

**PRELIMINARY ACTION AGENDA  
LAKE FOREST CITY COUNCIL**

**Regular Meeting of the City Council  
November 17, 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 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:**

**6:06 p.m.**

**ROLL CALL: Council Members:**

**Richard T. Dixon**

**Kathryn McCullough**

**Marcia Rudolph**

**Mayor Pro Tem:**

**Peter Herzog (Absent)**

**Mayor:**

**Mark Tetterer**

**City Manager:**

**Robert C. Dunek**

**City Attorney:**

**Scott C. Smith**

**Acting City Clerk:**

**Debra Rose**

**RECESS: City Council recessed at 6:06 p.m. for the purpose of conducting Closed Session business.**

**CLOSED SESSION (F: 16.3)**

**6:06 p.m.**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**Pursuant to Government Code Section 54956.8**

**Property: Parcel 1 of lot line adjustment no. 11-2000-10 in the City of Lake Forest. County of Orange, State of California recorded October 20, 2000, as instrument no. 2000 565713, of official records of said County, Parcel 2 of lot line adjustment no. 11-2002-02 recorded October 30, 2002, as instrument no. 20020948495, of said official records, Parcels 4 and B of Parcel Map No. 97-173 as shown on Map filed in Book 301 Pages 43, 44 and 45, of Parcel Maps in the office of the County Recorder of said**

County, a portion of Parcel 1 of Parcel Map No. 94-139 as shown on a Map filed in Book 288, Pages 19 and 20 of said Parcel Maps and all of Tract No. 16224 as shown on a Map filed in Book 824, Pages 36 through 41, of miscellaneous maps in the office of the County Recorder of said County and Lot 8 of Tract No. 14754 as shown on a Map filed in Book 713, Pages 3 through 11, inclusive of said Miscellaneous Maps.

Agency negotiators: City Manager and City Attorney

Negotiating parties: Property Owner of Record

Under Negotiation: Price and Terms of Payment

2. 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

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 7:02 p.m., to continue regular City business with Mayor Pro Tem Herzog absent.

PUBLIC SESSION

7:02 p.m.

PLEDGE OF ALLEGIANCE: (F: 26.21)

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

**CLOSED SESSION REPORT: (F: 16.3)**

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

**PRESENTATIONS:**

3. **INTRODUCTION OF NEW CHIEF OF POLICE SERVICES** submitted by Deputy City Manager/Director of Management Services. (F: 48.8G)

**ACTION:** On motion by Council Member McCullough and second by Council Member Rudolph, the City Council received the introduction of Lieutenant Douglas Doyle as Chief of Lake Forest Police Services.  
**MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

4. **RECOGNITION OF CRIME PREVENTION SPECIALIST KIRSTEN ROWE** submitted by Chief of Police Services. (F: 48.8G)

**ACTION:** On motion by Council Member McCullough and second by Council Member Rudolph, the City Council recognized Kirsten Rowe.  
**MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

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

Nikki David, Student Liaison from El Toro High School, presented her report.

**RECESS:** City Council recessed at 7:13 p.m. for the purpose of conducting Redevelopment Agency business.

**RECONVENE:** City Council reconvened at 7:48 p.m., to continue regular City business with Mayor Pro Tem Herzog absent.

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

The following members of the public offered comments: Jacob Davis, Daniel Davis, Daniel Hewitt, Kandice Hawes, Thomas Seelbinder, Mark Moen, Jose Lopez, Shawn Ojeda, Cassidy Thornson, Lawrence Fox, Sam Paz, Victor Arzola, and Terra Whitmeyer.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 5)

5. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$1,765,456.52. (F: 30.11)

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the Warrant Register as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 6-17)

6. 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 Council Member McCullough and second by Mayor Tetteimer, the City Council waived the reading of Ordinances and Resolutions. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

7. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD AUGUST 18, AND SEPTEMBER 1, 2009, submitted by Acting City Clerk.

ACTION: On motion by Council Member McCullough and second by Mayor Tetteimer, the City Council approved the Minutes of the regular City Council meeting held on August 18, and September 1, 2009, as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

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

ACTION: On motion by Council Member McCullough and second by Mayor Tetteimer, the City Council received and filed the report as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

9. LANDOWNER DEPOSIT AGREEMENT WITH IRVINE RANCH WATER DISTRICT FOR COMMUNITY FACILITIES DISTRICT FORMATION submitted by Director of Finance/City Treasurer. (F: 50.11B3)

**ACTION:** On motion by Council Member McCullough and second by Council Member Rudolph, the City Council: 1. Approved the Landowner Deposit Agreement with Irvine Ranch Water District for the purpose of establishing a Community Facilities District. 2. Authorized the City Manager to sign and the City Clerk to attest the Landowner Deposit Agreement with Irvine Water District. **MOTION CARRIED WITH MAYOR TETTEMER ABSTAINING AND MAYOR PRO TEM HERZOG ABSENT.**

10. CARRYOVER REVENUES AND APPROPRIATIONS submitted by Director of Finance/City Treasurer. (F: 30.9)

**ACTION:** On motion by Council Member Rudolph and second by Council Member McCullough, the City Council: 1. Adopted Resolution No. 2009-34 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 2009-2010 AND THE CAPITAL IMPROVEMENT PROJECTS BUDGET FOR 2009-2011. 2. Approved carryovers of \$2,159,131 in revenues. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

11. 2009 RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM submitted by Chief of Police Services. (F: 32.21)

**ACTION:** On motion by Council Member McCullough and second by Mayor Tettemer, the City Council authorized the City Manager to accept the Agreement to Transfer Funds for the 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG) Program. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

12. ENGINEERING DESIGN SERVICES - ANNUAL STREET RESURFACING AND SLURRY SEAL PROJECTS (PW 2009.08) submitted by Director of Public Works/City Engineer. (F: 64.4A PW 2009.08)

**ACTION:** On motion by Council Member McCullough and second by Mayor Tetteimer, the City Council: 1. Awarded a contract in the amount of \$67,070 to KFM Engineering Inc., of Foothill Ranch, California, for engineering design services for the Annual Street Resurfacing and Slurry Seal Projects (PW 2009.08). 2. Authorized the Mayor to sign, and Acting City Clerk to attest, the contract with KFM Engineering Inc., substantially in the form attached. **MOTION CARRIED WITH COUNCIL MEMBER RUDOLPH ABSTAINING AND MAYOR PRO TEM HERZOG ABSENT.**

13. **SIX-MONTH NOTICE OF CONTRACT EXPIRATION FOR HOUSING REHABILITATION CONSULTING SERVICES** submitted by Assistant City Manager. (F: 73.7E)

**ACTION:** On motion by Council Member McCullough and second by Mayor Tetteimer, the City Council received and filed the report as submitted. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

14. **SIX MONTH NOTICE OF CONTRACT EXPIRATION FOR HOUSING REHABILITATION LOAN PROGRAM ESCROW SERVICES** submitted by Assistant City Manager. (F: 73.7E)

**ACTION:** On motion by Council Member McCullough and second by Mayor Tetteimer, the City Council received and filed the report as submitted. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

15. **STORAGE AREA NETWORK SOLUTION** submitted by Deputy City Manager/Director of Management Services. (F: 52.4B4)

**ACTION:** On motion by Council Member McCullough and second by Mayor Tetteimer, the City Council approved an Agreement with Synoptek, Inc., for the purchase and installation of a Storage Area Network. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

16. SECOND AMENDMENT TO AGREEMENT FOR CITY HALL JANITORIAL SERVICES submitted by Director of Public Works/City Engineer. (F: 52.3A2)

ACTION: On motion by Council Member McCullough and second by Mayor Tetteimer, the City Council: 1. Approved the Second Amendment to Agreement for City Hall Janitorial Services with Bell Building Maintenance Company. 2. Authorized the Mayor to sign, and the Acting City Clerk to attest, the contract amendment, substantially in the form attached. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

17. REVISED ORANGE COUNTY TAXI ADMINISTRATION PROGRAM REGULATIONS RESOLUTION submitted by Chief of Police Services. (F: 71.12B)

ACTION: On motion by Council Member McCullough and second by Mayor Tetteimer, the City Council approved Resolution No. 2009-35 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING REVISED ORANGE COUNTY TAXI ADMINISTRATION PROGRAM REGULATIONS. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

DISCUSSION/ACTION ITEMS:

18. 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: (F: 26.17)

City Manager Dunek offered no comments.

CITY COUNCIL COMMENTS: (F: 26.12)

Council Member Dixon presented comments.

Council Member McCullough presented comments.

Council Member Rudolph presented comments.

Mayor Pro Tem Herzog was absent.

Mayor Tetteimer presented comments.

CONTINUED CLOSED SESSION: (F: 16.3)

There was no continued Closed Session.

ADJOURNMENT: (F: 28.6) 8:50 p.m.