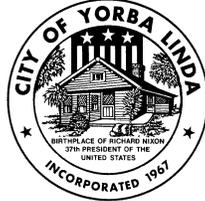


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CITY OF YORBA LINDA



Land of Gracious Living

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING AGENDA

OCTOBER 20, 2009

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 5:30 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, Horton, Rikel, Schwing, Winder

Staff Members: Adams, Raymond

CLOSED SESSION

CITY COUNCIL

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

<u>Property:</u>	4801 Park Avenue, APN No. 334-403-1 & 2
<u>City Negotiators:</u>	City Manager Adams, City Attorney Jamie Raymond
<u>Property Negotiators:</u>	Property Owner Sylvia Chavez
<u>Under Negotiation:</u>	Price and Terms of Payment

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, Horton, Rikel, Schwing, Winder

Staff Members: Adams, Brantley, Conklin, Hartman, Mendoza, Raymond, Steep, Stowell

PLEDGE OF ALLEGIANCE

INVOCATION

BISHOP DALE MADSEN, CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

CLOSED SESSION REPORT

INTRODUCTIONS & PRESENTATIONS

INTRODUCTION OF OCFA FIRE CHIEF KEITH RICHTER

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 SEPTEMBER 12, 2009 SPECIAL CITY COUNCIL MEETING

Recommendation: That the City Council approve the minutes of the September 12, 2009 Special City Council Meeting.

4. APPROVAL OF THE MINUTES OF THE SEPTEMBER 30, 2009 CITY COUNCIL/RDA ADJOURNED MEETING

Recommendation: That the City Council/RDA approve the minutes of the September 30, 2009 adjourned meeting.

5. APPROVAL OF THE MINUTES OF THE OCTOBER 6, 2009 CITY COUNCIL/RDA MEETING

Recommendation: That the City Council/RDA approve the minutes of the October 6, 2009 City Council/RDA Meeting.

6. TREASURER'S REPORT - JUNE 2009 (FINAL)

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

7. TREASURER'S REPORT - JULY 2009

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

8. RESOLUTION NO. 2009-4048, APPROVING THE FORM OF & AUTHORIZING THE EXECUTION & DELIVERY OF A PURCHASE & SALE AGREEMENT & RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE; AND DIRECTING & AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

Recommendation: That the City Council adopt the Proposition 1A Sale Resolution No. 2009-4048, approve the purchase and sale agreement and authorize the Mayor, City Manager and Finance Director to sign the Proposition 1A documents.

9. GENERAL FUND BUDGET REPORT - 1ST QUARTER FY 2009-2010

Recommendation: That the City Council appropriate an additional \$379,200 from General Fund reserves to support increased police service costs and direct staff to return with an updated budget report in January 2010.

10. DESIGNATION OF NEW CITY TREASURER

Recommendation: That the City Council approve Resolution No. 2009-4047 designating David F. Adams as the City Treasurer and Rescind Resolution No. 2004-3677.

11. PROFESSIONAL SERVICES AGREEMENT - SRC CONSULTING, INC.

Recommendation: That the City Council approve and authorize the City Manager to sign the professional services agreement with SRC Consulting, Inc.

12. LIBRARY COMMISSION VACANCY

Recommendation: That the City Council direct the City Clerk to proceed with the regular recruitment process to fill the vacancy on the Library Commission created by the resignation of Gene Searce by advertising the vacancy in the Yorba Linda Star, the Government Access Channel 3 and the City's webpage, and set an agreeable date and time for Council to interview the applicants to fill the vacancy on the Library Commission.

13. ORDINANCE NO. 2009-933, AMENDING THE YORBA LINDA MUNICIPAL CODE TO PERMIT CERTAIN BRIDGE GAMES

Recommendation: That the City Council introduce and conduct first reading of Ordinance No. 2009-933, adding to the Yorba Linda Municipal Code to permit certain bridge games.

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.

14. ZONING CODE AMENDMENT 2009-01, TO AMEND THE EXISTING ZONING REGULATIONS FOR SECOND STORY DECKS

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

That the City Council adopt for first reading, Ordinance No. 2009-932, to approve Zoning Code Amendment 2009-01, to amend the existing zoning regulations for second-story decks and similar structures (Section 18.10.120.I of the Yorba Linda Municipal Code) to allow such structures to be reviewed administratively in order to streamline the approval process for homeowners, and reduce the administrative burden on the Planning Commission.

15. REDEVELOPMENT AGENCY DISPOSITION OF TWENTY-SIX (26) AGENCY OWNED PROPERTIES, LOCATED WITHIN THE EVERGREEN VILLAS SENIOR CONDOMINIUM COMPLEX

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

That the Yorba Linda Redevelopment Agency adopt Redevelopment Agency Resolution No. 2009-213 approving the attached report related to Health and Safety Code Section 33433, adopt City Council Resolution No. 2009-4046 authorizing the Redevelopment Agency's disposition of property located at 5053, 5055, 5057, 5061, 5066, 5068, 5069, 5070, 5072, 5073, 5078, 5080, 5082, 5090, 5104, 5108, 5109, 5111, 5113, 5114, 5115, 5116, 5118, 5119, 5122 and 5126 Avocado Circle, and adopt Redevelopment Agency Resolution No. 2009-212 authorizing the Agency to enter into an Affordable Housing Agreement (AHA) with Evergreen Villas LP, and provide direction to the Executive Director of the Agency to execute the Affordable Housing Agreement, Loan Agreement, Grant Deed, Regulatory Agreement, and all other necessary documentation to effectuate the sale of the property.

16. RESOLUTION NO. 2009-4045, DECLARING A PRIVATE PROPERTY LOCATED AT 4542 GRANADA DRIVE A PUBLIC NUISANCE
 - a. Open Public Hearing
 - b. Staff Report
 - c. Take Testimony
 - d. Close Public Hearing
 - e. Make Determination

That the City Council adopt Resolution No. 2009-4045, declaring a private property located at 4542 Granada Drive in the City of Yorba Linda, a public nuisance.

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

17. REQUEST FOR USE OF THE LANDSCAPE EASEMENT FOR PLACEMENT OF SOLAR PANELS AT REAR OF 3303 GARDENIA LANE
18. RECONSIDERATION OF REQUEST FOR REPLACEMENT OF CITY OWNED TREES ON LOMBARDY LANE AND GRANADA DRIVE
19. CONSIDERATION OF ORDINANCE NO. 2009-935, PROHIBITING THE FEEDING OF WILD MAMMALIAN ANIMALS
20. AUTHORIZATION TO PROCEED WITH PROCESS TO TRANSFER OWNERSHIP OF THE CITY SEWER SYSTEM TO THE YORBA LINDA WATER DISTRICT

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.

21. PROCLAMATION RE NIGHT FLYING OF OCFA HELICOPTERS (RIKEL)
22. ON CALL ENGINEERS (RIKEL)
23. DISCUSSION RE CITY REQUIREMENTS FOR POST FIRE SOILS TESTING (SCHWING)
24. DIRECTION RE PROFESSIONAL FEASIBILITY STUDY FOR A CULTURAL ARTS FACILITY IN THE TOWN CENTER (SCHWING)

CLOSED SESSION – IF REQUIRED

ADJOURNMENT

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is November 3, 2009.

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.