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CITY OF YORBA LINDA
CITY COUNCIL/REDEVELOPMENT AGENCY
JOINT MEETING AGENDA
JUNE 19, 2007

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

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, Winder

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

SPECIAL ITEM OF THE DAY

CANVASS OF THE JUNE 5, 2007 CITY OF YORBA LINDA MUNICIPAL ELECTION

RESOLUTION NO. 2007-3863, RECITING THE FACTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON JUNE 5, 2007, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

ADMINISTER OATH OF OFFICE TO NEW COUNCILMEMBER
HENRY W. "HANK" WEDAA

RECESS TO CLOSED SESSION

CLOSED SESSION ITEMS

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

Government Code Section 54956.9 (c) (1 Case)

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(a)

- 1) Craig Di Bias V. City of Yorba Linda
Orange County Superior Court Case No. 07CC06089
- 2) Ronald S. Hodges, et al. v. Shapell Industries, et al.
Orange County Superior Court Case No. 05cc06793

RECESS

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PLEDGE OF ALLEGIANCE

INVOCATION – ELDER VINCE HAMBRIGHT, YORBA LINDA FRIENDS CHURCH

CLOSED SESSION REPORT

INTRODUCTIONS & PRESENTATIONS

ADMINISTER OATH OF OFFICE TO NEW COUNCILMEMBER
HENRY W. "HANK" WEDAA

RECESS – RECEPTION IN COUNCIL CHAMBERS LOBBY

COMMENTS BY NEW COUNCILMEMBER – HENRY W. "HANK" WEDAA

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 JUNE 5, 2007 CITY COUNCIL MEETING

Recommendation: That the City Council/Redevelopment Agency approve the minutes of the June 5, 2007 meeting.

2. RENEWAL OF CHAMBER OF COMMERCE AGREEMENT

Recommendation: That the City Council approve the two-year agreement with the Yorba Linda Chamber of Commerce for the promotion of the City and the dissemination of business, industrial, and residential information.

3. SET DATE FOR PUBLIC HEARING RE TRASH RATE ADJUSTMENT

Recommendation: That the City Council set a public hearing for August 7, 2007 to consider adjustments to both commercial and residential trash rates and to approve first reading of an ordinance making certain changes in the City's Municipal Code regarding solid waste disposal.

4. CLAIM FOR DAMAGES – JOSEPH TOCCO

Recommendation: That the City Council deny the claim for damages.

5. CLAIM FOR DAMAGES – BARBARA SILVERIO

Recommendation: That the City Council deny the claim for damages.

6. CLAIMS FOR DAMAGES – JUAN HERNANDEZ, PATRICIA CHAVARIN, AND SILVINO VALADEZ

Recommendation: That the City Council deny the claims for damages.

7. AUTHORIZATION TO EXECUTE AMENDMENT NO. 1 OF THE 2002 AGREEMENT WITH MV TRANSPORTATION FOR THE SENIOR MOBILITY PROGRAM

Recommendation: That the City Council authorize the City Manager to execute Amendment No. 1 of the September 27, 2002 Agreement between the City and MV Transportation in order to provide the transportation services for the T.R.A.I.L.S (Taking Retired Adults into Local Services) Senior Mobility program.

8. RESOLUTION NO. 2007-3865 APPROVING THE ENGINEER'S REPORT REGARDING THE LEVY OF AN ANNUAL ASSESSMENT WITH THE CITY OF YORBA LINDA STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT FOR 2007/2008 FISCAL YEAR

RESOLUTION NO. 2007-3866 DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF YORBA LINDA STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT FOR 2007/2008 FISCAL YEAR AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING CONCERNING THE LEVY OF ANNUAL ASSESSMENTS

Recommendation: That the City Council adopt Resolution No. 2007-3865 and Resolution No. 2007-3866; and set July 17, 2007 as the public hearing date regarding the proposed fiscal year 2007/2008 assessments.

9. APPROVAL OF PARCEL MAP 2005-135 AND ACCEPTANCE OF SUBDIVISION AGREEMENT AND BONDS – SEPULVEDA BUILDERS, GEORGE AND JOAN ADAMS

Recommendation: That the City Council approve Parcel Map No. 2005-135, authorize the City Clerk to certify the record map upon completion of any technical corrections required by the City Engineer, authorize the Mayor to sign and the City Clerk to attest the Subdivision Improvement Agreement and accept bonds per Engineering Department's Report.

