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**CITY OF YORBA LINDA**

**CITY COUNCIL/REDEVELOPMENT AGENCY**

**JOINT MEETING AGENDA**

**AUGUST 7, 2007**

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Pursuant To Government Code Section 54954.2, No Matter Shall Be Acted Upon By  
The City Council/Redevelopment Agency Unless Listed On Agenda Which Has Been  
Posted Not Less Than 72 Hours Prior To Meeting

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**CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING  
CONVENING AT 5:30 P.M.**

**CALL TO ORDER**

The City Council/Redevelopment Agency will convene at 5:30 p.m. in the Council  
Chambers at 4845 Casa Loma Avenue, Yorba Linda.

**ROLL CALL**

Council/Agency Members: Anderson, Castellano, Horton, Wedaa, Winder

Staff Members: Bugbee, Carvalho, Christiansen, Gruchow, Hartman, Kreimeier,  
Leto, Letourneau, Mendoza, Stowell

**CLOSED SESSION ITEMS**

CITY COUNCIL

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9 (a) (1 Case)  
Walswick v. Yorba Linda  
Orange County Superior Court Case 06C106296

**RECESS**

## **CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING CONVENING AT 6:30 P.M.**

### **CALL TO ORDER**

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### **ROLL CALL**

Council/Agency Members: Anderson, Castellano, Horton, Wedaa, Winder

Staff Members: Bugbee, Carvalho, Christiansen, Gruchow, Hartman, Kreimeier, Leto, Letourneau, Mendoza, Stowell

### **PLEDGE OF ALLEGIANCE**

**INVOCATION** – Bishop Clayton, Church of Jesus Christ of Latter Day Saints

### **CLOSED SESSION REPORT**

### **ORAL PRESENTATIONS – ITEMS ON THE CONSENT CALENDAR OR ITEMS NOT ON THE REMAINDER OF THE AGENDA**

Oral Presentations is the time reserved on each regular meeting Agenda to provide an opportunity for members of the public to directly address the City Council/Redevelopment Agency on Consent Calendar items or matters of interest to the public, concerning the City's business or any matter over which the City Council/Redevelopment Agency has jurisdiction, that are not already scheduled for consideration on this Agenda. Although the City Council/Redevelopment Agency values your comments, pursuant to the Brown Act, the Council/Redevelopment Agency cannot take any action on items not listed on the posted Agenda, but may refer the matter to staff or a subsequent meeting.

All remarks shall be addressed to the City Council/Redevelopment Agency as a body through the presiding officer; and, not directly to any member thereof. The City Council/Redevelopment Agency desires its meetings to be conducted in a professional manner respectful of all participants. Therefore, the Mayor/Chairman may ask that

speakers refrain from engaging in personal attacks, name-calling, or campaign on any election issue during their allotted time. However, public criticism of the policies, procedures, programs or services of the City/Redevelopment Agency, or of the acts or omissions of the City Council/Redevelopment Agency as a body shall not be prohibited.

Under the Brown Act, members of the Council/Redevelopment Agency may briefly respond to Oral Presentations; but, no extended discussion and no action on such matters may take place.

There is a five (5) minute maximum time limit for each individual addressing the City Council/Redevelopment Agency during Oral Presentations and on all other items listed on the Agenda. The City Council/Redevelopment Agency will entertain an oral presentation up until the time that public hearings are scheduled to begin. Any speaker wishing to speak on a matter not posted on this agenda who was unable to speak during this initial designated presentation period will be given an opportunity to speak following the Council/Redevelopment Agency completion of the public hearing. The Mayor/Chairman may use his or her discretion to select the order of speakers in a manner that ensures that a variety of issues and concerns can be presented during the initial time and he or she may allow for additional comments to be made past the time for public hearing to begin. As a result, in situations where there are multiple speakers wishing to speak on a single topic not on the agenda, the Mayor/Chairman may ask that one speaker generally describe the issue or matter and then will provide additional speakers the opportunity to speak later on this agenda.

