



AGENDA
LAKE FOREST CITY COUNCIL

**Special Meeting of the City Council
December 2, 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.city-lakeforest.com. 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:

5:30 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. (Four (4) properties: A-D)

City Negotiators: City Manager and City Attorney
Property Negotiators: Property Owners of Record
Under Negotiation: Price, Terms of Payment

- 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
- C. Property: APN 613-571-06 and 07, Lake Forest, CA
- D. Property: APN 104-143-30, 39, 42 and 104-541-26, Lake Forest, CA

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: 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 Rudolph.

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

PRESENTATIONS:

1. REQUESTS FOR COMMENDATIONS AND PROCLAMATIONS submitted by City Clerk.

A. [CERTIFICATE OF COMMENDATION TO UNITED STATES MARINE CORPS PERSONNEL FOR THEIR LIFE SAVING EFFORTS](#)

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

2. [ADULT PROTECTIVE SERVICES PRESENTATION submitted by Chief of Police Services.](#)

RECOMMENDED ACTION: Receive Presentation.

REPORT FROM STUDENT LIAISON: Report from Christopher Berardino, 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. 3)

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. [WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \\$4,330,196.17.](#)

RECOMMENDED ACTION: Approve as submitted.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 4-13)

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.

4. [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.

5. [MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON NOVEMBER 4, 2008, submitted by City Clerk.](#)

RECOMMENDED ACTION: Approve as submitted.

6. [RESOLUTION CERTIFYING THE NOVEMBER 4, 2008, ELECTION submitted by City Clerk.](#)

RECOMMENDED ACTION: Adopt Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2008, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

7. [BIENNIAL REVIEW OF CITY'S CONFLICT OF INTEREST CODE submitted by City Clerk.](#)

RECOMMENDED ACTION: Adopt Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING AND ADOPTING AN AMENDED APPENDIX OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974.

8. [INVESTMENT OVERSIGHT REVIEWER – CONSULTANT PERFORMANCE REVIEW AND NOTICE OF CONTRACT EXPIRATION submitted by Director of Finance/City Treasurer.](#)

RECOMMENDED ACTION: Receive and file.

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

RECOMMENDED ACTION: Receive and file.

10. [SEVENTH AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES WITH NUQUEST VENTURES submitted by Director of Development Services.](#)

RECOMMENDED ACTION: 1. Approve the Seventh Amendment for Program Management Services for the Opportunities Study with Nuquest Ventures, substantially in the form attached. 2. Authorize the Mayor to sign the Seventh Amendment with Nuquest Ventures.

11. [DESIGN CONTRACT AWARD FOR EL TORO ROAD STREETSCAPE PROJECT PHASE 1 \(PW 2007.02\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Award a contract in the amount of \$132,640 to Nuvis Landscape Architecture and Planning, Costa Mesa, California, for landscape architecture and engineering design services for the El Toro Road Streetscape Project – Phase 1 (PW 2007.02). 2. Authorize the Mayor to sign, and the City Clerk to attest, the contract with Nuvis, substantially in the form attached.

12. [DESIGN CONTRACT AWARD FOR JERONIMO ROAD STREETSCAPE PROJECT \(PW 2007.05\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Award a contract in the amount of \$441,690 to Nuvis Landscape Architecture and Planning of Costa Mesa, California, for landscape architecture and engineering design services for the Jeronimo Road Streetscape Project (PW 2007.05). 2. Authorize the Mayor to sign, and City Clerk to attest, the contract with Nuvis, substantially in the form attached.

13. [ANNUAL REPORT OF FINANCIAL TRANSACTIONS AND HOUSING ACTIVITIES OF THE LAKE FOREST REDEVELOPMENT AGENCY submitted by Deputy Executive Director.](#)

RECOMMENDED ACTION: Acting as both the City Council and the Redevelopment Agency Board, authorize the submittal of the Lake Forest Redevelopment Agency's Annual Report of Housing Activities and Financial Transactions Report as required by California Community Redevelopment Law, Health and Safety Code Section 33080, et. seq ("CRL").

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.

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

RECOMMENDED ACTION: Receive and file.

15. [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 COUNCIL CEREMONIAL ITEMS:

16. [INSTALLATION AND OATH OF OFFICE CEREMONY submitted by City Clerk.](#)

RECOMMENDED ACTION: City Clerk to administer the Oath of Office and present Certificates of Election to newly elected City Council Members.

17. [COMMENTS BY NEW CITY COUNCIL MEMBERS submitted by City Clerk.](#)

RECOMMENDED ACTION: Receive comments from new City Council Members.

18. [SELECTION OF MAYOR AND MAYOR PRO TEM FOR THE ENSUING YEAR submitted by City Clerk.](#)

RECOMMENDED ACTION: 1. SELECTION OF MAYOR: Open nominations for Mayor; close nominations for Mayor; and declare results.
2. SELECTION OF MAYOR PRO TEM: Open nominations for Mayor Pro Tem; close nominations for Mayor Pro Tem; and declare results.

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 Tettermer:

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.

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 made 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 Wednesday, November 26, 2008, at 6:00 p.m.

Sherry A.F. Wentz, CMC
City Clerk