

**PRELIMINARY ACTION AGENDA  
LAKE FOREST CITY COUNCIL**

Regular Meeting of the City Council  
April 15, 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 Tetterer
City Manager:	Robert C. Dunek
City Attorney:	Scott C. Smith
City Clerk:	Sherry A.F. Wentz

CLOSED SESSION 6:05 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

2. CONFERENCE WITH LEGAL COUNSEL REGARDING THE FOLLOWING:

A. Existing litigation pursuant to Government Code Section 54956.9(a): Two (1) Cases.

A. Case Name: La Asociación de Trabajadores de Lake Forest (“ATLF”), et al. v. City of Lake Forest, et al.

Case No. AS CV 07-250 DOC (ANx)

B. Case Name: City of Lake Forest v. Lake Forest Body Centre

Case No. O7CC11555

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 7:10 p.m. to continue regular City business, with all Members present.

PUBLIC SESSION

7:10 p.m.

PLEDGE OF ALLEGIANCE: (F: 26.21)

Mayor Tettermer 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 13-19, 2008, AS “NATIONAL TELECOMMUNICATORS WEEK” (F: 55.2)
  - B. PROCLAMATION DECLARING THE MONTH OF APRIL 2008, AS “FAIR HOUSING MONTH” (F: 55.2)

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.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

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

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

RECONVENE: City Council reconvened at 7:15 p.m. to continue regular City business with all Members present.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Dr. James Gardner and Anne Breuer.

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

2. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$737,486.32. (F: 30.11)

Council Member Rudolph pulled the following warrants for purposes of clarification: LSA Associates, Inc. and National Center for Education Research and Technology, Inc.

**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 the warrant payable to LSA Associates, Inc. **MOTION UNANIMOUSLY CARRIED.**

**ACTION:** On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council approved the warrant payable to National Center for Education Research & Technology, Inc. **MOTION UNANIMOUSLY CARRIED.**

**CONSENT CALENDAR - MISCELLANEOUS:** (Item Nos. 3-11) (Item No. 6 and 9 were 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 MEETINGS OF THE CITY COUNCIL HELD ON MARCH 4 AND MARCH 18, 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 meeting of the City Council held on March 4 and March 18, 2008, as submitted. **MOTION UNANIMOUSLY CARRIED.**

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

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

6. **ADOPTION OF ORDINANCE NO. 185** submitted by City Clerk. (F: 71.3)

**ACTION:** On motion by Council Member Dixon and second by Council Member Rudolph, the City Council: 1. Conducted the second reading of Ordinance No. 185 entitled: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADDING CHAPTER 10.32 TO LAKE FOREST MUNICIPAL CODE TITLE 10 REGARDING BARKING DOGS.** 2. Adopted Ordinance No. 185 as submitted. **MOTION UNANIMOUSLY CARRIED.**

7. **PROPOSED UPDATES TO HOUSING REHABILITATION LOAN PROGRAM** submitted by Assistant City Manager. (F: 73.7D)

**ACTION:** On motion by Mayor Pro Tem Herzog and second by Council Member Rudolph, the City Council approved the proposed updates to the policies and procedures for the Housing Rehabilitation Loan Program and directed staff to prepare amended and restated policies incorporating the proposed updates for future consideration by the City Council and Redevelopment Agency Board. **MOTION UNANIMOUSLY CARRIED.**

8. **AGREEMENT FOR DESIGN SERVICES FOR RESTROOM/CONCESSION STRUCTURE AT HEROES PARK** submitted by Director of Community Services. (F: 34.3D)

**ACTION:** On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the Agreement with Crane Architectural Group for design services for a Restroom/Concession structure at Heroes Park. 2. Authorized the Mayor to execute, and the City Clerk to attest, the Agreement with Crane Architectural Group. **MOTION UNANIMOUSLY CARRIED.**

9. **TEMPORARY EXTENSION OF THE THREE-WAY STOP SIGN CONTROL AT MIDCREST DRIVE AND DANBY** submitted by Director of Public Works/City Engineer. (F: 66.3Y)

**ACTION:** On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council approved Resolution No. 2008-09 entitled: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, EXTENDING THREE-WAY STOP SIGN CONTROL AT MIDCREST DRIVE AND DANBY WAY.** **MOTION UNANIMOUSLY CARRIED.**

10. **CONTRACT AWARD FOR SLURRY SEAL IMPROVEMENTS ON VARIOUS CITY STREETS (PW 2007.17B)** submitted by Director of Public Works/City Engineer. (F: 64.4A PW 2007.17B)

**ACTION:** On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Waived the minor bid irregularity of a substitute reference form, and awarded a construction contract in the amount of \$385,448 to Bond Blacktop, Inc., of Union City, California, for Slurry Seal Improvements on Various City Streets (PW 2007.17B). 2. Upon receipt of the executed contract documents from Bond Blacktop, Inc., will 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 Bond Blacktop, Inc. 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.

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

**ACTION:** On motion by Council Member Dixon and second by Council Member Rudolph, the City Council: 1. Awarded a construction contract in the amount of \$221,000 to Hardy and Harper, of Santa Ana, California, for the Asphalt Concrete Resurfacing Project on Various City Streets (PW 2007.17A). 2. Upon receipt of the executed contract documents from Hardy and Harper, will 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 Hardy and Harper. 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.

#### DISCUSSION/ACTION ITEMS:

12. ANIMAL CONTROL SERVICES – OPTIONAL INITIATIVES submitted by Director of Management Services. (F: 71.3B)

**ACTION:** On motion by Mayor Tetteimer and second by Council Member McCullough, the City Council directed staff to implement subsidized dog obedience classes to be offered by the Lake Forest Community Services Department for recent adopters of OC (Orange County) Animal Shelter dogs. MOTION UNANIMOUSLY CARRIED.

13. PROPOSED ORDINANCE RESTRICTING RECREATIONAL VEHICLES CITYWIDE EXCEPT BY PERMIT submitted by Director of Public Works/City Engineer and Assistant to the City Manager. (F: 51.2A27)

**ACTION:** On motion by Mayor Tettemer and second by Council Member McCullough, the City Council continued the first reading of an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING CHAPTER 12.16 OF THE LAKE FOREST MUNICIPAL CODE REGARDING RECREATIONAL VEHICLE AND TRAILER PARKING. MOTION UNANIMOUSLY CARRIED.

14. ALTON PARKWAY DISCUSSION submitted by Director of Public Works/City Engineer. (F: 66.12)

**ACTION:** City Council received and filed report, and provided an update to the community.

15. LEGISLATIVE MATTERS submitted by Assistant to the City Manager. (F: 72.2B)

**ACTION:** Received and filed report with minute action to adopt positions on various legislative proposals as recommended.

16. REQUESTS FOR APPOINTMENT TO AGENCIES, BOARDS, COMMISSIONS AND/OR COMMITTEES THROUGH THE LEAGUE OF CALIFORNIA CITIES submitted by City Clerk. (F: 23.2)

**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 offered comments.

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Mayor Pro Tem Herzog offered comments.

Mayor Tetteimer offered comments.

CLOSED SESSION: (F: 16.3)

ACTION: There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 9:37 p.m.