### **CONSENT CALENDAR**

All matters listed under "CONSENT CALENDAR" are considered by the Council/Redevelopment Agency to be routine and will be enacted by one motion approving the recommendation listed on the Agenda. There will be no separate discussion unless Members of the Council/Redevelopment Agency or Staff request specific items to be removed from the Consent Calendar.

#### **A. WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA**

**Recommendation:** That the City Council/Redevelopment Agency approve the reading by title of all ordinances and resolutions and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

B. CITY/REDEVELOPMENT AGENCY ACCOUNTS PAYABLE WARRANT LISTS

**Recommendation:** That the City Council/Redevelopment Agency approve the Accounts Payable Warrant Lists.

1. APPROVAL OF THE MINUTES OF THE JULY 17, 2007 JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

**Recommendation:** That the City Council/Redevelopment Agency approve the minutes of July 17, 2007.

2. TREASURER'S REPORT – MAY 2007

**Recommendation:** That the City Council/Redevelopment Agency receive and file the Treasurer's report.

3. CLAIM FOR DAMAGES – CHERYL HOMES

**Recommendation:** That the City Council deny the Claim for Damages.

4. CLAIM FOR DAMAGES – DONALD MILLS

**Recommendation:** That the City Council deny the Claim for Damages.

5. ANIMAL CARE SERVICES AGREEMENT – 2007/2008

**Recommendation:** That the City Council authorize the Mayor to sign the agreement with the County of Orange Health Care Agency for the provision of animal care services, and direct the Finance Director to issue payments within the time period specified in the agreement.

6. SECOND READING OF ORDINANCE NO. 2007-902 – APPROVING AND ADOPTING AN ENGINEER'S REPORT FOR SEWER MAINTENANCE CHARGES FOR FY 2007/2008 AND PROVIDING FOR THE COLLECTION THEREOF

**Recommendation:** That the City Council approve second reading and adopt Ordinance No. 2007-902

7. CLASSIFICATION, COMPENSATION AND TERMS OF EMPLOYMENT FOR MISCELLANEOUS, MID-MANAGEMENT AND MANAGEMENT EMPLOYEES

RESOLUTION NO. 2007-3871, RELATING TO THE CLASSIFICATION, COMPENSATION, AND TERMS OF EMPLOYMENT OF MISCELLANEOUS EMPLOYEES

**Recommendation:** That the City Council adopt Resolution No. 2007-3871.

RESOLUTION NO. 2007-3872, RELATING TO THE CLASSIFICATION, COMPENSATION, AND TERMS OF EMPLOYMENT OF MID-MANAGEMENT EMPLOYEES

**Recommendation:** That the City Council adopt Resolution No. 2007-3872.

RESOLUTION NO. 2007-3873, RELATING TO THE CLASSIFICATION, COMPENSATION, AND TERMS OF EMPLOYMENT OF MANAGEMENT EMPLOYEES

**Recommendation:** That the City Council adopt Resolution No. 2007-3873.

RESOLUTION NO. 2007-3879, RELATING TO PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) TO CALPERS

**Recommendation:** That the City Council adopt Resolution No. 2007-3879.

8. AMENDMENT OF HIGH SCHOOL PARK SITE JOINT USE AGREEMENT AND APPROVAL OF SHAPELL INDUSTRIES ENTITLEMENTS

**Recommendation:** That the City Council take the following actions in the following order:

- 1) Approve the First Amendment to Agreement for Joint Use of Portion of Future Yorba Linda High School Field Area to provide a date-certain for the construction of the joint use park facilities.
- 2) Approve Final Tract Map 16209, Lot 1; accept the dedication of Fairmont Boulevard for street purposes; authorize the City Clerk to Certify the record

map upon completion of any technical corrections required by the City Engineer.

This action is contingent upon approval of the First Amendment to Agreement for Joint Use of Portion of Future Yorba Linda High School Field Area per recommendation #1) above.

9. REQUIREMENTS OF OUTPOST DEVELOPMENT (TENTATIVE TRACT MAP 16488) TO PROVIDE FOR TRAFFIC MITIGATION ON SAN ANTONIO ROAD

**Recommendation:** That the City Council receive and file the report.

10. ACCEPTANCE OF PUBLIC IMPROVEMENTS AND RELEASE OF BONDS, D. R. HORTON, TRACT NO. 16029

**Recommendation:** That the City Council accept the improvements and authorize the City Clerk to reduce/release bonds per Engineering Department's Report.

