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CITY OF YORBA LINDA

CITY COUNCIL/REDEVELOPMENT AGENCY
JOINT MEETING AGENDA

JULY 15, 2008

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 JOINT MEETING
CONVENING AT 5:00 P.M.

CALL TO ORDER

The City Council/Redevelopment Agency will convene at 5:00 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, Kelly

CLOSED SESSION

CITY COUNCIL

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9 (a)

Name of Case: Sage Yorba Linda Project LLC and Amos Travis v. City of
Yorba Linda

Case Number: Orange County Superior Court Case No. 00108598

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION,
SIGNIFICANT EXPOSURE TO LITIGATION

Government Code Section 54956.9(b)

Name of Case: Woodbridge Development Casino Ridge HOA

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION,
INITIATION OF LITIGATION

Government Code Section 54956.9(c)

Name of Case: La Floresta Development Project

D. CONFERENCE WITH LABOR NEGOTIATOR

Government Code Section 54957.6

Labor Negotiators: Interim City Manager Kelly, Assistant City Manager Gruchow

Employee Organization: Yorba Linda Mid-Management Association; Yorba
Linda Chapter of the Orange County Employees Association; and Department
Heads

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: Carvalho, Conklin, Cook, Gruchow, Hartman, Kelly, Leto, Mendoza, Steep, Stowell

PLEDGE OF ALLEGIANCE

INVOCATION

PASTOR CHICO HOLIDAY, CALVARY CHAPEL OF YORBA LINDA

CLOSED SESSION REPORT

INTRODUCTIONS & PRESENTATIONS

EMPLOYEE ANNIVERSARY AWARDS

CHAMBER OF COMMERCE ANNUAL REPORT

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

Public Comments 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 campaigning 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/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 Public Comments and on all other items listed on the Agenda. The City Council/Redevelopment Agency will entertain Public Comments 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 Public Comments 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 the Public Hearings 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.

1. 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 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 WARRANT LISTS

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

3. APPROVAL OF THE MINUTES OF THE JUNE 3, 2008 CITY COUNCIL/RDA JOINT MEETING

Recommendation: That the City Council/RDA approve the minutes of the June 3, 2008 joint meeting.

4. APPROVAL OF THE MINUTES OF THE JUNE 9, 2008 SPECIAL COUNCIL MEETING

Recommendation: That the City Council approve the minutes of the June 9, 2008 special meeting.

5. APPROVAL OF THE MINUTES OF JUNE 17, 2008 CITY COUNCIL/RDA JOINT MEETING

Recommendation: That the City Council/RDA approve the minutes of the June 17, 2008 joint meeting.

6. TREASURER'S REPORT - MAY 2008

Recommendation: That the City Council/RDA receive and file the report.

7. SECOND READING AND ADOPTION OF ORDINANCE NO. 2008-914, DELETING CHAPTER 12.28 SIGNS

Recommendation: That the City Council approve second reading and adopt Ordinance No. 2008-914 amending the Yorba Linda Municipal Code regarding signs.

8. CITY COUNCIL POLICY RE FORMAT OF CITY COUNCIL/CITY COMMISSION MINUTES

Recommendation: That the City Council take the following actions:

1. Adopt City Council Policy No. A-20 providing for the production and publishing of action minutes for City Council and City Commission meetings.
 2. Appropriate \$14,700 from General Fund reserves for the necessary equipment, support, and training necessary to stream audio recordings of City Commission proceedings from the City's Internet website.
9. AWARD OF CONTRACT FOR THE YORBA LINDA PUBLIC LIBRARY FLOOR STRENGTHENING PROJECT - 2H CONSTRUCTION, INC.

Recommendation: That the City Council:

Award a contract for the floor strengthening project at the Yorba Linda Public Library in the amount of \$112,000 to 2H Construction, Inc. of Signal Hill, California and reject all other bids; authorize the Interim City Manager to execute Change Order No. 3 with Myers, Houghton Partners, Inc. in the amount of \$6,000 to fund a structural steel specialist for construction observation; and approve and appropriate an additional \$53,850 from the Library Capital Reserves to fund the balance of the project construction (\$153,850) including a 15% contingency (\$16,800) to allow for unforeseen circumstances.

