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CITY OF YORBA LINDA



Land of Gracious Living

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING AGENDA

MAY 19, 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 5:00 P.M.**

CALL TO ORDER

The City Council/Redevelopment Agency will convene at 5:00 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 REAL PROPERTY NEGOTIATOR

Government Code Section: 54956.8

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

City Negotiators: Interim City Manager Kelly, City Attorney Carvalho

Property Negotiators: Property Owner Sylvia Chavez

Under Negotiation: Price and Terms of Payment

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9

Name of Case: Todd Lee Kopit, Deborah Kopit v. City of Yorba Linda

Case Number: Orange County Superior Court Case No. 09NM04317

Government Code Section 54956.9

Name of Case: Yorba-Jorgensen v. City of Yorba Linda

Case Number: Orange County Superior Court Case No. 09NM04318

C. CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6

Agency Designated Representative: Interim City Manager Kelly
Employee Organizations: Yorba Linda Mid-Management Association; Yorba Linda Chapter of the Orange County Employees Association; and Department Heads

D. PUBLIC EMPLOYEE APPOINTMENT

Government Code Section 54957

Title: City Manager

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: Brown, Carvalho, Conklin, Cook, Hartman, Kelly, Leto, Steep, Stowell

PLEDGE OF ALLEGIANCE

INVOCATION

PASTOR BILL MORRIS, THE ROCK COMMUNITY CHURCH

CLOSED SESSION REPORT

INTRODUCTIONS & PRESENTATIONS

PRESENTATION BY YORBA LINDA SPOTLIGHT THEATRE

ORANGE COUNTY FIRE AUTHORITY PRESENTATION OF THE RESERVE PROGRAM BY DIVISION CHIEF MICHAEL MOORE

PRESENTATION OF PROCLAMATION FOR PUBLIC WORKS WEEK

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 APRIL 21, 2009 CITY COUNCIL MEETING

Recommendation: That the City Council/RDA approve the minutes of the April 21, 2009 joint meeting.

4. APPROVAL OF THE MINUTES OF THE APRIL 29, 2009 CITY COUNCIL ADJOURNED REGULAR MEETING

Recommendation: That the City Council approve the minutes of the April 29, 2009 adjourned meeting.

5. APPROVAL OF THE MINUTES OF THE MAY 5, 2009 CITY COUNCIL MEETING

Recommendation: That the City Council/RDA approve the minutes of the May 5, 2009 joint meeting.

6. APPROVAL OF THE MINUTES OF THE MAY 9, 2009 CITY COUNCIL ADJOURNED REGULAR MEETING

Recommendation: That the City Council approve the minutes of the May 9, 2009 adjourned meeting.

7. SWORN POLICE PERSONNEL GRANT OPPORTUNITY

Recommendation: That the City Council authorize the police department to continue to pursue sworn police personnel grant opportunities associated with the American Recovery and Reinvestment Act of 2009.

8. CIVILIAN POLICE PERSONNEL GRANT OPPORTUNITY

Recommendation: That the City Council authorize the police department to continue to pursue civilian police personnel grant opportunities associated with the American Recovery and Reinvestment Act of 2009.

9. REVIEW OF CODE ENFORCEMENT COMPLAINT AT 5112 RICHFIELD ROAD

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

10. VALLEY VIEW AVENUE SAFE ROUTES TO SCHOOL PROJECT - AWARD OF CONTRACT TO MEGA WAY ENTERPRISES

Recommendation: That the City Council award the contract for Valley View Avenue Safe Routes to School Project to Mega Way Enterprises in the amount of \$119,488.50 and reject all other bids.

11. JULY 4TH STREET CLOSURES - VALLEY VIEW AVENUE AND CASA LOMA AVENUE, RESOLUTION NO. 2009-4007

Recommendation: That the City Council adopt Resolution No. 2009-4007 approving the temporary street closure of Valley View Avenue and Casa Loma Avenue between Imperial Highway and Yorba Linda Boulevard for the July 4th Spectacular program and that parking restrictions on those portions of Valley View Avenue and Casa Loma Avenue be waived for the duration of the event.

12. VILLAGE CENTER DRIVE TEMPORARY CLOSURE - EAST LAKE VILLAGE WINTER WONDERLAND EVENT, RESOLUTION NO. 2009-4008

Recommendation: That the City Council adopt Resolution No. 2009-4008 approving the temporary street closure of Village Center Drive from Vista Laguna to Paseo de Las Palomas for the annual Winter Wonderland event, subject to the conditions of approval.

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

Recommendation: That the City Council authorize the City Clerk to reduce the Faithful Performance and Labor & Materials Bonds per Public Works report.

14. ACCEPTANCE OF EASEMENTS OVER LOTS A & D OF TRACT 16186 FOR SANITARY SEWER AND STORM DRAIN PURPOSES, RESOLUTION NO. 2009-4010

Recommendation: That the City Council adopt Resolution No. 2009-4010 accepting easements over Lots A & D of Tract 16186 for sanitary sewer and storm drain purposes. The easements would include all uses incident to the above, including the right to make connections from any adjoining properties.

15. CLAIMS FOR DAMAGES - SAMBRAY, MINNICK, RAMOCINSKI, KHALILI AND SHORT

Recommendation: That the City Council deny the claims for damages by Ameet Sambray, Michael and Kathy Minnick, David Ramocinski, Morteza and Sorour Khalili and Robert and Kathryn Short.

16. ADOPTION OF WASTE DISPOSAL AGREEMENT WITH THE COUNTY OF ORANGE

Recommendation: That the City Council sign a ten-year Waste Disposal Agreement with the County of Orange effective July 1, 2010.

17. APPROPRIATION OF FUNDS FOR A CONTRACT FOR CONSULTING SERVICES FOR ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) APPLICATIONS

Recommendation: That the City Council appropriate up to \$25,000 from the General Fund Reserves in order for the Interim City Manager to award a contract for consulting services for energy efficiency and conservation to Johnson Controls, Inc. for the completion of the Conservation Block Grant.

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.

18. PUBLIC HEARING REGARDING WEED ABATEMENT PROGRAM AND ORDERING ABATEMENT, RESOLUTION NO. 2009-4006

- a. Open Public Hearing
- b. Staff Report
- c. Take Testimony
- d. Close Public Hearing
- e. Make Determination - That the City Council adopt Resolution No. 2009-4006 declaring that weeds growing upon or in front of, and rubbish, refuse and dirt upon or in front of certain property in the city constitute a public nuisance, and ordering abatement thereof.

19. UNIFORM PARKING CITATION BAIL INCREASE
 - a. Open Public Hearing
 - b. Staff Report
 - c. Take Testimony
 - d. Close Public Hearing
 - e. Make Determination - That the City Council adopt Resolution No. 2009-2004 revising the City's Uniform Parking Citation Bail Schedule.

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

20. REPORT OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING/APPEAL OF PLANNING COMMISSION ITEMS
21. DISCUSSION OF THE JULY 7TH COUNCIL MEETING
22. RECEIPT OF WASTEWATER RATE STUDY AND AUTHORIZATION TO PROCEED WITH NOTICE OF PUBLIC HEARING FOR RATE ADJUSTMENT
23. COUNCIL MEMBER DISCLOSURE OF INTENT TO SEEK APPOINTMENT OR SERVE ON A COMMITTEE, BOARD OR COMMISSION AND TO OBTAIN COUNCIL APPROVAL FOR RELATED EXPENSES, ORDINANCE 2009-929
24. ETHICS AND OPEN GOVERNMENT REGULATIONS
25. AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR THE FEASIBILITY STUDY FOR ESTABLISHING AN EQUESTRIAN FACILITY - ERA/AECOM

26. NO PARKING RESTRICTION ON THE WEST SIDE OF GRANDVIEW AVENUE BETWEEN BUENA VISTA AVENUE AND LINDA VERDE STREET, RESOLUTION NO. 2009-3991
27. TOWN CENTER RESIDENTIAL PROPERTY REHABILITATION UPDATE
28. REVISED MASTER PLAN FOR LUCIA KUST PARK
29. DEMOLITION REQUEST FOR 4852 EUREKA AVENUE
30. REVIEW OF THE CITY COUNCIL POLICY PR-2-THE SEVEN STEP PARK PLANNING PROCESS
31. BARKING DOG ORDINANCE REVIEW
32. COYOTE MANAGEMENT UPDATE

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.

33. CITY COUNCIL COST CUTTING MEASURES (ANDERSON)
34. POLICY REGARDING NAMING OF PUBLIC FACILITIES IN RECOGNITION OF 30-YEAR VETERAN COUNCILMEMBER HANK WEDAA (HORTON)

35. RESOLUTION OF SUPPORT FOR ORANGE COUNTY RESERVE FIREFIGHTER PROGRAM (RIKEL)
36. DOG PLAY LOTS (HORTON)
37. TOWN CENTER CULTURAL ARTS FACILITY - PUBLIC/PRIVATE PARTNERSHIP (ANDERSON)
38. BLACK GOLD CITIZENS ADVISORY COMMITTEE (RIKEL)

CLOSED SESSION IF REQUIRED

ADJOURNMENT

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is June 2, 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.