

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
April 7, 2009

Lake Forest City Hall
25550 Commercentre Drive
City Council Chamber
Lake Forest, California 92630

PRELIMINARY ACTION AGENDA: The listed Action represents a brief synopsis of the Council action. The Council Minutes, when approved, stand as the official record of the meeting. This Preliminary Action Agenda is provided as quick reference only and is NOT intended to serve as any form of the official record and should not be relied upon in making important decisions. Before making important decisions, you should review the approved minutes.

CALL TO ORDER: 6:08 p.m.

ROLL CALL: Council Members:	Richard T. Dixon Kathryn McCullough Marcia Rudolph
Mayor Pro Tem:	Peter Herzog (Absent)
Mayor:	Mark Tettermer
City Manager:	Robert C. Dunek
City Attorney:	Scott C. Smith
Acting City Clerk:	Debra Rose

RECESS: City Council recessed at 6:08 p.m. for the purpose of conducting Closed Session business.

CLOSED SESSION (F: 16.3) 6:08 p.m.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property:
18 acre portion of Tentative Tract 15944 consisting of Lots 14, 15, 16, 21, and 22 along with the westerly 119'+ of Lot 20 and the westerly portion of Lot 17 described by a line extending from the common front corner between Lots 16 & 17 "M" Street to a point on the northeasterly line of Lot 20, 118'+ from the north center, Lake Forest, CA
Agency Negotiators: Owners of Record

Under Negotiation: Price and Terms of Payment

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to subdivision (b) of Government Code Section 54956.9(b)

Significant exposure to litigation

Number of potential cases: One

ACTION: Conducted Closed Session

RECESS: City Council recessed at 6:51 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:05 p.m., with Mayor Pro Tem Herzog absent to continue regular City business.

PUBLIC SESSION

7:05 p.m.

PLEDGE OF ALLEGIANCE: (F: 26.21)

Council Member Rudolph led the pledge of Allegiance to the Flag of our Country.

CLOSED SESSION REPORT: (F: 16.3)

City Attorney Smith reported on one action from Closed Session.

PRESENTATIONS:

3. PROCLAMATION DESIGNATING APRIL 22, 2009, AS "EARTH DAY" submitted by Director of Public Works/City Engineer. (F: 55.2)

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, the City Council approved the proclamation designating Wednesday, April 22, 2009, as Earth Day in the City of Lake Forest. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

4. PROCLAMATION DESIGNATING APRIL 24, 2009, AS "ARBOR DAY" submitted by the Director of Public Works/City Engineer. (F: 55.2)

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, the City Council approved the proclamation designating Friday, April 24, 2009, as Arbor Day in the City of Lake Forest. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

5. PROCLAMATION DECLARING THE MONTH OF APRIL 2009, AS "DMV/DONATE LIFE CALIFORNIA MONTH" submitted by Acting City Clerk. (F: 55.2)

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, the City Council approved request as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

Christopher Berardino, Student Liaison from El Toro High School, did not present a report to Council.

CONVENED: City Council convened the Redevelopment Agency at 7:12 p.m. of conducting joint City Council and Redevelopment Agency business.

City Council held the Special Meeting of the Lake Forest City Council simultaneously with the Redevelopment Agency to address the Mid-Year Budget Review agenda items.

MID-YEAR BUDGET REVIEW

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, the City Council adopted Resolution No. 2009-06 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 2008-09 AND THE CAPITAL IMPROVEMENT PROJECTS BUDGET FOR 2007-2009. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

RECONVENE: City Council reconvened at 7:40 p.m., with Mayor Pro Tem Herzog absent to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Donna Beavers and Bob Holtzclaw.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 6)

6. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$2,045,362.91. (F: 30.11)

ACTION: Council Member Rudolph pulled the following items for separate consideration: Jackson, DeMarco, Tidus Peckenpaugh and Spectrum Specialties & Awards.

ACTION: On motion by Council Member Rudolph and Council Member Dixon, the City Council approved the balance of the warrant as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, City Council approved the warrants payable to Jackson, DeMarco, Tidus Peckenpaugh and Spectrum Specialties & Awards. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 7-20)

7. MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS WHICH APPEAR ON THE PUBLIC AGENDA SHALL BE DETERMINED TO HAVE BEEN READ BY TITLE AND FURTHER READING WAIVED by Acting City Clerk.

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council waived the reading of Ordinances and Resolutions. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

8. ADOPTION OF ORDINANCE NO. 201, submitted by Acting City Clerk. (F: 66.5W)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council: 1. Conducted second reading of Ordinance No. 201 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING CHAPTERS 12.04 AND 12.16 OF THE LAKE FOREST MUNICIPAL CODE TO PROHIBIT THE STOPPING, STANDING AND PARKING OF RECREATIONAL VEHICLES IN THE BUSINESS AND INDUSTRIAL ZONE. 2. Adopted Ordinance No. 201 as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

9. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON FEBRUARY 17, 2009, submitted by Acting City Clerk.