10. AUTHORIZATION TO EXECUTE AGREEMENT WITH WESTERN TRANSIT SYSTEMS FOR THE SENIOR MOBILITY PROGRAM

Recommendation: That the City Council approve the Agreement between the City and Western Transit Systems for the T.R.A.I.L.S (Taking Retired Adults Into Local Services) Senior Mobility Program, and authorize the Mayor to sign and the City Clerk to attest the Agreement.

11. AWARD OF CONTRACT FOR THE INSTALLATION OF THE TRAVIS RANCH YOUTH PARK PRE-FABRICATED RESTROOM, CONCESSION BUILDING, AND ADA PARKING IMPROVEMENTS - HONDO COMPANY, INC.

Recommendation: That the City Council award a contract for the installation of the Travis Ranch Youth Park Pre-Fabricated Restroom, Concession Building, and ADA Parking Improvements to Hondo Company, Inc., and approve a 10% contingency on the project to allow for unforeseen circumstances, and reject all other bids received on the project.

12. INTERIM COMMUNITY DEVELOPMENT DIRECTOR APPOINTMENT

Recommendation: That the City Council authorize the Mayor to execute a Professional Services Agreement with Hogle-Ireland, Inc. for the position of

Interim Community Development Director effective immediately at \$19,200 per month for a minimum of thirty-two hours per week.

13. AWARD OF CONTRACT - ESPERANZA LANDSCAPING FROM YORBA LINDA BOULEVARD OVERCROSSING TO HIDDEN HILLS ROAD PROJECT

Recommendation: That the City Council award the contract for the Esperanza Landscaping Project from Yorba Linda Boulevard Overcrossing to Hidden Hills Road to Yakar in the amount of \$104,940.00, reject all other bids, and allocate \$20,180.00 from the general fund reserves to pay for the project construction costs.

14. AWARD OF CONTRACT FOR ON-CALL GEOTECHNICAL ENGINEERING SERVICES

Recommendation: That the City Council approve the Professional Services Agreement between the City and Harrington Geotechnical Engineering, Inc. for a total fee not to exceed \$200,000 per year, and authorize the Mayor to execute and the City Clerk to attest.

15. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR THE DESIGN OF BUENA VISTA AND PASEO DE LAS PALOMAS ASPHALT REHABILITATION PROJECTS

Recommendation: That the City Council approve an Amendment to the Professional Services Agreement between the City and Merit Civil Engineering of Orange to prepare plans, specifications, and estimates for the Buena Vista Asphalt Rehabilitation Project from Scenic View Drive to Richfield Road and the Paseo de Las Palomas Asphalt Rehabilitation Project from Village Center Drive to Fairmont Boulevard for a total fee not to exceed \$97,580.00, and authorize the Mayor to execute and the City Clerk to attest to the Amendment for Professional Services Agreement.

16. ALLOCATION OF ADDITIONAL FUNDS FOR THE PAVEMENT REHABILITATION OF WEIR CANYON ROAD

Recommendation: That the City Council allocate an additional \$28,600.00 to fund Yorba Linda's share of the Pavement Rehabilitation of Weir Canyon Road joint project with the City of Anaheim.

17. APPROVAL OF TRACT MAP NO. 16804 AND ACCEPTANCE OF SUBDIVISION AGREEMENT, TOLL BROTHERS

Recommendation: That the City Council approve Final Tract Map No. 16804, accept the dedication of Lot A in fee simple for golf course purposes, Lots B and C in fee simple for landscape purposes, and 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.

18. REDUCTION OF PUBLIC STORM DRAIN IMPROVEMENT BOND AMOUNTS, TENTATIVE TRACT NO. 16209, S&S DEVELOPMENT

Recommendation: That the City Council authorize the City Clerk to reduce bonds per Public Works Department's Report.

