castellano abstaining on Item 7. **MOTION CARRIED** by the following roll call vote:

AYES: Anderson, Castellano, Horton, Wedaa, Winder
NOES: None
ABSENT: None

A. WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA

The City Council/Redevelopment Agency approved the reading by title of all ordinances and resolutions and declared that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

B. CITY ACCOUNTS PAYABLE WARRANT LISTS

The City Council/Redevelopment Agency approved the Accounts Payable Warrant Lists.

1. APPROVAL OF THE MINUTES OF THE OCTOBER 16, 2007 CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING

The City Council/Redevelopment Agency approved the Minutes of the October 16, 2007 Joint Meeting.

2. TREASURER'S REPORT – SEPTEMBER 2007

The City Council/Redevelopment Agency approved the September 2007 Treasurer's Report.

3. CLAIM FOR DAMAGES – BRUCE BELLWOOD

The City Council denied the claim for damages.

4. CLAIM FOR DAMAGES – CHRIS CAPPS

The City Council denied the claim for damages.

5. NOTICE OF COMPLETION FOR ESPERANZA MITIGATION PROJECT, GMC ENGINEERING, INC.

The City Council accepted the improvements constructed by GMC Engineering, Inc.; authorized the City Clerk to file a Notice of Completion with the Orange County Recorder; and authorized the retention monies to be paid when appropriate to do so.

6. NOTICE OF COMPLETION FOR THE INSTALLATION OF TRAFFIC SIGNALS AT THE INTERSECTIONS OF BASTANCHURY ROAD AT LAKEVIEW AVENUE, BASTANCHURY ROAD AT FAIRMONT BOULEVARD, AND BASTANCHURY ROAD AT VILLAGE CENTER DRIVE – FREEWAY ELECTRIC, INC.

The City Council accepted the improvements constructed by Freeway Electric, Inc.; authorized the City Clerk to file a Notice of Completion with the Orange County Recorder; and authorized the retention monies to be paid when appropriate to do so.

7. APPROVAL OF CHANGE ORDER NO. 1 TO VALI COOPER & ASSOCIATES FOR CONSTRUCTION, ADMINISTRATION AND INSPECTION OF THE PAVEMENT RESURFACING PROGRAM FOR VARIOUS STREETS, FY 2006-2007

The City Council approved, with Mayor Castellano abstaining, and authorized the City Manager to execute Change Order No. 1 to Vali Cooper & Associates in the amount of \$22,640.10.

8. CHANGE ORDER NO. 2 TO WILLDAN PROFESSIONAL SERVICES AGREEMENT TO PROVIDE CONSTRUCTION ADMINISTRATION FOR THE TRAFFIC SIGNAL INSTALLATION PROJECTS ON BASTANCHURY ROAD AND FAIRMONT BOULEVARD

The City Council approved and authorized the City Manager to execute Change Order No. 2 to the Professional Services Agreement with Willdan in the amount of \$9,965.00 for construction administration of the Traffic Signal Installation Projects on Bastanchury Road and Fairmont Boulevard.

9. ACCEPTANCE OF PUBLIC IMPROVEMENT BONDS FOR LANDSCAPING, TENTATIVE TRACT 16549, VISTA DEL VERDE II, LP

The City Council authorized the City Clerk to accept the improvement bonds per the Engineering Department Report for public landscaping and trails throughout Tentative Tract 16549 that will be dedicated to the City as the final maps are recorded.

10. ACCEPTANCE OF GRADING, MONUMENTATION AND PUBLIC IMPROVEMENT BONDS, TRACT 16804, TOLL CA III, LP

The City Council authorized the City Clerk to accept the grading, monumentation, and public improvement bonds per Engineering Department Report for Tract 16804, Toll CA III L.P.

11. ACCEPTANCE OF MONUMENTATION AND PUBLIC IMPROVEMENT BONDS, TENTATIVE TRACT 16987, UPPER K-SHAPELL AND SHAPELL INDUSTRIES, INC.

The City Council authorized the City Clerk to accept improvement bonds per Engineering Department Report.

12. ACCEPTANCE OF MONUMENTATION AND PUBLIC IMPROVEMENT BONDS, TRACT 17030, VISTA DEL VERDE II, LP

The City Council authorized the City Clerk to accept improvement bonds per Engineering Department Report.

13. LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT EMERGENCY INTERIM MAINTENANCE SERVICES CONTRACT

The City Council determined that there is a need to continue the emergency interim landscape maintenance contract award to Rocky Murata Landscape Maintenance Services without the benefit of competitive bidding.

