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CITY OF YORBA LINDA

**CITY COUNCIL/REDEVELOPMENT AGENCY
JOINT MEETING AGENDA**

NOVEMBER 6, 2007

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

CITY COUNCIL REDEVELOPMENT AGENCY ADJOURNED
JOINT MEETING CONVENING AT 3:00 P.M.

CALL TO ORDER

ROLL CALL

CLOSED SESSION ITEM

PUBLIC EMPLOYEE PERFORMANCE EVALUATION – TITLE: CITY MANAGER AND
CITY ATTORNEY – GOVERNMENT CODE SECTION 54957

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: Carvalho, Gruchow, Letourneau

CLOSED SESSION

CITY COUNCIL

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

- 1) Government Code Section 54956.9(a)
Name of Case: Stuart Glenn, Wen Jong Wu, et al. v. City of Yorba Linda, et al
Case Number: Orange County Superior Court Case No. 06CC00083
- 2) Government Code Section 54956.9(a)
Name of Case: John W. Taylor v. City of Yorba Linda
Case Number: Orange County Superior Court Case No. 06CC07457

RECESS

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

CALL TO ORDER

The City Council/Redevelopment Agency will reconvene at 6:30 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

PLEDGE OF ALLEGIANCE

INVOCATION

Bishop Madsen, Church Of Jesus Christ Of Latter-Day Saints

CLOSED SESSION REPORT

INTRODUCTIONS & PRESENTATIONS

PRESENTATION BY ASSEMBLYMAN DUVALL

PROCLAMATION RECOGNIZING "RED RIBBON WEEK" – ROSE DRIVE ELEMENTARY SCHOOL REPRESENTATIVES GINA KRONBERG, PTA PRESIDENT, AND CARRIE BUCK, RED RIBBON WEEK COORDINATOR, WILL ACCEPT THE PROCLAMATION

ORAL COMMUNICATIONS – ITEMS ON THE CONSENT CALENDAR OR ITEMS NOT ON THE REMAINDER OF THE AGENDA

Oral Communications 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/Agency'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, 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 Public Comments, 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 Communications and on all other items listed on the Agenda. The City Council/Redevelopment Agency will entertain oral communications 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 oral communications period will be given an opportunity to speak following the Council's/Agency's 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/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 ACCOUNTS PAYABLE WARRANT LISTS

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

1. APPROVAL OF THE MINUTES OF THE OCTOBER 16, 2007 CITY
COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING

Recommendation: That the City Council/Redevelopment Agency approve the Minutes of the October 16, 2007 Joint Meeting.

2. TREASURER'S REPORT – SEPTEMBER 2007

Recommendation: That the City Council/Redevelopment Agency approve the September 2007 Treasurer's Report.

3. CLAIM FOR DAMAGES – BRUCE BELLWOOD

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

4. CLAIM FOR DAMAGES – CHRIS CAPPS

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

5. NOTICE OF COMPLETION FOR ESPERANZA MITIGATION PROJECT, GMC
ENGINEERING, INC.

Recommendation: That the City Council accept the improvements constructed by GMC Engineering, 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.

6. NOTICE OF COMPLETION FOR THE INSTALLATION OF TRAFFIC SIGNALS AT THE INTERSECTIONS OF BASTANCHURY ROAD AT LAKEVIEW AVENUE, BASTANCHURY ROAD AT FAIRMONT BOULEVARD, AND BASTANCHURY ROAD AT VILLAGE CENTER DRIVE – FREEWAY ELECTRIC, INC.

Recommendation: That the City Council accept the improvements constructed by Freeway Electric, 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.

7. APPROVAL OF CHANGE ORDER NO. 1 TO VALI COOPER & ASSOCIATES FOR CONSTRUCTION, ADMINISTRATION AND INSPECTION OF THE PAVEMENT RESURFACING PROGRAM FOR VARIOUS STREETS, FY 2006-2007

Recommendation: That the City Council approve and authorize the City Manager to execute Change Order No. 1 to Vali Cooper & Associates in the amount of \$22,640.10.

8. CHANGE ORDER NO. 2 TO WILLDAN PROFESSIONAL SERVICES AGREEMENT TO PROVIDE CONSTRUCTION ADMINISTRATION FOR THE TRAFFIC SIGNAL INSTALLATION PROJECTS ON BASTANCHURY ROAD AND FAIRMONT BOULEVARD

Recommendation: That the City Council approve and authorize the City Manager to execute Change Order No. 2 to the Professional Services Agreement with Willdan in the amount of \$9,965.00 for construction administration of the Traffic Signal Installation Projects on Bastanchury Road and Fairmont Boulevard.

9. ACCEPTANCE OF PUBLIC IMPROVEMENT BONDS FOR LANDSCAPING, TENTATIVE TRACT 16549, VISTA DEL VERDE II, LP

Recommendation: That the City Council authorize the City Clerk to accept the improvement bonds per the Engineering Department Report for public landscaping and trails throughout Tentative Tract 16549 that will be dedicated to the City as the final maps are recorded.

