



AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
May 6, 2008

Lake Forest City Hall
25550 Commercentre Drive
City Council Chamber
Lake Forest, California 92630

NOTICE: Pursuant to Lake Forest Municipal Code Section 2.04.010, Regular Meetings of the City Council are held the First and Third Tuesday of each month at the hour of 6:00 p.m. for Closed Session matters, if required. The Public Session of the meeting shall commence at 7:00 p.m. or as soon thereafter as possible.

AGENDA ON THE INTERNET: The Agenda is available through the Internet at www.ci.lake-forest.ca.us. You can access the document on the Friday before the meeting on Tuesday. A brief summary of the actions taken at the meeting will be posted on the Internet the Thursday following the meeting.

AGENDA DOCUMENT REVIEW: The full Agenda including all back up information is available at City Hall, 25550 Commercentre Dr., Lake Forest, California, on the Friday prior to the Tuesday meeting.

AGENDA DESCRIPTION: The Agenda descriptions are intended to give notice to members of the public of a general summary of items of business to be transacted or discussed. The listed Recommended Action represents staff's recommendation. The City Council may take any action, which it deems to be appropriate on the agenda item and is not limited in any way by the recommended action.

CALL TO ORDER:

6:00 p.m.

ROLL CALL: Council Members:

Richard T. Dixon
Kathryn McCullough
Marcia Rudolph
Peter Herzog
Mark Tetterer

Mayor Pro Tem:

Mayor:

City Manager:

City Attorney:

City Clerk:

Robert C. Dunek
Scott C. Smith
Sherry A.F. Wentz

CLOSED SESSION: At this time the City Council may recess to Closed Session for conference with Legal Counsel to discuss the items listed below pursuant to Government Code requirements. Any items not concluded by 7:00 p.m. may be continued to the end of the Public Session.

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. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** pursuant to Government Code Section 54957: City Manager.

3. **CONFERENCE WITH LEGAL COUNSEL REGARDING – EXISTING AND ANTICIPATED LITIGATION AS FOLLOWS:**

- A. Existing litigation pursuant to Government Code Section 54956.9(a): Two (1) Cases.
 - 1. 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)
 - 2. Case Name: City of Lake Forest v. Lake Forest Body Centre
Case No. O7CC11555
- B. Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One (1) case.

RECOMMENDED ACTION: Conduct Closed Session.

RECESS: City Council will recess from Closed Session, for the purpose of conducting regular City business.

RECONVENE: City Council will reconvene, to continue regular City business.

PUBLIC SESSION

7:00 p.m.

PUBLIC SESSION: At this time the City Council will convene to consider public matters. Those wishing to address the City Council must submit a completed "Request to Speak" form to the City Clerk prior to City Council action.

PLEDGE OF ALLEGIANCE: Pledge of Allegiance to the Flag of our Country to be led by Council Member Dixon.

CLOSED SESSION REPORT: City Attorney will report on Closed Session.

PRESENTATIONS:

1. REQUESTS FOR COMMENDATIONS AND PROCLAMATIONS submitted by City Clerk.
 - A. [PROCLAMATION DECLARING THE MONTHS OF MAY AND NOVEMBER 2008, AS "BUDDY POPPY MONTHS"](#)
 - B. [PROCLAMATION DECLARING THE MONTH OF MAY 2008, AS "VETERANS APPRECIATION MONTH"](#)
 - C. [PROCLAMATION DECLARING MAY 1-7, 2008, AS "NATIONAL YOUTH WEEK"](#)
 - D. [RECOGNITION OF GRADUATES OF THE 2008 LAKE FOREST COMMUNITY PREPAREDNESS ACADEMY](#)
 - E. [RECOGNITION OF DEPUTY SHERIFF ASH ABDELMUTI AND DEPUTY SHERIFF MIKE THALKEN, RECIPIENTS OF THE MEDAL OF COURAGE](#)

RECOMMENDED ACTION: 1. Approve requests as submitted. 2. Make presentations to those present.

REPORT FROM STUDENT LIAISON: Report from Brittney Slack, Student Liaison from El Toro High School.

RECESS: City Council will recess for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council will reconvene to continue regular City business.

PUBLIC COMMENTS:

At this time members of the public may address the City Council regarding any items within the subject matter jurisdiction of the City Council. **NO** action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person and an overall time limit of thirty minutes for the Public Comments portion of the agenda.

Any person wishing to address the City Council on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council.