19. PLACENTIA YORBA LINDA UNIFIED SCHOOL DISTRICT AGREEMENT FOR INSTALLMENT PAYMENTS TO SATISFY MASTER PLAN OF DRAINAGE FEES FOR THE YORBA LINDA HIGH SCHOOL PROJECT

Recommendation: That the City Council approve the Letter of Agreement with the Placentia Yorba Linda Unified School District for Installment Payments to satisfy the City of Yorba Linda Master Plan of Drainage fees for the Yorba Linda High School Project and authorize the Mayor to sign and City Clerk to attest.

End of Consent Calendar

PUBLIC HEARINGS

Note: If previous agenda items are completed prior to 7:00 p.m., the City Council will proceed to "Administrative Reports" on the Agenda until the scheduled time for the Public Hearings. At the Mayor's discretion, Public Comments may be postponed at 7:45 p.m. to allow the Public Hearings to be started.

If you challenge the City's/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/Agency on or prior to the Public Hearing.

20. PUBLIC HEARING RE DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) WITH HABITAT FOR HUMANITY FOR CONSTRUCTION OF AFFORDABLE HOUSING UNITS

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

e. Make Determination

That the City Council/RDA take the following actions:

1. Adopt Resolution No. 2008-3940 making certain findings regarding the disposition of Agency-owned property located at the northeast corner of Yorba Linda Boulevard and Park Avenue.
 2. Adopt RDA Resolution No. 2008-207 entering into a Disposition and Development Agreement (DDA) with Habitat for Humanity.
21. PUBLIC HEARING RE CITY OF YORBA LINDA STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT, FISCAL YEAR 2008-2009 AND ADOPTION OF RESOLUTION NO. 2008-3942
- a. Open Public Hearing
 - b. Staff Report
 - c. Take Testimony
 - d. Close Public Hearing
 - e. Make Determination

That the City Council adopt Resolution No. 2008-3942 confirming the proceedings for the City of Yorba Linda Street Lighting and Landscaping Maintenance District.

CONTINUED PUBLIC COMMENTS

This is the time reserved for those persons who were unable to speak earlier in the Agenda because of the postponement of Public Comments.

MAYOR'S REPORT

MATTERS PRESENTED BY COUNCILMEMBERS

ADMINISTRATIVE REPORTS

22. EMINENT DOMAIN INITIATIVE
23. MAYOR PRO TEM HORTON CONFLICT OF INTEREST

24. TOWN CENTER PERFORMANCE REVIEW
25. BLACK GOLD GOLF CLUB BUDGET AND OPERATIONS OVERVIEW
26. CITY COUNCIL STUDY SESSIONS
27. REPORT OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING/APPEAL OF PLANNING COMMISSION ITEMS

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/Redevelopment Agency 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/Agency shall adjourn.

28. USE OF ACCUMULATED AQMD MONEY AND HIRE TRANSPORTATION SPECIALIST (WEDAA)
29. EVALUATE USE OF FUEL CELLS FOR CIVIC CENTER (WEDAA)

CLOSED SESSION – IF REQUIRED

ADJOURNMENT

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is August 5, 2008.

NOTE: ALL STAFF REPORTS AND RELATED ATTACHMENTS FOR ITEMS ON THIS AGENDA ARE ON FILE IN THE CITY CLERK'S OFFICE AND ARE AVAILABLE FOR PUBLIC INSPECTION AT THE

CITY'S LIBRARY. AS AN ADDITIONAL SERVICE, THE CITY NOW PROVIDES THE STAFF REPORTS AND RELATED ATTACHMENTS ON THE CITY'S WEBSITE. PLEASE NOTE THAT IT IS NOT ALWAYS POSSIBLE TO EMBED ALL ATTACHMENTS AND MAPS. THUS, IF YOU REQUIRE A FULL AND COMPLETE COPY OF THE AGENDA PACKET, YOU SHOULD NOT RELY UPON THE WEBSITE MATERIALS ALONE.

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.