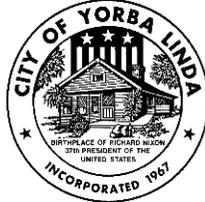


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CITY OF YORBA LINDA



Land of Gracious Living

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING AGENDA

SEPTEMBER 15, 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: Vista Del Verde Park Site #2 in Village IV
4400 Lakeview Avenue

City Negotiators: City Manager Adams

Property Negotiators: Charlie Raddatz, Toll Bros

Under Negotiation: Price and terms of potential purchase and sale

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

Government Code Section 54956.9 (b) (1 Case)

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, Leto, Mendoza,
Raymond, Steep, Stowell

PLEDGE OF ALLEGIANCE

INVOCATION

ELDER LARRY WOESSNER, YORBA LINDA FRIENDS CHURCH

CLOSED SESSION REPORT

INTRODUCTIONS & PRESENTATIONS

OCFA READY, SET, GO! REPORT

FRIENDS CHRISTIAN HIGH SCHOOL PROGRESS 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 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, 2009 CITY COUNCIL/RDA AND PLANNING COMMISSION SPECIAL JOINT MEETING

Recommendation: That the City Council/RDA approve the minutes of the August 19, 2009 City Council/RDA and Planning Commission Special Joint Meeting.

4. APPROVAL OF THE MINUTES OF THE SEPTEMBER 1, 2009 CITY COUNCIL/RDA MEETING

Recommendation: That the City Council/RDA approve the minutes of the September 1, 2009 meeting.

5. CONTRACT CHANGE ORDER - LANDSCAPE AND LIGHTING DISTRICT, MAINTENANCE PACKAGE F - NIEVES LANDSCAPE, INC.

Recommendation: That the City Council approve the inclusion of 14.7 acres of landscaping to the scope of work for LMAD Maintenance Package F, and authorize a contract change order for Nieves Landscape, Inc. to increase the monthly payment by \$4,506.94 to accommodate this change in the scope of work.

6. REDUCTION OF IMPROVEMENT BONDS, TRACT NO. 17079, MBK HOMES

Recommendation: That the City Council authorize the City Clerk to reduce the Faithful Performance and Labor & Materials Bonds to 70 percent of the second reduction amount and hold until final release.

7. ACCEPT PUBLIC IMPROVEMENTS AND RELEASE BONDS, TRACT 16315, PARDEE HOMES

Recommendation: That the City Council authorize the City Clerk to release the Labor and Materials bond in 180 days, reduce the Faithful Performance bond to 10 percent of the current bond amount and release in one year if no liens have been filed, and release the Monumentation Bond immediately.

8. ACCEPT PUBLIC IMPROVEMENTS AND RELEASE BONDS, TRACT 16559, SHEA HOMES

Recommendation: That the City Council authorize the City Clerk to release the Labor and Materials bond in 180 days, reduce the Grading and Faithful Performance bonds to 10 percent of the original amount and release in one year if no liens have been filed, and release the Monumentation Bond immediately.

9. ADOPTION OF THE SEWER SYSTEM MANAGEMENT PLAN (SSMP)

Recommendation: That the City Council adopt the Sewer System Management Plan (SSMP), as mandated by the State Water Resources Control Board, Order No. 2006-0003, for Statewide General Waste Discharge Requirements (WDR) for Sanitary Sewer Systems.

10. ALLOCATION OF FUNDS FOR THE HIDDEN HILLS EMERGENCY ACCESS ROADS PROJECTS

Recommendation: That the City Council allocate \$350,000 from general fund reserves for the design and construction of the Hidden Hills Emergency Access Roads Project.

11. RESOLUTION NO. 2009-4042 TO HOLD A PUBLIC HEARING TO ASCERTAIN WHETHER PRIVATE PROPERTY LOCATED AT 4542 GRANADA DRIVE CONSTITUTES A PUBLIC NUISANCE

Recommendation: That the City Council adopt Resolution No. 2009-4042, to hold a public hearing to ascertain whether private property located at 4542 Granada Drive in the City of Yorba Linda constitutes a public nuisance.

12. UPDATE TO THE 2009 FIESTA DAYS PARADE AND FAMILY FAIRE SEPTEMBER 1, 2009 CITY COUNCIL REPORT

Recommendation: That the City Council continue to support the FY 2009/2010 budget reduction plan adopted on June 16, 2009 by not reinstating the 2009 Fiesta Days.

13. TRANSFER AGREEMENT LETTER FOR THE ACCEPTANCE OF THE VETERANS MEMORIAL MONUMENT

Recommendation: That the City Council authorize the Mayor to sign, and the City Clerk to attest, the Veterans Memorial Monument Transfer Agreement letter.

14. DEMOLITION REQUEST FOR 4421 CASA LOMA AVENUE

Recommendation: That the City Council approve the demolition request for 4421 Casa Loma Avenue.

15. 2009 JUSTICE ASSISTANCE GRANT PROGRAM AGREEMENT TO TRANSFER FUNDS

Recommendation: That the City Council authorize the City Clerk to sign the "Agreement to Transfer Funds for FY 2009 Recovery Act JAG Program" with the County of Orange in order to receive funds allocated to the City in the 2009 Justice Assistance Grant Program.

16. CONTRACT CHANGE ORDER - LANDSCAPE AND LIGHTING DISTRICT, MAINTENANCE PACKAGE G - ROCKEY MURATA LANDSCAPE SERVICES, INC.

Recommendation: That the City Council approve the inclusion of 11.8 acres of landscaping to the scope of work for LMAD Maintenance Package G, and authorize a contract change order for Rockey Murata Landscape Services, Inc. to increase the monthly payment by \$2,904.00 to accommodate this change in the scope of work.

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.

17. RESOLUTION NO. 2009-4043, PUBLIC HEARING DECLARING A PRIVATE PROPERTY LOCATED AT 17835 ANNA MARIE ROAD, 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. 2009-4043, declaring a private property located at 17835 Anna Marie Road is a public nuisance.
18. RESOLUTION NO. 2009-4044, PUBLIC HEARING DECLARING A PRIVATE PROPERTY LOCATED AT 17841 ANNA MARIE ROAD 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. 2009-4044, declaring a private property located at 17841 Anna Marie Road is 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

- 19. REQUEST FOR REPLACEMENT OF CITY OWNED TREES ON LOMBARDY LANE AND GRANADA DRIVE
- 20. CONTRACT EXTENSION FOR ANIMAL PEST MANAGEMENT SERVICES

OTHER AGENCY REPORTS AND REFERRALS

ORANGE COUNTY SANITATION DISTRICT

ORANGE COUNTY DIVISION OF THE LEAGUE OF CALIFORNIA CITIES

FOOTHILL/EASTERN
CORRIDOR SYSTEM

TRANSPORTATION

CORRIDOR/TRANSPORTATION

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.

CLOSED SESSION IF REQUIRED

ADJOURNMENT

The meeting will be adjourned to a Special meeting on September 22, 2009 at 6:30 p.m. to discuss the Black Gold Golf Club. A Town Hall meeting will be held at 6:30 p.m. on September 29, 2009 at Bryant Ranch Elementary School. A Special meeting will be held on September 30, 2009 at 6:30 p.m. re Ethics Ordinance, City Manager Goals.

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is October 6, 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.