

THIS MEETING IS BEING BROADCAST LIVE FOR AIRING ON CABLE CHANNEL 3 AND THE CITY'S WEBSITE. BY REMAINING IN THE ROOM, YOU ARE GIVING YOUR PERMISSION TO BE TELEVISED.

The City Council Meetings Are Rebroadcast Every Thursday At 6:30 p.m. On Cable Channel 3 And Can Be Viewed On The Internet At www.yorba-linda.org.

CITY OF YORBA LINDA



Land of Gracious Living

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING AGENDA

AUGUST 4, 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, Carvalho

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 Brothers

Under Negotiation: Price and terms of potential purchase and sale

Government Code Section 54956.8

Property: Friends Christian High School

City Negotiators: City Attorney and Community Development Director Harris

Property Negotiators: Michael Kairis, Friends Christian High School

Under Negotiation: Price and Terms of Lease

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

Government Code Section 54956.9 (b) (1 Case)

C. CONFERENCE WITH LABOR NEGOTIATOR

Government Code Section 54957.6

Agency Designated Representative: City Manager
Employee Organizations: Yorba Linda Mid-Management Association; The Orange County Employees Association; and Department Heads

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, Carvalho, Conklin, Harris, Hartman, Leto,
Mendoza, Steep, Stowell

PLEDGE OF ALLEGIANCE

INVOCATION

PASTOR ANNE NIELSEN, DANISH LUTHERAN CHURCH OF SOUTHERN CALIFORNIA

CLOSED SESSION 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. REQUEST FOR FUNDING FOR COYOTE EDUCATION SIGNAGE

Recommendation: That the City Council approve funding for coyote education signage.

4. LAKEVIEW ELEMENTARY SCHOOL/VISTA DEL VERDE PARK CIRCULATION IMPROVEMENTS PROJECT - AWARD OF CONTRACT TO LA STRADA CONTRACTING COMPANY

Recommendation: That the City Council award the contract for the Lakeview Elementary School/Vista Del Verde Park Circulation Improvements Project to La Strada Contracting Company in the amount of \$141,707.80 and reject all other bids.

5. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR BIDS - STREET REHABILITATION IMPROVEMENTS FOR VILLAGE CENTER DRIVE FROM MANZANITA AVENUE TO FAIRMONT BOULEVARD PROJECT

Recommendation: That the City Council approve the construction plans and specifications and authorize the advertising of bids for the Street Rehabilitation Improvements for Village Center Drive from Manzanita Avenue to Fairmont Boulevard Project.

6. CLAIM FOR DAMAGES – VARTANIAN

Recommendation: That the City Council deny the claim for damages by Daniel Vartanian.

7. RESOLUTION NO. 2009-4031 AUTHORIZING APPLICATION FOR FUNDS FOR THE DR-1810 HAZARD MITIGATION GRANT PROGRAM (HMGP) FOR SAN ANTONIO/FAIRMONT, BOX CANYON, AND BRUSH CANYON AREAS

Recommendation: That the City Council approve Resolution No. 2009-4031 authorizing staff to nominate San Antonio/Fairmont, Box Canyon, and Brush Canyon hazard mitigation projects, which qualify up to \$2,000,000 in Federal DR-1810 Hazard Mitigation Grant Program, and commit a maximum of \$700,000 in matching funds for the City's share to pay for the design and construction of the proposed project.

8. RESOLUTION 2009-4030 GRANTING ANOTHER DESIGNATED PERIOD FOR TWO YEARS ADDITIONAL SERVICE CREDIT PROGRAM

Recommendation: That the City Council adopt Resolution No. 2009-4030 granting another designated period, from August 5, 2009 to November 3, 2009, for participating in the CalPERS Two Years Additional Service Credit Program. Additionally, it is recommended that the City Council authorize the Mayor to sign the Certification of Compliance with Government Code Section 20903.

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.

9. PUBLIC HEARING REGARDING PROPOSED RATE ADJUSTMENT FOR SEWER MAINTENANCE CHARGES FOR THE 2009/10 THROUGH 2013/14 FISCAL YEARS AND APPROVAL OF WASTEWATER RATE STUDY - ORDINANCE NO. 2009-933
- a. Open Public Hearing
 - b. Staff Report
 - c. Take Testimony
 - d. Close Public Hearing
 - e. Make Determination - That the City Council approve the Wastewater Rate Study; direct the City Clerk to tabulate written protests and report the findings prior to the close of the Public Hearing; and approve the first reading of Ordinance 2009-933 should adequate written protest not be received prior to the close of the public hearing.
10. CONTINUANCE OF PUBLIC HEARING REGARDING WEED ABATEMENT ASSESSMENT OF LIENS
- a. Open Public Hearing
 - b. Staff Report
 - c. Take Testimony

- d. Make Determination - That the City Council continue the Public Hearing to the August 18, 2009 City Council meeting.
11. COMMERCIAL/INDUSTRIAL FACILITIES NPDES STORM WATER INSPECTION FEES
- a. Open Public Hearing
 - b. Staff Report
 - c. Take Testimony
 - d. Close Public Hearing
 - e. Make Determination - That the City Council adopt Resolution No. 2009-4028 establishing industrial/commercial facilities NPDES storm water inspection fees.

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

- 12. CONSIDERATION OF MODIFYING THE PROCESS FOR THE ISSUANCE OF DEMOLITION PERMITS
- 13. DISCUSSION OF THE SEPTEMBER 1, 2009 CITY COUNCIL MEETING

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.

14. RECONSIDERATION OF ITEM 12 FROM THE JULY 21, 2009 CITY COUNCIL MEETING - BUDGET ALLOCATION TO IMPLEMENT URGENT ACTIONS REQUIRED DUE TO MANDATORY REGIONAL WATER REDUCTIONS FOR THE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT AND OTHER PUBLIC LANDSCAPE AREAS (ANDERSON)
15. DISCUSSION RE DRAFTING AN ORDINANCE PROHIBITING THE WILLFUL AND INTENTIONAL FEEDING OF COYOTES (SCHWING)

CLOSED SESSION IF REQUIRED

ADJOURNMENT

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is August 18, 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.