

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
August 4, 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, 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:

6:01 p.m.

ROLL CALL: Council Members:

Richard T. Dixon
Kathryn McCullough
Marcia Rudolph

Mayor Pro Tem:

Peter Herzog

Mayor:

Mark Tetterer

City Manager:

Robert C. Dunek

City Attorney:

Scott C. Smith

Acting City Clerk:

Debra Rose

RECESS: City Council recessed at 6:01 p.m. for the purpose of conducting Closed Session business.

CLOSED SESSION

6:01 p.m.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: APN: 606-161-10
Agency negotiators: City Manager and City Attorney
Negotiating parties: Owner of Record
Under Negotiation: Price and Terms of Payment
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: APN: 612-022-10

Agency negotiators: City Manager and City Attorney
Negotiating parties: Property Owner of Record
Under Negotiation: Price and Terms of Payment

3. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957
Agency Designated Representatives: Mayor
Unrepresented Employee: City Manager

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property: APN 612-164-01 and 02, Lake Forest, CA
Agency negotiators: City Manager and City Attorney
Negotiating parties: Foothill Ranch Properties LLC
Under Negotiation: Price and Terms of Payment

5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(c)
Initiation of Litigation
Number of potential cases: 10

6. 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: City Manager and City Attorney
Negotiating parties: Property Owner of Record
Under Negotiation: Price and Terms of Payment

7. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property: APNs: 104-143-25 & 27
Agency negotiators: City Manager and City Attorney
Negotiating parties: Property Owner of Record
Under Negotiation: Price and Terms of Payment

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 7:02 p.m. from Closed Session, for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:09 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

7:09 p.m.

PLEDGE OF ALLEGIANCE: (F: 26.21)

The Pledge of Allegiance to the Flag of our Country was led by Council Member Dixon.

CLOSED SESSION REPORT: (F: 16.3)

City Attorney Smith stated there were no reportable actions from Closed Session.

PRESENTATIONS:

8. INTRODUCTION OF NEW EMPLOYEE - ANGEL P. FUERTES, PRINCIPAL CIVIL ENGINEER submitted by Director of Public Works/City Engineer. (F: 55.1)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council received the introduction of Angel Fuertes as the new Principal Civil Engineer in Public Works Department.
MOTION UNANIMOUSLY CARRIED.

RECESS: City Council recessed at 7:11 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:12 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The public offered no comments.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 9)

9. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$911,388.03. (F: 30.11)

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

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 10-19)

10. 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 Acting City Clerk.

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

11. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD MAY 5, 2009, submitted by Acting City Clerk.

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council approved the Minutes of the regular meeting of the City Council held on May 5, 2009, as submitted. MOTION UNANIMOUSLY CARRIED.

12. ADOPTION OF ORDINANCE NO. 204 submitted by Acting City Clerk. (F: 47.11)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council: 1. Conducted the second reading of Ordinance No. 204 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING CHAPTER 5.07 OF THE LAKE FOREST MUNICIPAL CODE REGARDING MASSAGE LICENSING EXEMPTIONS.

2. Adopted Ordinance No. 204 as submitted. MOTION UNANIMOUSLY CARRIED.

13. ADOPTION OF ORDINANCE NO. 205 submitted by Acting City Clerk. (F: 53.3B14)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council: 1. Conducted the second reading of Ordinance No. 205 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADDING LAKE FOREST MUNICIPAL CODE SECTION 11.56.100 RELATING TO FALSE ALARMS AND THE PAYMENT OF COSTS. 2. Adopted Ordinance No. 205 as submitted. MOTION UNANIMOUSLY CARRIED.

14. AMENDMENT TO THE AGREEMENT FOR PRINTING OF CITY NEWSLETTERS submitted by Director of Management Services. (F: 54.2A)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council approved the First Amendment to the Agreement with The PM Group, substantially in the form attached, to print City newsletters. MOTION UNANIMOUSLY CARRIED.

15. UPDATE TO THE CLASSIFICATION AND COMPENSATION PLAN submitted by Director of Management Services. (F: 48.4)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council adopted Resolution No. 2009-29 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING A REVISED CLASSIFICATION PLAN AND SALARY SCHEDULE. MOTION UNANIMOUSLY CARRIED.

16. CONTRACT AWARD FOR ASPHALT OVERLAY OF VARIOUS RESIDENTIAL STREETS (PW 2007.17D.1) submitted by Director of Public Works/City Engineer. (F: 64.4A) (PW 2007.17D.1)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council: 1. Awarded a contract in the amount of \$226,687.98 to RJ Noble Inc., of Orange, California, for

construction of the Asphalt Overlay of Various Residential Streets Project (PW 2007.17D.1). 2. Upon receipt of the executed contract documents from RJ Noble, rejected all other bids received and authorized return of the Bid Bonds. 3. Authorized the Mayor to sign, and City Clerk to attest the contract with RJ Noble. 4. Authorized the City Manager to approve contract change orders up to a maximum ten percent of the contract amount. MOTION UNANIMOUSLY CARRIED.

17. REQUEST FOR PROPOSAL FOR SPORTS PARK GRADING AND DRAINAGE DESIGN SERVICES (PW 2009.01 GD) submitted by Director of Public Works/City Engineer. (F: 50.11E) (PW 2009.01 GD)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council: 1. Approved the Request For Proposal for Grading and Drainage Design Services for the Sports Park. 2. Authorized staff to solicit proposals for these services. MOTION UNANIMOUSLY CARRIED.

18. CONTRACT AWARD FOR THE INSTALLATION OF CALSENSE IRRIGATION EQUIPMENT submitted by Director of Public Works/City Engineer. (F: 69.8A)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council: 1. Awarded a contract in the amount of \$125,280 to Nakae & Associates, Inc., of Irvine, California, for the installation of Calsense irrigation equipment. 2. Rejected all other bids received and authorized return of the Bid Bonds. 3. Authorized the Mayor to sign, and Acting City Clerk to attest the contract with Nakae & Associates. 4. Authorized the City Manager to approve contract change orders up to a maximum ten percent (10%) of the contract amount. MOTION UNANIMOUSLY CARRIED.

19. BID DOCUMENTS FOR LANDSCAPE MAINTENANCE submitted by Director of Public Works/City Engineer.

A. BID DOCUMENTS FOR LANDSCAPE MAINTENANCE OF PARKS submitted by Director of Public Works/City Engineer. (F: 34.3A)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Approved bid documents for the Landscape Maintenance of Parks. 2. Authorized staff to solicit bids for these services. **MOTION UNANIMOUSLY CARRIED.**

- B. BID DOCUMENTS FOR LANDSCAPE MAINTENANCE OF MEDIANS, PARKWAYS, AND SLOPES** submitted by Director of Public Works/City Engineer. (F: 34.2A)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council: 1. Approved bid documents for the Landscape Maintenance of Medians, Parkways, and Slopes. 2. Authorized staff to solicit bids for these services. **MOTION UNANIMOUSLY CARRIED.**

- C. REQUEST FOR PROPOSAL FOR SPORTS FIELD MAINTENANCE** submitted by Director of Public Works/City Engineer. (F: 34.3A)

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 Sports Field Maintenance. 2. Authorized staff to solicit proposals for Sports Field Maintenance. **MOTION UNANIMOUSLY CARRIED.**

DISCUSSION/ACTION ITEMS:

- 20. CLARIFICATION OF OFF-STREET PARKING REQUIREMENTS CONTAINED IN CHAPTER 9.168 OF THE MUNICIPAL CODE** submitted by Director of Development Services. (F: 50.3F)

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, the City Council directed staff to initiate a Zone Change to clarify sections in Chapter 9.168 of the Lake Forest Municipal Code pertaining to parking exceptions and shopping center parking calculations as recommended by the Planning Commission. **MOTION UNANIMOUSLY CARRIED.**

- 21. CITYWIDE DESIGN GUIDELINES** submitted by Director of Development Services. (F: 50.11)

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council directed staff to initiate a Zone Change to adopt and incorporate the Citywide Design Guidelines by reference. **MOTION UNANIMOUSLY CARRIED.**

22. **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.

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

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

24. **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 MANAGER'S REPORT:

City Manager Dunek offered no comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member Dixon offered no comments.

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Mayor Pro Tem Herzog offered comments.

Mayor Tettermer offered comments.

CONTINUED CLOSED SESSION: (F: 16.3)

There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 8:27 p.m.