
CITY OF YORBA LINDA

**CITY COUNCIL/REDEVELOPMENT AGENCY
JOINT MEETING MINUTES**

APRIL 1, 2008

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

CALL TO ORDER

The City Council/Redevelopment Agency convened 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, Winder

Council/Agency Members Absent: Wedaa

Staff Members Present: Carvalho, Gruchow

CLOSED SESSION

CITY COUNCIL

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

B. PUBLIC EMPLOYEE APPOINTMENT – TITLE: INTERIM CITY MANAGER

Government Code Section 54957

RECESS

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

CALL TO ORDER

The City Council/Redevelopment Agency reconvened at 6:49 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda.

ROLL CALL

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

Council/Agency Members Absent: Wedaa

Staff Members: Bugbee, Carvalho, Christiansen, Gruchow, Hartman, Leto, Mendoza,
Steep, Stowell

PLEDGE OF ALLEGIANCE – Captain Bugbee

INVOCATION - Pastor Samson, First Baptist Church of Yorba Linda

CLOSED SESSION REPORT

City Attorney Carvalho reported that there were two Closed Session items on the agenda and discussion regarding Public Employee Appointment – Title: Interim City Manager was postponed to April 15, 2008 Closed Session due to the absence of a Councilmember.

INTRODUCTIONS & PRESENTATIONS

PRESENTATION OF COMMENDATION TO RETIRED ORANGE COUNTY FIRE AUTHORITY DIVISION CHIEF RICHARD WITESMAN

Mayor Winder presented a Commendation to retired Orange County Fire Authority Division Chief Richard Witesman for his 42 years of service to the community.

PUBLIC COMMENTS - ITEMS ON THE CONSENT CALENDAR OR ITEMS NOT ON THE REMAINDER OF THE AGENDA

Pat Nelson, resident, reported a sprinkler head has popped off across the street from her home on Chicago Avenue. She stated it has been four months since the Blue Ribbon Committee finished its report and turned it in to Council, and she feels it should be addressed and the process started without further delay.

Lee Day, resident, spoke in rebuttal to some of Council's concerns/information given at the last City Council meeting concerning equestrian facilities and passed out schematics of Friends High School.

Greg Gillespy, resident, spoke regarding an e-mail he sent to Councilmember Anderson on the City's web site. He questioned why City Councilmembers are having their e-mails read by staff before they see it and asked if this is a policy or if not, is this just an accepted practice. He stated it is time for an ethics oversight committee in the City.

Councilmember Anderson stated that in the future, this might be considered as a policy.

City Attorney Carvalho stated that e-mails sent to the City of Yorba Linda, whether they are directed to Council or staff, are covered under the California Public Records Act and those who send e-mails to the City should know those e-mails are discoverable unless exemptions apply. She reported that a case is pending in the Court of Appeal in which a lower court has said that e-mails sent to Councilmembers' personal and private address concerning City business may also be subject to disclosure. She stated that those who send e-mails to the City, please note that current law says if it pertains to City business, it is open to the public's eyes.

Pearl Wieselmann, resident, spoke regarding contributing to the campaigns of candidates for Council in an election and campaigning/electioneering.

Mayor Winder reminded the public that this portion of the agenda is the opportunity for members of the public to directly address the City Council/Redevelopment Agency on Consent Calendar items or matters of interest to the public concerning the City's business or any matter on which the City Council or Redevelopment Agency has jurisdiction.

Bob Klems, resident, stated there seems to be a theme about lack of communication given to and received from the City Council. He stated he has yet to receive any response to an e-mail he sent to the City Council on March 23rd and provided a copy of the e-mail.

Nancy Rikel, resident, thanked the Brea Police Department for apprehending three bandits who robbed a bank in Yorba Linda. She commended Council for working through long meetings the past several months and suggested taking several off-

meeting Tuesdays to address the current back-log on the agenda. She stated she hopes downtown will feature some of how Yorba Linda celebrates its equestrian heritage such as weather vanes, mail boxes, street lights, hitching posts, and manicured shrubs and all featuring horses. She also referred to a letter in the Yorba Linda Star regarding the equestrian facility discussion at the March 18, 2008 Council meeting.

