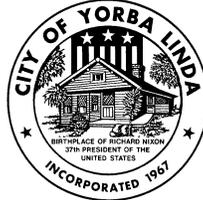


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CITY OF YORBA LINDA



Land of Gracious Living

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING AGENDA

NOVEMBER 18, 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 6:30 P.M.**

CALL TO ORDER

The City Council/Redevelopment Agency will convene 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, Gruchow, Hartman, Kelly, Leto, Mendoza, Steep, Stowell, Thiele

PLEDGE OF ALLEGIANCE

INVOCATION

BISHOP CHUCK FLAKE, CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

INTRODUCTIONS & PRESENTATIONS

STATE OF THE CITY VIDEO

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 waive reading in full 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 NOVEMBER 4, 2008 JOINT CITY COUNCIL/RDA MEETING

Recommendation: That the City Council/RDA approve the minutes of the November 4, 2008 joint meeting.

4. ACCEPTANCE OF IMPROVEMENTS AND NOTICE OF COMPLETION - YORBA LINDA PUBLIC LIBRARY STRUCTURAL STRENGTHENING PROJECT

Recommendation: That the City Council accept the improvements constructed at the Yorba Linda Public Library completed by 2H Construction, Inc.; approve and appropriate an additional \$3,635 in funding for the project from the Library Capital Reserves; authorize the City Clerk to file a Notice of Completion with the County Recorder; and, authorize the release of retention monies when appropriate to do so.

5. SECOND READING AND ADOPTION OF ORDINANCE NO. 2008-922 AMENDING MUNICIPAL CODE RELATING TO NOISE CONTROL

Recommendation: That the City Council approve second reading and adopt Ordinance No. 2008-922 amending the Municipal Code relating to noise control.

6. RESOLUTION NO. 2008-3959, MAIN STREET TEMPORARY CLOSURE FOR HOLIDAY EVENT

Recommendation: That the City Council adopt Resolution No. 2008-3959.

7. REDUCTION OF STORM DRAIN IMPROVEMENT BONDS, TOLL BROTHERS, VILLAGE III, TRACT 15572

Recommendation: That the City Council approve the reduction of storm drain improvement bonds per Public Works staff report.

8. REDUCTION OF GRADING AND STREET IMPROVEMENT BONDS, TOLL BROTHERS, TRACT 15572

Recommendation: That the City Council reduce bonds per Public Works Department staff report.

9. REDUCTION OF MASS GRADING BOND, SHAPELL INDUSTRIES, TRACT 16208

Recommendation: That the City Council reduce the grading bond per Public Work's staff report.

10. REDUCTION OF STREET IMPROVEMENT BONDS, TOLL BROTHERS, TRACT 16313

Recommendation: That the City Council reduce bonds per Public Works staff report.

11. RELEASE OF GRADING BOND FOR CLEAR AND GRUB AND EROSION CONTROL, TOLL BROTHERS TENTATIVE TRACT NO. 16549

Recommendation: That the City Council authorize the City Clerk to release Grading Bond No. 6249459 in the amount of \$169,125.00 immediately.

12. REDUCTION OF GRADING, STORM DRAIN, AND LANDSCAPING IMPROVEMENT BONDS - TOLL BROTHERS, TENTATIVE TRACT 16549

Recommendation: That the City Council authorize the City Clerk to reduce bonds for grading, storm drain and landscaping improvements per Public Works Department staff report.

13. REDUCTION OF GRADING, STORM DRAIN, STREET IMPROVEMENT AND OFF-SITE STREET IMPROVEMENT CASH DEPOSIT AMOUNTS, TRACT 16595, HOVER DEVELOPMENT

Recommendation: That the City Council authorize the Finance Department to reduce cash deposits per Public Works Department Staff Report.

