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**CITY OF YORBA LINDA**

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

**JUNE 3, 2008**

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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

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**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, Castellano, Horton, Wedaa, Winder

Staff Members: Carvalho, Gruchow

**CLOSED SESSION**

**CITY COUNCIL**

A. PUBLIC EMPLOYEE APPOINTMENT - TITLE: INTERIM CITY MANAGER

Government Code Section 54957.6

B. CONFERENCE WITH LABOR NEGOTIATOR

Government Code Section 54957.6

Labor Negotiator: Acting City Manager Gruchow

Employee Organizations: Yorba Linda Mid-Management Association; Yorba Linda Chapter of the Orange County Employees Association; and Department Heads

**CITY COUNCIL/REDEVELOPMENT AGENCY**

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Property: 4852 School Street, Yorba Linda (APN: 323-322-08)

City Negotiators: Assistant Executive Director Gruchow; Agency Attorney Carvalho

Property Negotiators: Tim and Sue Johnson

Under Negotiation: Price and Terms of Payment

**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, Castellano, Horton, Wedaa, Winder  
Staff Members: Carvalho, Christiansen, Conklin, Gruchow, Hartman, Leto, Mendoza,  
Steep, Stowell

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

ELDER VINCE HAMBRIGHT, YORBA LINDA FRIENDS CHURCH

**CLOSED SESSION REPORT**

**INTRODUCTIONS & PRESENTATIONS**

PRESENTATION OF COMMENDATION TO BREA POLICE CHIEF MICHAEL  
MESSINA HONORING HIM ON HIS UPCOMING RETIREMENT

PRESENTATION OF CERTIFICATES OF RECOGNITION TO THE BLUE RIBBON  
COMMITTEE MEMBERS FOR SERVING ON THE TOWN CENTER BLUE RIBBON  
COMMITTEE

**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 approve the reading by title 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/Redevelopment Agency approve the Accounts Payable Warrant Lists.

3. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) METRO-CITY COOPERATION AGREEMENT WITH THE COUNTY OF ORANGE

**Recommendation:** That the City Council direct the Mayor to execute Amendment One to the Cooperation Agreement between the County of Orange and the City of Yorba Linda.

4. ANNUAL INVESTMENT POLICY

**Recommendation:** That the City Council approve revision #9 to Council Policy A-14, which is the City's Investment Policy.

5. REVIEW OF CITY'S CONFLICT OF INTEREST CODE

**Recommendation:** That the City Council direct staff to review the City's Conflict of Interest Code, prepare a biennial report by October 1, 2008, and report back to the City Council.

6. CONTRACT AGREEMENT EXTENSION FOR TREE MAINTENANCE SERVICES - WEST COAST ARBORISTS, INC.

**Recommendation:** That the City Council approve the one year Contract Extension with a 3.9 percent price increase for Tree Maintenance Services between the City and West Coast Arborists, Inc.

7. WATER QUALITY ORDINANCE IMPLEMENTATION AGREEMENT COUNTY OF ORANGE

**Recommendation:** That the City Council authorize the Mayor to execute and the City Clerk to attest the Water Quality Ordinance Implementation Agreement between the City and the County of Orange.

8. APPROVAL OF CHANGE ORDER NO. 1 TO AMENDMENT NO. 2 TO VALI COOPER & ASSOCIATES FOR INSPECTION SERVICES FOR THE AT&T PERMIT CONSTRUCTION

**Recommendation:** That the City Council approve and authorize the City Manager to execute Change Order No. 1 to Amendment No. 2 to Vali Cooper & Associates in the amount of \$22,869.00.

9. RELEASE OF DUPLICATE STREET IMPROVEMENT BONDS, TRACT NO. 16758 AND TRACT 16759, S & S CONSTRUCTION

**Recommendation:** That the City Council authorize the City Clerk to release the Labor & Materials and Faithful Performance bonds immediately per Engineering Department's Report.

10. REMOVAL OF "NO RIGHT TURN ON RED WHEN CROSSING GUARD IS PRESENT" SIGN AT VIA DE LA ESCUELA AT YORBA LINDA BOULEVARD

**Recommendation:** That the City Council adopt Resolution No. 2008-3931 to rescind Resolution No. 2000-3368 and approve the removal of "No Right Turn on Red When Crossing Guard is Present" sign on Via De La Escuela at Yorba Linda Boulevard.

11. BUILDING DEMOLITION PERMIT REQUEST FOR THE SINGLE-FAMILY RESIDENCE AT 5322 RICHFIELD ROAD

**Recommendation:** That the City Council approve the request for a demolition permit for a single family residence, a garage, and outbuildings at 5322 Richfield Road.

12. RESOLUTION ESTABLISHING A MODEL CODE OF ETHICAL BEHAVIOR FOR CITY OFFICERS AND EMPLOYEES

**Recommendation:** That the City Council adopt Resolution No. 2008-3909, establishing a Model Code of Ethical Behavior for City Officers and Employees.

13. AMENDMENT NO. 4 TO BUREAU VERITAS CONTRACT FOR THE ESPERANZA ROAD MITIGATION PROJECT FROM WEST CITY LIMITS TO YORBA LINDA BOULEVARD PROJECT

**Recommendation:** That the City Council approve and authorize the City Manager to execute Amendment No. 4 to Bureau Veritas in the amount of \$34,635.00.

14. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE EMERGENCY BACKUP POWER GENERATOR INSTALLATION AT CITY HALL

**Recommendation:** That the City Council approve the plans and specifications prepared by Mullen and Associates, Inc., and authorize staff to administer the process for the acceptance of competitive bids for the installation of an emergency backup power generator at City Hall.

### **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.

15. PUBLIC HEARING REGARDING ORDERING THE VACATION OF A PORTION OF LANDSCAPE EASEMENT ON MOUNT TRIUMPH WAY - RESOLUTION NO. 2008-3932
- a. Open Public Hearing
  - b. Staff Report
  - c. Take Testimony
  - d. Close Public Hearing
  - e. Make Determination

Adopt Resolution No. 2008-3932, declaring that a portion of a landscape easement on Mount Triumph Way is unnecessary for present or prospective public use and vacating the same pursuant to California Streets and Highways Code Section 8300 et. seq.

16. PUBLIC HEARING REGARDING ACQUISITION OF FEE TITLE AND EASEMENT OVER A PORTION OF THE PROPERTY IDENTIFIED AS 4062 LIVE OAK LANE AND DISPOSITION OF A PORTION OF SAN ANTONIO PARK TO CORRECT LEGAL BOUNDARIES OF REAL PROPERTY OWNED BY THE CUMMINS AND THE CITY
  - a. Open Public Hearing
  - b. Staff Report
  - c. Take Testimony
  - d. Close Public Hearing
  - e. Make Determination
  1. Adopt Resolution No. 2008-3933, approving a grant deed for the conveyance of 1014.37 square feet of City property, finding that the discontinuance and abandonment of such property as park property is in the public interest and accepting a grant deed for the acquisition of 4308.05 square feet of property owned by the Cummins.
  2. Adopt Resolution No. 2008-3934, summarily vacating the equestrian trail easement located at 4062 Live Oak Lane.
  3. Adopt Resolution No. 2008-3935, approving the grant of easement to establish an equestrian trail easement at 4062 Live Oak Lane.

### **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**

17. CONSIDER RELEASE OF INFORMATION PROTECTED BY ATTORNEY-CLIENT PRIVILEGE
18. MEAGAN'S LAW PRESENTATION - ORAL REPORT
19. AWARD OF CONTRACT FOR TOWN CENTER SPECIFIC PLAN

20. REPORT OF PLANNING COMMISSION ACTIONS FROM THEIR LAST MEETING/APPEAL OF PLANNING COMMISSION ITEMS

### **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.

21. ADMINISTRATIVE OFFICIAL SALARY CAP (ANDERSON)
22. SITE 13 SEGMENTATION (ANDERSON)
23. COUNCIL STUDY SESSIONS (ANDERSON)
24. COUNCIL ATTENDANCE AT MAIN STREET MERCHANTS ASSOCIATION'S QUARTERLY MEETING (ANDERSON)
25. DISCUSSION RE: BLACK GOLD GOLF COURSE (WEDAA)
26. ACTION MINUTES FOR CITY COUNCIL MEETINGS (ANDERSON)
27. CITY ENTRY MONUMENTS (WEDAA)
28. CITY OF ANAHEIM POWER PLANT (WEDAA)

29. CANCELLATION OF TOWN CENTER INVESTIGATION (WEDAA)

**CLOSED SESSION – IF REQUIRED**

**ADJOURNMENT**

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is June 17, 2008.

**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.**