

# PRELIMINARY ACTION AGENDA LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council  
March 18, 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 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:

6:04 p.m.

ROLL CALL: Council Members:

Richard T. Dixon  
Kathryn McCullough  
Marcia Rudolph  
Peter Herzog  
Mark Tetterer

Mayor Pro Tem:

Mayor:

City Manager:

City Attorney:

City Clerk:

Robert C. Dunek  
Scott C. Smith  
Sherry A.F. Wentz

RECESS: City Council recessed at 6:04 p.m. for the purpose of conducting Closed Session business.

CLOSED SESSION: (F: 16.3)

6:04 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

**ACTION:** Conducted Closed Session.

**RECESS:** City Council recessed at 6:50 p.m. from Closed Session for the purpose of conducting regular City business.

**RECONVENE:** City Council reconvened at 7:12 p.m. to continue regular City business.

**PUBLIC SESSION**

7:12 p.m.

**PLEDGE OF ALLEGIANCE:** (F: 26.21)

Council Member McCullough 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:**

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

- A. PROCLAMATION DESIGNATING APRIL 22, 2008, AS “EARTH DAY” (F: 55.2)
- B. PROCLAMATION DESIGNATING APRIL 25, 2008, AS “ARBOR DAY” (F: 55.2)
- C. RECOGNITION OF DEPUTY DALLAS HENNESSEY, DEPUTY JESSE ARELLANO, AND DEPUTY JEFF PUCKETT, MOTHERS AGAINST DRUNK DRIVING 2007 AWARD RECIPIENTS (F: 55.5) (X: 48.8G)
- D. RECOGNITION OF CROSSING GUARD NICHOLAS MARTUCCI, OUTSTANDING CROSSING GUARD OF THE YEAR AWARD WINNER (F: 55.5) (F: 53.3A)
- E. RECOGNITION OF DEPARTING EMPLOYEES – POLICE SERVICES (F: 53.5) (X: 48.8G)

**ACTION:** On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Approved requests as submitted. 2. Made presentations to those present. **MOTION UNANIMOUSLY CARRIED.**

**REPORT FROM STUDENT LIAISON:** (F: 35.2A)

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

**RECESS:** City Council recessed at 7:30 p.m. for the purpose of conducting Redevelopment Agency business.

**RECONVENE:** City Council reconvened at 7:32 p.m. with all Members present to continue regular City business.

**PUBLIC COMMENTS:** (F: 26.12)

The following members of the public offered comments: Sue Waltman and Cyr Oca.

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

2. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$1,366,013.96. (F: 30.11)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council approved the warrant register as submitted. MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSTAINING ON WARRANT PAYABLE TO ROGER FAUBLE PUBLIC AFFAIRS.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3-14) (Item No 14 was pulled from the Consent Calendar for separate consideration.)

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.

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.

4. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON FEBRUARY 19, 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 City Council meeting held on February 19, 2008, as submitted. MOTION UNANIMOUSLY CARRIED.

5. 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.**

6. **APPROVAL OF CONSTRUCTION PLANS AND SPECIFICATIONS FOR THE MUIRLANDS BOULEVARD ARTERIAL HIGHWAY REHABILITATION PROJECT (PW 2005.05F)** submitted by Director of Public Works/City Engineer. (F: 64.4A PW 2005.05F)

**ACTION:** On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the plans and specifications for the Muirlands Boulevard Arterial Highway Rehabilitation Project (AHRP), from North City Limits to El Toro Road (PW 2005.05F). 2. Authorized the City Clerk to advertise and receive bids for this project. **MOTION UNANIMOUSLY CARRIED.**

7. **CONTRACT AWARD: PLAYGROUND AND PARK SAFETY INSPECTION SERVICES** submitted by Director of Public Works/City Engineer. (F: 34.3E)

**ACTION:** On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Awarded a contract in the amount of \$30,400 to Playground Safety Analysts, of Rancho Santa Margarita, California, for playground and park safety inspection services, substantially in the form attached. 2. Authorized the Mayor to sign, and City Clerk to attest the contract with Playground Safety Analysts. **MOTION UNANIMOUSLY CARRIED.**

8. **AMENDMENT TO AGREEMENT FOR MUNICIPAL ENGINEERING SERVICES** submitted by Director of Public Works/City Engineer. (F: 48.8F6)

**ACTION:** On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the First Amendment to the

Agreement with Willdan for municipal engineering services, substantially in the form attached. 2. Authorized the Mayor to sign the First Amendment with Willdan for the additional services. MOTION UNANIMOUSLY CARRIED.

9. AMENDMENT NUMBER ONE TO AGREEMENT D02-086 BETWEEN THE ORANGE COUNTY FLOOD CONTROL DISTRICT AND THE CITY OF LAKE FOREST submitted by Director of Public Works/City Engineer. (F: 11.2)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the Amendment to the Agreement D02-086, to extend the term of the Water Quality Ordinance Implementation Agreement for an additional three-year term, substantially in the form attached. 2. Authorized the Mayor to execute the Amendment to the Agreement. MOTION UNANIMOUSLY CARRIED.

10. AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES FOR ON-CALL CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES submitted by Director of Public Works/City Engineer. (F: 48.8F2)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the Third Amendment to the Agreement for Consultant Services for On-Call Construction Administration and Inspection Services with RBF Consulting, substantially in the form attached. 2. Authorized the Mayor to sign the Third Amendment to the Agreement for Consultant Services with RBF Consulting. MOTION UNANIMOUSLY CARRIED.

11. CONSTRUCTION CHANGE ORDER FOR THE TRABUCO ROAD/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 authorized the City Manager to approve Contract Change Order with Alliance Streetworks, Inc., for the Trabuco Road/El Toro Road Intersection Improvement Project. **MOTION UNANIMOUSLY CARRIED.**

12. **CONTRACT AMENDMENT FOR DESIGN SERVICES – UNIVERSALLY ACCESSIBLE PLAYGROUND** submitted by Director of Community Services. (F: 34.3B PW 2005.9)

**ACTION:** On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the Contract Amendment with Moore Iacofano Goltsman, Incorporated, dba MIG, for design services for a Universally Accessible Playground. 2. Authorized the Mayor to sign the Amendment with MIG, Inc. **MOTION UNANIMOUSLY CARRIED.**

13. **NOTICE OF COMPLETION FOR SERRANO CREEK AND CAVANAUGH MINI PARK PLAY STRUCTURES PROJECT (PW 2005.09)** submitted by Director of Public Works/City Engineer. (F: 34.3B PW 2005.09)

**ACTION:** On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Found that CS Legacy Construction, of Chino, California, has completed the construction of Serrano Creek and Cavanaugh Mini Park Play Structures Project (PW 2005.09). 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 \$41,754.53, 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.**

14. DRAFT PLAN OF 2008-09 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) submitted by Deputy Executive Director. (F: 73.7H)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the 2008/09 draft plan for \$478,551 and reprogramming of unspent Community Development Block Grant (CDBG) of prior years. 2. Approved an amendment to 2005-2010 Five-Year Consolidated Plan to exchange CDBG funds previously used to purchase the OCTA surplus parcel with Redevelopment Housing Set-Aside funds. 3. Approved a 30-day public review and comment period for the draft plan and amendment to Five-Year Consolidated Plan, and directed staff to return the items to City Council for final review and adoption on May 6, 2008. MOTION UNANIMOUSLY CARRIED.

#### DISCUSSION/ACTION ITEMS:

15. ANIMAL CONTROL SERVICES STUDY submitted by Director of Management Services. (F: 71.3B)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council: 1. Directed City staff to implement recommended actions 1-10. 2. Develop performance measures for future animal services contracts. 3. Directed City staff to provide additional information regarding recommended actions 11-15. 4. Schedule discussion of animal services for the April 15, 2008, City Council meeting. MOTION UNANIMOUSLY CARRIED.

16. FIVE-YEAR STRATEGIC BUSINESS PLAN submitted by Director of Finance/City Treasurer. (F: 30.7))

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council adopted the Five-Year Strategic Business Plan and approved consolidation of Council Liaison and Legislative Analyst positions to Management Analyst and initiate recruitment in FY 2007-08. MOTION UNANIMOUSLY CARRIED.

17. 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.

18. **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 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 Closed Session.

**ADJOURNMENT:** (F: 26.8) 10:04 p.m.

The Lake Forest City Council adjourned in memory of Gaylord F. Knapp, former City Manager of the cities of Cerritos and Lake Forest, who passed away on

March 8, 2008 from complications resulting from Huntington's disease.