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6:30 p.m. On Channel 3

CITY OF YORBA LINDA

CITY COUNCIL/REDEVELOPMENT AGENCY

JOINT MEETING AGENDA

JUNE 5, 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,
Letourneau, Mendoza, Stowell

CLOSED SESSION ITEMS

CITY COUNCIL

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9 (a)

- 1) Ronald S. Hodges, et al. v. Shapell Industries, et al.
Orange County Superior Court Case No. 05cc06793
- 2) Barbara J. Taylor, William D. Taylor, et al. v. City of Yorba Linda, et al.
Orange County Superior Court Case No. 06cc03802
- 3) John W. Taylor v. City of Yorba Linda
Orange County Superior Court Case No. 06cc07457

RECESS

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

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ROLL CALL

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

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PLEDGE OF ALLEGIANCE

INVOCATION – Bishop Carey Barney, 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 MAY 15, 2007 5:15 P.M. SPECIAL CITY COUNCIL MEETING

Recommendation: That the City Council/Redevelopment Agency approve the minutes of the May 15, 2007 5:15 p.m. Special City Council Meeting.

2. APPROVAL OF THE MINUTES OF THE MAY 15, 2007 REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING

Recommendation: That the City Council/Redevelopment Agency approve the minutes of the May 15, 2007 regular City Council/Redevelopment Agency Joint Meeting.

3. APPROVAL OF THE MINUTES OF THE MAY 22, 2007 ADJOURNED REGULAR CITY COUNCIL MEETING

Recommendation: That the City Council approve the minutes of the May 22, 2007 adjourned regular City Council meeting.

4. TREASURER'S REPORT – APRIL 2007

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

5. ANNUAL INVESTMENT POLICY

Recommendation: That the City Council approve Revision No. 8 to Council Policy A-14, which is the City's Investment Policy.

6. RESOLUTION NO. 2007-3860, APPROVING AND ADOPTING THE APPROPRIATIONS LIMIT FOR FISCAL YEARS 2007/2008 AND 2008/2009

Recommendation: That the City Council adopt Resolution No. 2007-3860 calculating and establishing the appropriation limit for fiscal years 2007-2008 and 2008-2009.

7. CLAIM FOR DAMAGES – ROB AND CHRISTI NYE

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

8. CLAIM FOR DAMAGES – SHAPELL INDUSTRIES AND S&S CONSTRUCTION
(X-REF: GARTH AND MARILYN BECKER)

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

9. CLAIM FOR DAMAGES – SHAPELL INDUSTRIES AND S&S CONSTRUCTION
(X-REF: MARK AND MARY JAGUSIAK)

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

10. SWEPI PURCHASE AND SALE AGREEMENT, BETWEEN THE CITY OF
YORBA LINDA AND SWEPI, L.P. FOR THE ACQUISITION OF THE TANK
FARM OPTION SITE (OPTION SITE NO. 2, 7.58 ACRES)

Recommendation: That the City Council approve the Purchase and Sale Agreement between the City and SWEPI, L.P. for the acquisition of the 7.58 acres commonly known as the Tank Farm Option Site; that the Mayor be authorized to execute the Purchase and Sale Agreement on behalf of the City of Yorba Linda; and that the City Council appropriate from the General Fund reserves \$1,043,123.90 to support the purchase of the Tank Farm Option Site from SWEPI, L.P.

11. REQUEST FOR DEMOLITION PERMIT – DETACHED GARAGE STRUCTURE
LOCATED AT 6028 SHORT STREET

Recommendation: That the City Council approve the request for a demolition permit for the garage structure located at 6028 Short Street.

12. AWARD OF CONTRACT - TOWN CENTER BLUE RIBBON COMMITTEE
FACILITATOR SERVICES

Recommendation: That the City Council award a contract to RBF Consulting, in the amount of \$99,034.00 for facilitation services for the Town Center Blue Ribbon Committee and carry forward any remaining budget from fiscal year 2006-2007 to fiscal year 2007-2008.

13. PROFESSIONAL SERVICES AGREEMENT – KABBARA ENGINEERING

Recommendation: That the City Council approve an Amendment to the Professional Services Agreement between the City and Kabbara Engineering of Orange to prepare plans, specifications and estimates for the Bastanchury Road Widening from Lakeview to Eureka for a total fee not to exceed \$182, 706.00 and authorize the Mayor to execute the Agreement and the City Clerk to attest.

14. AWARD OF CONTRACT – PAVEMENT RESURFACING PROGRAM FOR VARIOUS STREETS – FISCAL YEAR 2006-2007

Recommendation: That the City Council award the contract for the Pavement Resurfacing Program for Various Streets, Fiscal Year 2006-2007, to All American Asphalt, Inc., in the amount of \$653,356.00; move \$63,400 and \$35,000 from accounts 008.4.512.7625 and 008.4.512.7627 respectively into the street maintenance account 008.4.512.7620; and appropriate \$400,000 from the Traffic Congestion Relief money to fund the FY 2006/2007 Slurry Seal program.

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 2007/2009 CITY AND REDEVELOPMENT AGENCY BUDGETS AND CAPITAL IMPROVEMENT PROGRAM BUDGET FOR THE CITY OF YORBA LINDA

- a. Open Public Hearing
- b. Staff Report
- c. Take Testimony
- d. Continue public hearing and set the matter of adoption of the City and Agency Budgets and the Capital Improvement Program for the regular meeting of June 19, 2007.

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

16. SECOND APPEAL OF PLANNING COMMISSION DECISION TO APPROVE THE BUILDING PERMIT TO CONSTRUCT A SECOND UNIT AT 18563 WHITE OAK DRIVE

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

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.

CLOSED SESSION – IF REQUIRED

ADJOURNMENT

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is June 19, 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.