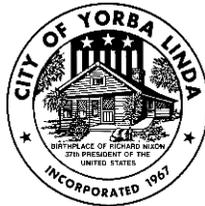


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**CITY OF YORBA LINDA**



**Land of Gracious Living**

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**CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING MINUTES**

**FEBRUARY 3, 2009**

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**CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING  
CONVENING AT 5:30 P.M.**

**CALL TO ORDER**

The City Council/Redevelopment Agency convened 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: Sage Yorba Linda Project LLC et al. v. City of Yorba Linda

Case Number: 30-2008-00108598, Orange County Superior Court

**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 reconvened 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, Hartman, Kelly, Leto, Mendoza, Steep, Stowell,  
Thiele

**PLEDGE OF ALLEGIANCE** – Captain Conklin

**INVOCATION** – Pastor Chico Holiday, Calvary Chapel of Yorba Linda

## **CLOSED SESSION REPORT**

City Attorney Carvalho reported that the City prevailed at the trial court level in the Sage Yorba Linda Project LLC v. City Of Yorba Linda case. The City also prevailed in an additional motion when the developer made a settlement offer which the Council rejected 5-0.

## **INTRODUCTIONS & PRESENTATIONS**

Third District Representative of Orange County Transportation Authority Carolyn Cavecche presented slides and a brief update of the Grade Separation Project affecting the City.

## **PUBLIC COMMENTS - ITEMS ON THE CONSENT CALENDAR OR ITEMS NOT ON THE REMAINDER OF THE AGENDA**

Pat Butress, Southern California Edison, introduced herself to Council as the new Public Affairs Manager, replacing Steve Nelson.

Heather Francine from the Yorba Linda Chamber of Commerce spoke about a successful Casino Night and encouraged everyone to attend the annual membership drive kick-off on February 19<sup>th</sup> at Stefano's.

Louie Scull, resident, distributed a handout to councilmembers and suggested the civil rights issue regarding the Town Center be taken to the Federal Grand Jury.

Jim Horton, resident, read a letter and presented information to Council about the timeline of the YLRRR events.

Greg Gillaspay, resident, requested an update on the "In God We Trust" plaque. He also spoke about the Town Center report given at the last council meeting and that he believes people want to be reassured that it will never happen again.

Sue Leto, Director of Public Works, responded that the City was still waiting on a few quotes and would then look at samples and move forward with the "In God We Trust" plaque.

Pat Nelson, resident, stated that morals could not be legislated and urged Council to simply do their best.

Jerry Kirschner, resident, asked that Council not allow the Brea Police Department, Yorba Linda Water District or Orange County Fire Authority to write their own report about the fires and asked if the City was going to spend millions of dollars on the Black Gold Golf Club.

**"CLOSED SESSION REPORT" WAS TAKEN AT THIS TIME BUT IS REPORTED IN ITS RESPECTIVE POSITION ON THE AGENDA.**

### **CONSENT CALENDAR**

Councilmember Horton pulled Items 4 and 8 from the Consent Calendar.

It was **MOVED/SECONDED - WINDER/HORTON** - to approve the Consent Calendar with the removal of Items 4 and 8. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder

**NOES:** None

**ABSENT:** None

1. WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA

The City Council/Redevelopment Agency waived reading in full of all ordinances and resolutions on the agenda and declared 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

The City Council/RDA approved the Accounts Payable Warrant Lists.

3. APPROVAL OF THE MINUTES OF THE JANUARY 13, 2009 ADJOURNED REGULAR CITY COUNCIL MEETING

The City Council/RDA approved the minutes of the January 13, 2009 adjourned regular City Council joint meeting.

4. Removed

5. TREASURER'S REPORT FOR DECEMBER 2008

The City Council received and filed the report.

