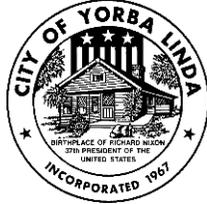


THIS MEETING IS BEING BROADCAST LIVE FOR AIRING ON CABLE CHANNEL 3, AT&T U-VERSE CHANNEL 99 AND THE CITY'S WEBSITE. BY REMAINING IN THE ROOM, YOU ARE GIVING YOUR PERMISSION TO BE TELEVISED.

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CITY OF YORBA LINDA



Land of Gracious Living

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING AGENDA

OCTOBER 6, 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

Property: 4801 Park Avenue, APN 334-403-1 & 2

City Negotiators: City Manager Adams

Property Negotiators: Property Owner Sylvia Chavez

Under Negotiation: 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, Conklin, Harris, Hartman, Mendoza, Raymond,
Steep, Stowell

PLEDGE OF ALLEGIANCE

INVOCATION

FATHER MICHAEL HANIFIN, SANTA CLARA DE ASIS CATHOLIC CHURCH

CLOSED SESSION REPORT

INTRODUCTIONS & PRESENTATIONS

PROCLAMATION, FIRE PREVENTION WEEK, OCTOBER 3 - 10, 2009 ACCEPTED
BY CHIEF NICOLA

OCFA READY, SET, GO! REPORT

FRIENDS CHRISTIAN HIGH SCHOOL PROGRESS REPORT

PRESENTATION RE SUCCULENTS AND CACTI BY ROSEMARIE SAUER

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 15, 2009 CITY COUNCIL/RDA MEETING

Recommendation: That the City Council/RDA approve the minutes of the September 15, 2009 City Council/RDA Meeting.

4. APPROVAL OF THE MINUTES OF THE SEPTEMBER 22, 2009 SPECIAL CITY COUNCIL MEETING

Recommendation: That the City Council approve the minutes of the September 22, 2009 Special City Council Meeting.

5. APPROVAL OF THE MINUTES OF THE SEPTEMBER 22, 2009 CITY COUNCIL/RDA ADJOURNED MEETING

Recommendation: That the City Council/RDA approve the minutes of the September 22, 2009 adjourned meeting.

6. EXTENSION OF AUDITING SERVICES CONTRACT

Recommendation: That the City Council extend the auditing services contract with LSL (formerly known as Lance Soll and Lunghard) LLP for an additional two fiscal years with an option for a third year and authorize the Mayor to sign the extension letter.

7. LANE REDUCTIONS ON PASEO DE LAS PALOMAS, VILLAGE CENTER DRIVE AND YORBA RANCH ROAD (ROADWAY DIET)

Recommendation: That the City Council direct the Traffic Commission, as funding sources become available, to receive public input on the reduction of the roadway lane configuration to one travel lane and a bike lane in each direction for Paseo de Las Palomas between Yorba Linda Boulevard and Paseo del Prado; Village Center Drive between Bastanchury Road and north Fairmont Boulevard; and Yorba Ranch Road between Yorba Linda Boulevard and Esperanza Road.

8. FUNDING ALLOCATION FOR FIRE DAMAGED AREAS IN THE LANDSCAPE & LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES L-1 & L-2

Recommendation: That the City Council approve the allocation of funds from LMAD reserves to cover the cost of re-construction of fuel modification landscape zones along Rim Crest Drive/Falconridge Road, Dorinda Road, Stonehaven/Heatheridge Drive, Hidden Hills Road and Via Lomas de Yorba East, which were damaged by the Freeway Complex Fire.

9. MULTIPLE CLAIMS FOR DAMAGES - GARY HOMBS, MATTHEW A. PALMER, RODERICK QUINN, GREG SLATER AND JORGE TORRES & NOEMI RUEDAS TORRES

Recommendation: That the City Council deny the claims for damages submitted by Gary Hombs, Matthew A. Palmer, Roderick Quinn, Greg Slater and Jorge Torres and Noemi Ruedas Torres.

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.

10. APPEAL OF DESIGN REVIEW 2008-12 AND MITIGATED NEGATIVE DECLARATION PREPARED THEREFOR, ST. JOSEPH HEALTH SYSTEM

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

- 1) Appellant
- 2) Project Applicant
- 3) Public Comment
- 4) Rebuttal by Applicant, If Required
- d. Close Public Hearing
- e. Make Determination

That the City Council review the public record from the Planning Commission meeting, take additional public testimony, and provide direction to staff relative to the City Council's determination on the requested application. As an alternative, Resolution No. 2009-4035 is attached upholding the Planning Commission's approval of Design Review 2008-12 and the Mitigated Negative Declaration.

11. APPEAL OF DESIGN REVIEW 2008-06, METZ

- a. Open Public Hearing
- b. Staff Report
- c. Take Testimony
 - 1) Appellant
 - 2) Project Applicant
 - 3) Public Comment
 - 4) Rebuttal by Applicant, If Required
- d. Close Public Hearing
- e. Make Determination

That the City Council adopt Resolution No. 2009-4034, upholding the Planning Commission's approval of Design Review 2008-06.

12. ZONING CODE AMENDMENT 2009-01, AMENDING EXISTING ZONING REGULATIONS FOR SECOND STORY DECKS

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

That the City Council continue this item to the regularly scheduled City Council meeting of October 20, 2009.

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

13. GRANT REQUEST OF \$42,000 BY THE YORBA LINDA VETERANS MEMORIAL ASSOCIATION FOR ADDITIONAL AMERICANS WITH DISABILITIES ACT IMPROVEMENTS AT VETERANS PARK
14. REQUEST FOR USE OF THE LANDSCAPE EASEMENT FOR PLACEMENT OF SOLAR PANELS AT THE REAR OF 3303 GARDENIA LANE
15. REQUEST FOR REMOVAL OF CITY OWNED TREES WITHIN THE CITY MAINTAINED LANDSCAPE SLOPE BEHIND THE RESIDENCE AT 27850 BEN NEVIS WAY
16. ORDINANCE NO. 2009-933, AMENDING THE YORBA LINDA MUNICIPAL CODE TO PERMIT CERTAIN BRIDGE GAMES
17. CONSIDERATION OF ORDINANCE NO. 2009-935 PROHIBITING THE FEEDING OF WILD MAMMALIAN ANIMALS

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.

18. ATTORNEY GENERAL LETTER RE FORMER CITY MANAGER TAMARA LETOURNEAU AND BIA (ANDERSON)
19. RELAXED SIGNAGE ENFORCEMENT DUE TO ECONOMIC DOWNTURN (ANDERSON)

CLOSED SESSION IF REQUIRED

ADJOURNMENT

The meeting will be adjourned to a Special Joint Meeting of the City Council/RDA and Planning Commission at 7:00 p.m. on Tuesday, October 13, 2009, at Travis Ranch Elementary School to discuss the Town Center Specific Plan.

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