11. ACCEPTANCE OF ROUGH GRADING AND RELEASE OF GRADING BOND, UPPER K-SHAPELL, TENTATIVE TRACT NO. 16209

**Recommendation:** That the City Council accept the rough grading and authorize the City Clerk to reduce/release the Grading Bond per Engineering Department's Report.

12. ACCEPTANCE OF GRADING AND RELEASE OF GRADING BOND, GRADING PERMIT NO. 1459, 4091 PROSPECT AVENUE, AHP-PARKWOOD, LP

**Recommendation:** That the City Council accept the grading and site improvements, and authorize the City Clerk to reduce/release the Grading Bond per Engineering Department's Report.

13. APPROVAL OF CHANGE ORDER NO. 1 – PAVEMENT RESURFACING PROGRAM FOR VARIOUS STREETS, FISCAL YEAR 2006-2007

**Recommendation:** That the City Council approve and authorize the City Manager to execute Change Order No. 1 in the amount of \$65,334.40.

14. RESOLUTION NO. 2007-3874, MODIFYING SIGN REQUEST 2006-03, YORBA LINDA CENTER

**Recommendation:** That the City Council adopt Resolution No. 2007-3874.

**End of Consent Calendar**

**PUBLIC HEARINGS**

**NOTE:** IF PREVIOUS AGENDA ITEMS ARE COMPLETED PRIOR TO 7:00 P.M., THE CITY COUNCIL/REDEVELOPMENT AGENCY WILL PROCEED TO "ADMINISTRATIVE REPORTS" ON THE AGENDA UNTIL THE SCHEDULED TIME FOR THE PUBLIC HEARINGS.

If you challenge the City's/Redevelopment Agency's proposed actions in court, you may be limited to raising those issues that you or someone else raised at the public hearing described in this Agenda, or in any written correspondence delivered to the City on or prior to the public hearing.

15. PUBLIC HEARING RE APPEAL OF CONDITIONAL USE PERMIT 2007-37 – WELLS FARGO DRIVE-UP ATM

- a. Open Public Hearing
- b. Staff Report
- c. Take Testimony
- d. Close Public Hearing
- e. Make Determination

Staff recommends that the City Council provide direction to staff relative to the City Council's determination on the requested application.

16. PUBLIC HEARING RE TRASH RATE ADJUSTMENT AND REVISION TO SOLID WASTE ORDINANCE

- a. Open Public Hearing
- b. Staff Report
- c. Take Testimony
- d. Close Public Hearing
- e. Make Determination - It is recommended that the City Council take the following actions:

- 1) ADOPT RESOLUTION NO. 2007-3867 ESTABLISHING RATES FOR COLLECTION OF SOLID WASTE FROM RESIDENTIAL PREMISES AND RESCINDING RESOLUTION NO. 2005-3758
  - 2) ADOPT RESOLUTION NO. 2007-3878 ESTABLISHING RATES FOR COLLECTION OF SOLID WASTE FROM COMMERCIAL PREMISES AND CONSTRUCTION SITES AND RESCINDING RESOLUTION NO. 2005-3758
  - 3) APPROVE FIRST READING OF ORDINANCE 2007-903, AMENDING IN ITS ENTIRETY CHAPTER 8.20 OF THE YORBA LINDA MUNICIPAL CODE CONCERNING SOLID WASTE COLLECTION AND DISPOSAL
17. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING RE REDEVELOPMENT AGENCY ACQUISITION OF REAL PROPERTY AT 4965 PARK AVENUE (APN: 334-402-17)
- a. Open Public Hearing
  - b. Staff Report
  - c. Take Testimony
  - d. Close Public Hearing
  - e. Make Determination - If approved, it is recommended that the City Council and the Redevelopment Agency take the following actions:

City Council

- 1) ADOPT RESOLUTION NO. 2007-3868, AUTHORIZING THE REDEVELOPMENT AGENCY TO ACQUIRE THE PROPERTY IN THE AMENDED REDEVELOPMENT PROJECT AREA AT 4965 PARK AVENUE BELONGING TO ISMAEL MAYANS
- 2) AUTHORIZE THE DEMOLITION OF THE STRUCTURE AT 4965 PARK AVENUE AND AUTHORIZE THE CITY MANAGER TO ISSUE INFORMAL BIDS FOR BOTH ASBESTOS ASSESSMENT/ABATEMENT AND SITE CLEARANCE WORK

Yorba Linda Redevelopment Agency

- 1) ADOPT RDA RESOLUTION NO. 2007-203, APPROVING THE PURCHASE OF A 3,765 SQUARE FOOT RESIDENTIAL PARCEL LOCATED AT 4965 PARK AVENUE IN THE YORBA LINDA TOWN CENTER (APN 334-402-17) AND AUTHORIZING THE EXECUTIVE

DIRECTOR OF THE AGENCY TO PREPARE AND EXECUTE A PURCHASE AND SALE AGREEMENT

- 2) APPROPRIATE \$300,000 FROM THE AGENCY'S AFFORDABLE HOUSING SET-ASIDE FUND FOR THE ACQUISITION, AND \$17,000 TO PAY FOR ASBESTOS ASSESSMENT/ABATEMENT DEMOLITION, AND ROUGH GRADING
  - 3) PROVIDE DIRECTION TO STAFF FOR THE DEVELOPMENT OF THIS AND THE ADJACENT PROPERTIES FOR AN AFFORDABLE RESIDENTIAL PROJECT
18. PUBLIC HEARING REGARDING RESOLUTION NO. 2007-3864, CONFIRMING THE REPORT OF COSTS OF ABATEMENT OF WEEDS, RUBBISH, REFUSE, AND DIRT PUBLIC NUISANCES, AND IMPOSING SPECIAL ASSESSMENTS AS LIENS ON PARCELS WITHIN THE CITY OF YORBA LINDA
- a. Open Public Hearing
  - b. Continue Public Hearing to the August 21, 2007 City Council meeting.

**CONTINUED ORAL PRESENTATIONS**

This is the time reserved for those persons who were unable to speak earlier in the agenda because of the postponement of oral presentations.

**MAYOR'S REPORT**

19. CITY COUNCIL APPOINTMENTS TO ORGANIZATIONS, AGENCIES AND COMMITTEES

**MATTERS PRESENTED BY COUNCILMEMBERS**

**ADMINISTRATIVE REPORTS**

20. POLICE DEPARTMENT SIX-MONTH UPDATE REPORT
21. ESPERANZA ROAD MITIGATION PROJECT FROM WEST CITY LIMITS TO YORBA LINDA BOULEVARD – CHANGE ORDER NO. 5

22. ETHICS POLICY OPTIONS
  
23. RESOLUTION NO. 2007-3877, AUTHORIZING THE CITY MANAGER TO SOLICIT PROPOSALS FOR SPECIAL COUNSEL LEGAL SERVICES REGARDING APPLICATION OF THE RIGHT TO VOTE INITIATIVE (MEASURE "B") TO INDIVIDUAL DEVELOPMENT PROJECTS
  
24. RESPONSE TO PUBLIC COMMENT QUESTIONS CONCERNING FRIENDS CHRISTIAN HIGH SCHOOL LEASE AGREEMENT
  
25. REPORT OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING/APPEAL OF PLANNING COMMISSION ITEMS AND TOWN CENTER BLUE RIBBON COMMITTEE UPDATE

### **ORDINANCES**

26. FIRST READING OF ORDINANCE NO. 2007-905 – AMENDING THE REDEVELOPMENT PLAN FOR THE YORBA LINDA REDEVELOPMENT PROJECT AREA, TO SATISFY THE REQUIREMENTS OF SENATE BILL 53 AND DIRECTING AGENCY STAFF TO RECORD A REVISED STATEMENT OF PROCEEDINGS
  