6. SECOND READING AND ADOPTION OF ORDINANCE NO. 2009-927, ESTABLISHING CITYWIDE POSTED SPEED LIMITS AND RESCINDING ORDINANCE NO. 2007-901

The City Council provided the second reading and adopted Ordinance No. 2009-927.

7. NOTICE OF COMPLETION FOR THE ESPERANZA LANDSCAPING FROM YORBA LINDA BOULEVARD OVERCROSSING TO HIDDEN HILLS ROAD PROJECT

The City Council accepted the improvements constructed by Yakar, Inc.; authorized the City Clerk to file a Notice of Completion with the County Recorder; and authorized the retention monies to be paid when appropriate to do so.

8. Removed

**End of Consent Calendar**

**ITEM 4**

APPROVAL OF THE MINUTES OF THE JANUARY 20, 2009 CITY COUNCIL MEETING

Councilmember Horton read a revision to her comments in the Minutes explaining why she was not in support of a motion.

It was **MOVED/SECONDED - HORTON/WINDER** - to approve the minutes of the January 20, 2009 joint meeting. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder

**NOES:** None

**ABSENT:** None

## **ITEM 8**

### TRAFFIC COMMISSION VACANCY

**Councilmember Horton** made a **MOTION** to postpone the recruitment process until the Council holds a Study Session to determine Traffic Commission duties. **MOTION DIED** for lack of a second.

It was **MOVED/SECONDED - ANDERSON/RIKEL** - to direct the City Clerk to proceed with the regular recruitment process to fill the vacancy on the Traffic Commission created by the resignation of Larry Larsen by advertising the vacancy in the Yorba Linda Star, the Government Access Channel 3 and the City's web page, and set an agreeable date and time for Council to interview the applicants to fill the vacancy on the Traffic Commission. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

## **MAYOR'S REPORT**

Mayor Schwing asked staff to give an update on the fire recovery process. Interim City Manager Kelly gave a brief update.

## **MATTERS PRESENTED BY COUNCILMEMBERS**

Councilmember Winder distributed to Council an article from the Orange County Register about ethics and quoted a section of the article. He also mentioned that he was disappointed with the lack of discussion and transparency in the regional committee appointments that took place in December. He said he read section 4.010 of the Municipal Code under Mayor's Authority and he stated that the Mayor did not have the authority to make those appointments.

It was **MOVED/SECONDED – WINDER/ANDERSON** - to direct staff to come back to council at a future meeting with a draft policy that asks the Mayor to inquire of the councilmembers between the 1<sup>st</sup> and 2<sup>nd</sup> meetings in December, about their availability and desire to serve on City appointments to committees like Orange County Vector Control, Transportation Corridor Authority and OCTA, after that, the Mayor should consider at a minimum, experience, special skills and sharing the workload. The council policy should require that the Mayor make recommendations to the council for their decision at the 2<sup>nd</sup> meeting in December and those appointments would become effective immediately. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

Councilmember Horton thanked the councilmembers who attended the gathering with the City Council from Kenya. She also thanked those staff members who stayed behind and helped answer questions.

Councilmember Horton also thanked the Chamber of Commerce for putting on an enjoyable Casino Night event.

Councilmember Horton attended the League of Cities Community Relations meeting whose topic was Healthy Communities. The next meeting will have information on arts facilities and programs as well as historic preservation which she will bring back to Council for future ideas.

Councilmember Horton announced that an Insurance Recovery Forum was being held on Wednesday and Insurance Commissioner Steve Poizner would be in attendance as well as disaster relief advisors. She announced that the Educational Forum hosted by the Chamber of Commerce will be held on Thursday in the Council Chambers. She also stated that February 11 is the Leave Early or Stay and Defend program at the Community Center.

Mayor Pro Tem Anderson remarked that he attended the National Association of Women in Construction meeting at the Nixon Library, the piano recital of 7 year old Valerie Narumi, the Eagle Scout Court for Daniel Griffin and also attended the Chamber of Commerce's Casino Night, which was a big success.

