



CITY of YORBA LINDA

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

MINUTES

**August 17, 2021, 6:30 p.m.
Council Chambers
4845 Casa Loma Avenue**

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

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

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, INITIATION OF LITIGATION

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

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

Name of Case: Yorba Linda Estates, LLC v. City of Yorba Linda

Case Number: 30-2021-01206096-CU-OR-CJC, Superior Court, County of Orange

City Attorney Todd Litfin stated that Councilwoman Tara Campbell recused herself for one case on Closed Session Item A, Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation, because she has a potential conflict under Government Code Section 87100.

City Attorney Litfin stated that Mayor Pro Tem Carlos Rodriguez recused himself for one case on Closed Session Item A, Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation, because he has a potential conflict under Government Code Section 87100.

C. 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; Yorba Linda Mid-Management Association; and non-represented Management Employees

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

Councilman Gene Hernandez

INVOCATION

Pastor Anne-Grethe Krogh Nielsen, The Danish Lutheran Church & Cultural Center

CLOSED SESSION REPORT

City Attorney Litfin said there was no reportable action on the items discussed on the Closed Session agenda.

City Attorney Litfin stated that Councilwoman Campbell recused herself for one case on Closed Session Item A, Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation, because she has a potential conflict under Government Code Section 87100.

City Attorney Litfin stated that Mayor Pro Tem Rodriguez recused himself for one case on Closed Session Item A, Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation, because he has a potential conflict under Government Code Section 87100.

INTRODUCTIONS & PRESENTATIONS

RECOGNITION OF LINENS N LOVE

Mayor Peggy Huang invited Vivian Wang and John Wang to the podium and presented them with a certificate of recognition recognizing them for receiving the T-Mobile 2021 Changemaker Challenge Award and spoke of the contributions Linens N Love has made in the community. She said their organization has expanded to 20 states and 15 other countries.

Vivian and John Wang spoke about their experiences with the organization and thanked Council and the community for their support.

RECOGNITION OF DR. TIMOTHY YOU

Mayor Huang invited Dr. Timothy You to the podium and congratulated him for being named the 8th best ophthalmologist in the US. She said Newsweek, partnered with the

respected global data research firm, Statista, to examine over 300 medical doctors nationwide for America's Best Eye Doctors for 2021. Mayor Huang commended Dr. You for his outstanding work in the industry.

Dr. You spoke about his family, education and career background. He thanked Council and the community for their support.

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

Tom Lindsey, Yorba Linda Water District Director, reminded residents of the annual 9/11 Remembrance and Light the Darkness event at Jessamyn Park. He shared a PowerPoint presentation highlighting the District's wildfire preparedness and plans. He said the District has worked diligently since the catastrophic freeway complex fire 13 years ago to fire harden their facilities to prevent power loss and inoperable pumps. He spoke about plans for their booster locations and the Heli-hydrants to protect the region.

James Gaffney, resident, spoke about his military background and said his siblings also served our country. He said he approached City staff about installing an Eagle Scout flag retirement box at City Hall, but it was installed at the Thomas Lasorda Jr. Field House instead. He thanked staff for cleaning the horse trails and said he is a CERT volunteer.

Carolyn Gaffney, resident, said a group of ladies at the Senior Center, Threads of Love, has started making cloth dolls for premature babies and they donate them to local hospitals. She invited the community to attend the flag ceremony at Veterans Park on Thursdays at 4:15 p.m.

Todd Kleinow, resident, spoke about illegal marijuana grow houses in the community, specifically one in his neighborhood. He said he started noticing constant construction and suspicious behavior and ultimately the strong odor is what made it apparent that it is a grow house. He said he has been working with detectives for the last year and a half and has learned that growers do not care about laws, the cost of electrical bills, nor maintaining the properties. He said Riverside created a task force to combat these issues. Mayor Huang said the laws that make it difficult to combat these issues are written in Sacramento and she suggested he speak with Anthony Johnson from Assemblyman Phillip Chen's office and Captain Cory Martino.

Pat Nelson, resident, inquired about the City's budget due to COVID-19 and potential loss of tax revenue due to business closures. She wanted to know if any City projects are on hold because of the budget and she spoke about the conditions of trails in the community and specified areas that need maintenance. Additionally, she spoke about traffic concerns, primarily speeding down Valley View Circle and asked that it be monitored. Ms. Nelson also commented on the budget for police services and

concluded by talking about Propositions 19, 13 and 58 and she asked for an update on Senate Bills 9 and 10.

CONSENT CALENDAR

Mayor Huang stated that Consent Calendar Item No 5. has a typo on Exhibit A of Attachment A which should read November 2022, rather than November 2020.

Councilman Hernandez said 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.

Moved by Rodriguez

Seconded by Haney

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

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 – AUGUST 17, 2021

That the City Council receive and file the accounts payable check register dated August 17, 2021, in the amount of \$5,158,311.97.

3. APPROVAL OF THE MINUTES OF THE AUGUST 3, 2021 CITY COUNCIL/SUCCESSOR AGENCY TO THE YORBA LINDA REDEVELOPMENT AGENCY MEETING

That the City Council/Successor Agency to the Yorba Linda Redevelopment Agency approve the minutes of the August 3, 2021 City Council/Successor Agency to the Yorba Linda Redevelopment Agency joint meeting.