Louie Scull, resident, stated he concurred with the comments made by Nancy Rikel and Pat Nelson. He also spoke and provided information regarding Megan's law and locations where registered sex offenders live.

Upon inquiry from Mayor Winder, Captain Bugbee stated the offenders are constantly monitored. Mayor Winder suggested that a detective come to a future Council meeting and give a short presentation regarding this issue.

Walter Bruckner, resident, stated that years ago he was part of the East Lake Community Equestrian Committee. A stable was to be built there and there was no opposition to it other than they wanted it in a different location. In 1988 Council voted 3-2 against an equestrian center. S&S had given Yorba Linda \$250,000 for an equestrian center and compounded at 5 percent for 20 years it would be about \$600,000 plus there was another development that contributed \$200,000 to an equestrian center. He stated the City should have over \$1 million now for an equestrian center.

CONSENT CALENDAR

Mayor Pro Tem Horton removed Item 7 from the Consent Calendar. Councilmember Anderson stated he also wished to talk about Item 7. Councilmember Castellano stated he would abstain from Item 3.

It was **MOVED/SECONDED – ANDERSON/HORTON** – to approve the Consent Calendar with the removal of Item 7 and with Councilmember Castellano abstaining from Item 3. **MOTION CARRIED** by the following roll call vote:

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

1. 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 on the agenda and declared that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

2. ACCOUNTS PAYABLE WARRANT LISTS

The City Council approved the Accounts Payable Warrant Lists.

3. APPROVAL OF THE MINUTES OF THE MARCH 4, 2008 CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING MINUTES

The City Council/Redevelopment Agency approved the joint meeting minutes of March 4, 2008 with Councilmember Castellano abstaining.

4. APPROVAL OF THE MINUTES OF THE MARCH 15, 2008 CITY COUNCIL SPECIAL MEETING

The City Council approved the minutes of the March 15, 2008 City Council Special Meeting.

5. APPROVAL OF THE MINUTES OF THE MARCH 18, 2008 CITY COUNCIL/REDEVELOPMENT AGENCY/PUBLIC FINANCE AUTHORITY JOINT MEETING SPECIAL MINUTES AND REGULAR MINUTES

The City Council/Redevelopment Agency/Finance Authority approved the minutes of the March 18, 2008 joint meeting special minutes and regular minutes.

6. RELEASE PUBLIC IMPROVEMENT BONDS AND ACCEPT THE IRREVOCABLE OFFER FOR DEDICATION OF THE EASEMENT FOR LANDSCAPE MAINTENANCE PURPOSES AND THE EASEMENT FOR EQUESTRIAN TRAIL PURPOSES, PULTE HOMES, TRACT NO. 14555

The City Council adopted Resolution No. 2008-3917 for the acceptance of the irrevocable offer for dedication of the easements for Landscape Maintenance and Equestrian Trail purposes as shown on Tract Map No. 14555; and authorize the City Clerk to reduce/release bonds per Engineering Department's Report.

7. DECLARATION OF INTENT TO PROVIDE WEED ABATEMENT PROGRAM FOR 2008

This item was removed from the Consent Calendar.

8. AWARD OF LANDSCAPE MAINTENANCE CONTRACT FOR TRACT 14555

The City Council awarded the contract for landscape maintenance to Rocky Murata Landscape in the amount of \$1,650.00 per month for Tract 14555 located on Bastanchury Road and White Pine Lane and reject all other bids.

End of Consent Calendar

ITEM 7: DECLARATION OF INTENT TO PROVIDE WEED ABATEMENT PROGRAM FOR 2008

Mayor Pro Tem Horton stated she thinks red tags need to be sent by certified mail but cautioned against giving cost estimates unless each individual parcel is made out by the person who is going to be doing the work and guarantee that cost.

Acting City Manager Gruchow stated that the notices are multi-stepped and the City is not going to do estimates any more, the assessment would go on the property tax roll as a result of the homeowner's failure to do the weed abatement.

Community Development Director Christiansen clarified the procedure that will be followed.

Councilmember Anderson stated that the red tag needs to be changed as it did not say the cost would come back to the homeowner.

Community Development Director Christiansen responded that homeowners will be notified that if the City does the clearance of weeds, they will pay the actual costs as a lien is placed on their property tax. Community Development Director Christiansen also stated they will be closely monitoring the process.

Mayor Pro Tem Horton requested that all questions regarding the assessments be designated to only one person.

It was **MOVED/SECONDED – HORTON/ANDERSON** – to adopt Resolution No. 2008-3914, declaring its intention to set a public hearing on May 20, 2008 for this year's Weed Abatement Program. **MOTION CARRIED** by the following roll call vote:

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

PUBLIC HEARINGS

9. PUBLIC HEARING RE ADOPTION OF RESOLUTION NO. 2008-3913 APPROVING THE SALE OF CITY-OWNED PROPERTY LOCATED AT 18231 YORBA LINDA BLVD., AND ADOPTION OF RDA RESOLUTION NO. 2008-205 APPROVING THE AGENCY'S PURCHASE OF PROPERTY LOCATED AT 18231 YORBA LINDA BLVD

- a. Open Public Hearing – Mayor Winder opened the Public Hearing.
- b. Staff Report - Acting City Manager Gruchow gave an overview of the written staff report and responded to questions from Council.
- c. Take Testimony

Ed Rakochy, resident, commented on the analysis section of the staff report and stated that he hopes the report that staff brings forward in May includes discussions with Habitat for Humanity with regard to relocation as well as new construction.

- d. Close Public Hearing – Mayor Winder closed the Public Hearing.

Mayor Pro Tem Horton stated that she did consult with the attorney this evening and this is not one of those issues she would have to recuse herself from.

- e. Make Determination

It was **MOVED/SECONDED – CASTELLANO/HORTON** - to adopt Resolution No. 2008-3913. **MOTION CARRIED** by the following roll call vote:

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

It was **MOVED/SECONDED – CASTELLANO/HORTON** - to adopt Redevelopment Agency adopt RDA Resolution No. 2008-205

MOTION CARRIED by the following roll call vote:

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

It was **MOVED/SECONDED – CASTELLANO/HORTON** - to appropriate \$126,000 from the Agency's Affordable Housing Set-Aside Fund to pay for the acquisition.

MOTION CARRIED by the following roll call vote:

AYES: Anderson, Castellano, Horton, Winder

NOES: None

ABSENT: Wedaa

CONTINUED PUBLIC COMMENTS - None

MAYOR'S REPORT

Mayor Winder reported that he attended the Chamber of Commerce Breakfast that recognized the Civilian of the Year and police employees – Corporal Shawn Gogerty, Officer Justin Mourse, and Jailer Glenn Eastman.

Mayor Winder reported that he followed up with the Fair Political Practices Commission on an issue raised at a Council meeting about a potential violation of law regarding a City newsletter/brochure relative to the City's Landscape Lighting Assessment District. He read the response he received from the Fair Political Practices Commission stating the newsletter/brochure does not qualify as campaign activity and the City would not have campaign reporting requirements.

MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Castellano noted that tomorrow is the birthday of Amy, his youngest daughter, and she will be ten years old.

Councilmember Anderson congratulated the Brea Police Department on their actions regarding the robbery that occurred in Yorba Linda and asked for a report.

Captain Bugbee gave a brief report on the robbery in Yorba Linda by the WWF Shotgun Bandits.

Councilmember Anderson referred to comments by Mr. Gillespy about an e-mail he sent to Councilmember Anderson and stated it was about the equestrian issue bringing a large number of people to the Council meeting. He stated there may have been more than 128 people in the Council Chambers and he promised that in the future, Council would be a little more vigilant for public safety purposes.

Councilmember Anderson stated he read with amazement the letter from an individual that was in the Yorba Linda Star and called the equestrian center discussion at the March 18, 2008 City Council meeting a "goat and pony show". He stated he disagreed with the individual's views and thought that the equestrian center discussion was one of Yorba Linda's finest hours.

Councilmember Anderson stated that the Main Street Merchant's Association has reconstituted itself and has invited Councilmembers to attend the meetings quarterly, and he would like it put on an agenda, or done informally, to have a rotation of two Councilmembers at a time attend these meetings so that all of Council is involved.

Councilmember Castellano stated that the member of the community calling in a bank robbery in progress is a true hero and if the person is willing to be recognized he would like to bring them, as well as the police officers involved, before Council to be recognized for their outstanding efforts.

Councilmember Anderson referred to the letter from the Fair Political Practices Commission (FPPC) and stated that just because we can do something does not mean we should do it. He commented that the final paragraph in the letter notes that FPPC is aware of a case - Argus versus City of Salinas, which addresses issues very similar to the ones raised regarding the City's brochure, which is currently pending before the California Supreme Court. The courts ruling in that case may cause FPPC to reexamine its regulations.

Mayor Pro Tem Horton welcomed Mike Moore the new area Division Chief with the Orange County Fire Authority who came forward and stated he is looking forward to serving and being a part of the community.

Mayor Pro Tem Horton stated that Item 15, the reverse 911 system, has been taken care of. At Mayor Pro Tem Horton's request, Management Analyst Aalders gave a report on it.

Mayor Pro Tem Horton reported she received an e-mail from a resident regarding two issues. One issue is the East Lake Village lake, which is a popular place to walk, and some people are walking three and four abreast in the middle of the street. There are a lot of blind curves and there is concern that someone could get hurt. She asked that someone talk to them about how important it is to stay on sidewalks and out of harm's way. The other issue the resident brought up is on Valley View Avenue near the Black Gold Golf Course where the cart crossing is, if some kind of speed mitigation could be done.

10. DATES FOR FUTURE SPECIAL MEETINGS - ORAL REPORT

It was **MOVED/SECONDED – WINDER/ANDERSON** – to direct staff to put together an interview list for April 8, 2008 at 5:30 p.m. for consideration of the applicants for the Parks & Recreation Commission vacancies. **MOTION CARRIED UNANIMOUSLY** with Councilmember Wedaa absent.

Mayor Winder stated he would put off any recommendations for meeting on April 22, 2008 or April 29, 2008 until Council has the results of the meeting of April 15, 2008.

Mayor Pro Tem Horton stated she would not like for the April 29, 2008 Town Hall meeting to be disrupted as that is the one of three or four times during a year that Council goes out into the community.

Councilmember Anderson stated he agrees with Mayor Pro Tem Horton.

Discussion ensued and the April 29, 2008 meeting will remain scheduled unless it is changed at the April 15, 2008 City Council meeting.

ADMINISTRATIVE REPORTS

11. SPECIAL EQUESTRIAN COMMITTEE SELECTION

Parks & Recreation Director Leto gave an overview of the written staff report.

Carol Cantwell, resident, thanked Parks & Recreation Director Leto for her staff report and stated she would like to see Council approve recommendation number one sans the 4H Club, and to expedite the process. She stated she would recommend against inviting non-equestrians, people in certain geographical locations, or Commissioners. She put forth the following names: For the Miniature Horse Club - Mary Carbone and Barbara Brown; for the Pony Club – Sharon Kaak and Heather Henderson; for Yorba Linda Country Riders – Dee Dee Frederich and Carol Cantwell.

Barbara Brown, resident, commented on her own personal background (she has been a 4H leader for 18 years) and she stated she is very familiar with 4H concepts and needs.

Ed Rakochy, resident, asked that Council not micromanage this and keep it small. He stated it is important to move forward quickly and not delay it any further.

Discussion ensued.

It was **MOVED/SECONDED – ANDERSON/HORTON** – to invite the Yorba Linda Country Riders, the Pony Club, the Orange County Miniature Horse Club and the 4H Club to appoint two representatives each to serve on a special equestrian committee to work with City staff to identify needs and issues associated with the establishment of an equestrian facility. **MOTION CARRIED** by the following roll call vote:

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

It was **MOVED/SECONDED – ANDERSON/CASTELLANO** – to direct staff to report back to the City Council on the needs and issues identified by staff and the special equestrian committee so that the City Council can provide direction on the next steps to take. **MOTION CARRIED** by the following roll call vote:

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

12. REPORT OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING/APPEAL OF PLANNING COMMISSION ITEMS

Community Development Director Christiansen reported on the March 26, 2008 Planning Commission meeting.

RECESS:

Mayor Winder called a recess at 8:24 p.m. and reconvened the meeting at 8:37 p.m.

ORDINANCES

13. FIRST READING OF ORDINANCE NO. 2008-914, AMENDING THE YORBA LINDA MUNICIPAL CODE BY DELETING CHAPTER 12.28 AND AMENDING CHAPTER 18.24 REGARDING SIGNS

City Attorney Carvalho gave an overview of the written staff report and responded to questions from Council.

The following residents spoke regarding the Ordinance:

Rick Nelson, Ed Rakochy, Pearl Wieselman, and Walter Bruckner

It was **MOVED/SECONDED – WINDER/CASTELLANO** – to approve first reading of Ordinance No. 2008-914.

Councilmember Castellano stated he is not in support of the Ordinance as he thinks it is difficult for him to sit up here as a Councilmember and restrict people in what they can and cannot do out in the public.

Councilmember Anderson stated he is not supportive of the Ordinance and thinks it should be on the ballot for the people to decide – that it is an inherent conflict of interest for Council to be making these kinds of regulations.

Councilmember Horton agreed with Councilmember Anderson's statement.

A **SUBSTITUTE MOTION** was made – **HORTON/CASTELLANO** – to bring back an Ordinance that cleans-up the old Ordinances only. **MOTION CARRIED** by the following roll call vote:

AYES: Anderson, Castellano, Horton
NOES: Winder
ABSENT: Wedaa

14. **FIRST READING OF ORDINANCE NO. 2008-917, AMENDING THE YORBA LINDA MUNICIPAL CODE REGARDING TIME LIMIT FOR MEMBERS OF THE PUBLIC TO ADDRESS THE CITY COUNCIL**

City Attorney Carvalho presented the Ordinance and responded to questions from Council.

The following residents spoke in support of the Ordinance: Pat Nelson, Greg Gillespy, Nancy Rikel, and Pearl Wieselman.

It was **MOVED/SECONDED – ANDERSON/HORTON** – to approve first reading of Ordinance No. 2008-917. **MOTION CARRIED** by the following roll call vote:

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

OTHER AGENCY REPORTS AND REFERRALS

ORANGE COUNTY SANITATION DISTRICT – Mayor Winder reported on the SARI Line and stated an Environmental Impact Report (EIR) went out March 13, 2008 for comments and review will be in 45 days.

Community Development Director Christiansen stated the City's comments have been made throughout the process and staff will continue to monitor and comment on the EIR.

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

FOOTHILL/EASTERN TRANSPORTATION CORRIDOR/TRANSPORTATION
CORRIDOR SYSTEM – No Report

ORANGE COUNTY FIRE AUTHORITY – Orange County Fire Authority Division Chief Mike Moore reported that at the last meeting the “after action” report regarding the Santiago fire was approved and specifically the purchase of two new helicopters.

ORANGE COUNTY VECTOR CONTROL – No Report

OTHER BUSINESS

15. REVERSE 911 SYSTEM (HORTON)

Discussed under “Matters Presented by Councilmembers”.

16. SENIOR EMERGENCY LIST (HORTON)

Mayor Pro Tem Horton reported she met Lynn Daucher who is with the Department of Aging for the State of California which is in the midst of working with different agencies doing an emergency list for seniors. Mayor Pro Tem Horton stated she would like to see the City become involved as a participating agency, and have staff find out who locally is doing something like this and then coordinate with them to facilitate seniors signing up for the program or to look at establishing our own list so that the City can do something similar.

It was **MOVED/SECONDED – HORTON/ANDERSON** - to direct staff to identify which agencies in the community might be already doing something like this and coordinate with their efforts in facilitating a senior or those with physical disabilities emergency list.

Discussion ensued.

MOTION CARRIED with Mayor Winder voting “no” and Councilmember Wedaa absent.

17. RV ACCESS (HORTON)

Mayor Pro Tem Horton inquired of Community Development Director Christiansen relative to an e-mail she received from a resident who is concerned regarding RV access on a shared joint driveway and one of his neighbors has many RV's and apparently when pulling his RV's in and out he is damaging some sprinklers and grassy common areas. He would like to see some kind of restriction on RV's.

Community Development Director Christiansen stated there is nothing in the Code that talks about a RV crossing a common driveway area with an easement. In those instances, it is more of a private property owner dispute and that if the damage was being done, then the two property owners should be the ones that deal with it – not the City.

Mark Schwing, resident, commented on previous discussion regarding taking action on items listed under Other Business and stated this list was developed at the request of the former City Manager who did not want to spend staff time researching an item until she had three Councilmembers saying do a staff report.

18. CITYWIDE WI-FI (ANDERSON)

Councilmember Anderson stated the City is blessed with people highly educated and highly skilled, but we are sorely lacking on Citywide Wi-Fi access.

It was **MOVED/SECONDED – ANDERSON/HORTON** - to direct staff to examine additional locations beyond City Hall, the Library, and the Community Center where there could be a wider network of Wi-Fi access in the City of Yorba Linda.

Mayor Pro Tem Horton stated she cannot support the entire City as there are some serious privacy issues when you have access to Wi-Fi like that. She stated she could agree to just have selective spots in the City that are public access spots and would support that.

Councilmember Anderson clarified that the motion would be to identify locations - not the whole City.

Mayor Winder asked if Councilmember Anderson would further clarify that to public facilities such as the Community Center, parks, and maybe even partnering with schools.

Councilmember Anderson agreed with the clarification for his motion.

Councilmember Castellano also suggested looking at the police substation.

Mayor Winder asked that staff contact Mr. Steve Nelson from the Edison Company for opportunities to partner with Edison's technology.

Walter Bruckner, resident, stated there was an article in the Wall Street Journal about six months ago that listed about 30 Wi-Fi cities and that every one of those cities have been a total economic disaster. He also stated he cannot accept the government competing with private industry.

Earl Carbone, resident, stated that security is the major issue and he is not sure what the upside is of doing a public network.

MOTION CARRIED UNANIMOUSLY.

19. HISTORICAL PRESERVATION POLICY (HORTON)

This item was heard concurrently with Item 20.

20. DISCUSSION REGARDING JANEWAY HOUSE (ANDERSON)

It was **MOVED/SECONDED – HORTON/ANDERSON** – to have a policy developed that if you have an historic home, you will do whatever it takes to maintain it.

Discussion ensued and Community Development Director Christiansen responded to questions from Council relative to historic properties.

A lengthy discussion ensued.

Councilmember Anderson stated he would like to see a historic preservation ordinance explored for the City and brought back to Council for consideration. He stated he would also like to see some kind of historical building code, and that as far as maintenance, he believes the City needs to be much more aggressive when seeing a house actually being destroyed.

A **SUBSTITUTE MOTION** was made – **ANDERSON/HORTON** – to direct staff to examine a historic preservation ordinance and to look at existing historical building codes.

Community Development Director Christiansen responded to further questions from Council.

COUNCILMEMBER ANDERSON CLARIFIED THE MOTION - to direct staff to bring back a comprehensive program of regulations, ordinances, general plan changes, that will allow us to identify and protect the historic resources of the City.

Mayor Pro Tem Horton stated she wanted the Historic Society in this process.

Pat Nelson, resident, stated the Janeway House is in the condition it is because the City did not use the tools it had available.

Ed Rakochy, resident, stated the Janeway House is a travesty and this is a problem of selective enforcement. He stated he would be more than happy to work with staff and Council to provide information on the types of historic preservation ordinances available.

Nancy Rikel, resident, spoke and asked why is the City not able to enforce their own codes.

MOTION CARRIED UNANIMOUSLY with Councilmember Wedaa absent.

21. INCENTIVES FOR GREEN BUILDING FEE REDUCTIONS (HORTON)

Mayor Pro Tem Horton stated she would like the City to look at what other communities are doing but also develop a way when people are remodeling they can use a LEAD (Leadership in Energy and Environmental Design) Program – a way a developing, remodeling, or building houses that use green standards and look at some kind of incentive program for them to use these technologies.

It was **MOVED/SECONDED – HORTON/WINDER** – to look at some kind of incentive program for people to use green standard technologies when developing, remodeling, or building houses.

Walter Bruckner, resident, discussed the LEAD program and the Green Building Council program and stated information is readily available on the internet.

Community Development Director Christiansen stated that this has also been included in the General Plan Update – staff has asked for a green building sustainability element to be included in the next general plan. There are cities that have green building ordinances, have workshops for their residents, and there are many things available that can be done.

Councilmember Castellano stated he would not be supporting this tonight but thinks it is something that we need to explore through the General Plan Update.

Councilmember Anderson stated he would like to wait until it comes back with the General Plan and will be voting “no”.

MOTION FAILED by the following roll call vote:

AYES: Horton
NOES: Anderson, Castellano, Winder
ABSENT: Wedaa

22. COUNCILMEMBERS SPENDING MONEY FOR OUT-OF-STATE TRAVEL (ANDERSON)

Councilmember Anderson stated there are a number of cities that any time you have money being spent for out-of-state travel that it is a Consent Calendar item for the reason of public disclosure.

It was **MOVED/SECONDED – ANDERSON/CASTELLANO** – that anytime Councilmembers are spending money for out-of-state travel that it is a Consent Calendar item for reason of public disclosure.

Finance Director Hartman responded to questions from Council.

Discussion ensued.

Councilmember Anderson stated it is for prior approval and it is also for public disclosure – just transparency.

MOTION FAILED by the following roll call vote:

AYES: Anderson
NOES: Castellano, Horton, Winder
ABSENT: Wedaa

23. INITIATIVE MEASURE RE EMINENT DOMAIN (ANDERSON)

Councilmember Anderson asked that this item be taken off Other Business as a proposition is on the ballot in June 2008 sponsored by the Howard Jarvis Tax Association and it does everything he is looking for and is very comprehensive. There is also Prop 99 which is a competing measure that would only apply to homeowners. He stated he would like to wait until after the June election to see if either of the propositions pass before this comes back.

24. TOWN HALL MEETINGS (WEDAA) - Continued

25. YOUTH ON CITY COMMISSIONS (HORTON)

A **MOTION** was made by Mayor Pro Tem Horton to have youth serve a non-voting membership on City Commissions - Parks and Recreation, Library, and Traffic.

MOTION DIED for lack of a second.

26. PUBLIC COMMENTS AT PLANNING COMMISSION MEETINGS (WEDAA) - Continued

27. ADMINISTRATIVE OFFICIAL SALARY CAP (ANDERSON) - Continued

28. SITE 13 SEGMENTATION (ANDERSON) - Continued

29. COUNCIL STUDY SESSIONS (ANDERSON)

It was **MOVED/SECONDED – ANDERSON/HORTON** - to hold study sessions on one or two items on the second Tuesday of the month to allow more extensive discussions and Council to make more informed decisions on very important decisions facing the City.

Mayor Pro Tem Horton stated that Brea does this, but not every month. She stated that she thinks every other month would be great. She stated that Brea does take public comment but it is limited because this is a working group so that Council can discuss in-depth items and get in-depth staff reports and get a lot of people involved.

Councilmember Castellano stated Council does have study sessions and has had them for years and he thinks that the mechanism is already in place to have a special study session.

Discussion ensued.

Pat Nelson, resident, stated Brea does do this and it keeps their Council meetings shorter. She cautioned that a flaw can be not enough notice to the public and suggested that enough advance notice be given.

Upon inquiry from Mayor Winder, Acting City Manager Gruchow explained that staff keeps a running list of all the items staff is working on and anticipated dates which helps staff manage work load issues.

Mayor Winder stated he would not be interested in regularly scheduled study session meetings – he would prefer to support study sessions on the second Tuesday of the month if needed.

Councilmember Anderson asked that this item be continued until Councilmember Wedaa is present.

CLOSED SESSION – NOT REQUIRED

ADJOURNMENT

Mayor Winder adjourned the meeting at 11:00 p.m. to April 8, 2008 at 5:30 p.m. to interview Parks & Recreation Commission applicants.

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is April 15, 2008.

Kathie M. Mendoza, City Clerk

APPROVED BY COUNCIL/RDA:
