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CITY OF YORBA LINDA



Land of Gracious Living

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING AGENDA

MARCH 3, 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: Carvalho, Kelly

CLOSED SESSION

CITY COUNCIL

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(a)

Name of Case: City of Yorba Linda v. City of Anaheim

Case Number: 01CC09320

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

PLEDGE OF ALLEGIANCE

INVOCATION

PASTOR JIM DOMEN, ROSE DRIVE FRIENDS CHURCH

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. APPROVAL OF THE MINUTES OF THE FEBRUARY 10, 2009 SPECIAL CITY COUNCIL MEETING

Recommendation: That the City Council/RDA approve the minutes of the February 10, 2009 Special City Council joint meeting.

4. APPROVAL OF THE MINUTES OF THE FEBRUARY 17, 2009 CITY COUNCIL MEETING

Recommendation: That the City Council/RDA approve the minutes of the February 17, 2009 joint meeting.

5. TREASURER'S REPORT JANUARY 2009

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

6. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR BIDS-BASTANCHURY ROAD/IMPERIAL HIGHWAY INTERSECTION IMPROVEMENTS PROJECT

Recommendation: That the City Council approve the construction plans and specifications and authorize the advertising of bids for the Bastanchury/Imperial Highway Intersection Improvements Project.

7. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR BIDS-VALLEY VIEW AVENUE SAFE ROUTES TO SCHOOL PROJECT

Recommendation: That the City Council approve the construction plans and specifications and authorize the advertising of bids for the Valley View Avenue Safe Routes to School Project.

8. TRANSFER OF FUNDS FOR THE RIGHT-OF-WAY PHASE FOR THE LAKEVIEW AVENUE WIDENING FROM ORIENTE DRIVE TO BASTANCHURY ROAD PROJECT

Recommendation: That the City Council approve the transfer of \$400,000 from the construction phase budgeted in FY 2008/2009 to the right-of-way phase to fund necessary right-of-way acquisition for the Lakeview Widening from Oriente Drive to Bastanchury Road Project, and authorize the City Manager to execute Change Order No. 2 to Amendment No. 3 to Bureau Veritas North America, Inc. in the amount of \$11,990.00.

9. APPROVAL OF CONTRACT WITH JOHNSON FRANK & ASSOCIATES FOR THE EL CAJON TRAIL RIGHT-OF-WAY STUDY

Recommendation: That the City Council authorize the City Manager to execute Amendment No. 3 to the Johnson Frank & Associates, Inc. contract in the amount of \$38,250.00, and allocate \$40,000 from general fund reserves to pay for the El Cajon Trail Right-of-Way costs.

10. CLAIM FOR DAMAGES - CHOI

Recommendation: That the City Council deny the claim for damages by Duk Kun Choi.

11. CLAIM FOR DAMAGES - NORMANDEAU

Recommendation: That the City Council deny the claim for damages by Thomas Normandeau.

12. RESOLUTIONS DECLARING INTENT TO HOLD A PUBLIC HEARING TO ASCERTAIN WHETHER PRIVATE PROPERTY LOCATED IN THE CITY OF YORBA LINDA CONSTITUTES A PUBLIC NUISANCE

Recommendation: That the City Council adopt:

Resolution No. 2009-3982, 4660 Alder Avenue,
Resolution No. 2009-3983, 4980 Aviemore Drive,
Resolution No. 2009-3984, 21890 Cardiff Drive,
Resolution No. 2009-3985, 4610 Dorinda Road,
Resolution No. 2009-3986, 5020 Greenhaven Street,
Resolution No. 2009-3987, 4520 San Antonio Road,
Resolution No. 2009-3988, 4580 Via Corzo, and
Resolution No. 2009-3989, 24410 Via Lomas de Yorba East

13. DECLARATION OF INTENT FOR A BUILDING DEMOLITION PERMIT FOR THE SINGLE-FAMILY RESIDENCE AND TWO ACCESSORY STRUCTURES AT 5170 LOS ALTOS DRIVE - WELLS FARGO (APPLICANT)

Recommendation: That the City Council approve the request for a demolition permit for a wood frame house and two accessory structures on the property located at 5170 Los Altos Drive.

End of Consent Calendar

MAYOR'S REPORT

MATTERS PRESENTED BY COUNCILMEMBERS

ADMINISTRATIVE REPORTS

14. REPORT OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING/APPEAL OF PLANNING COMMISSION ITEMS
15. GOLF COURSE PRO FORMA ANALYSIS, AGRONOMIC PLAN UPDATE, AND THE FIVE YEAR BUDGET PROJECTIONS
16. DISCUSSION RE CLARIFICATION OF CODE ENFORCEMENT POLICY
17. ORDINANCE NO. 2009-928, CONCERNING COUNCIL MEMBER APPOINTMENTS TO REGIONAL ENTITIES
18. REQUEST FOR REMOVAL OF CITY OWNED TREES WITHIN THE RIGHT-OF-WAY IN FRONT OF THE RESIDENCE AT 17918 JOSHUA DRIVE
19. REQUEST FOR REMOVAL OF CITY OWNED TREES WITHIN THE CITY MAINTAINED LANDSCAPED SLOPE BEHIND THE RESIDENCE AT 27850 BEN NEVIS WAY
20. REQUEST FOR PERMISSION TO REMOVE AND REPLACE CITY OWNED TREES WITHIN THE RIGHT-OF-WAY ON WISTERIA AVENUE
21. TOWN CENTER RESIDENTIAL PROPERTY REHABILITATION UPDATE
22. ORAL REPORT - FISCAL YEAR 2008-2009 BUDGET REDUCTIONS
23. BARKING DOG ORDINANCE REVIEW

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.

24. CITY COUNCIL COST CUTTING MEASURES (ANDERSON)

CLOSED SESSION IF REQUIRED

ADJOURNMENT

The meeting will be adjourned to a Special Meeting on March 4, 2009, at 6:00 p.m. to discuss the Hidden Hills area.

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is March 17, 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.