

**PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL**

Regular Meeting of the City Council
February 17, 2009

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

<p>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 <u>NOT</u> 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.</p>

CALL TO ORDER: 6:04 p.m.

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

CLOSED SESSION (F: 16.3) 6:04 p.m.

1. **CLOSED SESSION ITEMS FOR DISCUSSION**
 - A. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9 (b): One (1) Case.
 - B. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to Government Code Section 54956.8 (Six (6) properties: A-F)

City Negotiators: City Manager and City Attorney
Property Negotiators: Property Owners of Record
Under Negotiation: Price, Terms of Payment

A. Property: 18 acre portion of Tentative Tract 15944 consisting of Lots 14, 15, 16, 21, and 22 along with the westerly 118'± 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

B. Property: 20 acres located on APN 104-143-25 and 104-143-27, located at Rocky Road, west of Portola Parkway, south of Foothill Transportation Corridor, Lake Forest, CA

C. Property: APN 613-571-06 and 07, Lake Forest, CA

D. Property: That portion of parcel 17 of parcel map 84-121 as shown on a map filed in book 192, pages 5 through 8, inclusive, of parcel maps, in the office of the County Recorder of said Orange County, lying easterly and northerly of the following described line:
Beginning at the northerly terminus of that certain course described as "north 56° 27' 31" east 1067.80 feet for the southerly line of said parcel 17; thence along said southerly line south 56° 27' 31" west 1067.80 feet; thence south 45° 52; 28" east 505.54 feet to a point on a non-tangent curve concave southerly having a radius of 350.00 feet, a radial line to said point bears north 6° 05' 16" west; thence easterly 559.49 feet along said curve through a central angle of 91° 35' 16".'

Except therefrom that portion lying southeasterly of the westerly line of lot 7 of Tract No. 13849 as per map recorded in book 639, pages 16 through 22, inclusive, of miscellaneous maps, records of said Orange County.
Also except therefrom that portion lying northeasterly of

the southerly line of lot F of Tract No. 13335 as per map recorded in book 617, pages 33 through 41, inclusive, of miscellaneous maps, records of said Orange County.

E. Property: APN 606-161-10, Lake Forest, CA

F. Property: APN 612-164-01 and 02, Lake Forest, CA

RECESS: City Council recessed at 7:15 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:17 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

7:17 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 stated there were no reportable actions from Closed Session.

PRESENTATIONS:

No items were scheduled for presentations.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

Christopher Berardino, Student Liaison from El Toro High School, presented his report.

RECESS: City Council recessed at 7:15 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:17 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Lisa Schoeneberger and Bob Holtzclaw.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 2)

2. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$962,097.26. (F: 30.11)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council approved the warrant register as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3-10)

3. 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 submitted by City Clerk.

ACTION: On motion by Council Member McCullough and second by Mayor Pro Tem Herzog, the City Council waived the reading of Ordinances and Resolutions. **MOTION UNANIMOUSLY CARRIED.**

4. **MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON JANUARY 6, AND JANUARY 20, 2009,** submitted by City Clerk.

ACTION: On motion by Mayor Pro Tem Herzog and second by Mayor Tettermer, the City Council continued the Minutes of the regular City Council Meeting held on January 6, and January 20, 2009, until the next scheduled Council meeting. **MOTION UNANIMOUSLY CARRIED.**

5. **AWARD OF CONTRACT FOR DOCUMENT MANAGEMENT SOFTWARE SUPPORT SERVICES** submitted by Director of Management Services. (F: 52.4B4)

ACTION: On motion by Council Member McCullough and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the selection of Maris Imaging Solutions for Document Management Software Support Services. 2. Authorized the Mayor to execute an agreement with Maris Imaging Solutions for a term of three years, with two, one-year renewal options, substantially in the form attached. **MOTION UNANIMOUSLY CARRIED.**

6. **AWARD CONTRACT: PLAYGROUND EQUIPMENT REPLACEMENT PROJECT (PW 2007.22C)** submitted by Director of Public Works/City Engineer. (F: 34.3B PW 2007.22C)

ACTION: On motion by Council Member McCullough and second by Mayor Pro Tem Herzog, the City Council: 1. Rejected the low bid received from Big Ben Construction as a non-responsive bid in the amount of \$647,190. 2. Awarded a contract in the amount of \$649,067.08 to Micon Construction, Inc., of Placentia, California, for construction of the

Playground Equipment Replacement Project (PW 2007.22C). 3. Upon receipt of the executed contract documents from Micon Construction, Inc., rejected all other bids received and authorized return of the Bid Bonds. 4. Authorized the Mayor to sign, and City Clerk to attest the contract with Micon Construction, Inc. 5. Authorized the City Manager to approve contract change orders up to a maximum ten percent (10%) of the contract amount. MOTION UNANIMOUSLY CARRIED.

7. SIX MONTH NOTICE OF BUS SHELTER MAINTENANCE CONTRACT EXPIRATION submitted by Director of Public Works/City Engineer. (F: 11.4E3)

ACTION: On motion by Council Member McCullough and second by Mayor Pro Tem Herzog, the City Council received and filed the report. MOTION UNANIMOUSLY CARRIED.

8. STATUS OF COMPLIANCE WITH NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER PERMITS SECOND QUARTER FISCAL YEAR 2008-2009 submitted by Director of Public Works/City Engineer. (F: 60.1)

ACTION: On motion by Council Member McCullough and second by Mayor Pro Tem Herzog, the City Council received and filed the report as submitted. MOTION UNANIMOUSLY CARRIED.

9. REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES FOR THE LAKE FOREST DRIVE RESURFACING PROJECT PW 2007.17F submitted by Director of Public Works/City Engineer. (F: 64.4A)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council: 1. Approved the attached Request for Proposal (RFP) for Professional Services for the Lake Forest Drive Resurfacing Project PW 2007.17F. 2. Authorized staff to solicit proposals for professional services. 3. Increased revenue estimates for the

Gas Tax Fund in the amount of \$1,163,187.20. 4. Adopted Resolution No. 2009-04 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE CAPITAL IMPROVEMENT PROJECTS BUDGET FOR 2007-2009. MOTION UNANIMOUSLY CARRIED.

10. SIX MONTH NOTICE OF PROFESSIONAL GENERAL ENGINEERING CONSULTING SERVICES CONTRACT EXPIRATION submitted by Director of Public Works/City Engineer. (F: 48.8F6)

ACTION: On motion by Council Member McCullough and second by Mayor Pro Tem Herzog, the City Council received and filed the report as submitted. MOTION UNANIMOUSLY CARRIED.

DISCUSSION/ACTION ITEMS:

11. AWARD OF CONTRACT FOR SPORTS PARK AND COMMUNITY CENTER MASTER PLAN SERVICES submitted by Director of Community Services. (F: 46.25)

ACTION: On motion by Council Member Dixon and second by Mayor Tettemer, the City Council: 1. Approved the agreement with RJM Design Group for Sports Park and Community Center Master Plan Services. 2. Authorized the Mayor to execute, and the City Clerk to attest, the agreement with RJM Design Group. MOTION UNANIMOUSLY CARRIED.

12. LEGISLATIVE AND REGULATORY MATTERS submitted by Assistant to 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.

13. REQUESTS FOR APPOINTMENT TO AGENCIES, BOARDS, COMMISSIONS AND/OR COMMITTEES THROUGH THE LEAGUE OF CALIFORNIA CITIES submitted by City Clerk.

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT: (F: 26.17)

City Manager Dunek offered no comments.

Council Member Dixon presented no comments.

Council Member McCullough presented comments.

Council Member Rudolph presented comments.

Mayor Pro Tem Herzog presented comments.

Mayor Tetteimer presented comments.

CONTINUED CLOSED SESSION: (F: 16.3)

ACTION: There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 8:02 p.m.