

**PRELIMINARY ACTION AGENDA  
LAKE FOREST CITY COUNCIL**

Regular Meeting of the City Council  
April 1, 2008

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 <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.
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CALL TO ORDER: 6:10 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
City Clerk:	Sherry A.F. Wentz

RECESS: City Council recessed at 6:10 p.m. for the purpose of conducting Closed Session business.

CLOSED SESSION (F: 16.3) 6:10 p.m.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (3 properties: A - C)

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

A. Property: Approximately 13.2 acres on APN 612-022-10

- 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: 7 acres located on APN 104-132-36, 104-132-65, located at 20996 Marin, Lake Forest, CA

2. CONFERENCE WITH LEGAL COUNSEL REGARDING THE FOLLOWING:

- A. Existing litigation pursuant to Government Code Section 54956.9(a): Two (1) Cases.
  - A. Case Name: La Asociación de Trabajadores de Lake Forest (“ATLF”), et al. v. City of Lake Forest, et al.  
Case No. AS CV 07-250 DOC (ANx)
  - B. Case Name: City of Lake Forest v. Lake Forest Body Centre  
Case No. O7CC11555

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 7:00 p.m. from Closed Session, for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:15 p.m. to continue regular City business with all Members present.

PUBLIC SESSION

7:15 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: (F: 55.1)

No items were scheduled for Presentations.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

Brittney Slack, Student Liaison from El Toro High School, presented her report.

RECESS: City Council recessed at 7:17 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:18 p.m. to continue regular City business, with all Members present.

PUBLIC COMMENTS (F: 26.12)

The following members of the public offered comments: Dr. James Gardner, Lisa Schoeneberger, Bob Holtzclaw, Sue Waltman, and Margie Matsil.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 1)

1. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$1,788,859.47. (F: 30.11)

Council Member Rudolph pulled the following warrants for purposes of clarification: AC Landscape, Cost Recovery Systems, El Toro High School Grad Night, and Lake Forest Electric.

Council Member McCullough pulled the following warrant for the purpose of clarification: JFK Transportation.

**ACTION:** On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council approved the remainder of the warrant register as submitted. **MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSTAINING ON WARRANTS PAYABLE TO ROGER FAUBEL PUBLIC AFFAIRS AND SUNSET PROPERTY SERVICES.**

**ACTION:** On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to AC Landscape. **MOTION UNANIMOUSLY CARRIED.**

**ACTION:** On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council approved the warrant payable to Cost Recovery Systems. **MOTION UNANIMOUSLY CARRIED.**

**ACTION:** On motion by Council Member Rudolph and second by Council Member Dixon, the City Council approved the warrant payable to El Toro Grad Night. **MOTION UNANIMOUSLY CARRIED.**

**ACTION:** On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to Lake Forest Electric. **MOTION UNANIMOUSLY CARRIED.**

**ACTION:** On motion by Council Member McCullough and second by Mayor Pro Tem Herzog, the City Council approved the warrant payable to JFK Transportation. **MOTION UNANIMOUSLY CARRIED.**

**CONSENT CALENDAR - MISCELLANEOUS:** (Item Nos. 2-10) (Item No. 9 was pulled from the consent Calendar for separate consideration.)

2. **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.**

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

3. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON FEBRUARY 5, 2008, submitted by City Clerk.

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council approved the Minutes of the regular meeting of the City Council held on February 5, 2008, as submitted. MOTION UNANIMOUSLY CARRIED.

4. REQUESTS FOR COMMENDATIONS AND PROCLAMATIONS submitted by City Clerk.

A. PROCLAMATION DECLARING THE WEEK OF APRIL 13-19, 2008, AS "NATIONAL CRIME VICTIMS' RIGHTS WEEK" (F: 55.3)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council approved the request as submitted. MOTION UNANIMOUSLY CARRIED.

5. CITY FINANCIAL REPORTS – QUARTER ENDED DECEMBER 31, 2007, submitted by Director of Finance/City Treasurer. (F: 30.13)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council received and filed the City Financial Reports – Quarter Ending December 31, 2007. MOTION UNANIMOUSLY CARRIED.

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

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council received and filed the Monthly Treasurer's Report. MOTION UNANIMOUSLY CARRIED.

7. CLASSIFICATION PLAN FOR FY 2007-08 submitted by Director of Management Services. (F: 48.4)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council adopted Resolution No. 2008-07 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING A REVISED CLASSIFICATION PLAN. MOTION UNANIMOUSLY CARRIED.

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

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council received and filed the Notice of Contract Expiration for Bus Shelter Maintenance. MOTION UNANIMOUSLY CARRIED.

9. AGREEMENT FOR DESIGN SERVICES FOR IMPROVEMENTS AT ALTON, BORREGO, EL TORO, FOOTHILL COMMUNITY AND RANCHWOOD PARKS submitted by Director of Community Services. (F: 34.3B PW 2007.22A&22B)

ACTION: On motion by Mayor Tetterer and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the Agreement with Community Works Design Group for design services for improvements at Alton, Borrego, El Toro, Foothill Community, and Ranchwood Parks.

2. Authorized the Mayor to execute, and the City Clerk to attest, the Agreement with Community Works Design Group. MOTION UNANIMOUSLY CARRIED.

10. NOTICE OF COMPLETION FOR THE TRABUCO ROAD AND EL TORO ROAD INTERSECTION IMPROVEMENT PROJECT (PW 2005.03) submitted by Director of Public Works/City Engineer. (F: 64.4A PW 2005.03)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Found that Alliance Streetworks, Inc., of Anaheim, California, had completed the construction of the Trabuco Road and El Toro Road Intersection Improvement Project (PW 2005.03). 2. Approved the Notice of Completion and authorized the Mayor to execute the document on behalf of the City. 3. Authorized the City Clerk to submit said Notice of Completion for recordation to the Office of the County Recorder of Orange County, within ten days of the City Council approval, as required by Section 3093 of the California Civil Code. 4. Authorized payment to the contractor of the ten percent (10%) retention, in the amount of \$45,159.56, 35 days after the recording date of the Notice of Completion, providing no Stop Notices are on file with the City preventing the release of the final payment. MOTION UNANIMOUSLY CARRIED.

CONTINUED PUBLIC HEARING:

11. USER FEE AND RATE STUDY CONTINUED PUBLIC HEARING submitted by Director of Finance/City Treasurer. (F: 30.16A1)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council: 1. Adopted Resolution No. 2008-08 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, REVISING THE SCHEDULE OF FEES, CHARGES, AND DEPOSITS FOR CITY SERVICES, as amended. 2. Authorized the Building Official to implement a temporary conversion of shell/tenant improvement building and safety fees from the previous

International Conference of Building Official's Valuation Table categories to new building categories in the 2008 California Building Codes.  
MOTION UNANIMOUSLY CARRIED.

**DISCUSSION/ACTION ITEMS:**

12. **ADOPTION OF ORANGE COUNTY ANIMAL CONTROL CARE SERVICES BARKING DOG ORDINANCE** submitted by Chief of Police Services. (F: 71.3)

**ACTION:** On motion by Council Member Dixon and second by Council Member McCullough, the City Council introduced and approved the first reading of Ordinance No. 185 entitled **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADDING CHAPTER 10.32 TO LAKE FOREST MUNICIPAL CODE TITLE 10 REGARDING BARKING DOGS. MOTION UNANIMOUSLY CARRIED.**

13. **REVIEW AND DISCUSSION OF DRAFT 2008 HOUSING ELEMENT** submitted by Director of Development Services. (F: 31.2D)

**ACTION:** On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council reviewed and discussed Draft 2008 Housing Element. **MOTION UNANIMOUSLY CARRIED.**

14. **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 report.



15. LEGISLATIVE 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.

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

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT: (F: 26.17)

City Manager Dunek offered no comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member Dixon presented no comments.

Council Member McCullough presented comments.

Council Member Rudolph presented comments.

Mayor Pro Tem Herzog presented comments.

Mayor Tettermer presented comments.

CLOSED SESSION: (F: 16.3)

ACTION: There was no continued closed session.

ADJOURNMENT: (F: 26.8) 9:55 p.m.