10. NOTICE OF COMPLETION FOR WEIR CANYON ROAD AND SAVI RANCH PARKWAY INTERSECTION IMPROVEMENTS AND WEIR CANYON ROAD AND LA PALMA AVENUE INTERSECTION IMPROVEMENTS PROJECT, ALLIANCE STREETWORKS, INC.

Recommendation: That the City Council accept the street improvements constructed by Alliance Streetworks, inc.; authorize the City Clerk to file a Notice of Completion with the Orange County Recorder; and authorize the retention monies to be paid when appropriate to do so.

11. NOTICE OF COMPLETION FOR STREET REHABILITATION OF YORBA LINDA BOULEVARD FROM PASEO DE LAS PALOMAS TO VILLAGE CENTER DRIVE AND SOUTH CITY LIMITS TO YORBA RANCH ROAD, FEDERAL PROJECT NOS. STPL-5402(022) AND STPL-5402(23), ALL AMERICAN ASPHALT, INC. AND APPROVAL OF CONTRACT CHANGE ORDER NO. 7

Recommendation: That the City Council accept the pavement rehabilitation improvements constructed by All American Asphalt Inc.; authorize the City Clerk to file a Notice of Completion with the Orange County Recorder; and approve and authorize the City Manager to execute Contract Change Order No. 7 in the amount of \$110,735.16.

12. ACCEPTANCE OF IMPROVEMENTS – VETERANS PARK WALKWAY REPAIR PROJECT

Recommendation: That the City Council accept the improvements at Veterans Park completed by C.S. Legacy Construction, Inc.; authorize the City Clerk to file a Notice of Completion with the Orange County Recorder; and authorize the release of retention monies when appropriate to do so.

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.

13. CONTINUED PUBLIC HEARING RE 2007/2009 CITY AND REDEVELOPMENT AGENCY BUDGETS AND CAPITAL IMPROVEMENT PROGRAM BUDGET FOR THE CITY OF YORBA LINDA – RESOLUTION NO. 2007-3861 AND RDA RESOLUTION NO. 2007-202

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

Adopt Resolution 2007-3861, approving the 2007-2008 and 2008-2009 operating budgets and Capital Improvement Program, incorporating any amendments the City Council wishes to make;

Adopt RDA Resolution No. 2007-202, approving the 2007-2008 and 2008-2009 Redevelopment Agency operating budgets and Capital Improvement Program incorporating any amendments the Redevelopment Agency Board wishes to make.

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

MATTERS PRESENTED BY COUNCILMEMBERS

ADMINISTRATIVE REPORTS

14. CONTINUED ITEM: SECOND APPEAL OF APPROVAL OF BUILDING PERMIT TO CONSTRUCT A SECOND UNIT AT 18563 WHITE OAK DRIVE

15. REPORT OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING/APPEAL OF PLANNING COMMISSION ITEMS AND TOWN CENTER BLUE RIBBON COMMITTEE UPDATE

ORDINANCES

16. ENGINEERING AND TRAFFIC SURVEY ESTABLISHING SPEED LIMIT ON BASTANCHURY ROAD BETWEEN LAKEVIEW AVENUE AND VILLAGE CENTER DRIVE AT 45 MPH; AND

APPROVAL OF FIRST READING OF ORDINANCE NO. 2007-901, ESTABLISHING CITYWIDE POSTED SPEED LIMITS AND RESCINDING ORDINANCE NO. 2006-894

OTHER AGENCY REPORTS AND REFERRALS

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

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.

17. MAIN STREET FACADE IMPROVEMENT PROGRAM (COUNCILMEMBER HORTON)

CLOSED SESSION – IF REQUIRED

ADJOURNMENT

The Mayor will adjourn the meeting to 5:00 p.m. on June 26, 2007 at the Black Gold Golf Club for a Closed Session item - Public Employee Performance Evaluation – Title: City Manager And City Attorney, Government Code Section 54957.

Due to the holiday schedule, the July 3, 2007 City Council meeting will not be held. The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is July 17, 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.