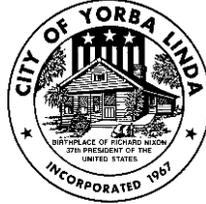

CITY OF YORBA LINDA



Land of Gracious Living

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING MINUTES

MARCH 3, 2009

**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 - EXISTING LITIGATION

Government Code Section 54956.9(a)

Name of Case: City of Yorba Linda v. City of Anaheim

Case Number: 01CC09320

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

Government Code Section 54956.9(b) (1 case)

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

PLEDGE OF ALLEGIANCE

Mayor Schwing

INVOCATION

Pastor Jim Domen, Rose Drive Friends Church

CLOSED SESSION REPORT - None

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

Hersh Cherson, resident and business owner, attended his grandson's Little League game over the weekend and thanked Mayor Schwing for attending. He was concerned that after the game, many of the vehicles had received parking tickets. He suggested that a waiver be issued for similar events in the future.

Steven Keener, provided Council with invitations to attend a church production celebrating Easter.

Sandra Van Oyen, resident, spoke about the school district boundary lines for the new Yorba Linda High School. She said proximity and traffic issues were not considered by the school district in their policy criteria. She further stated that with Scenario 2, the speed limits north of Yorba Linda Boulevard should be lowered and sidewalks on Kellogg repaired to accommodate all the children and traffic in the Fall.

Michael Marien, resident, has had a house under construction for 9 months and mentioned some concerns he had with building code regulations.

Louie Schirm, resident, recommended re-striping the area at Fairmont and Bastanchury Road for parking, adding some grass and calling it Hank Wedaa Park and that many people enjoy the panoramic views of Orange County that are visible from that corner.

Louie Scull, resident, spoke about the Town Center meeting last month. He suggested that the Planning Department provide sketches and present several schemes to the public. He also suggested the City work with private stakeholders and get them involved in the Town Center process.

Lisa Brambilla-Doble, resident, spoke on behalf of two neighborhoods and parents who attended the School District boundary meeting. She asked for the City's help in getting the District to reconsider their decision on the boundary lines.

City Attorney Carvalho stated that the School District has absolute control of their land-use planning, State law pre-empts the City and the City has no input into the planning process. She further stated that the District has complete authority over boundary line decisions and those decisions are CEQA exempt.

Claudine Lynch, resident, spoke about traffic issues at Bastanchury and Fairmont. She suggested that the entrance to the park be realigned with Avenida Del Rey.

A representative of the Yorba Linda-Placentia YMCA said they are conducting a campaign to raise funds to provide financial assistance for scholarship programs and they welcome all pledges or donations.

EMERGENCY ITEM ADDED BY CITY ATTORNEY CARVALHO

It was **MOVED/SECONDED - SCHWING/HORTON** - to add the following emergency item to the Agenda that came up after the Agenda was posted - Canyon Power Plant project – Immediate Action Required. **MOTION CARRIED** by the following roll call vote:

AYES: Anderson, Horton, Rikel, Schwing, Winder

NOES: None

ABSENT: None

Interim City Manager Bill Kelly spoke about the proposed power plant located in the city of Anaheim and directly adjacent to the City of Yorba Linda's boundaries. Staff is concerned about public safety matters including the use of ammonia and projected emissions. Staff is requesting that Council authorize staff to file a public hearing request with AQMD to work with our consultants to better ascertain what's being proposed and to consider other options.

Cynthia Verdugo-Peralta, resident, asked Council to act as intervener. She spoke about the potential emissions being harmful to residents and strongly urged Council to request a public hearing.

Jerald A. Cole, chemical engineer, spoke about combined cycle power plants operating as Peaker Plants, gave examples of other power plant emissions and answered questions from Council.

Louie Schirm, resident, commented on combined cycle power plants generating more power but with a higher cost.

It was **MOVED/SECONDED - HORTON/WINDER** - to file a request for a public hearing with AQMD and direct staff to work with Cities of Placentia and Brea on their positions regarding the proposed power plant. **MOTION CARRIED** by the following roll call vote:

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

CONSENT CALENDAR

Mayor Schwing pulled Items 6 and 10, Councilmember Anderson pulled Item 7, Councilmember Winder pulled Item 9 and Assistant to the City Manager Mark Aalders pulled Item 12 from the Consent Calendar.

It was **MOVED/SECONDED - HORTON/WINDER** - to approve the Consent Calendar with the removal of Items 6, 7, 9, 10 and 12. **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 10, 2009 SPECIAL CITY COUNCIL MEETING

The City Council/RDA approved the minutes of the February 10, 2009 Special City Council joint meeting.

4. APPROVAL OF THE MINUTES OF THE FEBRUARY 17, 2009 CITY COUNCIL MEETING

The City Council/RDA approved the minutes of the February 17, 2009 joint meeting.

5. TREASURER'S REPORT JANUARY 2009

The City Council and Agency Board received and filed this report.

6. Removed

7. Removed

8. TRANSFER OF FUNDS FOR THE RIGHT-OF-WAY PHASE FOR THE LAKEVIEW AVENUE WIDENING FROM ORIENTE DRIVE TO BASTANCHURY ROAD PROJECT

The City Council approved the transfer of \$400,000 from the construction phase budgeted in FY 2008/2009 to the right-of-way phase to fund necessary right-of-way acquisition for the Lakeview Widening from Oriente Drive to Bastanchury Road Project, and authorized the City Manager to execute Change Order No. 2 to Amendment No. 3 to Bureau Veritas North America, Inc. in the amount of \$11,990.00.

9. Removed

10. Removed

11. CLAIM FOR DAMAGES - NORMANDEAU

The City Council denied the claim for damages by Thomas Normandeau.

12. Removed

13. DECLARATION OF INTENT FOR A BUILDING DEMOLITION PERMIT FOR THE SINGLE-FAMILY RESIDENCE AND TWO ACCESSORY STRUCTURES AT 5170 LOS ALTOS DRIVE - WELLS FARGO (APPLICANT)

The City Council approved the request for a demolition permit for a wood frame house and two accessory structures on the property located at 5170 Los Altos Drive.

End of Consent Calendar

ITEM 6

APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR BIDS-BASTANCHURY ROAD/IMPERIAL HIGHWAY INTERSECTION IMPROVEMENTS PROJECT

Mayor Schwing asked about the additional Traffic Mitigation funds needed for the project and Director of Public Works Mark Stowell confirmed the City would have to fund the difference.

It was **MOVED/SECONDED - SCHWING/WINDER** – to approve the construction plans and specifications and authorize the advertising of bids for the Bastanchury/Imperial Highway Intersection Improvements Project. **MOTION CARRIED** by the following roll call vote:

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

ITEM 7

APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR BIDS - VALLEY VIEW AVENUE SAFE ROUTES TO SCHOOL PROJECT

Mayor Pro Tem Anderson asked Director of Public Works Stowell about the existing equestrian trail at that intersection. Director Stowell replied that the trail would remain in place and the grass area would be utilized for the sidewalk.

It was **MOVED/SECONDED - ANDERSON/HORTON** – to approve the construction plans and specifications and authorize the advertising of bids for the Valley View Avenue Safe Routes to School Project. **MOTION CARRIED** by the following roll call vote:

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

ITEM 9

APPROVAL OF CONTRACT WITH JOHNSON FRANK & ASSOCIATES FOR THE EL CAJON TRAIL RIGHT-OF-WAY STUDY

It was **MOVED/SECONDED - WINDER/ANDERSON** – to reconsider the item with next year's budget due to the current economic situation.

Discussion ensued.

A **SUBSTITUTE MOTION** was made - **MOVED/SECONDED - HORTON/WINDER** – to add the item to budget project list instead of holding it until the next budget cycle.

Mayor Pro Tem Anderson said he would not support the motion because a long list wasn't needed to prioritize projects and with budget constraints this was a project that could be delayed for one year.

MOTION CARRIED by the following roll call vote:

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

ITEM 10

CLAIM FOR DAMAGES - CHOI

It was **MOVED/SECONDED - SCHWING/ANDERSON** – to settle the claim by Duk Kun Choi. **MOTION CARRIED** by the following roll call vote:

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

ITEM 12

RESOLUTIONS DECLARING INTENT TO HOLD A PUBLIC HEARING TO ASCERTAIN WHETHER PRIVATE PROPERTY LOCATED IN THE CITY OF YORBA LINDA CONSTITUTES A PUBLIC NUISANCE

Assistant to the City Manager Aalders stated that the public nuisance at 4520 San Antonio Road had been removed and requested that Resolution No. 2009-3987 be taken off of the Agenda.

It was **MOVED/SECONDED – WINDER/HORTON** - to adopt the following resolutions:

Resolution No. 2009-3982, 4660 Alder Avenue,
Resolution No. 2009-3983, 4980 Aviemore Drive,
Resolution No. 2009-3984, 21890 Cardiff Drive,
Resolution No. 2009-3985, 4610 Dorinda Road,
Resolution No. 2009-3986, 5020 Greenhaven Street,
Resolution No. 2009-3988, 4580 Via Corzo, and
Resolution No. 2009-3989, 24410 Via Lomas de Yorba East

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 attended the Little League game with Mayor Pro Tem Anderson. He stated that Yorba Linda is not the only city facing fiscal problems and that the City of Fullerton has asked their staff for 8% cuts on their budget.

It was **MOVED/SECONDED - SCHWING/HORTON** – to send the school district traffic patterns to the Traffic Commission for review of student and traffic flows, traffic light timings and speed limits to be fully prepared for the opening next Fall of the new high school and bring a report back to Council by July. **MOTION CARRIED** by the following roll call vote:

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

Mayor Schwing asked the status of the Ethics and Fair Voting Rights Ordinances, he would like to see those on the next Agenda.

Mayor Schwing asked staff about the Esperanza paving project and future La Palma Avenue overlay.

Director of Public Works Stowell responded that he would speak with the contractor for the Esperanza project to have them speed up the final patch pavement. He also noted that staff is waiting for the Call for Projects from OCTA in order to utilize Measure M funds or AHRP monies instead of City funds for that project.

MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Winder was concerned that Council had not given direction to staff on salary and public interviews with prospective City Managers. He suggested an Ad Hoc Committee to interview the applicants and recommend the finalists to interview with the full Council. He asked the City Attorney if salary had to be discussed in Closed Session.

City Attorney Carvalho stated that Council could have discussion about salary in Closed Session but the final decision had to be made in Open Session.

It was **MOVED/SECONDED - WINDER/SCHWING** – to agendize the City Manager recruitment process including salary and interviews. **MOTION CARRIED** by the following roll call vote:

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

Councilmember Rikel attended the Pancake Breakfast at the Lemon Fire Station. She thanked the anonymous person who sent a letter saying they were thankful to live in Yorba Linda and wished to pay for the City's In God We Trust sign.

Councilmember Rikel said the Yorba Linda Water District will begin a Citizen's Advisory Committee in the near future. It will be comprised of 10 - 15 individuals and she urged interested persons to contact the Water District. She also stated that a water conservation ordinance will soon be developed and recommendations will be made by an Ad Hoc committee. The Water District feels that water-pricing structures should be put in place for a conservation program to be effective. She also gave an update on the dates and times of future Water District meetings.

Councilmember Rikel announced that the Orange County Fire Authority's 8-Minute video on the Wildfire Action Plan is available on the website. The OCFA Focus group will meet at the Community Center on March 5th to discuss safety and evacuation issues, new construction features and how to provide that information to the community. The CERT program class will be held this Saturday and Sunday at the Community Center and continued the following Saturday at OCFA headquarters. She spoke about the two new Bell 412 helicopters that the Fire Authority recently purchased. Councilmember Rikel was recently appointed to the Budget & Finance Committee for the OCFA and she said that they are also experiencing an economic downturn.

Councilmember Rikel thanked Battalion Chief Chuck Nicola and the firefighters at Fire Station 34 for a recent ride-along on two non fire-related emergency calls.

Councilmember Horton asked for a sludge update from Mayor Pro Tem Anderson's Orange County Sanitation District report.

Councilmember Horton stated she's been receiving phone calls about a property on Buena Vista whose gardens were once considered historic but which are now dead. She said the property has deteriorated and is being used for storage of trucks. She urged staff to speed up the historic preservation ordinance and to check on that property.

Councilmember Horton spoke about the recent death of Brenda Ross, a councilmember in the City of Laguna Woods. She was an amazing woman who accomplished many great things in her life. She urged the community to recognize Mrs. Ross by getting involved in senior projects.

Councilmember Horton suggested a community group be organized to find ways to better utilize energy conservation methods within the City, similar to the ideas that resident Louis Schirm brought up at a previous council meeting.

Councilmember Horton said that a meeting which occurred this week with two councilmembers, the Interim City Manager and residents of Hidden Hills, gave the appearance of non-transparency. She said although it was not an ad-hoc committee it did look like one and if the Council was trying to keep an open, transparent government that the meeting should not have taken place. She said if an issue can be handled at a staff level then there is no need for a special City Council meeting.

Mayor Pro Tem Anderson said the benefits, not the salary for the former city manager were overly generous and this was a good time to look into compacting the whole salary package.

Mayor Pro Tem Anderson congratulated Valencia High School on winning the Orange County Academic decathlon this year. He confirmed that staff was bringing a report to council at the next meeting about no parking on Grandview. He also asked the status of the Equestrian Request for Proposal. Interim City Manager Kelly responded that the RFP would go out by next week.

Mayor Pro Tem Anderson stated that the Orange County Sanitation District had discussed a proposal to use bio-solids in the hills to help grow plants but it was only a proposal and they were not going through with it. He also stated that the Sanitation District was hoping to receive Federal Stimulus Package monies to use for water conservation, recycling and other things. He announced that the Chamber of Commerce will hold a Breakfast at the Black Gold Golf Club on the 26th of March to honor police and firefighters. He said that anyone can host a police officer or firefighter by purchasing an extra ticket.

Councilmember Horton clarified to Mayor Pro Tem Anderson that she had received the e-mail from the Orange County Sanitation District but her question on sludge was regarding a study conducted by the **OCFA** **OCSD** that described the content and use of sludge and she would like to see a copy of it.

Councilmember Winder inquired if it was unusual for a benefit package to be 44% of the salary for a City Manager such as Mayor Pro Tem Anderson reported for former City Manager Letourneau. Interim City Manager Kelly replied that it was within a reasonable range. Councilmember Winder asked City Attorney Carvalho if the mayor had a meeting with property owners from Hidden Hills to set the agenda for tomorrow night's meeting, could it be described or interpreted as an Ad Hoc Committee. City Attorney Carvalho responded in the negative. He then asked if the Mayor chose to join with the Mayor Pro Tem to have a meeting unannounced, involving two member of the City Council, does that approach an Ad Hoc Committee.

City Attorney Carvalho defined an Ad Hoc Committee per the Brown Act.

ADMINISTRATIVE REPORTS

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

Community Development Director Steven Harris gave an overview of the Planning Commission actions from the last meeting.

15. GOLF COURSE PRO FORMA ANALYSIS, AGRONOMIC PLAN UPDATE, AND THE FIVE YEAR BUDGET PROJECTIONS

Interim City Manager Kelly gave a brief overview of the report.

It was **MOVED/SECONDED - ANDERSON/SCHWING** – to continue the item and direct staff to provide a more detailed comparison of pro forma vs. reality, how much more money will this cost and what efforts can be made to cut costs.

Discussion ensued.

Tom Lynch, resident, said the report was missing vital information necessary to make a decision whether the golf course is viable or not. He suggested that Kemper Sports come up with solutions and he strongly recommends replacing the rye grass.

Councilmember Winder said he was not in support of the motion because short term decisions need to be made now and staff could report on future options at a later date.

MOTION CARRIED by the following roll call vote:

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

16. DISCUSSION RE CLARIFICATION OF CODE ENFORCEMENT POLICY

Community Development Director Harris gave a brief overview of the staff report.

Council discussion ensued.

Pat Nelson, resident, said it's not the program but the lack of action that needs to change and would like to see rules and consequences for non-compliance.

Claudine Lynch, resident, suggested time limits, firm rules, consequences and an on-going, continual record for violations. She urged Council to be very proactive, enforce penalties and get results for code violations.

Lee Day, resident, referenced a court decision in the City of Los Angeles regarding parked cars with for-sale signs. She believes the court order is

misconstrued. She has complained about a truck parked in the Firestone Shopping Center with a large sign on it, but she said that Community Preservation told her there was nothing they could do. She suggested the Planning Department put some “teeth” in the sign ordinance.

Louie Scull, resident, doesn't think the City is to blame for the Janeway property. No one in the community stepped up to purchase or renovate it and he recommended the report should be received and filed.

Councilmember Winder agreed with Mr. Scull.

It was **MOVED/SECONDED - SCHWING/ANDERSON** – to direct staff to return to the Council with proposed amendments to the Community Preservation Division's Policy and Procedures Manual and place issues like the Janeway and Eichler houses as priority cases and that the report come back to Council at the April 7 Council meeting. **MOTION CARRIED** by the following roll call vote:

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

RECESS:

Mayor Schwing called a recess at 9:20 p.m. and reconvened the meeting at 9:32 p.m.

17. ORDINANCE NO. 2009-928, CONCERNING COUNCIL MEMBER APPOINTMENTS TO REGIONAL ENTITIES

City Attorney Carvalho presented a brief staff report.

It was **MOVED/SECONDED - WINDER/HORTON** – to introduce for first reading Ordinance No. 2009-928, concerning Council Member appointments to regional entities.

A **SUBSTITUTE MOTION** was made **ANDERSON/RIKEL** - to include any kind of appointment to any other organization in which individual councilmembers will act as representatives of the City.

Council discussion ensued.

Councilmember Anderson **WITHDREW** the **SUBSTITUTE MOTION**, Councilmember Rikel withdrew the second to the motion, and made a **SECOND SUBSTITUTE MOTION** – **SECONDED** by Councilmember Rikel, to direct the City Attorney to come back with an ordinance addressing his substitute motion.

MOTION CARRIED by the following roll call vote:

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

ORIGINAL MOTION CARRIED by the following roll call vote:

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

18. **REQUEST FOR REMOVAL OF CITY OWNED TREES WITHIN THE RIGHT-OF-WAY IN FRONT OF THE RESIDENCE AT 17918 JOSHUA DRIVE**

Director of Public Works Stowell gave a brief overview of the staff report.

Frank Martin, requestor, asked Council to consider removal of the tree as the tree has become too mature for its location, the cable box is lifted 7 inches off the ground, the roots are lifting tiles in his house and there are cracks in his garage. He also feels the tree will be a liability. He stated he feels the City should pay for the removal/replacement of the tree since it was the City who directed the developer to plant the tree.

Brian Burnhan, requestor, asked how the City could own and control a tree but not be responsible for what the tree is doing. He stated that the tree roots have taken over the drainage pipes causing his yard to flood and the mailbox and cable box have shifted.

It was **MOVED/SECONDED - ANDERSON/RIKEL** – to remove the tree and split the cost 50/50 including the 20% administrative fee, and replace with a tree on the homeowner's property.

A **SUBSTITUTE MOTION** was made by Councilmember **WINDER** to remove the tree consistent with policy E-3 and replace with a 15 gallon tree selected by the City at full expense of the homeowner.

MOTION DIED for lack of second.

Mayor Pro tem Anderson **AMENDED** the **ORIGINAL MOTION** to replace with a 15 gallon tree. Councilmember Rikel accepted the amendment.

Discussion ensued.

A **SECOND SUBSTITUTE MOTION** was **MOVED/SECONDED - HORTON/ANDERSON** to remove the existing tree and replace with a 15-gallon tree on the existing right-of-way location at 50/50 cost sharing. **SECOND SUBSTITUTE MOTION CARRIED** by the following roll call vote:

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

ABSENT: None

19. REQUEST FOR REMOVAL OF CITY OWNED TREES WITHIN THE CITY MAINTAINED LANDSCAPED SLOPE BEHIND THE RESIDENCE AT 27850 BEN NEVIS WAY

Interim City Manager Kelly suggested this item be continued to the March 17, 2009 City Council meeting at the request of the applicant.

It was **MOVED/SECONDED - SCHWING/ANDERSON** – to continue the item to the March 17, 2009 City Council meeting. **MOTION CARRIED** by the following roll call vote:

AYES: Anderson, Horton, Rikel, Schwing, Winder

NOES: None

ABSENT: None

20. REQUEST FOR PERMISSION TO REMOVE AND REPLACE CITY OWNED TREES WITHIN THE RIGHT-OF-WAY ON WISTERIA AVENUE

Director of Public Works Stowell presented the staff report.

Stephen Sully, resident, requested that Council choose Alternative No. 3 in the staff report allowing homeowners to replace Evergreen Pear trees with Crape Myrtle trees and bear the cost of removal and replacement.

Keith Alig, resident, stated that not all of the trees are city trees nor are they all part of a theme but they are all diseased and shed branches.

Michael Marien, resident, said one of his trees died in 1995 after splitting and landing on his driveway. He is in agreement with Mr. Sully and the options he is presenting to Council.

It was **MOVED/SECONDED - HORTON/WINDER** – to allow replacement of Evergreen Pear trees with Crape Myrtle trees as the current ones die, at the request of the homeowners, that the City replace them to maintain control, kind and quality of tree and that homeowners bear the cost including the 20% administrative fee. **MOTION CARRIED** by the following roll call vote:

AYES: Anderson, Horton, Rikel, Schwing, Winder

NOES: None

ABSENT: None

21. TOWN CENTER RESIDENTIAL PROPERTY REHABILITATION UPDATE

Interim City Manager Kelly gave an overview of the staff report.

Lengthy discussion ensued.

Pat Nelson, resident, suggested that scenarios for the Town Center project be reviewed first and then decide which homes might remain, sell some of the properties to be developed and fulfill RHNA obligations and demo two homes on Lakeview Avenue.

It was **MOVED/SECONDED - RIKEL/ANDERSON** – to move forward and bring the homes up to standard for rental as soon as possible, including painting, updating wiring and replacing galvanized pipe with copper.

Councilmember Horton said she would not be in support of moving forward and rehabilitating all of the houses and she felt it is a waste of money.

Councilmember Rikel **AMENDED** the **MOTION** to move forward and bring up to standard only the following properties: 4161, 4181, 4191, and 4195 Lakeview and 4861 and 4871 School Street.

A **SUBSTITUTE MOTION** was **MOVED/SECONDED – ANDERSON/RIKEL** - to direct staff to send out requests for proposals to obtain a solid estimate on the rehabilitation of all properties with the exception of the Site 13 houses and to also obtain a realistic rent estimate on the properties.

Councilmember Winder stated he was not in support of the motion because he would like to know the historic nature of each property before making such a decision.

MOTION CARRIED by the following roll call vote:

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

A **SUBSTITUTE MOTION** was **MOVED/SECONDED – ANDERSON/RIKEL** - to direct staff to send out requests for proposals to obtain a solid estimate on the rehabilitation of properties on the Site 13 houses and to also obtain a realistic rent estimate on the properties.

MOTION CARRIED by the following roll call vote:

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

It was **MOVED/SECONDED - ANDERSON/RIKEL** – to direct staff to fence all the properties with the exception of the Site 13 houses as staff sees necessary and to provide keys to the police department and place notification on the property that City is in the process of rehabilitation. **MOTION CARRIED** by the following roll call vote:

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

It was **MOVED/SECONDED - ANDERSON/RIKEL** – to direct staff to fence the properties on Site 13 as staff sees necessary and to provide keys to the police department and place notification on the property that City is in the process of rehabilitation. **MOTION CARRIED** by the following roll call vote:

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

22. ORAL REPORT - FISCAL YEAR 2008-2009 BUDGET REDUCTIONS - Continued
23. BARKING DOG ORDINANCE REVIEW - Continued

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

OTHER BUSINESS

24. CITY COUNCIL COST CUTTING MEASURES (ANDERSON) - Continued

CLOSED SESSION IF REQUIRED – Not Required

ADJOURNMENT

Mayor Winder adjourned the meeting at 11:32 p.m. The meeting was adjourned to a Special Meeting on March 4, 2009, at 6:00 p.m. to discuss the Hidden Hills area.

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is March 17, 2009.

Kathie M. Mendoza, City Clerk

APPROVED BY COUNCIL/RDA:
