



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

November 16, 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 5:30 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) (2 Cases)

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 REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Property: APN 323-304-19

City Negotiators: City Manager Pulone

Property Negotiators: Parties To Be Determined

Under Negotiation: Price and Terms of Payment

D. 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 5:31 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 6:33 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda.

ROLL CALL

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Rodriguez

INVOCATION

Deacon Denis Zaun, St. Martin De Porres Catholic Church

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

INTRODUCTION OF NEW STAFF MEMBER GABRIEL DIAZ, ASSOCIATE PLANNER

City Manager Mark Pulone introduced the City's new staff member Gabriel Diaz, Associate Planner and shared a brief overview of his career background. He said Gabriel worked previously with the City of Huntington Park and the County of Santa Barbara.

Council welcomed him to the Yorba Linda team.

INTRODUCTION OF NEW STAFF MEMBER ALICIA GILGREN, MAINTENANCE CONTRACT ADMINISTRATOR

City Manager Pulone also introduced new staff member Alicia Gilgren, Maintenance Contract Administrator. He spoke about her experience in the private sector and said she has managed the landscapes at many prestigious properties throughout Southern California, mainly Orange County.

City Council welcomed Alicia to the team.

DISASTER PREPAREDNESS UPDATE BY EMERGENCY MANAGEMENT COORDINATOR CHRIS PEÑA

Emergency Management Coordinator Chris Peña shared a PowerPoint presentation on the City's emergency management response. He spoke about the City's partnerships with the County, including AlertOC, WebEOC, GIS and the Mass Notification MOU. He said that the City participated in the Great Shakeout on October 21st and shared that tomorrow approximately 20 citizens will be graduating from the CERT training program. Mr. Peña concluded by talking about the Yorba Linda Country Riders, Saddleback Canyon Riders and LART response (Large Animal Evacuation Planning) and updates to the City's 800Mhz radios, evacuation zones throughout the City, new buildings and first aid kits.

LAW ENFORCEMENT SERVICES UPDATE BY CHIEF OF POLICE SERVICES CAPTAIN CORY MARTINO

Chief of Police Services Captain Cory Martino provided a PowerPoint presentation on law enforcement services for the months of September and October. His update included statistics on traffic and said the number of reported collisions were similar to those in July and August and he reminded the community to abide by traffic laws. He spoke about fraud prevention, package theft prevention tips, residential burglaries, crime and arrest data. He covered two significant arrests in September, and one in October. Captain Martino spoke about the Car Seat Safety event on November 6th in partnership with the Traffic Commission and California Highway Patrol. He concluded by announcing that the next Coffee with a Cop will be held on November 18th from 8:00 a.m. to 10:00 a.m. at the East Lake Community Clubhouse and encouraged residents to attend.

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

Richard de Bruijn, resident, spoke about AT&T and shared his concerns about the lack of fiber optics. He also spoke about Costco and the long lines of vehicles that are forming at the Costco gas pumps and blocking an exit. He cautioned that this could cause an accident. Mr. de Bruijn concluded by talking about the City's new agenda options accessible through the website, the Veterans Memorial, and asked if a removable shade cover will be installed in the future.

CONSENT CALENDAR

Mayor Peggy Huang stated that Councilman Gene Hernandez will abstain from Consent Calendar Item 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 Hernandez

Seconded by Haney

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 – NOVEMBER 16, 2021

It is recommended that the City Council receive and file the accounts payable check register dated November 16, 2021, in the amount of \$927,534.61.

3. APPROVAL OF THE MINUTES OF THE NOVEMBER 2, 2021 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 November 2, 2021 City Council/Successor Agency to the Yorba Linda Redevelopment Agency joint meeting.

4. TREASURER'S REPORT – SEPTEMBER 2021

It is recommended that the City Council: 1.) Receive and file the attached monthly Treasurer's Report; and 2.) Delegate investment responsibility to the City's Finance Director / City Treasurer for a period of up to one year.

5. LOCAL PARK DEVELOPMENT IMPACT FEES (MITIGATION FEE ACT) FY 2020 - 2021

It is recommended that the City Council receive and file the Annual Report on Local Park Development Impact Fees (Mitigation Fee Act), included as Attachment A, for the period ending June 30, 2021.

6. BLACK GOLD GOLF COURSE EQUIPMENT PURCHASE AND FINANCING

It is recommended that City Council adopt Resolution No. 2021-5768, Authorizing the Execution and Delivery of a Lease/Purchase Agreement, Escrow Agreement and Certain Related Documents with Respect to Leasing Certain Equipment.

7. RELEASE SURETY BONDS, PARCEL MAP 2015-117, JOHNSON

It is recommended that City Council authorize the City Clerk to: 1.) Release 100 percent of the Improvement Faithful Performance/Labor and Materials bond; and 2.) Release 100 percent of the Grading bond; and 3.) Release 100 percent of the Monumentation bond.

8. APPROVE CONTRACT EXTENSION WITH MICHAEL BAKER INTERNATIONAL FOR THE BASTANCHURY ROAD WIDENING PROJECT (FROM CASA LOMA AVENUE TO EUREKA AVENUE)

It is recommended that the City Council approve the contract extension with Michael Baker International for the Bastanchury Road Widening Project (from Casa Loma Avenue to Eureka Avenue).

9. COUNCIL COMMITTEE AND AGENCY REPORTS

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

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

City Manager Pulone responded to Mr. de Bruijn's comments. He said the City has met several times with AT&T as well as Verizon and other providers in town to discuss improved internet. He said the organizations have acknowledged some needed improvement and said staff will continue to press the issue. In relation to Costco, he acknowledged that the main entrance into Savi Ranch is often impacted by traffic and said staff is working closely with the necessary agencies to redesign that area and said it is one of the City's main CIP projects. With respect to Mr. de Bruijn's observation of the new agenda, he said there are many new advantages of the new system and will work with staff to see if there is a way to make the print options more intuitive. Lastly, he noted that there is usually warm weather on Veterans Day and said he hopes the City will have a solution to provide shade at the park in the future.

Councilwoman Campbell said she serves on the Santa Ana River Flood Protection Agency for the City and provided an update on the project along the Santa Ana River on the east end of the City. She said south of La Palma Avenue, within the vicinity of Gypsum Canyon Bridge, is scheduled to be completed in May of 2022 but the trail might be open sooner depending on whether the contractor thinks it is safe to access at that time. She wished everyone a happy Thanksgiving and Hanukkah.

Councilwoman Beth Haney thanked Mayor Huang for proclaiming National Nurse Practitioners week earlier in the month. She said in honor of Nurse Practitioner week the California Association for Nurse Practitioners Orange County holds an Annual Gala and said Senator Newman, Orange County Fire Authority (OCFA) Chief Baryic Hunter, among others spoke at the event.

Councilman Hernandez agreed with Mr. de Bruijn's comments and said there is a need for a removable shade option at Veterans Memorial Park. He spoke about the OCFA Annual Food Drive Parade on Sunday, December 12th at 5:00 p.m. He said the fire trucks go through the west end of the City and collect food for those in need. He also stated last week the Orange County Transportation Authority (OCTA) gave a Zoom presentation to District 3 of Orange County on construction and development throughout the County.

Mayor Pro Tem Rodriguez spoke about the Veterans Memorial event and thanked those involved in organizing it, including Colonel Wayne Scott and the Yorba Linda Veterans Memorial Association. He spoke about the Gold Star Roll Call and the rose presentation by the Yorba Linda Girl Scout Honor Guard and agreed there is a need for a removable shade cover.