Councilmember Rikel reminded everyone about the Leave Early or Stay and Defend program to be held on February 11<sup>th</sup>. She congratulated Eagle Scout Daniel Griffin and his family. She stated she enjoyed Casino Night and thanked the Chamber of Commerce for hosting it.

Councilmember Rikel was contacted by Rosemarie Sauer regarding a potential veterinary service tax of 9% on invoices and medicines, and encouraged pet owners to contact the governor to voice their disapproval.

## **ADMINISTRATIVE REPORTS**

### **9. AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR DESIGN SERVICES FOR THE JOINT USE PARK LOCATED AT THE YORBA LINDA HIGH SCHOOL**

Parks and Recreation Director Leto and Director of Public Works Stowell provided the staff report with a slide presentation and responded to questions from the Council.

Pat Nelson, resident, said that when the park was first discussed she had suggested a 4-way stop at the entrance. She thinks there will be traffic issues in that area.

Lee Day, resident, stated she had some concerns about the park situation with Shapell Industries because they've made one park private and moved this one

from Site A to its current location. She was also concerned about how much of the park would be available after the school's joint use. She suggested that the City consider a joint venture with the Yorba Linda Friends High School.

Claudine Lynch, resident, said the entrance to the park is definitely an issue. She urged the Council to view for themselves the traffic problems in the morning and afternoon and said this was the time to consider installing either a stop sign or a traffic signal.

Council discussion ensued.

It was **MOVED/SECONDED - WINDER/HORTON** – to approve a professional services agreement with RJM Design Group, Inc. in the amount of \$377,100 for the design of development plans and construction documents for the joint use portion of the Yorba Linda High School field area, and authorize the Mayor to sign and the City Clerk to attest the agreement, and appropriate \$377,100 from Fund 14-Park-in-Lieu fees. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder

**NOES:** None

**ABSENT:** None

10. PROS AND CONS OF LOBBYIST REPRESENTATION AT THE STATE AND FEDERAL LEVELS

Interim City Manager Kelly presented the staff report and responded to questions from Council.

Pat Nelson, resident, asked how much the City would save if a joint agreement with another City was used instead?

Interim City Manager Kelly replied that he was not certain of the savings but other cities he had worked for had split the cost at 70/30.

Council discussion ensued.

Councilmember Winder stated that in his first eight years on the Council he did not see a benefit from having a lobbyist and given the economic times, he was opposed to hiring a lobbyist.

Mayor Pro Tem Anderson said he agrees with Councilmember Winder, that the City has more urgent issues such as the recent fire and he does not feel it is the time to make this type of expenditure.

It was **MOVED/SECONDED - SCHWING/WINDER** – to continue the matter to the mid-year and next fiscal year budget discussions and review it again at that time. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

11. AUTHORIZATION TO BEGIN THE PROCESS OF REBUILDING THE PARKS DAMAGED BY THE 2008 FREEWAY COMPLEX FIRE AND APPROPRIATION OF FUNDS FOR PERMANENT FENCING

Director of Parks and Recreation Leto and Facilities Manager Campbell presented the staff report and showed pictures of the parks before and after the fire damage and answered questions from Council.

It was **MOVED/SECONDED - WINDER/HORTON** – to authorize staff to hire a landscape architect for the design of development plans and construction documents for park amenities damaged by the Freeway Complex Fire and include the slope stabilization and debris catch basin improvement plans at Eastside Community, Box Canyon and Jean Woodard parks; authorize staff to prepare the bid documents for the construction and installation of the playground equipment and surfacing, and the debris and water flow improvements at Bryant Ranch Park; and appropriate \$50,000 from the Disaster Fund for the purchase and installation of new wire mesh fencing at the north end of Eastside Community Park. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

12. REVIEW OF ALTERNATIVE FUEL VEHICLES (ELECTRIC, COMPRESSED NATURAL GAS AND HYBRID GAS-ELECTRIC) AND AUTHORIZATION TO PURCHASE VEHICLES

Director of Public Works Stowell gave a brief overview of the staff report and responded to questions from Council.