10. ACCEPTANCE OF GRADING, MONUMENTATION AND PUBLIC IMPROVEMENT BONDS, TRACT 16804, TOLL CA III, LP

Recommendation: That the City Council authorize the City Clerk to accept the grading, monumentation, and public improvement bonds per Engineering Department Report for Tract 16804, Toll CA III L.P.

11. ACCEPTANCE OF MONUMENTATION AND PUBLIC IMPROVEMENT BONDS, TENTATIVE TRACT 16987, UPPER K-SHAPELL AND SHAPELL INDUSTRIES, INC.

Recommendation: That the City Council authorize the City Clerk to accept improvement bonds per Engineering Department Report.

12. ACCEPTANCE OF MONUMENTATION AND PUBLIC IMPROVEMENT BONDS, TRACT 17030, VISTA DEL VERDE II, LP

Recommendation: That the City Council authorize the City Clerk to accept improvement bonds per Engineering Department Report.

13. LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT EMERGENCY INTERIM MAINTENANCE SERVICES CONTRACT

Recommendation: That the City Council determine that there is a need to continue the emergency interim landscape maintenance contract award to Rocky Murata Landscape Maintenance Services without the benefit of competitive bidding.

14. SECOND READING AND ADOPTION OF ORDINANCE NO. 2007-901, ESTABLISHING CITYWIDE POSTED SPEED LIMITS AND RESCINDING ORDINANCE NO. 2006-894

Recommendation: That the City Council approve second reading and adopt Ordinance No. 2007-901.

15. ESPERANZA ROAD LANDSCAPE BERM AND WALL PROJECT FROM WEST CITY LIMITS TO YORBA LINDA BOULEVARD – CHANGE ORDER NO. 6

Recommendation: That the City Council approve and authorize the City Manager to execute Contract Change Order No. 6 in the amount of \$36,982.31.

16. SEWER ASSESSMENT RATE STUDY - CONTRACT AWARD

Recommendation: That the City Council approve the contract with PBS&J in the amount of \$27,344 for conducting a sewer rate study, approve the appropriation of \$35,000 from the General Fund Reserves for the project and authorize the Mayor to sign and the City Clerk to attest the agreement.

17. RESOLUTION NO. 2007-3885 – APPROVING THE REQUEST BY THE OLD TOWNE YORBA LINDA MERCHANTS ASSOCIATION TO CLOSE MAIN STREET FOR A HOLIDAY PROGRAM

Recommendation: That the City Council adopt Resolution No. 2007-3885.

End of Consent Calendar

MAYOR'S REPORT

MATTERS PRESENTED BY COUNCILMEMBERS

ADMINISTRATIVE REPORTS

18. SAN ANTONIO ROAD TRAFFIC-CALMING MEASURES – ADDITIONAL MEDIAN INSTALLATIONS, RESOLUTION NO. 2007-3887
19. RECONSIDERATION OF REQUEST FOR REMOVAL OF CITY OWNED TREES WITHIN THE PASEO LANDSCAPE AREA BEHIND 20476 VIA MARWAH
20. RECONSIDERATION OF REQUEST FOR REMOVAL OF CITY OWNED TREES IN FRONT OF 18682 BUENA VISTA AVENUE
21. REQUEST FOR REMOVAL OF CITY OWNED TREES WITHIN THE PASEO LANDSCAPE AREA BEHIND 20620 VIA AUGUSTO
22. BROADCAST OF PLANNING COMMISSION CANDIDATE INTERVIEWS

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

ORDINANCES

24. ADOPTION OF THE CALIFORNIA FIRE CODE, 2007 EDITION, THE CALIFORNIA BUILDING CODE VOLUMES 1 AND 2, 2007 EDITION, THE CALIFORNIA REFERENCED STANDARDS CODE, 2007 EDITION, THE CALIFORNIA EXISTING BUILDING CODE, 2007 EDITION, THE UNIFORM HOUSING CODE, 1997 EDITION, THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION, THE CALIFORNIA PLUMBING CODE, 2007 EDITION, THE CALIFORNIA ELECTRICAL CODE, 2007 EDITION, THE UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE, 2006 EDITION, THE UNIFORM SOLAR ENERGY CODE, 2006 EDITION

RESOLUTION NO. 2007-3886 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA, CALIFORNIA, SETTING FORTH FINDINGS FOR REQUIRED AMENDMENTS TO THE 2007 CALIFORNIA FIRE CODE, THE 2007 CALIFORNIA BUILDING CODE, THE 2007 CALIFORNIA PLUMBING CODE, THE 2006 UNIFORM SOLAR ENERGY CODE AND THE 2006 UNIFORM SWIMMING POOL AND HOT TUB CODE WITH RESPECT TO HOUSING OCCUPANCIES RELATIVE TO LOCAL CLIMATIC, GEOLOGICAL AND TOPOGRAPHICAL CONDITIONS