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council approved the Minutes of the regular City Council Meeting held on February 17, 2009 as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

10. QUARTERLY REPORT ON COMMISSION ATTENDANCE submitted by Acting City Clerk. (F: 23.4)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council approved Commission absences as excused. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

11. CITY FINANCIAL REPORTS - QUARTER ENDED DECEMBER 31, 2008 submitted by Director of Finance/City Treasurer. (F: 30.13)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council received and filed the report as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

12. MONTHLY TREASURER'S REPORT submitted by Director of Finance/City Treasurer. (F: 30.12)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council received and filed the report as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

13. AWARD OF CONTRACT FOR PERMIT AUTOMATION SOFTWARE submitted by Director of Management Services. (F: 52.4B2a)

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, the City Council: 1. Approved the selection of EnerGov Solutions, LLC, to install, license, and support Permit Automation Software. 2. Authorized the Mayor to execute a Master Customer Agreement and a Software Support Agreement with EnerGov Solutions, LLC, substantially in the form attached. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

14. PURCHASE OF GIS SOFTWARE submitted by Director of Management Services. (F: 52.4B4)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council approved the Small Municipal and County Enterprise License Agreement with Environmental Systems Research Institute for ArcGIS software and annual maintenance. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

15. MID-YEAR UPDATE ON 2008/2009 BUSINESS DEVELOPMENT AND ATTRACTION WORK PLAN submitted by Assistant City Manager. (F: 27.2)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council approved the proposed new activities to the Fiscal Year 2008/2009 Business Development and Attraction Work Plan. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

16. GO LOCAL STEP TWO COOPERATIVE AGREEMENT submitted by the Assistant to the City Manager (F: 32.24)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council: 1. Approved Cooperative Agreement No. C-9-0305, substantially in the form attached, with the Orange County Transportation Authority for Go Local Bus/Shuttle Service Planning. 2. Authorized the Mayor to sign and the City Clerk to attest Cooperative Agreement No. C-9-0305 with the Orange County

Transportation Authority. 3. Directed staff to prepare a Reimbursement Agreement with the City of Laguna Hills for sharing of costs associated with the Park & Ride Shuttle concept. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

17. ADOPTION OF IDENTITY THEFT PREVENTION PROGRAM submitted by Assistant City Manager. (F: 73.7E1)

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council acting as both the City Council and the Redevelopment Agency Board, approved by Resolution the adoption of an Identity Theft Prevention Program as required by the Federal Fair and Accurate Credit Transaction Act of 2003. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

18. AWARD OF CONTRACT FOR BUILDING AND SAFETY SERVICES submitted by Development Services. (F: 48.8D)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council: 1. Approved the agreement with Interwest Consulting Group for Building and Safety Services. 2. Authorized the Mayor to execute, and the City Clerk to attest, the agreement with Interwest Consulting Group. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

19. REQUEST FOR QUALIFICATIONS FOR CONSULTANT TEAM SERVICES submitted by Director of Public Works/City Engineer. (F: 48.8F7)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council: 1. Approved the Request for Qualifications for Consultant Team Services. 2. Authorized staff to solicit and receive qualification statements. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

20. REVIEW OF CITY LANDSCAPE MAINTENANCE STANDARDS AND SCHEDULES submitted by Director of Public Works/City Engineer. (F: 34.3A)

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council received and filed the Review of City Landscape Maintenance Standards and Schedules Report. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

DISCUSSION/ACTION ITEMS:

21. **BIDS FOR GRAFFITI REMOVAL AND STEAM CLEANING SERVICES** submitted by Director of Public Works/City Engineer. (F: 34.5)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council: 1. Rejected all bids received and directed staff to return both bid bonds. 2. Authorized staff to re-bid these services. **MOTION CARRIED WITH MAYOR TETTEMER OPPOSED AND MAYOR PRO TEM HERZOG ABSENT.**

22. **TRAFFIC MANAGEMENT PROJECT PLANNING REPORT (PW 2007.18)** submitted by Director of Public Works/City Engineer. (F: 66.9A PW 2007.18)

ACTION: On motion by Council Member Dixon and second by Mayor Tettemer, the City Council continued the Traffic Management Project Planning Report (PW 2007.18) to a future City Council Meeting. 2. Directed staff to prepare recommendations for further consideration of the Traffic Management Project with the Five-Year Strategic Business Plan as appropriate. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

23. **ACTIONS REGARDING MEMORANDUM OF UNDERSTANDING FOR THE SERRANO CREEK RESTORATION** submitted by Director of Public Works/City Engineer. (F: 60.7A2)

ACTION: The City Council received and filed the report as submitted.

24. **LEGISLATIVE AND REGULATORY MATTERS** submitted by Assistant to the City Manager. (F: 72.2B)

ACTION: The City Council received and filed report with minute action to adopt positions on various legislative proposals as recommended.

25. REQUESTS FOR APPOINTMENT TO AGENCIES, BOARDS, COMMISSIONS AND/OR COMMITTEES THROUGH THE LEAGUE OF CALIFORNIA CITIES submitted by Acting City Clerk. (F: 43.4B)

ACTION: The City Council made no appointments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member Dixon offered comments.

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Mayor Pro Tem Herzog (Absent)

Mayor Tetteimer offered no comments.

CONTINUED CLOSED SESSION: (F: 16.3)

There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 9:07 p.m.