It was **MOVED/SECONDED - WINDER/HORTON** – to not pursue the purchase of Compressed Natural Gas vehicles as a replacement for the Community Action Patrol vehicles and authorize the City Manager to purchase two 2009 Toyota Highlander SUV Hybrid vehicles utilizing the State of California Procurement Contract for a total award of \$65,051.00 for use by the Community Action Patrol Program. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

13. CONSIDER JOINDER IN AMICUS BRIEF IN SUPPORT OF CITY IN CITY OF IRVINE v. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS APPEAL

Interim City Manager Kelly presented the staff report. City Attorney Carvalho responded to questions from Council.

It was **MOVED/SECONDED - ANDERSON/WINDER** – to discuss and consider the City of Irvine’s request for Joinder in Amicus Brief in support of City of Irvine in City of Irvine v. Southern California Association of Governments appeal. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

**RECESS:**

Mayor Schwing called a recess at 8:46 p.m. and reconvened the meeting at 8:59 p.m.

14. REQUEST FOR WAIVER OF ADMINISTRATIVE FEE FOR TREE REMOVAL AND REPLACEMENT BEHIND 17240 FREMONT LANE

Director of Public Works Stowell presented the staff report. The property owner, Roy Lipshin, addressed the Council and requested that the administrative fee be waived.

Council discussion ensued.

Mayor Pro Tem Anderson apologized to staff and to Mr. Lipshin that the administrative fee was not mentioned at the August 5, 2008 City Council meeting nor was it mentioned in the staff report and stated he supports waiving the administrative fee.

Councilmember Rikel apologized to Mr. Lipshin for having to come back to the Council and go through another discussion and stated she supports waiving the fee.

It was **MOVED/SECONDED - WINDER/HORTON** – to deny the administrative fee waiver request. **MOTION CARRIED** by the following roll call vote:

**AYES:** Horton, Schwing, Winder  
**NOES:** Anderson, Rikel  
**ABSENT:** None

## 15. EVALUATION OF LAND USE PUBLIC HEARING NOTIFICATION PROCEDURES

Interim Community Development Director Thiele gave an overview of the staff report and responded to questions from Council.

Pat Nelson, resident, said the size and scope of the project should determine the public hearing notice requirement and that the more information that could be provided to people and the earliest it could be given was best.

Louie Scull, resident, presented a handout to the City Council and suggested the public hearing notice requirement should be a 2,000 foot radius.

Tom Lynch, resident, stated that if the project was a major development it should require a notice and that most school districts had a noticing requirement of 1,000 feet.

Claudine Lynch, resident, declared that a 300 feet public hearing notice radius requirement is not enough and suggested a 2,000 feet radius and a minimum of 100 property owners notified for smaller projects that don't require an EIR and that the noticing should start when project is at the Planning Commission level.

City Attorney Carvalho informed the Council of a potential conflict with Measure B noticing requirements and if a new ordinance is drafted she would like to review it first.

Mayor Schwing suggested sending the item back to staff to factor in Measure B noticing requirements and return to Council at a future meeting.

It was **MOVED/SECONDED - ANDERSON/RIKEL** – to continue the matter for City Attorney's analysis of Measure B. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

## **OTHER AGENCY REPORTS AND REFERRALS**

### ORANGE COUNTY SANITATION DISTRICT

Mayor Pro Tem Anderson stated he was looking forward to attending an orientation and tour of the Sanitation District's facility tomorrow.

Mayor Pro Tem Anderson responded to a question from Councilmember Horton about whether the Sanitation District had conducted a study on the content of the sludge that has been placed in fire ravaged areas in the City. Mayor Pro Tem Anderson replied that the Sanitation District had completed a study and would be forwarding copies of the report to Council.

