

**PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL**

Regular Meeting of the City Council
October 7, 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: 6:05 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 6:05 p.m. for the purpose for conducting Closed Session business.

CLOSED SESSION: (F: 16.3) 6:05 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, Terms of Payment, and City's exercise of option on park dedication under existing Development Agreement.

- 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

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 7:04 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

7:04 p.m.

PLEDGE OF ALLEGIANCE: (F: 26.21)

Mayor Tetteimer led the pledge of Allegiance to the Flag of our Country.

CLOSED SESSION REPORT: (F: 16.3)

Assistant City Attorney Richardson reviewed the reportable actions from Closed Session.

PRESENTATIONS: (F: 55.1)

1. FINANCIAL REPORTING AWARD submitted by Director of Finance/City Treasurer. (F: 30.3) (X: 48.8E)

ACTION: The City Council received and filed the report.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

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

RECESS: City Council recessed at 7:08 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:13 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Don Fears and Amanda Morrell.

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

2. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$2,785,343.91. (F: 30.11)

Council Member Rudolph pulled the following warrants for purposes of clarification: Science Applications International Corporation, Foremost Promotions, John McGuire, and Overland Pacific & Cutler.

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Rudolph, the City Council approved the balance 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 the warrants payable to Science Applications International Corporation, Foremost Promotions, John McGuire, and Overland Pacific & Cutler. **MOTION UNANIMOUSLY CARRIED.**

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3-16) (Item Nos. 13 and 14 were pulled from the Consent Calendar for further 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 Mayor Pro Tem Herzog and second by Council Member Dixon, 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 SEPTEMBER 2, 2008, submitted by City Clerk.**

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council approved the Minutes of the regular City Council meeting held on September 2, 2008, as submitted. **MOTION UNANIMOUSLY CARRIED.**

5. **QUARTERLY REPORT ON COMMISSION ATTENDANCE submitted by City Clerk. (F: 23.4)**

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council approved the Commission absences as excused. **MOTION UNANIMOUSLY CARRIED.**

6. **QUARTERLY FINANCIAL REPORT - JUNE 30, 2008**, submitted by Director of Finance/City Treasurer. (F: 30.13)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council received and filed the report. **MOTION UNANIMOUSLY CARRIED.**

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

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council received and filed the report. **MOTION UNANIMOUSLY CARRIED.**

8. **FIRST AMENDMENT TO ACCOUNTING SERVICES AGREEMENT** submitted by Director of Finance/City Treasurer. (F: 48.8E)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council approved the First Amendment to the Agreement with Jennifer Leisz for Accounting Services. **MOTION UNANIMOUSLY CARRIED.**

9. **REIMBURSEMENT OF PUBLIC FACILITIES PROJECT COSTS FROM FUTURE ISSUANCE OF BONDS** submitted by Director of Finance/City Treasurer and City Attorney. (F: 30.6)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council adopted Resolution No. 2008-34 entitled A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, DECLARING ITS INTENT TO ISSUE TAX-EXEMPT BONDS TO BE USED TO REIMBURSE THE CITY FOR EXPENDITURES PRIOR TO THE ISSUANCE OF SUCH BONDS. MOTION UNANIMOUSLY CARRIED.

10. 6-MONTH CONTRACT EXPIRATION NOTICE – WAVE IMAGING CORPORATION submitted by Director of Management Services. (F 52.48B3)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council received and filed the report. MOTION UNANIMOUSLY CARRIED.

11. BACKFILE DOCUMENT IMAGING SERVICES submitted by Director of Management Services. (F: 52.4B3)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council: 1. Approved the second amendment with Paradigm Imaging, Inc., substantially in the form attached, for a one-year extension for Document Imaging Services. 2. Authorized the City Manager to sign, and the City Clerk to attest, the second amendment with Paradigm Imaging, Inc., for these services. MOTION UNANIMOUSLY CARRIED.

12. COMMUNITY SERVICES DEPARTMENT – FIVE YEAR STRATEGIC PLAN UPDATE submitted by Director of Community Services. (F: 46.1A)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council received and filed the report. MOTION UNANIMOUSLY CARRIED.

13. APPROVAL OF BID DOCUMENTS FOR CALSENSE IRRIGATION CONTROLLERS submitted by Director of Public Works/City Engineer. (F: 69.8A)

ACTION: On motion by Mayor Tetteimer and second by Council Member McCullough, the City Council: 1. Approved the bid specifications for the purchase of Calsense irrigation controllers. 2. Authorized the City Clerk to advertise and receive bids for the purchase of Calsense irrigation controllers. MOTION UNANIMOUSLY CARRIED.

14. REIMBURSEMENT AGREEMENTS WITH THE IRVINE RANCH WATER DISTRICT FOR PAVEMENT REHABILITATION PROJECTS – (PW 2005.05D&E) (PW 2005.05F) (PW 2007.17A) submitted by Director of Public Works/City Engineer. (F: 64.4A 2005.05D-F) (F: 64.4A 2007.17A) (X: 69.5)

ACTION: On motion by Council Member McCullough and second by Council Member Dixon, the City Council: 1. Approved a reimbursement agreement between the City of Lake Forest and the Irvine Ranch Water District (IRWD) for work conducted by the City on IRWD facilities as part of project PW 2005.05D&E. 2. Approved a reimbursement agreement between the City of Lake Forest and IRWD for work conducted by the City on IRWD facilities as part of project PW 2005.05F. 3. Approved a reimbursement agreement between the City of Lake Forest and IRWD for work conducted by the City on IRWD facilities as part of project PW 2007.17A. 4. Authorized the Mayor Pro Tem to sign, and the City Clerk to attest, the reimbursement agreements with IRWD, substantially in the forms attached. MOTION CARRIED WITH MAYOR TETTEIMER ABSTAINING.

15. CONTRACT AWARD FOR ASPHALT REHABILITATION PROJECT ON VARIOUS CITY STREETS (PW 2007.17C) submitted by Director of Public Works/City Engineer. (F: 64.4A 2007.17C)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council: 1. Awarded a construction contract in the amount of \$3,169,997 to R.J. Noble, of Orange, California, for the Asphalt

Rehabilitation Project on Various City Streets (PW 2007.17C). 2. Upon receipt of the executed contract documents from R.J. Noble, reject all other bids received and authorize return of the Bid Bonds. 3. Authorized the Mayor to sign, and the City Clerk to attest the contract with R.J. Noble, substantially in the form attached. 4. Authorized the City Manager to approve contract change orders up to a maximum of ten percent (10%) of the contract amount. MOTION UNANIMOUSLY CARRIED.

16. DESIGN CONTRACT AWARD FOR ANNUAL STREET RESURFACING AND SLURRY SEAL PROJECT (PW 2007.17D&E) submitted by Director of Public Works/City Engineer. (F: 64.4A PW 2007.17D&E)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council: 1. Awarded a contract in the amount of \$77,633 to Willdan Engineering, of Anaheim, California, for engineering design services for the Annual Street Resurfacing and Slurry Seal Project (PW 2007.17D&E). 2. Authorized the Mayor to sign, and City Clerk to attest, the contract with Willdan Engineering, substantially in the form attached. MOTION UNANIMOUSLY CARRIED.

DISCUSSION/ACTION ITEMS:

17. 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.

18. LEGISLATIVE AND REGULATORY MATTERS submitted by Assistant to the 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.

19. 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 presented 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 Tetteimer presented comments.

CLOSED SESSION: (F: 16.3)

ACTION: There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 7:56 p.m.