14. APPROVAL OF TRACT MAP NO. 17030 AND ACCEPTANCE OF SUBDIVISION IMPROVEMENT AGREEMENT, TOLL BROTHERS

Recommendation: That the City Council approve Final Tract Map 17030, accept dedication of Lots A, B, D, E, & F in fee simple for landscape maintenance purposes, Lot C in fee simple for pedestrian trail purposes, easements for storm drain purposes, authorize the City Clerk to certify the record map upon completion of any technical corrections required by City Engineer, & authorize Mayor to sign & City Clerk to attest Subdivision Improvement Agreement.

15. REDUCTION OF IMPROVEMENT BONDS FOR STREETS AND STORM DRAIN, TOLL BROTHERS TRACT 17030

Recommendation: That the City Council authorize the City Clerk to reduce bonds for street and storm drain improvements per Public Works Department staff report.

16. RELEASE IMPROVEMENT BONDS FOR LANDSCAPING, TOLL BROTHERS, TRACT 16313

Recommendation: That the City Council authorize the City Clerk to release bonds per Public Works Department staff report.

17. REDUCTION OF BONDS FOR LANDSCAPING, TOLL BROTHERS, TRACTS 16314 AND 16315

Recommendation: That the City Council authorize the City Clerk to reduce bonds per Public Works Department staff report.

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.

18. PUBLIC HEARING RE APPEAL OF PLANNING COMMISSION'S DECISION RE DESIGN REVIEW 2004-18, CONDITIONAL USE PERMIT 2006-55 AND EIR PREPARED THEREFOR - CHAVEZ

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

That the City Council take the following actions:

- 1) Adopt Resolution No. 2008-3966 upholding the Planning Commission's decision to certify the EIR prepared for the Chavez Family Residence project;
- 2) Adopt Resolution No. 2008-3967 upholding the Planning Commission's decision to approve Conditional Use Permit 2006-55.
- 3) Adopt Resolution No. 2008-3968 upholding the Planning Commission's decision to approve Design Review 2004-18.

19. PUBLIC HEARING RE APPEAL OF PLANNING COMMISSION'S DECISION RE CONDITIONAL USE PERMIT 2008-43, MOLENAAR

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

That the City Council adopt Resolution No. 2008-3964 upholding the Planning Commission's decision to approve Conditional Use Permit 2008-43.

MAYOR'S REPORT

MATTERS PRESENTED BY COUNCILMEMBERS

ADMINISTRATIVE REPORTS

20. REPORT OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING/APPEAL OF PLANNING COMMISSION ITEMS
21. RESOLUTION DECLARING THE IMPORTANCE OF A COMPREHENSIVE AND INTEGRATED NETWORK OF TRAILS TO THE COMMUNITY AND ORDINANCE PROHIBITING ENCROACHMENTS ON PUBLIC AND PRIVATE TRAIL EASEMENTS
22. TOWN CENTER PERFORMANCE REVIEW
23. CITYWIDE HISTORIC RESOURCES SURVEY
24. CANYON POWER PLANT - ORAL REPORT

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.

25. EVALUATE USE OF FUEL CELLS FOR CIVIC CENTER (WEDAA)
26. RED STRIPING REVIEW AT VAN BUREN/YELLOWSTONE (HORTON)
27. FLAGS ON MAJOR BOULEVARDS ON PATRIOTIC HOLIDAYS (ANDERSON)
28. MOVING AND REHABILITATING BOARDED-UP TOWN CENTER HOMES (ANDERSON)
29. ELIMINATION OF INFORMAL POLICY OF CITY COUNCILMEMBERS RECEIVING CAMPAIGN STATEMENTS AT NO CHARGE (ANDERSON)
30. PROS AND CONS OF HIRING A LOBBYIST (HORTON)

CLOSED SESSION - IF REQUIRED

ADJOURNMENT

Mayor Winder will adjourn the meeting to a Special Meeting at 6:00 p.m. on Friday, November 21, 2008, in the Council Chambers at City Hall to discuss the proposed abandonment of landscape easements along High Tree Circle, Green Mount Place, and the slope adjacent to 22570 Hidden Hills Road.

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is December 2, 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.