ORANGE COUNTY DIVISION OF THE LEAGUE OF CALIFORNIA CITIES - None

FOOTHILL/EASTERN TRANSPORTATION CORRIDOR/TRANSPORTATION  
CORRIDOR SYSTEM

Mayor Schwing reported that there was a special meeting to be held tomorrow at 11:30 a.m. to go over several items in Closed Session.

ORANGE COUNTY FIRE AUTHORITY

Councilmember Rikel attended the Best and Bravest Awards where several heroes were recognized. She also spent time at the Lemon Fire Station with Division Chief Moore and Fire Captain Glenn Sekins who extended an invitation to all residents to visit and tour the station. She invited everyone to attend a YMCA sponsored Pancake Breakfast on Saturday, February 28<sup>th</sup> at the Lemon Fire Station. She was informed by Captain Sekins that fire retardant dropped during fires included Foscheck, which is a fertilizer that allows plants to regenerate and does not kill future plant generation. She informed everyone that board meetings are held the 4<sup>th</sup> Thursday of every month, at 6:00 p.m. and invited the public to attend.

ORANGE COUNTY VECTOR CONTROL - None

### **OTHER BUSINESS**

16. DISCUSSION RE THE NEED FOR AND POTENTIAL SUBJECTS FOR COUNCIL STUDY SESSIONS/WORKSHOPS (SCHWING)

Interim City Manager Kelly suggested guidelines for study sessions such as holding them on the 2<sup>nd</sup> Tuesday of the month, starting the meeting at 6:00 p.m. and ending at 9:00 p.m., setting a time and topic and focusing only on that topic and talking about alternatives and debating but not making a decision, only giving staff direction.

It was **MOVED/SECONDED - SCHWING/ANDERSON** – to table the matter.

**MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder

**NOES:** None

**ABSENT:** None

17. DISCUSSION RE TOWN CENTER AS TO CURRENT STATUS OF STUDIES AND NEAR TERM PROJECTS THAT CAN BE UNDERTAKEN (SCHWING)

It was **MOVED/SECONDED - SCHWING/WINDER** – to receive and file.

**MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder

**NOES:** None

**ABSENT:** None

18. DISCUSSION RE PROVIDING DIRECTION TO THE CITY ATTORNEY TO DRAFT A CITIZENS FAIR POLITICAL PARTICIPATION ORDINANCE (SCHWING)

Mayor Schwing clarified that this item relates to preventing Council's interference with citizens' right to vote.

It was **MOVED/SECONDED - SCHWING/RIKEL** – to direct the City Attorney to draft an ordinance and bring it back to Council at a future meeting. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

19. DISCUSSION RE IMPLEMENTATION OF DEVELOPMENT PROCESSING STUDY (SCHWING)

Interim City Manager Kelly reported that the item is scheduled to come back to Council at their February 17 or March 3 meeting.

It was **MOVED/SECONDED - SCHWING/ ANDERSON** – to table the matter. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

**RECESS:**

Mayor Schwing called a recess at 10:30 p.m. and reconvened the meeting at 10:35 p.m.

20. DISCUSSION RE EXPLORING POSSIBILITY OF MERGING THE YORBA LINDA WATER DISTRICT AND CITY OF YORBA LINDA AGENCIES INTO ONE ENTITY (HORTON)

It was **MOVED/SECONDED - HORTON/ANDERSON** – to hire an expert to explore the possibility of merging the two agencies and the pros and cons of such a move.

City Attorney advised council to become more aware and better understand the challenges and complexities of the issues before moving forward and stated she will provide Council with a 40-page paper written by a partner that will assist them in the matter.

Lee Day, resident, read excerpts from articles in the Yorba Linda Star regarding sewer rates and the Yorba Linda Water District. She added that she is not in support of merging the two agencies.

A substitute motion was made - **ANDERSON/HORTON** – to table the item until Council could read the paper provided by the City Attorney and bring the matter back to Council at a future meeting. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

21. DISCUSSION OF DUTIES RE ACTIVITIES AND ACTIONS OF THE CITY'S COMMUNITY PRESERVATION PROGRAM (SCHWING)

Mayor Schwing stated Community Preservation is reactive instead of proactive and would like to see a change in operation.

It was **MOVED/SECONDED - SCHWING/RIKEL** – to have a different staff member tour the City every week to check for violations, particularly sign violations.

Mayor Pro Tem Anderson said he was not in support of staff patrolling the City in search of violations.

Councilmember Winder stated that the balance of aggressive enforcement on complaints is better than satisfactory and he would not be supporting the motion.

A **SUBSTITUTE MOTION** was made **HORTON/RIKEL** - to have the community preservation code reviewed to establish a stronger level of enforcement and examine other cities' codes that value historical preservation. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Horton, Rikel, Schwing, Winder  
**NOES:** None  
**ABSENT:** None

22. DISCUSSION RE CONTROL AND/OR PROHIBITIONS OF THE USE OF CELL PHONES IN THE CITY COUNCIL CHAMBERS (HORTON)

Councilmember Horton stated her preference to prohibit cell phone use in the Council Chambers to avoid the potential for texting or communication coming to councilmembers from the outside.

Councilmember Rikel stated she has 2 PDA's which she uses for many things including scheduling appointments. She has taken an oath to the City and is not in support of prohibiting cell phones in the Council Chamber.

Mayor Pro Tem Anderson stated he has a cell phone which he uses for his calendar, contacts, word documents and emails and he is not in support of prohibiting cell phones in Council Chambers.

Mayor Schwing said he is not in support of motion either but is against text messages telling people how to vote. He thinks that should be part of a person's honesty but it is not necessary to cut off technology that can help in many other ways.

23. DISCUSSION RE COMPREHENSIVE COMMISSIONER TRAINING (SCHWING) - Continued
24. JOINT MEETING OF ALL AGENCIES TO PRESENT FINAL AFTER ACTION REPORTS (HORTON) - Continued

### **ADJOURNMENT**

It was **MOVED/SECONDED – WINDER/HORTON** –not to televise the Special Council meeting next Tuesday and that unless Council takes a specific action because of a particular topic that Council have a policy not to tape record any of the Special meetings.

City Attorney Carvalho advised that if a formal policy was being requested, it would have to be agendized to a future Council meeting.

Councilmember Winder **AMENDED THE MOTION/SECONDED BY HORTON** – to specify that the Special Meeting of February 10<sup>th</sup> not be televised.

Mayor Pro Tem Anderson stated that in light of all that has occurred in the last few years in regards to the Town Center he felt the meeting should be televised.

Mayor Schwing said he believes discussion and work shops on the Town Center are important enough to at least video record so they can be broadcast at a later date.

**MOTION FAILED** by the following roll call vote:

**AYES:** Horton, Winder  
**NOES:** Anderson, Rikel, Schwing  
**ABSENT:** None

It was **MOVED/SECONDED - ANDERSON/RIKEL** – to video tape the meeting on February 10<sup>th</sup> and play back on the City's website. **MOTION CARRIED** by the following roll call vote:

**AYES:** Anderson, Rikel, Schwing  
**NOES:** Horton, Winder  
**ABSENT:** None

**ADJOURNMENT**

It was **MOVED/SECONDED – ANDERSON/RIKEL** – to adjourn the meeting at 11:11 p.m. to a Special Meeting on February 10, 2009, at 6:00 p.m. to discuss the Town Center Specific Plan. **MOTION CARRIED UNANIMOUSLY.**

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is February 17, 2009.

\_\_\_\_\_  
KATHIE M. MENDOZA, CITY CLERK  
CITY OF YORBA LINDA

APPROVED BY CITY COUNCIL/RDA:

\_\_\_\_\_