



## CITY of YORBA LINDA

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### CITY COUNCIL/SUCCESSOR AGENCY TO THE YORBA LINDA REDEVELOPMENT AGENCY, YORBA LINDA HOUSING AUTHORITY AND YORBA LINDA MUNICIPAL FINANCING AUTHORITY JOINT MEETING

#### MINUTES

**October 4, 2022, 6:30 p.m.  
Council Chambers  
4845 Casa Loma Avenue**

Councilmembers Present: Campbell, Haney, Hernandez, Huang, Rodriguez

Staff Present: Brantley, Brown, Christian, Kudron, Lai, Litfin, Pulone, Walehwa

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#### **CALL TO ORDER**

The City Council/Successor Agency to the Yorba Linda Redevelopment Agency convened at 5:32 p.m. in the Council Chambers at 4845 Casa Loma Avenue.

#### **ROLL CALL**

#### **ANNOUNCEMENT OF CLOSED SESSION ITEMS**

#### **CITY COUNCIL/SUCCESSOR AGENCY TO THE YORBA LINDA REDEVELOPMENT AGENCY**

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

Government Code Section 54956.9(d)(2) (1 Case)

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, INITIATION OF LITIGATION

Government Code Section 54956.9(d)(4) (1 Case)

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1) (1 case)

Name of Case: Margo Day v. County of Orange, et al.

Case Number: 30-2020-01153798-CU-PO-CJC, Orange County Superior Court

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

None.

**CONVENE INTO CLOSED SESSION**

The City Council convened into Closed Session at 5:33 p.m.

**RECESS**

## **CALL TO ORDER**

The City Council/Successor Agency to the Yorba Linda Redevelopment Agency, Yorba Linda Housing Authority and Yorba Linda Municipal Financing Authority reconvened at 6:32 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda.

## **ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Gene Hernandez

## **INVOCATION**

Dr. Ahmed Soboh, Islamic Center of Yorba Linda

## **CLOSED SESSION REPORT**

City Attorney Todd Litfin said there was no reportable action.

## **INTRODUCTIONS & PRESENTATIONS**

### RECOGNITION OF ELLORA MARTINEZ & SUMMER HAQUE, FOOD NETWORK'S KIDS BAKING CHAMPIONSHIP

Mayor Carlos Rodriguez invited Ellora Martinez and Summer Haque, finalist and semi-finalist, respectively, on the Kids Baking Championship to the podium. Mayor Rodriguez spoke about their baking talents and highlighted some of their baked desserts while on the show.

He presented each young lady with a certificate of recognition and a certificate from Senator Newman's office. Pat Buttress, representative of Supervisor Don Wagner's office was in attendance to present a recognition.

Ellora and Summer thanked Council for the recognition and spoke briefly of their experience and love for baking.

### RECOGNITION OF AMERICAN YOUTH SOCCER ORGANIZATION, AYSO 1398

Next, Mayor Rodriguez invited American Youth Soccer Organization, AYSO 1398 Region Commissioner Carl Wabs, Past Region Commissioner Ivy McDowell, and members of the Board, including Cinnamon Earl to the podium to recognize them for their dedication to the youth in the community. Christopher Thompson and Sharon Wabs, with AYSO were also in attendance.

The AYSO representatives also received a recognition from the office of Senator Newman, and Pat Buttress presented them with a certificate honoring their dedication from Supervisor Wagner's office.

PROCLAMATION DECLARING OCTOBER 9TH - 15TH, 2022 AS FIRE PREVENTION WEEK

Mayor Rodriguez asked Battalion Chief Brett Culp to approach the podium and presented him with a proclamation declaring October 9th through 15th as Fire Prevention Week in Yorba Linda.

Battalion Chief Culp spoke about fire safety and thanked Council for the proclamation.

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

Richard de Bruijn, resident, spoke about Measure Z, the City's Housing Element measure on the upcoming November General Election and expressed his support to voting "yes" on the measure.

Brooke Jones, Yorba Linda Water District Vice President, invited Council and the community to their annual Open House on Saturday, October 22nd from 9:00 a.m. to noon.

Mr. Wuodarek, resident, expressed his concerns about an incident involving him at the Library and spoke about civil rights.

Anita Heinz, resident, spoke about the importance of good leadership in government and schools and recommended more officer presence at each high school and junior high school.

**CONSENT CALENDAR**

Mayor Rodriguez stated that Mayor Pro Tem Hernandez will abstain from Consent Calendar Item No. 2, out of an abundance of caution due to his involvement with Orange County Transportation Authority (OCTA) and the numerous contractors that may do work in the City.

**Moved by** Campbell

**Seconded by** Hernandez

It is recommended that the City Council approve the Consent Calendar.

AYES (5): Campbell, Haney, Hernandez, Huang, and Rodriguez

**CARRIED (5 to 0)**

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

It is recommended that the City Council/Successor Agency to the Yorba Linda Redevelopment Agency waive reading in full of all ordinances and resolutions on the agenda and declare 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 CHECK REGISTER – OCTOBER 4, 2022

It is recommended that the City Council receive and file the accounts payable check register dated October 4, 2022, in the amount of \$2,467,906.64.

3. APPROVAL OF THE MINUTES OF THE SEPTEMBER 20, 2022 CITY COUNCIL / SUCCESSOR AGENCY TO THE YORBA LINDA REDEVELOPMENT AGENCY MEETING

It is recommended that the City Council/Successor Agency to the Yorba Linda Redevelopment Agency approve the minutes of the September 20, 2022 City Council/Successor Agency to the Yorba Linda Redevelopment Agency joint meeting.

4. RESOLUTION NO. 2022-5824 AUTHORIZING THE SUBMISSION OF THE CITY'S APPLICATION FOR COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM FOR DESIGN AND ENVIRONMENTAL SERVICES ON THE LAKEVIEW AVENUE WIDENING FROM LEMON DRIVE TO ORIENTE DRIVE (SI231001)

It is recommended that the City Council adopt Resolution No. 2022-5824, authorizing the submission of the City's application for the Comprehensive Transportation Funding Program (CTFP) for design and environmental services on the Lakeview Avenue Widening from Lemon Drive to Oriente Drive Project (SI231001).

5. RES NO. 2022-5825 RE-SUBMISSION OF THE CITY'S APPLICATION FOR CTFP FOR THE LAKEVIEW AVE WIDENING BETWEEN ORIENTE DR AND BASTANCHURY RD (SI201003) & RES NO. 2022-5826 AUTHORIZING SUBMISSION OF THE CITY'S CTFP FUND APPLICATION FOR COST ESCALATION

It is recommended that the City Council: 1.) Adopt Resolution No. 2022-5825 authorizing the re-submittal of the City's application for CTFP funds for the Lakeview Avenue Widening between Oriente Drive and Bastanchury Road Project (SI201003); and 2.) Adopt Resolution No. 2022-5826 authorizing the submission of the City's fund application for cost escalation for the Lakeview Avenue Widening between Oriente Drive and Bastanchury Road (SI201003).

6. RESOLUTION NO. 2022-5827 AUTHORIZING THE SUBMISSION OF THE CITY'S APPLICATION FOR COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM TO FUND COST ESCALATION ON THE BASTANCHURY ROAD WIDENING PROJECT FROM CASA LOMA AVENUE TO EUREKA AVENUE (SI221005)

It is recommended that the City Council adopt Resolution No. 2022-5827 authorizing the submission of the City's request for the Comprehensive Transportation Funding Program (CTFP) funding to cover cost escalation on the Bastanchury Road Widening Project from Casa Loma Avenue to Eureka Avenue Project (SI221005).

#### 7. REPORTS OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING

It is recommended that the City Council receive and file this report.

#### 8. COUNCIL COMMITTEE AND AGENCY REPORTS

It is recommended that the City Council receive and file this report.

### **PUBLIC HEARING**

#### 9. ORANGE COUNTY FIRE AUTHORITY FINANCING OF NEW HELICOPTERS

a. Open Public Hearing - Mayor Rodriguez opened the public hearing.

b. Staff Report

Fire Chief Brian Fennessy said this item is to seek approval for the financing of two helicopters. He said the process requires one member City of the Orange County Fire Authority (OCFA), a Joint Powers Authority (JPA ) to hold a public hearing for approval of the item and expressed his appreciation to the Council for conducting the hearing.

Robert Cortez, Assistant Chief of Business Services, said at their September meeting, the OCFA Board approved the purchase of two all-hazard firefighting/rescue helicopters (Sikorsky S-70M Type 1 helicopters) from United Rotorcraft and approved entering into a 15-year financing agreement with Bank of America (BofA). He said BofA was selected out of seven proposals received through an RFP process as the most advantageous proposal. Mr. Cortez said the total borrowing cost would be just under \$16 million over the course of 15 years. He said the City of Yorba Linda has historically gained significant public benefit and will continue to receive public benefit with the purchase of these two helicopters, OCFA approached the City for the public hearing, however, this does not mean that the City will be involved in the financing. The City will also enter into an indemnification agreement in connection with the public hearing.

c. Take Testimony

No public comments were received for this item.

d. Close Public Hearing - Mayor Rodriguez closed the public hearing.

e. Make Determination

Mayor Pro Tem Hernandez asked for clarification as to why a member City of the JPA needs to hold the public hearing. Mr. Cortez said his understanding from their legal

counsel is that this is a new requirement, and Mayor Pro Tem Hernandez clarified for the community that the City will benefit greatly from the purchase of the two helicopters and will not be financially involved in the purchase.

**Moved by** Huang

**Seconded by** Haney

It is recommended that the Yorba Linda City Council adopt Resolution No. 2022-5823 approving a financing transaction by the Orange County Fire Authority for the purchase of two new helicopters and finding significant public benefit in connection with such financing.

AYES (5): Campbell, Haney, Hernandez, Huang, and Rodriguez

**CARRIED (5 to 0)**

**CITY MANAGER'S REPORT/MAYOR'S REPORT/MATTERS PRESENTED BY COUNCILMEMBERS/ OTHER AGENCY REPORTS**

City Manager Mark Pulone spoke about the live-streaming options for Council meetings, Spectrum TV, AT&T U-Verse, and the City's website. He said the City has been experiencing issues with the U-Verse stream and announced that AT&T is waiting on a piece of equipment to help resolve the issue. In the meantime, he reminded residents that they can alternatively view the meetings on the website. He concluded by informing Mr. Wuodarek that he would be happy to speak with him regarding the incident at the library after the meeting.

Councilwoman Tara Campbell said she serves on the advisory board for Bridges at Kraemer Place and provided an update from their last quarterly meeting. She said July 2021 through June 2022, the facility was able to help 529 individuals. During COVID outbreaks, the capacity would be reduced to 130 beds, however, the facility will be back to a capacity of 200 beds by the end of the year. She said of those helped, the exits to permanent housing were 45, and 11 to temporary housing. Of those that went to permanent housing, only 11% returned to homelessness.

Councilwoman Beth Haney attended a fundraising event for Tara's Chance on Saturday with Mayor Pro Tem Hernandez. Tara's Chance is dedicated to promoting the physical, cognitive, and social well-being of those with special needs through equine-assisted activities and therapies. She spoke highly of the benefits children receive from equine therapy and said it is one of the best organizations she has seen. She encouraged the community to support Tara's Chance.

Councilwoman Peggy Huang said there has been a significant uptick in mosquito activity in Orange County. Thus far, 31 mosquitos have tested positive for West Nile Virus and

there have been 7 human cases and 1 fatality. Councilwoman Huang cautioned residents that there are now day biters and not just dusk/evening mosquitos and encouraged everyone to utilize mosquito repellents. She concluded by announcing that October is Breast Cancer Awareness month and sharing that bills AB 2011 (Wicks) and SB 6 (Caballero), housing bills, were unfortunately signed by the Governor and cities will therefore lose more local control and sales tax revenue.

Mayor Pro Tem Hernandez also spoke about Tara's Chance and the significant impact and improvement children experience through equine therapy. He said there are many children on a waiting list and he encouraged residents to support the organization so that more children can receive this unique therapy. He concluded by talking about the water capacity and multiple benefits the County and City will experience with the purchase of the new OCFA helicopters.

Mayor Rodriguez announced that the upcoming State of the City, "The Future of Yorba Linda" will be held on Wednesday, October 19, 2022, at 5:30 p.m. and will include dinner in the East Room of the Richard Nixon Presidential Library and Museum. He encouraged those interested to contact the Yorba Linda Chamber of Commerce for tickets or sponsorship opportunities.

## **ADMINISTRATIVE REPORT**

### 10. NINTH AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

Assistant City Manager Dave Christan said City Manager Pulone's original agreement was entered into on July 2, 2013 and discussed the proposed changes included in the ninth amendment on the agenda for Council's consideration. He said the Ninth Amendment extends the term contract for an additional one year through September 30, 2025 and provides a salary increase of 2.0% based on merit and performance.

Council expressed their gratitude to City Manager Pulone for his leadership and dedication.

**Moved by** Campbell

**Seconded by** Haney

It is recommended that the City Council review and approve the "Ninth Amendment Employment Agreement" ("Ninth Amendment") that amends the City Manager's employment agreement with the City and appropriate the necessary amounts in the FY 22-23 budget.

AYES (5): Campbell, Haney, Hernandez, Huang, and Rodriguez

**CARRIED (5 to 0)**

**ADJOURNMENT**

Mayor Rodriguez adjourned the meeting at 7:48 p.m. to the next regularly scheduled City Council/Successor Agency to the Yorba Linda Redevelopment Agency joint meeting on October 18, 2022.

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City Clerk