ORDINANCE NO. 2007-904 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.08 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA FIRE CODE, 2007 EDITION (WHICH INCORPORATES AND AMENDS THE INTERNATIONAL FIRE CODE, 2006 EDITION), WITH CERTAIN APPENDICES AND AMENDMENTS; AND REPEALING ORDINANCE NO. 2002-840

ORDINANCE NO. 2007-906 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.04 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA BUILDING CODE VOLUMES 1 AND 2, 2007 EDITION (WHICH INCORPORATES AND AMENDS THE INTERNATIONAL BUILDING CODE, 2006 EDITION), WITH CERTAIN APPENDICES AND AMENDMENTS, THE CALIFORNIA REFERENCED STANDARDS CODE, 2007 EDITION, THE CALIFORNIA EXISTING BUILDING CODE, 2007 EDITION, AND REPEALING ORDINANCE NO. 2002-841

ORDINANCE NO. 2007-907 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.20 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING THE UNIFORM HOUSING CODE, 1997 EDITION, WITH CERTAIN AMENDMENTS, AND REPEALING ORDINANCE NO. 2002-842

ORDINANCE NO. 2007-908 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.04 OF THE YORBA LINDA MUNICIPAL CODE BY THE ADDITION OF CHAPTER 15.22 BY ADOPTING THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION, WITH CERTAIN AMENDMENTS, AND REPEALING ORDINANCE NO. 2002-841

ORDINANCE NO. 2007-909 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.24 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING THE CALIFORNIA PLUMBING CODE 2007 EDITION (WHICH INCORPORATES AND AMENDS THE UNIFORM PLUMBING CODE, 2006 EDITION) WITH CERTAIN APPENDICES, AMENDMENTS AND INSTALLATION STANDARDS, AND REPEALING ORDINANCE NO. 2002-843

ORDINANCE NO. 2007-910 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.04 OF THE YORBA LINDA MUNICIPAL CODE BY THE ADDITION OF CHAPTER 15.06 AND ADOPTING THE CALIFORNIA MECHANICAL CODE, 2007 EDITION (WHICH INCORPORATES AND AMENDS THE UNIFORM MECHANICAL CODE, 2006 EDITION), WITH CERTAIN APPENDICES, AMENDMENTS AND INSTALLATION STANDARDS, AND REPEALING ORDINANCE NO. 2002-841

ORDINANCE NO. 2007-911 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING ARTICLE 15.16 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING THE CALIFORNIA ELECTRICAL CODE, 2007 EDITION (WHICH INCORPORATES AND AMENDS THE NATIONAL ELECTRICAL CODE, 2005 EDITION), WITH CERTAIN AMENDMENTS, AND REPEALING ORDINANCE NO. 2002-844

ORDINANCE NO. 2007-912 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.32 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING THE UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2006 EDITION, WITH AMENDMENTS, AND REPEALING ORDINANCE NO. 2002-845

ORDINANCE NO. 2007-913 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.28 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING THE UNIFORM SOLAR ENERGY CODE, 2006 EDITION, WITH CERTAIN AMENDMENTS, AND REPEALING ORDINANCE NO. 2002-846

OTHER AGENCY REPORTS AND REFERRALS

ORANGE COUNTY SANITATION DISTRICT

ORANGE COUNTY DIVISION OF THE LEAGUE OF CALIFORNIA CITIES

FOOTHILL/EASTERN TRANSPORTATION CORRIDOR/TRANSPORTATION
CORRIDOR SYSTEM

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.

25. NOTIFICATION REGARDING CITY WIDE PROJECTS (COUNCILMEMBER ANDERSON)
26. MONTHLY POLICE REPORTS (COUNCILMEMBER ANDERSON)
27. CITY EQUESTRIAN CENTER (COUNCILMEMBER ANDERSON, COUNCILMEMBER HORTON, COUNCILMEMBER WEDAA)
28. GRAFFITI ORDINANCE – NUISANCE ON PRIVATE PROPERTY (COUNCILMEMBER ANDERSON)

29. PUBLIC SPEAKING TIME LIMIT (COUNCILMEMBER ANDERSON)
30. TOWN HALL MEETINGS (COUNCILMEMBER WEDAA)
31. LIGHTED STREET SIGNS ON ESPERANZA (COUNCILMEMBER WEDAA)
32. CITY RESERVE FUND POLICY (COUNCILMEMBER WEDAA)
33. SECURITY LIGHTING – CITY HALL PARKING LOT (COUNCILMEMBER WEDAA)
34. ESPERANZA WALL - TRELIS (COUNCILMEMBER WEDAA)
35. SKATE PARKS (COUNCILMEMBER WEDAA)
36. COUNCIL BADGES (COUNCILMEMBER WEDAA)
37. VIEW IMPAIRMENT (COUNCILMEMBER WEDAA)
38. TOWN CENTER PROCESS EVALUATION (COUNCILMEMBER ANDERSON)
39. ALL COMMISSIONER PAY (COUNCILMEMBER WEDAA)

CLOSED SESSION – IF REQUIRED

ADJOURNMENT

The next regularly scheduled City Council/Redevelopment Joint Meeting is November 20, 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.