Whenever possible, lengthy testimony should be presented to the City Council in writing (8 copies) and only pertinent points presented orally. Additionally, a "Request to Register Written Comments" form is available at the desk of the City Clerk.

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

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

2. [WARRANT REGISTER](#) submitted by Director of Finance/City Treasurer in the amount of \$3,589,278.20.

RECOMMENDED ACTION: Approve as submitted.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3-14)

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

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.](#)

RECOMMENDED ACTION: Waive reading of Ordinances and Resolutions.

4. MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL HELD ON [FEBRUARY 26, 2008](#), AND SPECIAL MEETING OF THE CITY COUNCIL AND PLANNING COMMISSION HELD ON [MARCH 31, 2008](#), submitted by City Clerk.

RECOMMENDED ACTION: Approve as submitted.

5. [MONTHLY TREASURER'S REPORT](#) submitted by Director of Finance/City Treasurer.

RECOMMENDED ACTION: Receive and file.

6. [2008 RESIDENT AND BUSINESS SURVEY](#) submitted by Director of Management Services.

RECOMMENDED ACTION: 1. Approve the consultant agreement with True North Research for professional survey consulting services for the 2008 Resident and Business Survey. 2. Authorize the Mayor to execute an agreement with True North Research for professional survey consulting services for the 2008 Resident and Business Survey.

7. [ALTERNATIVE RETIREMENT SYSTEM FOR PART-TIME EMPLOYEES](#) submitted by Director of Management Services.

RECOMMENDED ACTION: Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING AN ALTERNATIVE RETIREMENT SYSTEM FOR PART-TIME EMPLOYEES.

8. [UPDATE ON FIRE HAZARD SEVERITY ZONE MAPS](#) submitted by Chief of Police Services.

RECOMMENDED ACTION: Review and file.

9. [REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES FOR THE LIGHT INDUSTRIAL AREA STREET IMPROVEMENT PROJECT \(PW 2007.13\)](#) submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Approve the attached Request For Proposal (RFP) for Engineering Services for the Light Industrial Area Street Improvement Project (PW 2007.13). 2. Authorize staff to solicit proposals for engineering services.

10. [REQUEST FOR PROPOSAL FOR ON-CALL CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION SERVICES](#) submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Approve the Request For Proposal (RFP) for On-Call Construction Administration and Construction Inspection Services. 2. Authorize staff to solicit proposals for these services.

11. [REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES FOR STREET RESURFACING AND SLURRY SEAL PROJECT \(PW 2007.17D&E\)](#) submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Approve the attached Request for Proposal (RFP) for Professional Services for Street Repaving and Slurry Seal Project (PW 2007.17D&E). 2. Authorize staff to solicit proposals for professional services.

12. [CONTRACT AWARD FOR TRAFFIC SIGNAL INSTALLATION AT VINTAGE WOODS AND LAKE FOREST DRIVE \(PW 2005.07\)](#)

submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Reject the lowest bid, submitted by PTM General Engineering Services, Inc., for Traffic Signal Installation at Vintage Woods and Lake Forest Drive (PW 2005.07), due to non-responsiveness. 2. Waive the minor bid irregularity submitted by Steiny and Company, Inc., the second lowest bid, and award a contract in the amount of \$173,738 for Traffic Signal Installation at Vintage Woods and Lake Forest Drive (PW 2005.07). 3. Approve a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE CAPITAL IMPROVEMENTS BUDGET FOR 2007-09. 4. Upon receipt of the executed contract documents from Steiny and Company, Inc., reject all other bids received and authorize return of the Bid Bonds. 5. Authorize the City Manager to approve contract change orders up to a maximum ten percent of the original contract cost.

13. [CONTRACT AWARD FOR REVIEW OF CITY LANDSCAPE MAINTENANCE STANDARDS AND PLANT PALETTES](#) submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Award a contract in the amount of \$36,700 to David Volz Design Group, of Costa Mesa, California, for a review of the City's landscape maintenance standards and plant palettes, substantially in the form attached. 2. Authorize the Mayor to sign, and City Clerk to attest, the contract with David Volz Design Group.

14. [2008/09 COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) ACTION PLAN – FINAL APPROVAL](#) submitted by Assistant City Manager.

RECOMMENDED ACTION: 1. Approve the final draft 2008/09 Community Development Block Grant (CDBG) Action Plan and Amendment to the 5-Year Consolidated Plan. 2. Authorize Staff to submit the Action Plan to the U.S. Department of Housing and Urban Development (HUD).

