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CITY OF YORBA LINDA

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

SEPTEMBER 16, 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, INITIATION OF LITIGATION

Government Code Section 54956.9(b) and (c) 1 case

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

Government Code Section 54956.9(c) (1 case)

Name of Case: La Floresta Development Project

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, Gruchow, Hartman, Kelly, Leto, Mendoza, Steep, Stowell,
Thiele

PLEDGE OF ALLEGIANCE

INVOCATION

ELDER MARK WELCHES, YORBA LINDA FRIENDS CHURCH

CLOSED SESSION REPORT

INTRODUCTIONS & PRESENTATIONS

YORBA LINDA WATER DISTRICT PRESENTATION

**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 AUGUST 19, 2008 JOINT CITY COUNCIL/RDA MEETING

Recommendation: That the City Council/RDA approve the minutes of the August 19, 2008 joint meeting.

4. APPROVAL OF THE MINUTES OF THE SEPTEMBER 2, 2008 JOINT CITY COUNCIL/RDA AND PLANNING COMMISSION MEETING.

Recommendation: That the City Council/RDA approve the minutes of the September 2, 2008 joint meeting.

5. TREASURER'S REPORT - JUNE 2008 (PRE-CLOSE)

Recommendation: That the City Council receive and file this report.

6. CLAIM FOR DAMAGES - F.T.R.S. FAMILY PARTNERSHIP

Recommendation: That the City Council deny the attached claim for damages by F.T.R.S. Family Partnership.

7. SECOND READING OF ORDINANCE NO. 2008-921, BEREAVEMENT LEAVE

Recommendation: That the City Council approve second reading and adopt Ordinance No. 2008-921 amending the Yorba Linda Municipal Code regarding employee bereavement leave.

8. RESOLUTION NO. 2008-3955, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA RELATING TO THE CLASSIFICATION, COMPENSATION AND TERMS OF EMPLOYMENT OF MID-MANAGEMENT EMPLOYEES, AND AMENDING RESOLUTION NO. 2008-3948

Recommendation: That the City Council adopt Resolution No. 2008-3955.

9. AUTHORIZATION TO ACCEPT DONATION OF A 2001 FORD E450 SUPER DUTY DIESEL PARA-TRANSIT VEHICLE FROM THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR THE SENIOR MOBILITY PROGRAM

Recommendation: That the City Council approve the donation of a 2001 Ford E450 Super Duty Diesel Para-transit vehicle as part of the 2007 Cooperative Agreement with the Orange County Transportation Authority (OCTA) for use for the T.R.A.I.L.S (Taking Retired Adults Into Local Services), Senior Mobility Program; and authorize staff to surplus the two (2) 1997 Ford diesel vans currently in service.

10. NOTICE OF COMPLETION FOR VILLAGE CENTER DRIVE MEDIAN MODIFICATIONS AT YORBA LINDA BOULEVARD, CALIFORNIA ENGINEERING & CONTRACTING, INC.

Recommendation: That the City Council accept the median modifications constructed by California Engineering & Contracting, 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. APPROVAL OF THE MASTER AGREEMENT ADMINISTERING AGENCY - STATE AGREEMENT FOR STATE-FUNDED PROJECTS

Recommendation: That the City Council approve the Master Agreement Administering Agency-State Agreement for State-Funded Projects and authorize the Mayor to sign and the City Clerk to attest.

12. CONTRACT AGREEMENT EXTENSION FOR STREET STRIPING, PAVEMENT MARKINGS, CURB PAINTING AND RELATED STRIPING ACTIVITIES WITH TRAFFIC OPERATIONS, INC.

Recommendation: That the City Council approve the one (1) year Contract Extension with a two percent unit price increase for the Installation of Street Striping, Pavement Markings, Curb Painting and Related Activities between the City and Traffic Operations, Inc. The one (1) year contract extension will commence on October 19, 2008 and terminate October 18, 2009 unless additional extensions are granted.

13. REQUEST TO FUND LANDSCAPE INFRASTRUCTURE AUDIT FOR LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ZONES 1-5 FROM ASSESSMENT DISTRICT CONTINGENCY FUNDS AND THE ARTERIAL ZONE FROM THE GENERAL FUND RESERVE

Recommendation: That the City Council authorize the Mayor to sign and the City Clerk to attest the contract between Willdan and the City in the amount of \$127,000 for an infrastructure audit of the Arterial Zone and Zones 1-5, and approve the transfer of \$141,000 from LMAD contingency funds for Zones 1-5 and \$33,000 from General Fund Reserves for the Arterial Zone.

14. RESOLUTION NO. 2008-3954, MAIN STREET AND LEMON DRIVE TEMPORARY CLOSURE - CHAMBER OF COMMERCE STREET FAIRE AND CAR SHOW

Recommendation: That the City Council adopt Resolution No. 2008-3954 approving the street closure of Main Street and Lemon Drive for the Chamber of Commerce Street Faire and Car Show event, subject to the conditions of approval.

15. CHANGE ORDER NO. 1 TO AMENDMENT NO. 5 TO THE WILLDAN PROFESSIONAL SERVICES AGREEMENT TO PROVIDE ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE LAKEVIEW AVENUE SLOPE AND TRAIL REPAIR PROJECT

Recommendation: That the City Council authorize the Mayor to execute Change Order No. 1 to Amendment No. 5 of the Professional Services Agreement with Willdan in the amount of \$7,333.99 for additional engineering design services for the Lakeview Avenue Slope and Trail repair project.

End of Consent Calendar

MAYOR'S REPORT

MATTERS PRESENTED BY COUNCILMEMBERS

ADMINISTRATIVE REPORTS

16. 2008 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTIONS
17. BLACK GOLD GOLF CLUB BUDGET AND OPERATIONS OVERVIEW
18. TOWN CENTER PERFORMANCE REVIEW
19. MAYOR PRO TEM HORTON CONFLICT OF INTEREST
20. CITY COUNCIL STUDY SESSIONS
21. TOWN CENTER FACADE IMPROVEMENT PROGRAM
22. DUTIES OF TRAFFIC COMMISSIONERS
23. RESOLUTION NO. 2008-3953 AUTHORIZING THE DISPLAYING OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE CITY COUNCIL CHAMBERS
24. REPORT OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETINGS/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.

25. USE OF ACCUMULATED AQMD MONEY AND HIRE TRANSPORTATION SPECIALIST (WEDAA)

26. EVALUATE USE OF FUEL CELLS FOR CIVIC CENTER (WEDAA)

CLOSED SESSION – IF REQUIRED

ADJOURNMENT

Mayor Winder will adjourn the meeting to a Town Hall Meeting to be held on September 30, 2008 at 6:30 p.m. at Lakeview Elementary School.

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is October 7, 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.**