4. APPROVAL OF THE MINUTES OF THE AUGUST 10, 2021 CITY COUNCIL/SUCCESSOR AGENCY TO THE YORBA LINDA REDEVELOPMENT AGENCY SPECIAL MEETING

That the City Council/Successor Agency to the Yorba Linda Redevelopment Agency approve the minutes of the August 10, 2021 City Council/Successor Agency to the Yorba Linda Redevelopment Agency joint special meeting.

5. TWO-YEAR SERVICE AGREEMENT BETWEEN THE CITY OF YORBA LINDA AND THE YORBA LINDA CHAMBER OF COMMERCE

That the City Council approve and authorize the Mayor to execute a Service Agreement ("Agreement") between the City of Yorba Linda and the Yorba Linda Chamber of Commerce in the amount of \$25,000 per year, for a two-year period, covering fiscal years 2021/22 and 2022/23.

6. AWARD OF A PUBLIC WORKS CONSTRUCTION CONTRACT FOR THE FISCAL YEAR 2020-21 ANNUAL PAVEMENT PRESERVATION PROJECT (ZONE 4 SLURRY SEAL) TO AMERICAN ASPHALT SOUTH, INC.

That the City Council: 1.) approve the plans and specifications for the Fiscal Year 2020-21 Annual Pavement Preservation Project (APPP) (Zone 4 Slurry Seal); and 2.) find that the Project is categorically exempt from the California Environmental Quality Act (CEQA), Class 1, pursuant to CEQA Guidelines, Section 15301; and 3.) award the public works construction contract to American Asphalt South, Inc. for the Fiscal Year 2020-21 APPP (Zone 4 Slurry Seal) in the amount of \$679,611.12 and reject all other bids.

7. REPORTS OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING

That the City Council receive and file this report.

8. COUNCIL COMMITTEE AND AGENCY REPORTS

That the City Council receive and file this report.

PUBLIC HEARING

9. REQUEST TO CONTINUE PUBLIC HEARING RE: RESOLUTION NO. 2021-5761 - APPEAL OF CONDITIONAL USE PERMIT 2021-13 - ZHANG

City Manager Mark Pulone said staff recommends continuing this item to the September 21, 2021 meeting in order to comply with noticing requirements.

Moved by Campbell
Seconded by Haney

That the City Council continue the public hearing regarding the appeal of Conditional Use Permit 2021-13 - Zhang to September 21, 2021.

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 Pulone responded to some of the public comments. In response to Mr. Kleinow, he said the City shares his concerns and when the State legalized marijuana Council and the City proactively did what they could to restrict these potential issues as much as legally possible. He said staff could meet with him to discuss some issues that are police matters and others that are code enforcement related to assist in those areas. With regard to the City's budget, he shared with Ms. Nelson that it is financially sound and Council recently adopted the two-year balanced budget with healthy reserves of over 50%. He encouraged her to reference the recent Council meeting budget update for details and said many local businesses received grant funding to help them during the pandemic. With respect to her trail concerns, he said that the City has experienced issues with contractors and supplies due to COVID-19 but staff makes every effort to stay on top of maintenance. He encouraged her to submit photos of areas that need attention. Regarding her speeding concerns, he said Captain Martino will follow-up and spoke about the City's budgeting for police services. City Manager Pulone concluded by suggesting that she speak with Mr. Johnson of Assemblyman Phillip Chen's office regarding Proposition 19.

Mayor Huang informed Ms. Nelson that she held a Housing Town Hall on August 11th where she discussed SB 9 and 10. She encouraged her to visit the Yorba Linda Chamber of Commerce website to view the recording and learn more.

Councilman Hernandez said he had no report.

Councilwoman Beth Haney said she has been attending numerous housing meetings, including Mayor Huang's Housing Town Hall on August 11th. She encouraged residents that want to learn more about SB 9 and 10, to visit www.livablecalifornia.org, www.stopsb9.org and the California's legislative website.

Mayor Pro Tem Rodriguez encouraged all residents who smell strong odors, gas, fumes etc. to contact South Coast Air Quality Management District (SCAQMD) or call 1-800-Cut-Smog.

Councilwoman Campbell emphasized the invitation Director Lindsey made for the 911 Remembrance event and expressed her appreciation to the Yorba Linda Water District for the Heli-hydrants.

Mayor Huang said she attended the first production by the Yorba Linda Spotlight Theatre Company and encouraged residents to check the schedule for their next production. She announced there will be a closure on the 241 Toll Road this weekend that will continue for a few weeks while CalTrans performs maintenance work and encouraged residents to visit the City's website for information on the 241/91 Express Connector Project. Mayor Huang shared that Brenda Higgins, a local resident, passed away recently from COVID-19 and asked residents to keep her family in their prayers. She spoke about the upcoming recall election, the locations of the ballot drop boxes and vote center, and encouraged residents to ensure that they are registered to vote.

ADJOURNMENT

Mayor Huang adjourned the meeting at 7:44 p.m. to the next regularly scheduled City Council/Successor Agency to the Yorba Linda Redevelopment Agency joint meeting on September 21, 2021.

City Clerk