Mayor Huang also spoke about the meeting with OCTA and said it takes time and money to get construction projects completed and thanked residents for their patience. She said she had the pleasure of meeting with Cub Scout Pack 851 recently and gave them a tour of City Hall. Mayor Huang also attended the Association of California Cities - Orange County (ACCOC) Leadership Conference with Councilwoman Haney and Councilman Hernandez and said it was unfortunate to learn about the changing demographics and how many people have moved out of the State. Mayor Huang spoke of one of the event speakers, Dave Sanderson, survivor of "Miracle on the Hudson", and concluded by encouraging residents to shop local as they shop for the holidays.

ADMINISTRATIVE REPORTS

10. INTRODUCE (1ST READING) ORDINANCE NO. 2021-1087 AMENDING CHAPTER 8.20 OF THE YORBA LINDA MUNICIPAL CODE PERTAINING TO THE REGULATION OF SOLID WASTE INCLUDING ORGANIC WASTE

City Manager Pulone said at the last Council meeting, the City received a presentation from CalRecycle regarding SB 1383 which is intended to prevent organics from going into the landfills and the proposed ordinance on the agenda will help the City comply with those requirements.

Public Works Director / City Engineer Jamie Lai said Ordinance No. 2021-1087 would amend Chapter 8.20 of the Yorba Linda Municipal Code to comply with the state-mandated organic waste disposal requirements in a statewide effort to reduce organic waste disposal and increase edible food recovery. SB 1383 requires all jurisdictions to

implement a mandatory organic recycling ordinance by January 1, 2022 and requires all businesses, residents, and multifamily apartments to have access to recycling programs that capture food scraps, landscaping waste, and other organic waste materials. The ordinance will mandate that organic waste generators, haulers, and other entities subject to the requirement of SB 1383 must comply with SB 1383 regulatory requirements. Director Lai concluded by providing an overview of the City's requirements and next steps.

A conversation ensued among Council regarding the State mandate, enforcement and violations.

Moved by Hernandez

Seconded by Haney

It is recommended that the City Council: 1.) Introduce Ordinance No. 2021-1087 Amending Chapter 8.20 of the Yorba Linda Municipal Code to address state organics recycling mandates; and 2.) Direct Staff to schedule a second reading and adoption of the proposed Ordinance amending Chapter 8.20 for the December 7, 2021, regular City Council meeting.

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

CARRIED (5 to 0)

OTHER BUSINESS

11. RESOLUTION IN SUPPORT OF BRAND-HUANG-MENDOZA TRIPARTISAN LAND USE INITIATIVE

Mayor Huang spoke about the proposed resolution and initiative and said she also presented the item at the ACCOC meeting last week. She spoke about its purpose, the proponents of the initiative, and community groups that came together. She said the website for the initiative is ourneighborhoodvoices.com. Mayor Huang said this aims to restore local control to jurisdictions and allow cities that want to have a say over their zoning to pass ordinances that would prevail. Mayor Huang said the initiative would not override CEQA, Fair Housing, employment law, nor the Coastal Commission. She said this initiative is in response to SB 9 and SB 10 and would prohibit Council majority to override Measure B, voted by Yorba Linda residents.

Richard de Bruijn, resident, expressed his approval of the initiative and said he hopes other groups will also be in favor of it.

A conversation ensued among Council regarding the intent of the initiative, other cities who have adopted a resolution and signatures necessary to place the initiative on the ballot.

Moved by Haney

Seconded by Campbell

It is recommended that the City Council adopt a resolution in support of the Brand-Huang-Mendoza Tripartisan Land Use Initiative.

AYES (4): Campbell, Haney, Hernandez, and Huang

ABSTAINED (1): Rodriguez

CARRIED (4 to 0)

CLOSED SESSION IF REQUIRED

ADJOURNMENT

Mayor Huang adjourned the meeting at 7:46 p.m. in honor of Gordon Miller, an honorable and lifelong servant to the Yorba Linda Chamber of Commerce and other organizations, to the next regularly scheduled City Council/Successor Agency to the Yorba Linda Redevelopment Agency joint meeting on December 7, 2021.

City Clerk