27. FIRST READING OF ORDINANCE NO. 2007-904 – ADDING SECTION 8.05 TO TITLE 8, HEALTH AND SAFETY OF THE YORBA LINDA MUNICIPAL CODE TO PROHIBIT THE PLANTING, CULTIVATION OR MAINTENANCE OF OLEANDER PLANTS ON PUBLIC TRAILS

### **OTHER AGENCY REPORTS AND REFERRALS**

#### **Status Reports from City Representatives on the following:**

ORANGE COUNTY SANITATION DISTRICT

ORANGE COUNTY DIVISION OF THE LEAGUE OF CALIFORNIA CITIES

FOOTHILL/EASTERN TRANSPORTATION CORRIDOR

ORANGE COUNTY FIRE AUTHORITY

ORANGE COUNTY VECTOR CONTROL

TRANSPORTATION CORRIDOR SYSTEM

**OTHER BUSINESS**

At 11:00 p.m. any member of the City Council may make a motion to complete any item then under discussion and continue all remaining items on the agenda which have not been acted upon to a certain date and time to which the Council shall adjourn.

28. DUTIES OF TRAFFIC COMMISSION (COUNCILMEMBERS ANDERSON AND HORTON)
29. TERM LIMITS FOR COMMISSIONERS (COUNCILMEMBERS ANDERSON AND HORTON)
30. REVIEW PROCESS FOR COUNCILMEMBERS PUTTING ITEMS ON THE AGENDA (COUNCILMEMBER WEDAA)
31. WIRELESS INTERNET ACCESS (COUNCILMEMBER WEDAA)
32. AD HOC COMMITTEE MEETING POLICY (COUNCILMEMBER ANDERSON)
33. MONTHLY POLICE REPORTS (COUNCILMEMBER ANDERSON)
34. CITY EQUESTRIAN CENTER (COUNCILMEMBERS ANDERSON, HORTON, WEDAA)
35. GRAFFITI ORDINANCE – NUISANCE ON PRIVATE PROPERTY (COUNCILMEMBER ANDERSON)
36. LIGHTED STREET SIGNS ON ESPERANZA (COUNCILMEMBER WEDAA)

37. CITY RESERVE FUND POLICY (COUNCILMEMBER WEDAA)
38. TOWN HALL MEETINGS (COUNCILMEMBER WEDAA)
39. SECURITY LIGHTING – CITY HALL PARKING LOT (COUNCILMEMBER WEDAA)
40. PUBLIC SPEAKING TIME LIMIT (COUNCILMEMBER ANDERSON)
41. SATELLITE TV FOR CITY COUNCIL MEETINGS (COUNCILMEMBER WEDAA)
42. GROUP HOMES (COUNCILMEMBER HORTON)
43. NOTIFICATION REGARDING CITY WIDE PROJECTS (COUNCILMEMBER ANDERSON)
44. LONG RANGE PROJECT FOR TRAFFIC COMMISSION REGARDING SCHOOL SAFETY ZONES (COUNCILMEMBER ANDERSON)
45. REHABILITATION OF TOWN CENTER PROPERTIES AS RENTALS (COUNCILMEMBER HORTON)

**CLOSED SESSION – IF REQUIRED**

**ADJOURNMENT**

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is August 21, 2007.

**PLEASE NOTE: ALL STAFF REPORTS FOR ITEMS ON THIS AGENDA ARE ON FILE IN THE CITY CLERK'S OFFICE.**

**IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), THE CITY WILL MAKE EVERY REASONABLE ATTEMPT TO ACCOMMODATE ANY ATTENDEE OR PARTICIPANT AT THIS MEETING NEEDING SPECIAL ASSISTANCE BEYOND WHAT IS NORMALLY PROVIDED.**

**PLEASE CONTACT THE CITY CLERK'S OFFICE AT (714) 961-7150 AT LEAST 48 HOURS PRIOR TO THIS MEETING TO INFORM US OF YOUR PARTICULAR NEEDS AND TO DETERMINE IF ACCOMMODATION IS FEASIBLE. PLEASE ADVISE US AT THE TIME YOU CALL IF SPECIAL ASSISTANCE IS REQUIRED TO ATTEND OR PARTICIPATE IN MEETINGS ON A REGULAR BASIS.**