



## **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**

**December 20, 2022, 6:30 p.m.**

**Council Chambers**

**4845 Casa Loma Avenue**

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

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

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#### **CALL TO ORDER**

The City Council/Successor Agency to the Yorba Linda Redevelopment Agency convened at 5:31 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) (3 Cases)

B. CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6

Agency Designated Representatives: City Manager Pulone  
Employee Organizations: Yorba Linda Chapter of the Orange County Employees  
Association

**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 6:31 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda.

## **ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Tara Campbell

## **INVOCATION**

Dr. Ahmed Soboh, Islamic Center of Yorba Linda

## **CLOSED SESSION REPORT**

City Attorney Todd Litfin said there were only two cases under Conference with Legal Counsel - Anticipated Litigation, Significant Exposure to Litigation, not three, and there was no reportable action.

## **INTRODUCTIONS & PRESENTATIONS**

### **CHAMBER OF COMMERCE'S QUARTERLY UPDATE AND BUSINESS OF THE MONTH RECOGNITIONS**

Yorba Linda Chamber of Commerce Chief Executive Officer Susan Wan-Ross shared a PowerPoint of the Chamber's Quarterly Update which included an overview of their 2022 Board of Directors and spotlight events from 2022 including First Responders Appreciation Breakfast, Taste of Yorba Linda, Mayors Prayer Breakfast, State of the City and E-waste Recycling. She said membership retention is at an annual rate of 90.1% and said their social media outreach has improved significantly over the years. She spoke of their continued COVID-19 response and certificates of origin.

Mayor Gene Hernandez recognized the October and November Businesses of the Month as Alpha Nail Bar and Salinas Physical Therapy and Business of the year as All American Brew Works. He presented the awards to Linh Mesco, Ruben Salinas, Jr. and Eric Miller respectively. Council congratulated the businesses and wished them continued success.

Pat Buttress, representative of Supervisor Don Wager's office also presented a certificate to each business.

### **CITY'S BUSINESS OF THE QUARTER RECOGNITION TO SAI SUSHI**

Mayor Hernandez announced that Sai, the owner of Sai Sushi was unable to attend the meeting and therefore staff will deliver his award next month.

## INTRODUCTION OF NEW STAFF MEMBER ELIZABET "LISA" CARRILLO, ACCOUNTING TECHNICIAN

City Manager Mark Pulone introduced the City's newest staff member, Elizabet "Lisa" Carillo. He said Lisa is new to the Finance Department and is the City's Accounting Technician. He spoke about some of her hobbies and career background.

The Mayor and Council welcomed Lisa to the team.

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

Richard de Bruijn, resident, spoke about Measure Z which failed during the November election. He expressed his concerns about what it means for the City and how it will move forward for the November 2024 election.

## **CONSENT CALENDAR**

Mayor Hernandez stated that he 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.

Mayor Pro Tem Campbell pulled Item No. 7 for discussion.

**Moved by** Haney

**Seconded by** Rodriguez

It is recommended that the City Council approve the Consent Calendar with the removal of Item No. 7.

AYES (5): Campbell, Haney, Hernandez, Lim, 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 – DECEMBER 20, 2022

It is recommended that the City Council receive and file the accounts payable check register dated December 20, 2022, in the amount of \$1,649,163.47.

### 3. APPROVAL OF THE MINUTES OF THE DECEMBER 6, 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 December 6, 2022 City Council/Successor Agency to the Yorba Linda Redevelopment Agency joint meeting.

### 4. REVISIONS TO PERSONNEL POLICIES AND PROCEDURES MANUAL EFFECTIVE 2023

It is recommended that the City Council: 1.) Approve a revision to the City's Personnel Policies and Procedures Manual by adopting Resolution No. 2022-5833; and 2.) Repeal Resolution No. 2021-5777.

### 5. FISCAL YEAR 2021-22 ANNUAL COMPREHENSIVE FINANCIAL REPORT

It is recommended that the City Council receive and file the fiscal year 2021-22 Annual Comprehensive Financial Report (ACFR).

### 6. AWARD CONTRACT TO STAY GREEN, INC., FOR LAKEVIEW AVE PKWY PLANTING RESTORATION PROJ. & FINDING THAT IT IS EXEMPT FROM CEQA, CLASS 1, PURSUANT TO CEQA GUIDELINES, SEC 15301

It is recommended that the City Council: 1.) Approve the Award of a Contract Services Agreement to Stay Green, Inc., in the amount of \$233,808.12 for the Lakeview Avenue Parkway Planting Restoration Project; and 2.) Authorize the City Manager to approve additional expenditures up to \$35,071.21 (15% of the agreement value) in contract contingencies for potential additional services and unanticipated work that may arise, for a total potential agreement amount not-to-exceed \$268,879.33; and 3.) Find that the Lakeview Avenue Parkway Planting Restoration Project is categorically exempt from the California Environmental Quality Act (CEQA), Class 1, pursuant to CEQA Guidelines, Section 15301; and 4.) Authorize the City Manager to sign and execute the contract services agreement and potential future amendments to the agreement within the designated contingency amount, on behalf of the City Council.

### 8. WAGE ADJUSTMENTS FOR NON-REPRESENTED PART TIME POSITIONS

It is recommended that the City Council Adopt Resolution No. 2022-5834 related to the compensation of non-represented part time employees.

### 9. ADOPTION OF RESOLUTION NO. 2022-5835 APPROVING THE FILING OF PROJECT APPLICATION FOR THE BRYANT RANCH PARK BASKETBALL COURT PROJECT

It is recommended that the City Council adopt Resolution No. 2022-5835 approving the filing of the project application for the Bryant Ranch Basketball Court Project funded through the State of California.

#### 10. DENIAL OF CLAIMS FOR DAMAGES

It is recommended that the City Council of the City of Yorba Linda deny the claims for damages by John Evans Arek and Kyle Brown.

#### 11. ANNUAL MEETING AND CONFIRMATION OF OFFICERS FOR THE MUNICIPAL FINANCING AUTHORITY

It is recommended that the City Council acting as the Board of Directors of the Yorba Linda Municipal Financing Authority confirm and appoint the officers of the Authority as follows:

City Position	Office of the Authority
Mayor	Chair
Mayor Pro Tem	Vice Chair
City Manager	Executive Director
City Clerk	Secretary
Finance Director	Treasurer

#### 12. APPROVAL OF TEMPORARY STREET CLOSURE REQUEST – 4881 TORIDA WAY

It is recommended that the City Council approve Roadway Construction Service's request to conduct a temporary street closure to replace a power pole on Torida Way between Orange Drive and Foley Drive.

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

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

#### 14. COUNCIL COMMITTEE AND AGENCY REPORTS

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

#### 7. AWARD OF CONTRACT FOR THE CALFIRE GRANT FUNDED YORBA LINDA FUEL REDUCTION PROJECT TO SAGE ENVIRONMENTAL GROUP

Mayor Pro Tem Campbell expressed concerns with the potential contingency expenditures of \$78,692. She said the Fiscal Impact portion of the report indicates that the projected proportion for the project budget increase will be seventy-five percent from the Public Works Weed Abatement account and twenty-five percent LMAD Zones (Local Landscape Zones L-1C, L-2G and L-2V) based upon where the contingency services are rendered. Mayor Pro Tem said she is only acceptable to the contingency amount coming from the Public Works fund, not the 25% coming from the LMAD Zones.

City Manager Pulone said because it is a contingency amount, if needed, staff can return with a request for fund approval.

Councilwoman Janice Lim asked if she can participate in this item as she resides in L-2V. City Attorney Litfin said that because the recommendation was to not utilize funds from the zone, she can participate and vote on the item.

**Moved by** Campbell

**Seconded by** Hernandez

It is recommended that the City Council adopt as revised by Mayor Pro Tem Campbell: 1.) an increase to the Yorba Linda Fuel Reduction Project budget (LI221007) in the amount of \$59,019; and 2.) Approve the Award of a Contract Services Agreement to Sage Environmental Group LLC, in the amount of \$524,610 for the Yorba Linda Fuel Reduction Project (LI221007); and 3.) Authorize the City Manager to approve additional expenditures up to \$59,019 (approximately 11.25% of the agreement value) in contract contingencies for potential additional services and unanticipated work that may arise, for a total potential agreement amount not-to-exceed \$583,629; and 4.) Authorize the City Manager to sign and execute the contract services agreement and potential future amendments to the agreement within the designated contingency amount, on behalf of the City Council.

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

**CARRIED (5 to 0)**

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

City Manager Pulone said staff will focus on developing a new housing element plan for 2024 and will be engaging the community in the coming months. In light of the increasing burglaries nationwide, he asked Police Services Captain Joses Walehwa to share tips homeowners can take to protect their property.

Captain Walehwa said property crimes have increased across the Country and shared the following tips with residents to help keep themselves and property safe: lock home

and car doors, invest in a home burglary alarm and security system, and concluded by encouraging residents to purchase a large safe and cautioned that burglars have been known to remove smaller safes from residences. Mayor Hernandez also urged residents to not post about being on vacation on social media.

Councilwoman Lim attended the Yorba Linda Women's Club, CHOC and Pat Nixon Republican Women Federated events. She praised the Chamber of Commerce for promoting new businesses and said she ate at the Wild Artichoke and spoke highly of the restaurant and menu. She attended the East Lake Village Boat Parade. Councilwoman Lim also attended the Hanukkah Celebration at the Nixon Library for the lighting of the menorah and the Chabad Beth Meir HaCohen Festival of Lights. She concluded by announcing the March Wellness Week, the Holiday Senior Dance at the Community Center for senior residents, and the Holidays on the Paseo between the Library and the Cultural Arts Center on Wednesday, December 21st.

Councilwoman Beth Haney also attended several holiday events throughout the City, including the City's employee holiday luncheon, and shared that she had a wonderful time meeting with employees and observing the games and activities. She reported that she is the Vice Chair of the Placentia-Linda Hospital Governing Board and the hospital is in desperate need of nurses and asked that those interested email the Chief Nursing Officer Rhonda Sausedo at [rhonda.sausedo@tenethealth.com](mailto:rhonda.sausedo@tenethealth.com).

Councilman Carlos Rodriguez said that this month the Air Quality Management District passed the Air Quality Management Plan which establishes the agenda and goals to achieve compliance with EPA Air Quality Standards. He voted against it because he does not believe the goals set in the Plan are attainable and can be used to mandate the electrification of all residential appliances, forcing residents to remove natural gas water heaters, stoves, and ovens. This could result in significant expenses to retrofit a home and he added that natural gas is a natural clean burning energy source and therefore this cost burden does not line up with emission savings. Councilman Rodriguez also toured the County-owned Olinda Landfill and said it produces about 35 megawatts of green energy by converting methane gas to electricity. He concluded by wishing everyone happy holidays.

Mayor Pro Tem Campbell stated that she serves on the Bridges at Kraemer Place Advisory Board and provided an update on their recent quarterly meeting. She said though it is a 200-bed shelter, they have 143 individuals and have been limiting intakes due to COVID. She said from July to November, 267 clients were served. Of these, 26 transitioned to permanent housing and only 8% returned to homelessness. Councilwoman Campbell wished everyone happy holidays.

Mayor Hernandez invited the community to the Holidays on the Paseo, Wednesday night at the Yorba Linda Public Library and the Cultural Arts Center. The event is from



5:30 p.m. to 7:30 p.m. and guests will have the opportunity to decorate cookies, partake in crafts, sip hot cocoa and enjoy musical entertainment. Mayor Hernandez also spoke about the City's first Holiday Decorating Contest. Residents can now visit the City's website for pictures of the homes entered into the contest and to view a map of the best-decorated homes nearby. He congratulated the Bradley family on Buena Vista for their grand prize-winning home.

#### 15. CITY COUNCIL APPOINTMENTS TO ORGANIZATIONS, AGENCIES, AND COMMITTEES

The following list depicts each Councilmembers assignment to the Organizations, Agencies, and Committees for 2023.

AGENCY/COMMITTEE	DELEGATE	ALTERNATE
ACC-OC	Mayor	Mayor Pro Tem
Bridges at Kraemer Place Community Advisory Board	Campbell	N/A
Finance Committee	Rodriguez	Haney
Foothill/Eastern Transportation Corridor Agency	Haney	Campbell
League of California Cities - OC Division	Hernandez	N/A
Orange County City Selection Committee	Mayor	N/A
Orange County Council of Governments (OCCOG)	Hernandez	N/A
Orange County Fire Authority	Hernandez	N/A
Orange County Mosquito and Vector Control District	Huang 2-Year Term Exp. 1/2025	N/A
Placentia Yorba Linda Unified School District	Campbell	Rodriguez

Southern California Association of Governments	Hernandez	Rodriguez
Santa Ana River Flood Protection Agency	Lim	Campbell
Trauma Intervention Program	Lim	Haney
Yorba Linda Chamber of Commerce	Hernandez	Lim
Yorba Linda Water District	Hernandez	Lim
YLWD/CC Joint Advisory Committee	Hernandez	Lim
Orange County Mayor's Committee	Mayor	Former Mayor

**Moved by** Haney

**Seconded by** Lim

It is recommended that Council vote on the appointments to various organizations, agencies and committees as per the Mayor's recommendations.

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

**CARRIED (5 to 0)**

## **ADMINISTRATIVE REPORT**

### **16. AGREEMENT WITH FLOCK GROUP, INC. FOR AUTOMATIC LICENSE PLATE READER CAMERAS**

Assistant City Manager Dave Christian said funding for this item was included in the mid-year budget. He provided a PowerPoint presentation highlighting some of the counties and cities that contract with Flock Group, Inc. He said the cameras utilize cloud storage, are solar and battery-powered, and have built-in alarms to alert if a camera is not performing at optimal standards. He added that data can only be accessed by law enforcement and once cameras are installed, not even Flock Group, Inc. can access the data. He showed photos of what the cameras and solar panels look like and spoke about their specifications. He said the cameras do not include facial recognition, do not record video (they only capture images of rear of vehicle), and are not used for red light infractions or moving violations. There are 36 proposed locations for camera installation, mostly on city-owned traffic signal poles. Mr. Christian said the proposed locations are

strategic to best capture vehicles entering and exiting the City and concluded by saying two different HOAs are currently utilizing these cameras.

Captain Walehwa reiterated that these cameras are primarily an investigative tool to increase public safety. He said numerous cities have benefited from their use in investigations leading to arrests and said Yorba Linda Police Service deputies have even benefitted from privately owned cameras. Captain Walehwa said these cameras are also important in the effort to find missing persons as the system interfaces with the Amber Alert System.

Diane Kanne, resident, expressed her concerns with the cameras and recommended that the City Council not approve their installation. She said the benefits of the camera are not outweighed by the violation of privacy loss to residents and the government collecting data.

Richard de Bruijn, resident, spoke of his personal experience with cameras in the United Kingdom.

Councilwoman Haney asked if law enforcement can access cameras in other cities. Mr. Christian confirmed that yes they can. Jesse Mund, Flock Safety, said the Orange County Sheriff's Department policy dictates that they share with other law enforcement agencies in the state.

**Moved by Hernandez**

**Seconded by Haney**

It is recommended that the City Council approve an agreement with Flock Group, Inc. (Flock Safety) in the amount of \$114,600.00 for the installation and operation of 36 automatic license plate reader cameras throughout the City of Yorba Linda and authorize the City Manager to execute the agreement.

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

**CARRIED (5 to 0)**

## **ADJOURNMENT**

Mayor Hernandez adjourned the meeting at 7:36 p.m. in honor of Bill Steiner, former Orange County Board Supervisor, to the next regularly scheduled City Council/Successor Agency to the Yorba Linda Redevelopment Agency joint meeting on January 17, 2023.

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City Clerk