PUBLIC HEARING:

Public Hearings are scheduled for a time certain of 7:00 p.m. or as soon thereafter as possible. City Council, when considering the matter scheduled for hearing, will take the following actions: 1. Open the Public Hearing. 2. Receive staff report. 3. Accept public testimony. 4. City Council comments and questions. 5. Take appropriate action. Those wishing to address the City Council during the Public Hearing must complete a "Request to Speak" form and provide it to the City Clerk prior to the hearing.

15. [APPEAL FROM REVOCATION OF JULIE HO'S MASSAGE ESTABLISHMENT LICENSE TO OPERATE "LAKE FOREST BODY CENTRE"](#) submitted by Special Advisory Counsel.

RECOMMENDED ACTION: 1. Thoroughly consider and independently review the entire administrative record, including transcript of the license revocation hearing, the written briefs submitted by the parties, and the arguments presented at the appeal hearing. 2. State the grounds for the City Council's decision on the record. 3. Direct City staff to prepare a resolution formalizing City Council's findings to affirm, reverse or modify, in whole or in part, the decision of the Hearing Officer revoking Julie Ho's massage establishment license to operate the "Lake Forest Body Centre."

DISCUSSION/ACTION ITEMS:

The following matters are for City Council consideration/discussion/action. Members of the public may have the opportunity to address these items if they wish to do so. Please complete the "Request to Speak" form and give to the City Clerk.

16. [PARKING RESTRICTIONS ON JERONIMO ROAD AT SERRANO INTERMEDIATE SCHOOL](#) submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING PARKING RESTRICTIONS IN FRONT OF SERRANO INTERMEDIATE SCHOOL TO PROHIBIT PARKING ON PORTIONS OF JERONIMO ROAD AND TO ALLOW STOPPING AND LOADING ON PORTIONS OF JERONIMO ROAD.

17. [ACTIONS REGARDING MEMORANDUM OF UNDERSTANDING FOR THE SERRANO CREEK RESTORATION](#) submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: Receive and file.

18. [LEGISLATIVE MATTERS](#) submitted by Assistant to the City Manager.

RECOMMENDED ACTION: Receive and file 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.

RECOMMENDED ACTION: City Council discretion.

CITY MANAGER'S REPORT:

At this time the City Manager may comment on agenda and non-agenda items; and report on items of interest to the City Council and community.

CITY COUNCIL COMMENTS:

At this time City Council Members may comment on agenda or non-agenda matters. No discussion may take place on any item not appearing on the posted agenda. Council Members may ask a question for clarification, respond to statements made or questions posed by the public, make a brief announcement, or make a brief report on his or her own activities. In addition, the City Council may refer to staff or other resources for factual information, request staff to report back at a subsequent meeting or direct staff to place a matter of business on a future agenda. No action may be taken on non-agenda matters unless authorized by law (Government Code Section 54954.2).

Council Member Dixon:

Council Member McCullough:

Council Member Rudolph:

Mayor Pro Tem Herzog:

Mayor Tetteimer:

CLOSED SESSION:

At this time the City Council may recess to Closed Session for conference with Legal Counsel to discuss the items listed below pursuant to Government Code requirements. This matter is continued from the 6:00 p.m. portion of this agenda.

RECOMMENDED ACTION: Conduct continued Closed Session.

ADJOURNMENT:



In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this Meeting, including auxiliary aids or services, you should contact the Office of the City Clerk at (949) 461-3400. Notification 48 hours prior to the Meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting. The City Council agenda and agenda back-up materials can be obtained from the Office of the City Clerk on the Friday prior to the City Council meeting. Agenda and agenda packets, if requested, will be make available in an appropriate alternative format to persons with a disability as required by the Americans With Disabilities Act. Copies of the agenda are provided at no cost and agenda back-up materials are available at the per page copy cost. If you wish to be added to the mailing list to receive a copy of the agenda, request must be provided to the City Clerk in writing.

The City of Lake Forest mailing address is 25550 Commercentre Drive, Lake Forest, California 92630.
Phone: (949) 461-3400. FAX (949) 461-3511.

CERTIFICATION: I, Sherry A.F. Wentz, City Clerk of the City of Lake Forest, California, hereby certify that the foregoing agenda was posted for public review on Thursday, May 1, 2008, at 6:00 p.m.

Sherry A.F. Wentz, CMC
City Clerk