14. SECOND READING AND ADOPTION OF ORDINANCE NO. 2007-901, ESTABLISHING CITYWIDE POSTED SPEED LIMITS AND RESCINDING ORDINANCE NO. 2006-894

The City Council approved second reading and adopted Ordinance No. 2007-901.

15. ESPERANZA ROAD LANDSCAPE BERM AND WALL PROJECT FROM WEST CITY LIMITS TO YORBA LINDA BOULEVARD – CHANGE ORDER NO. 6

The City Council approved and authorized the City Manager to execute Contract Change Order No. 6 in the amount of \$36,982.31.

16. SEWER ASSESSMENT RATE STUDY - CONTRACT AWARD

The City Council approved the contract with PBS&J in the amount of \$27,344 for conducting a sewer rate study, approved the appropriation of \$35,000 from the General Fund Reserves for the project, and authorized the Mayor to sign and the City Clerk to attest the agreement.

17. RESOLUTION NO. 2007-3885 – APPROVING THE REQUEST BY THE OLD TOWNE YORBA LINDA MERCHANTS ASSOCIATION TO CLOSE MAIN STREET FOR A HOLIDAY PROGRAM

The City Council adopted Resolution No. 2007-3885.

End of Consent Calendar

MAYOR'S REPORT

Mayor Castellano congratulated Julie Astle who was selected as the City's 2007 Citizen of the Year. Mayor Castellano noted that the State of the City Address was a great event and there was a good turnout. Mayor Castellano also congratulated the three new Planning Commissioners – James Wohlt, Robert Lyons, and Mark Abramowitz.

MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Wedaa reported that next Tuesday night, November 13, 2007, at 7:00 p.m. is the next Yorba Linda Railroad Forum at the Yorba Linda Community Center. Councilmember Wedaa also reported that the Yorba Linda New Technology Forum will be held at 7:00 p.m. the last Wednesday of this month at the Yorba Linda Community Center. There will be speakers on the subject of magnetic levitation trains.

Councilmember Wedaa also discussed the fires in California/Orange County and stated that in his view, this is global warming in action. Councilmember Wedaa asked Councilmember Horton, the City's representative to the Orange County Fire Authority (OCFA), to discuss this issue with the OCFA to see what they are going to do about increasing their supply of water carrier aircraft and other equipment and what they are doing to improve the system. He also stated that he thinks this was a fire storm that took everyone by surprise.

Councilmember Horton stated that Mayor Castellano did a phenomenal job with the State of the City Address, and spoke relative to the work Julie Astle has done to help the community. Councilmember Horton stated she attended Assemblyman Duvall's

Town Hall Meeting and noted that he represents the City's interests very well and she is going to be working with him on group homes.

Councilmember Horton noted that residents do not have to wait until Council meetings to report when they see something that needs to be taken care of in the City, they can e-mail the City Manager or call and let someone know at City Hall and it will get done a lot faster.

Councilmember Anderson reported that Esperanza High School is having a Casino Night to help the soccer team and the Valencia High School girls soccer team is having a car wash this Saturday morning at Valencia and Yorba Linda Boulevard mid-morning through mid-afternoon. He invited people to visit Main Street and stated that Saturday mornings are a good time as the Farmer's Market is held then. Councilmember Anderson stated that the Main Street Holiday Program which is really a community event will be held on December 6th from 5:00 p.m. to 9:00 p.m. and is a wonderful event. Councilmember Anderson stated that he will be attending the Train Forum with Councilmember Wedaa at the Yorba Linda Community Center. He also stated he is pleased with the selection of the three new Planning Commissioners – Robert Lyons, James Wohlt, and Mark Abramowitz.

Mayor Pro Tem Winder reported that Pack 897, Den 2, of the Yorba Linda Webelos, joined him in the Council Chambers to learn a little more about government and shared a "Thank You" poster they made up for him. Mayor Pro Tem Winder reported he also attended and presented a recognition from the City to Sergeant Chris Haddad as he celebrated his retirement from the police department after a career of service to our community. He also reported that he attended the Chamber of Commerce mixer on Main Street and a League of California Cities installation dinner at the Richard Nixon Library and Birthplace. He stated he attended Orange County Business Council's economic forecast and has written information that came out of that which he will share with his colleagues.

RECESS:

Mayor Castellano called a recess at 7:48 p.m. and reconvened the meeting at 8:00 p.m.

ADMINISTRATIVE REPORTS

18. SAN ANTONIO ROAD TRAFFIC-CALMING MEASURES – ADDITIONAL MEDIAN INSTALLATIONS, RESOLUTION NO. 2007-3887

Public Works Director Stowell presented slides and the staff report and responded to questions from Council.

Discussion ensued.

It was **MOVED/SECONDED – ANDERSON/WEDAA** – to adopt Resolution No. 2007-3887, extending the existing parking restriction on the west side of San Antonio Road further north to Aspen Way and to install one additional median at 4460 San Antonio Road for traffic calming purposes.

Discussion ensued relative to noticing given to those affected by the additional median installation.

MOTION CARRIED by the following roll call vote:

AYES: Anderson, Castellano, Horton, Wedaa, Winder

NOES: None

ABSENT: None

19. RECONSIDERATION OF REQUEST FOR REMOVAL OF CITY OWNED TREES WITHIN THE PASEO LANDSCAPE AREA BEHIND 20476 VIA MARWAH

Public Works Director Stowell gave a brief report and introduced Greg Applegate, Registered Consulting Arborist.

Mr. Greg Applegate, referring to slides and his report, stated he agreed with staff's recommendation.

It was **MOVED/SECONDED - WINDER/WEDAA** - to receive and file the report.
MOTION CARRIED UNANIMOUSLY.

20. RECONSIDERATION OF REQUEST FOR REMOVAL OF CITY OWNED TREES IN FRONT OF 18682 BUENA VISTA AVENUE

Public Works Director Stowell gave a brief report and stated that Mr. Applegate, Registered Consulting Arborist, looked into the situation.

Mr. Greg Applegate, Registered Consulting Arborist, noted that the offending limb could be removed incrementally over a period of several years as each trimming cycle is completed. He stated that if the pruning is done to a maximum of 20 percent a year and over time this pruning stunts the limb's growth.

Mr. Applegate responded to questions from Council.

Discussion ensued regarding costs.

It was **MOVED/SECONDED – WINDER/ANDERSON** – that Council uphold it's previous decision to keep the trees and to direct staff to negotiate with the property owner on the three-year change to the structure of the tree that will save the tree and over time take care of the problem. **MOTION CARRIED** by the following roll call vote:

AYES: Anderson, Castellano, Horton, Wedaa, Winder

NOES: None

ABSENT: None

21. REQUEST FOR REMOVAL OF CITY OWNED TREES WITHIN THE PASEO LANDSCAPE AREA BEHIND 20620 VIA AUGUSTO

Public Works Director Stowell presented the staff report and slides.

Wayne Smith, resident, stated this one tree is a nuisance as pine needles have shed all over and that most of the trees are planted a little further away and are not the type with pine needles. He stated he does not think any aesthetic value would be lost if the tree was removed.

It was **MOVED/SECONDED - WEDAA/WINDER** – to receive and file the report. **MOTION CARRIED UNANIMOUSLY.**

22. BROADCAST OF PLANNING COMMISSION CANDIDATE INTERVIEWS

Assistant City Manager Gruchow stated he has nothing further to add to the written staff report and some discussion is provided in the staff report about why the broadcasting of interviews was not done.

Assistant City Manager Gruchow responded to questions from Council.

Discussion ensued.

Councilmember Horton stated she was not against meetings being televised when doing special appointments (Commission and Council) and cited her concern regarding live broadcasts of the interviews and stated that she would prefer it would be a tape delayed. She would like an amendment to Issue No. 3 under notes in City Council Policy A-6 saying that any special meetings would be a tape delay – that they would not be broadcasted live.

Mayor Castellano stated he would be cautious how we proceed with these types of broadcasts.

Ed Rakochy, resident, presented the camera originals he videotaped of the interviews of Planning Commission applicants. He stated there is one gap in Mr. Lyon's interview as he had to change tapes, and on the DVD there are periods of black but that is just when he changed the tape. He stated there is no editing and no manipulation.

Mr. Rakochy distributed information about content of what can be run on governmental channels and stated there is a lot of flexibility. He also stated he would like to see them rebroadcast at a separate time on a Wednesday or something and also make copies for the Library.

Pat Nelson, resident, commented on the issue and does not see any problem rebroadcasting the interviews.

Walter Bruckner, resident, stated he would like to see these meetings on Directv.

Mayor Pro Tem Winder stated that Council may want to reapprove Issue No. 3 as Issue No. 6 in City Council Policy No. A-6 to show the history of movement back and forth of Councils.

Upon inquiry from Councilmember Horton, City Attorney Carvalho advised that the City does not need to get signed permission from the interviewees to broadcast the tapes.

Upon inquiry from Councilmember Anderson, City Attorney Carvalho stated that the City could voluntarily let applicants know that as part of the process they may be interviewed and that they will be interviewed in public and the interviews may be aired on television so they may make a choice.

Councilmember Horton stated that she would be in favor of airing these interviews but only on a tape delay basis only.

Mayor Castellano stated it is important to have a historical record and having a tape and asked that the maker of any motion made take into consideration having the interviews taped and if it is to be a live broadcast, they will be brought before Council before the interviews take place for that decision to be made.

Councilmember Anderson commented that there were seven or ten separate stories in the newspapers, and blogs on the website, and critical comments about everyone on the dais, and he believes that when the people see the tape, they will see the stories are not true and the tape will speak for itself. He also said the tape is a wonderful introduction to the community of the Planning Commissioners that were selected.

It was **MOVED/SECONDED - ANDERSON/HORTON** - to adopt Issue No. 6 which will reissue Council Policy A-6 to read as Issue No. 3 currently reads with the following addition - that special Council meetings for Commission or Council appointments will be documented on tape for future broadcasts but not broadcasted live. **MOTION CARRIED** by the following roll call vote:

AYES: Anderson, Castellano, Horton, Wedaa, Winder
NOES: None
ABSENT: None

Assistant City Manager Gruchow stated that the tapes would be broadcast on an alternate day than Thursday, and he would anticipate that it would be broadcast beginning next Wednesday for the next two Wednesdays.

It was **MOVED/SECONDED – ANDERSON/WEDAA** – to accept the video tapes of the October 30, 2007 City Council meeting from Mr. Rakochy and direct staff to broadcast the tapes on two consecutive Wednesday evenings. **MOTION CARRIED** by the following roll call vote:

AYES: Anderson, Castellano, Horton, Wedaa, Winder
NOES: None
ABSENT: None

23. REPORT OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING/APPEAL OF PLANNING COMMISSION ITEMS AND TOWN CENTER BLUE RIBBON COMMITTEE UPDATE

Community Development Director Christiansen gave an overview of Planning Commission actions from their meeting of October 23, 2007.

Councilmember Wedaa stated he wished to appeal the Planning Commission's decision regarding Consideration of Re-approval for Conditional Use Permit 2003-77 and Design Review 2003-23, and Two-Year Time Extension for Tentative Parcel Map 2004-203 – Friends Christian High School.

Community Development Director Christiansen stated that the next Planning Commission meeting will be December 12th and there have been two orientations for new Commissioners to get them up to speed.

Community Development Director Christiansen reported that the Blue Ribbon Committee met on October 29th and the draft Blue Ribbon Committee Report was presented to the entire committee and that the draft report is on the City website. Mr. Christiansen stated that the next Blue Ribbon Committee meeting

will be held at the Yorba Linda Library Community Room and the public has been invited to attend that meeting.

Upon inquiry from Councilmember Wedaa, City Attorney Carvalho stated that members of the Council can attend any public meeting that they choose to attend but she would recommend that they sit towards the back of the room and not participate in the discussions, be observers only.

Upon inquiry from Councilmember Anderson, Community Development Director Christiansen responded that the City is not in a situation where any projects are in danger at this time due to the lack of regular Planning Commission meetings.

Discussion ensued relative to the problems of setting a date and a location for the Blue Ribbon Committee meeting.

ORDINANCES

24. ADOPTION OF THE CALIFORNIA FIRE CODE, 2007 EDITION, THE CALIFORNIA BUILDING CODE VOLUMES 1 AND 2, 2007 EDITION, THE CALIFORNIA REFERENCED STANDARDS CODE, 2007 EDITION, THE CALIFORNIA EXISTING BUILDING CODE, 2007 EDITION, THE UNIFORM HOUSING CODE, 1997 EDITION, THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION, THE CALIFORNIA PLUMBING CODE, 2007 EDITION, THE CALIFORNIA ELECTRICAL CODE, 2007 EDITION, THE UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE, 2006 EDITION, THE UNIFORM SOLAR ENERGY CODE, 2006 EDITION

Community Development Director Christiansen gave a comprehensive staff report and stated this has been a very long and detailed process. He also noted that Dan Kennedy, Acting Building Official, has done a phenomenal job getting this done and doing his regular job as Senior Plan Check Engineer and as Acting Building Official. Community Development Director Christiansen noted that never in his entire career has he seen a comprehensive review of the Building Code done in this manner, and he wanted to give credit to Acting Building Official Kennedy for the outstanding job he did on this project.

Assistant Fire Marshalls Jennifer Bower and Sonia Powell, representatives of the Orange County Fire Authority, responded to questions from Council.

Acting Building Official Kennedy responded to questions from Council.

A lengthy discussion ensued.

Upon comment from Councilmember Wedaa, the Assistant Fire Marshalls indicated that at the moment, they do not have any additions to the Fire Code.

RESOLUTION NO. 2007-3886 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA, CALIFORNIA, SETTING FORTH FINDINGS FOR REQUIRED AMENDMENTS TO THE 2007 CALIFORNIA FIRE CODE, THE 2007 CALIFORNIA BUILDING CODE, THE 2007 CALIFORNIA PLUMBING CODE, THE 2006 UNIFORM SOLAR ENERGY CODE AND THE 2006 UNIFORM SWIMMING POOL AND HOT TUB CODE WITH RESPECT TO HOUSING OCCUPANCIES RELATIVE TO LOCAL CLIMATIC, GEOLOGICAL AND TOPOGRAPHICAL CONDITIONS

It was **MOVED/SECONDED - WINDER/HORTON** - to adopt Resolution No. 2007-3886. **MOTION CARRIED** by the following roll call vote:

AYES: Anderson, Castellano, Horton, Wedaa, Winder
NOES: None
ABSENT: None

ORDINANCE NO. 2007-904 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.08 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA FIRE CODE, 2007 EDITION (WHICH INCORPORATES AND AMENDS THE INTERNATIONAL FIRE CODE, 2006 EDITION), WITH CERTAIN APPENDICES AND AMENDMENTS; AND REPEALING ORDINANCE NO. 2002-840

ORDINANCE NO. 2007-906 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.04 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA BUILDING CODE VOLUMES 1 AND 2, 2007 EDITION (WHICH INCORPORATES AND AMENDS THE INTERNATIONAL BUILDING CODE, 2006 EDITION), WITH CERTAIN APPENDICES AND AMENDMENTS, THE CALIFORNIA REFERENCED STANDARDS CODE, 2007 EDITION, THE CALIFORNIA EXISTING BUILDING CODE, 2007 EDITION, AND REPEALING ORDINANCE NO. 2002-841

ORDINANCE NO. 2007-907 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.20 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING THE UNIFORM HOUSING CODE, 1997 EDITION, WITH CERTAIN AMENDMENTS, AND REPEALING ORDINANCE NO. 2002-842

ORDINANCE NO. 2007-908 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.04 OF THE YORBA

LINDA MUNICIPAL CODE BY THE ADDITION OF CHAPTER 15.22 BY ADOPTING THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION, WITH CERTAIN AMENDMENTS, AND REPEALING ORDINANCE NO. 2002-841

ORDINANCE NO. 2007-909 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.24 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING THE CALIFORNIA PLUMBING CODE 2007 EDITION (WHICH INCORPORATES AND AMENDS THE UNIFORM PLUMBING CODE, 2006 EDITION) WITH CERTAIN APPENDICES, AMENDMENTS AND INSTALLATION STANDARDS, AND REPEALING ORDINANCE NO. 2002-843

ORDINANCE NO. 2007-910 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.04 OF THE YORBA LINDA MUNICIPAL CODE BY THE ADDITION OF CHAPTER 15.06 AND ADOPTING THE CALIFORNIA MECHANICAL CODE, 2007 EDITION (WHICH INCORPORATES AND AMENDS THE UNIFORM MECHANICAL CODE, 2006 EDITION), WITH CERTAIN APPENDICES, AMENDMENTS AND INSTALLATION STANDARDS, AND REPEALING ORDINANCE NO. 2002-841

ORDINANCE NO. 2007-911 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING ARTICLE 15.16 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING THE CALIFORNIA ELECTRICAL CODE, 2007 EDITION (WHICH INCORPORATES AND AMENDS THE NATIONAL ELECTRICAL CODE, 2005 EDITION), WITH CERTAIN AMENDMENTS, AND REPEALING ORDINANCE NO. 2002-844

ORDINANCE NO. 2007-912 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.32 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING THE UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2006 EDITION, WITH AMENDMENTS, AND REPEALING ORDINANCE NO. 2002-845

ORDINANCE NO. 2007-913 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.28 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING THE UNIFORM SOLAR ENERGY CODE, 2006 EDITION, WITH CERTAIN AMENDMENTS, AND REPEALING ORDINANCE NO. 2002-846

It was **MOVED/SECONDED – HORTON/WEDAA** – to approve first reading of Ordinance Numbers 2007-904, 906, 907, 908, 909, 910, 911, 912, and 913. **MOTION CARRIED** by the following roll call vote:

AYES: Anderson, Castellano, Horton, Wedaa, Winder
NOES: None
ABSENT: None

RECESS:

Mayor Castellano called a recess at 9:35 p.m. and reconvened the meeting at 9:40 p.m.

OTHER AGENCY REPORTS AND REFERRALS

ORANGE COUNTY SANITATION DISTRICT – No Report

ORANGE COUNTY DIVISION OF THE LEAGUE OF CALIFORNIA CITIES – No Report

FOOTHILL/EASTERN TRANSPORTATION CORRIDOR/TRANSPORTATION
CORRIDOR SYSTEM

Councilmember Horton reported that the Agency is in the middle of evaluating the financials for year-end and had hoped the votes for the merger would be able to proceed by the end of the year. That did not occur and they are not anticipating that the votes for the merger will occur until February or March of 2008. Councilmember Horton suggested that Council wait until after the first of the year to schedule the presentation on the financials so that they have more up-to-date and accurate numbers.

ORANGE COUNTY FIRE AUTHORITY

Battalion Chief Bailey, representing the Orange County Fire Authority, gave an update on the fires and stated that the Santiago fire is still burning. It is not 100 percent contained although they are confident their current actions are going to control the fire.

Discussion ensued and Battalion Chief Bailey stated the Orange County Fire Authority is working on getting resources quicker and will continue to refine their response to fires and getting resources to the scene as quick as they can. A strong message to the public is “preparation”, their help is needed in preparing their structures before fires occur – it is their land, the more prepared they are and the more room they give firefighters before the event increases the likelihood of firefighters being able to save their property.

Discussion ensued relative to the availability of aircraft during fires.

Councilmember Horton stated she wanted to publicly thank all the firefighters for all of their efforts in all three of the fires. She stated she had the opportunity to go to Irvine Regional Park and see the triage center there, and she was taken to Modjeska Canyon where the fires had just gone through a few days before and it was something out of this world – black and dead. She described the personal fire shelters each firefighter carries.

Mayor Castellano noted that a lot of emergency personnel were involved as well as law enforcement to help with evacuations and he thanked them all for their involvement.

ORANGE COUNTY VECTOR CONTROL – No Report

OTHER BUSINESS

It was **MOVED/SECONDED – CASTELLANO/WEDAA** – to continue the remainder of the agenda items to the meeting of November 20, 2007 and to adjourn the meeting at 9:50 p.m. **MOTION CARRIED UNANIMOUSLY.**

25. NOTIFICATION REGARDING CITY WIDE PROJECTS (COUNCILMEMBER ANDERSON)
26. MONTHLY POLICE REPORTS (COUNCILMEMBER ANDERSON)
27. CITY EQUESTRIAN CENTER (COUNCILMEMBER ANDERSON, COUNCILMEMBER HORTON, COUNCILMEMBER WEDAA)
28. GRAFFITI ORDINANCE – NUISANCE ON PRIVATE PROPERTY (COUNCILMEMBER ANDERSON)
29. PUBLIC SPEAKING TIME LIMIT (COUNCILMEMBER ANDERSON)
30. TOWN HALL MEETINGS (COUNCILMEMBER WEDAA)
31. LIGHTED STREET SIGNS ON ESPERANZA (COUNCILMEMBER WEDAA)
32. CITY RESERVE FUND POLICY (COUNCILMEMBER WEDAA)

33. SECURITY LIGHTING – CITY HALL PARKING LOT (COUNCILMEMBER WEDAA)
34. ESPERANZA WALL - TRELLIS (COUNCILMEMBER WEDAA)
35. SKATE PARKS (COUNCILMEMBER WEDAA)
36. COUNCIL BADGES (COUNCILMEMBER WEDAA)
37. VIEW IMPAIRMENT (COUNCILMEMBER WEDAA)
38. TOWN CENTER PROCESS EVALUATION (COUNCILMEMBER ANDERSON)
39. ALL COMMISSIONER PAY (COUNCILMEMBER WEDAA)

CLOSED SESSION – IF REQUIRED

ADJOURNMENT

The next regularly scheduled City Council/Redevelopment Joint Meeting is November 20, 2007.

Kathie M. Mendoza, City Clerk

APPROVED BY COUNCIL/
REDEVELOPMENT AGENCY:
