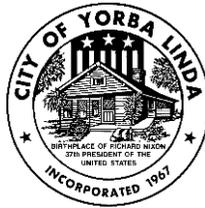


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CITY OF YORBA LINDA



Land of Gracious Living

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

**FEBRUARY 17, 2009**

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**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: Anderson, Horton, Rikel, Schwing, Winder

Staff Members: Carvalho, Kelly

**CLOSED SESSION**

**CITY COUNCIL**

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION,  
SIGNIFICANT EXPOSURE TO LITIGATION

Government Code Section 54956.9(b) (2 cases)

**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: Anderson, Horton, Rikel, Schwing, Winder

Staff Members:                   Carvalho, Conklin, Harris, Hartman, Kelly, Leto, Mendoza,  
Steep, Stowell, Thiele

## **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Anderson

## **INVOCATION**

Pastor Bill Morris, The Rock Community Church

## **CLOSED SESSION REPORT**

City Attorney Carvalho stated that there was no reportable action.

## **INTRODUCTIONS & PRESENTATIONS**

YORBA LINDA JUNIOR GIRL SCOUT TROOP 743 CERTIFICATES OF RECOGNITION FROM THE CITY, SERVICE AWARD AND LETTER FROM THE PRESIDENT OF THE UNITED STATES AND CA SERVICE CORPS CERTIFICATE FROM GOVERNOR'S OFFICE, PRESENTED ON THEIR BEHALF BY MAYOR SCHWING

Mayor Schwing presented awards and certificates to five 9 & 10 year old girls from the Yorba Linda Junior Girl Scout Troop 743.

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

Claudine Lynch, resident, asked if Code Enforcement could be proactive rather than reactive and take care of issues as they see them, not wait for a complaint to be received.

It was **MOVED/SECONDED – SCHWING/ANDERSON** – to look into a Code Enforcement Policy about being proactive rather than reactive and bring it back at the next council meeting. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder

**NOES:** None

**ABSENT:** None

Greg Gillaspay, resident, thanked City Manager Bill Kelly for handling the tumbleweed situation near his home. He attended the Leave Early or Stay and Defend seminar and was very pleased with the information provided. He also commented that ethics should be learned during childhood and taught by parents.

Catherine Strotner, resident, spoke about riding her horse on the lakebed last week and kids playing with pop guns and building forts. She felt it was dangerous and asked for assistance from staff. Mayor Schwing asked Ms. Strotner to leave her name and number with Captain Conklin.

Pat Nelson, resident, thanked Council for the Town Center meeting held last week.

Dee Dee Frederick, also spoke about kids playing with toy guns and building forts in the lakebed, she thinks it is a dangerous situation.

## **CONSENT CALENDAR**

Councilmember Winder asked that Item 4 be pulled from the Consent Calendar.

It was **MOVED/SECONDED – HORTON/RIKEL** – to approve the Consent Calendar with the removal of Item 4. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder

**NOES:** None

**ABSENT:** None

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

The City Council/Redevelopment Agency waived reading in full 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/RDA approved the Accounts Payable Warrant Lists.

3. APPROVAL OF THE MINUTES OF THE FEBRUARY 3, 2009 CITY COUNCIL MEETING

The City Council/RDA approved the minutes of the February 3, 2009 joint meeting.

4. Removed

5. CONTRACT EXTENSION FOR CONCRETE MAINTENANCE REPAIR SERVICES

The City Council approved the one (1) year Contract Extension with no unit price increase for Concrete Maintenance Repair Services between the City and J & S Construction.

**End of Consent Calendar**

**ITEM 4**

4. RENEWAL OF 5-YEAR LEASE AGREEMENT WITH KONICA MINOLTA FOR PUBLIC USE COPIERS AND PRINTERS AT THE YORBA LINDA PUBLIC LIBRARY

Councilmember Winder asked if the city is recovering its costs with the copiers. Library Director Melinda Steep responded that the library is losing some of the revenue that it was making a few years ago.

It was **MOVED/SECONDED – WINDER/ANDERSON** – to approve the renewal of a 60 month (5 year) lease agreement with Konica Minolta to provide copier and printer services for public use at the Yorba Linda Public Library in the amount of \$71,474.40 (\$1,191.24 per month), authorize the City Manager to sign the lease agreement with Konica Minolta and direct staff to analyze printing costs to be at full recovery. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder

**NOES:** None

**ABSENT:** None

**MAYOR'S REPORT**

Mayor Schwing asked councilmembers to present their "Other Agency Reports" under "Matters Presented by Councilmembers".

Mayor Schwing spoke about the Foothill Eastern Transportation Corridor that had added an extra northbound lane near the Windy Ridge area. He also mentioned the board had voted to settle a lawsuit with toll violators who felt the late fees were too excessive and he would provide more details when the suit was settled.

## **MATTERS PRESENTED BY COUNCILMEMBERS**

Councilmember Rikel announced that the YMCA was hosting a Pancake Breakfast at the Lemon Fire Station on Saturday the 28<sup>th</sup> of February.

Councilmember Rikel commented that Pat Brady was hired as Assistant General Manager of the Yorba Linda Water District. The Water District has received 10 questions about their After Fire Action report. The Water District is in the process of completing several infrastructure improvements including the Hidden Hills Reservoir and Santiago Booster Station. Councilmember Rikel said she hopes that someday residents would be able to check the maintenance of fire hydrants on the Water District's website.

Councilmember Rikel attended the Wildlife Action Planning (Leave Early or Stay & Defend) event hosted by the Orange County Fire Authority. She thanked Fire Chief Chip Prather and Assistant Fire Chief Laura Blaul for their efforts in hosting a successful event. Residents were given the opportunity to sign up for the Volunteer Reserve Fire Fighter or CERT (Community Emergency Response Team) programs. A Focus group would determine the best way to get the information out to the public. The OCFA will be tentatively holding a special meeting on April 23<sup>rd</sup> to present their After Action Fire report and possibly presenting to the City Of Yorba Linda on May 6<sup>th</sup>.

Councilmember Winder spoke about potential skateboarding damage to the Veterans Memorial at Veterans Park.

It was **MOVED/SECONDED – WINDER/SCHWING** – to direct staff to bring back an ordinance amending the Municipal Code regarding skateboarding to include public property. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder

**NOES:** None

**ABSENT:** None

Mayor Pro Tem Anderson mentioned he would provide a short video clip at a future meeting on what the Orange County Sanitation District is about. He said he attended the Insurance Recovery Forum at the Community Center which was well attended. He shared some of the information that was distributed to homeowners and encouraged residents to visit the California Department of Insurance website.

Councilmember Horton also attended the Insurance Recovery Forum and said that the Small Business Administration could help with losses sustained during the fire, including under-insured costs. She also stated that homeowners could still submit claims to FEMA even though the deadline had passed.

Councilmember Horton attended the Leave Early or Stay and Defend seminar and said the Orange County Fire Authority would soon have video of the seminar available on their website.

Councilmember Horton advised Mayor Schwing that she was unable to serve as the alternate for the Four Corners Transportation Committee because the meetings conflicted with her schedule.

Mayor Schwing asked if anyone wanted to volunteer to serve on the Four Corners Transportation Committee. Councilmember Winder explained that the Committee discussed regional transportation issues pertaining to the Counties of Riverside, San Bernardino, Los Angeles and Orange. He added that it is not critical to have a City representative at each meeting.

Councilmember Horton said the League of Cities Orange County Advocacy Committee is seeking support from the State League of Cities to urge the governor to temporarily delay SB32 and AB375. The laws have to do with green house emissions and are very hard to comply with right now with a bad economy.

Councilmember Horton proposed that Council take a 10% reduction in salary to assist with the budget shortfall and asked that the matter be placed on the next agenda.

## **ADMINISTRATIVE REPORTS**

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

Community Development Director Steven Harris gave a brief overview of the last planning commission meeting and answered questions from staff.

### 7. REPORT, DISCUSSION AND DIRECTION REGARDING THE 2008-2009 MID-YEAR BUDGET UPDATE

Interim City Manager Bill Kelly presented the staff report and answered questions from Council.

Louis Schirm, resident, suggested the city look at energy savings such as using incandescent lights, LED's on street lights, double paned windows and artificial turf.

It was **MOVED/SECONDED – ANDERSON/RIKEL** - to continue to the next meeting and direct staff to bring back options for immediate reductions. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

Interim City Manager Kelly suggested placing the item on each future council meeting agenda to provide council with updates.

**RECESS:**

Mayor Schwing called a recess at 8:21 p.m. and reconvened the meeting at 8:37 p.m.

8. REPORT ON THE FREEWAY COMPLEX FIRE - AFTER ACTION REPORT - CITY OF YORBA LINDA

Interim City Manager Bill Kelly presented the staff report and responded to questions from Council.

Mark Schook, Hidden Hills group, requested that City Attorney Carvalho's colleague's 40 page report to LAFCO be placed on the City's website. He also hopes that after the city gleans more information from inter-agency communication that the city will revise the After Action report with an updated status of the water system because the Water District will be preparing their report on what the city's report says.

Council discussion ensued.

Mary Carbone, resident, suggested that the City use all of its resources available during an emergency, including commissioners.

Pat Nelson, resident, commented that television news is not always an accurate source of information. She cautioned the public to be careful in receiving their information from news channels alone.

It was **MOVED/SECONDED – SCHWING/ANDERSON** - to receive and file report. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder

**NOES:** None

**ABSENT:** None

9. REPORT, DISCUSSION AND DIRECTION ON THE TOWN CENTER RESIDENTIAL PROPERTY REHABILITATION

Housing and RDA Specialist Pam Stoker presented the staff report and responded to questions from Council.

Councilmember Horton asked for confirmation from City Attorney Carvalho that she be allowed to participate in the discussion and vote.

City Attorney Carvalho read a statement from the FPPC that Councilmember Horton could participate in discussion of homes that are further than 500 feet from her property.

Pat Nelson, resident, said all the different plans, including the historical survey and Blue Ribbon Committee report, should be working together to develop a plan.

Amanda Wheeler, resident and business owner, stated that the homes are across the street from her law practice on Lakeview. She feels the houses portray a negative image to her clients, detract from the natural beauty of the neighborhood and suppress property values. In addition to the aesthetic blight, Ms. Wheeler said that kids are currently using the houses as a skate park and sailing off of the rooftop. She has written to Council on two occasions and is requesting that the properties be demolished and replaced with attractive greenbelts so businesses can attract more clientele and make the appearance of the City what it should be.

Cindi Williams, resident and business owner, agrees with the previous speaker about the deterioration of houses. She thinks it would cost more to rehabilitate them than the report indicates. She likes the idea of grass or a partial parking lot for the downtown area.

Claudine Lynch, resident, read a letter from Ed Rakochy, suggesting that all of the properties on Lakeview Avenue and School Streets be rehabilitated and those found to be of historical value should be protected from further damage and preserved.

Tom Lynch, resident, said the figures are outdated and should be redone. He doesn't think the houses on Altrudy Lane and Site 13 are worth rehabilitating and said that waiting was not an option.

Louie Schirm, resident, suggested reviewing City permits and using local contractors.

Council discussion ensued.

It was **MOVED/SECONDED – SCHWING/ANDERSON** - to continue to the next meeting for a preliminary historical report. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

10. REQUEST FOR WAIVER OF FACILITY USE FEES FOR THE YORBA LINDA COMMUNITY CENTER BY THE YORBA LINDA COUNTRY RIDERS

It was **MOVED/SECONDED – SCHWING/ANDERSON** - to table the item. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

## OTHER AGENCY REPORTS AND REFERRALS

ORANGE COUNTY SANITATION DISTRICT

ORANGE COUNTY DIVISION OF THE LEAGUE OF CALIFORNIA CITIES

FOOTHILL/EASTERN TRANSPORTATION CORRIDOR/TRANSPORTATION  
CORRIDOR SYSTEM

ORANGE COUNTY FIRE AUTHORITY

ORANGE COUNTY VECTOR CONTROL

SANTA ANA RIVER FLOOD PROTECTION AGENCY

## OTHER BUSINESS

11. DISCUSSION RE COMPREHENSIVE COMMISSIONER TRAINING  
(SCHWING)

It was **MOVED/SECONDED – SCHWING/ANDERSON** - to direct department heads to outline the type of training their respective commissioners would need.

Mayor Pro Tem Anderson recalled that he went to an all-day training when he sat on the Traffic Commission and felt it was invaluable information.

Mayor Schwing **AMENDED THE MOTION/SECONDED BY ANDERSON** - to have department heads review generalities of what local training might be available for commissioners. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

12. JOINT MEETING OF ALL AGENCIES TO PRESENT FINAL AFTER ACTION  
REPORTS (HORTON)

Councilmember Horton suggested that the Orange County Fire Authority, the Brea Police Department, the Yorba Linda Water District and the City have a joint meeting to present their after action reports in one place at one time so that the public did not have to go to three different places to hear the results.

It was **MOVED/SECONDED – HORTON/SCHWING** - to have a joint community meeting after all agencies have indicated that their reports are completed.

Council discussion ensued.

Mayor Pro Tem Anderson felt that instead of scheduling a meeting Council should extend an invitation and see if the agencies were interested.

Councilmember Rikel stated she is not in support of the motion until there is discussion with other agencies to determine whether there is any interest.

A **SUBSTITUTE MOTION** was made – **WINDER/SCHWING** – to direct staff to prepare a letter for the Mayor's signature, stating that Council unanimously decided it's a good idea and ask agencies if they want to participate.

City Attorney Carvalho reminded Council of the direction they gave during the Closed Session in regards to the potential litigation that all agencies are involved in and suggested that a joint meeting might be premature right now. She said that if Council desired, she could bring up the joint meeting to the agencies as she contacts them, otherwise it might be sending a mixed message.

Councilmember Winder **WITHDREW** the **SUBSTITUTE MOTION**.

Mayor Schwing **WITHDREW** the **SECOND** to the original motion and added that it can be revisited after each agency makes their final individual after action report only if there is a need for such a meeting.

Original **MOTION DIED** for lack of a second.

It was **MOVED/SECONDED** – **HORTON/SCHWING** – to direct the City Attorney to discuss a joint meeting with the Orange County Fire Authority, Brea Police Department and the Yorba Linda Water District as she contacts them on another matter. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

**CLOSED SESSION IF REQUIRED** – Not Required

## **ADJOURNMENT**

Mayor Winder adjourned the meeting at 11:04 a.m. The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is March 3, 2009.

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Kathie M. Mendoza, City Clerk

APPROVED BY CITY COUNCIL/RDA

MARCH 3, 2008