

**PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL**

Regular Meeting of the City Council
September 16, 2008

Lake Forest City Hall
25550 Commercentre Drive
City Council Chamber
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: 6:00 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 6:00 p.m. for the purpose for conducting Closed Session business.

CLOSED SESSION: (F: 16.3) 6:00 p.m.

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to Government Code Section 54956.8. (Two (2) Properties)

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

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Existing litigation pursuant to Government Code Section 54956.9(a): Two (2) Cases.

Case Name: City of Lake Forest v. Lake Forest Body Centre
Case Number: 07CC11555

Case Name: City of Lake Forest v. Lake Forest Body Centre
Case Number: 8:08-CV-551

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:45 p.m. from Closed Session, for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:03 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

7:03 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 actions from Closed Session.

PRESENTATIONS: (X: 55.1)

1. REQUESTS FOR COMMENDATIONS AND PROCLAMATIONS submitted by City Clerk.
 - A. PROCLAMATION DECLARING OCTOBER 5-11, 2008, AS “FIRE PREVENTION WEEK” (F: 55.2)
 - B. PROCLAMATION DECLARING OCTOBER 24, 2008, AS “DEVELOPMENTAL DISABILITIES DAY” (F: 55.2)
 - C. CERTIFICATE OF CONGRATULATIONS TO SADDLEBACK COLLEGE ON THE OCCASION OF ITS 40TH ANNIVERSARY (F: 55.6) (X: 59.3)
 - D. RECOGNITION OF DEPUTY SHERIFF LYNN RIDENOUR (F: 48.8G)

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

2. UPDATE REGARDING GVR SKATE COMPETITION AT THE ETNIES SKATEPARK OF LAKE FOREST submitted by Director of Community Services. (F: 46.9)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council received the presentation regarding the 2008 GVR Skate Competition. **MOTION UNANIMOUSLY CARRIED.**

3. REPORT BY INVESTMENT OVERSIGHT REVIEWER QUARTER ENDED JUNE 30, 2008, submitted by Director of Finance/City Treasurer. (F: 30.10A)

ACTION: The City Council received and filed the report.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

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

RECESS: City Council recessed at 7:21 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:24 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: David Durham, Dan Fears, and Marti Rae Ortega.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 4)

4. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$376,782.72. (F: 30.11)

Council Member Rudolph pulled the following warrants for purposes of clarification: Don Barnes GCR, Marketing Tracking Network, Mike Dunham GCR, National Neighborhood Watch, Paul A. Moote & Associates, Southern California Edison, and Sunset Properties.

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

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council approved warrants payable to Don Barnes, GCR Marketing Tracking Network, Mike Dunham, National Neighborhood Watch, Paul A. Moote & Associates, Southern California Edison, and Sunset Properties. **MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSTAINING ON WARRANT PAYABLE TO SUNSET PROPERTY SERVICES.**

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 5-9)

5. **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 reading of Ordinances and Resolutions. **MOTION UNANIMOUSLY CARRIED.**

6. **MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON AUGUST 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 August 19, 2008, as submitted. **MOTION UNANIMOUSLY CARRIED.**

7. **PERMIT AUTOMATION SOFTWARE REQUEST FOR PROPOSAL submitted by Director of Development Services and Director of Management Services. (F: 52.4B2a)**

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the request for proposal for permit automation software. 2. Authorized staff to solicit and receive proposals for permit automation software. **MOTION UNANIMOUSLY CARRIED.**

8. **CONTRACT AWARD FOR CONTRACT ADMINISTRATION AND CONSTRUCTION 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. Awarded a contract in the amount of \$914,220 to CivilSource Inc., of Irvine, California, for on-call contract administration and construction inspection services. 2. Authorized the Mayor to sign and City Clerk to attest, the contract with CivilSource Inc., substantially in the form attached. **MOTION UNANIMOUSLY CARRIED.**

9. **2007/08 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT** submitted by Assistant City Manager. (F: 73.7H3)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council adopted Resolution No. 2008-31 entitled **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE 2007/08 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT FOR THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.** **MOTION UNANIMOUSLY CARRIED.**

PUBLIC HEARINGS:

10. APPROPRIATION OF CITIZENS OPTIONS FOR PUBLIC SAFETY (COPS) FUNDS FOR FY 2008-09 (AB 3229-BRULTE) submitted by Chief of Police Services. (F: 32.4)

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, the City Council: 1. Conducted the public hearing as required by law. 2. Approved the use of AB 3229 funds for the costs associated with one sergeant position. **MOTION UNANIMOUSLY CARRIED.**

11. ACCESS TO BAKE PARKWAY IN CONJUNCTION WITH SITE DEVELOPMENT PERMIT (SDP) 2007-17 submitted by Director of Development Services. (F: 47.12)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council adopted Resolution No. 2008-33 entitled **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, GRANTING ACCESS RIGHTS TO BAKE PARKWAY IN CONJUNCTION WITH SITE DEVELOPMENT PERMIT (SDP) 2007-17 FOR A MIXED COMMERCIAL DEVELOPMENT AT THE SOUTHWEST OF BAKE AND PORTOLA PARKWAYS. MOTION UNANIMOUSLY CARRIED.**

DISCUSSION/ACTION ITEMS:

12. 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.

13. 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 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) 8:18 p.m.