



AGENDA
LAKE FOREST CITY COUNCIL

**Regular Meeting of the City Council
June 3, 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. CONFERENCE WITH LEGAL COUNSEL REGARDING THE FOLLOWING:

- A. Existing litigation pursuant to Government Code Section 54956.9(a):
Three (3) Cases
 - 1. Case Name: City of Lake Forest v. Lake Forest Body Centre
Case No. 07CC1155
 - 2. Case Name: Julie Ho v. City of Lake Forest
Case No. 30-2008-00107142
 - 3. Case Name: ATLF v. City of Lake Forest
Case No. SACV 07-250 DOC (ANx)
- B. Initiation of litigation pursuant to Government Code Section 54956.9:
One 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 Mayor Tetterer.

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 MONTH OF JUNE 2008, AS "NATIONAL SAFETY MONTH"](#)
 - B. [RECOGNITION OF SERVICE OF 2008 EL TORO HIGH SCHOOL STUDENT LIAISON BRITTNEY SLACK](#)

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

2. [PRESENTATION BY ORANGE COUNTY TRANSPORTATION AUTHORITY REGARDING STATUS OF SOUTH ORANGE COUNTY MAJOR INVESTMENT STUDY \(SOCMIS\) submitted by City Clerk.](#)

RECOMMENDED ACTION: Receive presentation by Orange County Transportation Authority.

REPORT FROM STUDENT LIAISON: Final 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. 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 \\$2,156,936.88.](#)

RECOMMENDED ACTION: Approve as submitted.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 4-15)

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 APRIL 15, 2008, submitted by City Clerk.

RECOMMENDED ACTION: Approve as submitted.

6. MONTHLY TREASURERS REPORT submitted by Director of Finance/City Treasurer.

RECOMMENDED ACTION: Receive and file.

RECOMMENDED ACTION: Adopt the Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AUTHORIZING THE LOAN OF CERTAIN FUNDS TO THE LAKE FOREST REDEVELOPMENT AGENCY.

7. REVIEW THE CITY'S CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974 submitted by City Clerk.

RECOMMENDED ACTION: 1. Direct the City Manager, or designee, to have the City's Conflict of Interest Code reviewed pursuant to Government Code Section 87306.5. 2. File a statement of review with the City Clerk no later than October 1, 2008. 3. Revise the Conflict of Interest Code based upon such review, if necessary.

8. [AMENDED AND RESTATED POLICES AND PROCEDURES FOR THE HOUSING REHABILITATION LOAN PROGRAM submitted by Assistant City Manager.](#)

RECOMMENDED ACTION: Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, UPDATING THE POLICIES AND PROCEDURES OF THE HOUSING REHABILITATION LOAN PROGRAM.

9. [2007 HOMELAND SECURITY GRANT PROGRAM submitted by Chief of Police Services.](#)

RECOMMENDED ACTION: Authorize the City Manager to accept the Agreement to Transfer Funds for the 2007 Homeland Security Grant Program.

10. [6-MONTH CONTRACT EXPIRATION NOTICE – PARADIGM IMAGING, INC. submitted by Director of Management Services.](#)

RECOMMENDED ACTION: Receive and file.

11. [SIX MONTH NOTICE OF CONTRACT EXPIRATION FOR TREE SERVICES submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: Receive and file.

12. [REQUEST FOR PROPOSAL FOR TRAFFIC ENGINEER SERVICES submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve the Request for Proposal for Traffic Engineer Services. 2. Authorize staff to solicit proposals for these services.

13. [BID DOCUMENTS FOR THE UNIVERSALLY ACCESSIBLE PLAYGROUND PROJECT \(PW 2007.23\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve bid documents for the construction of the Universally Accessible Playground Project (PW 2007.23). 2. Authorize staff to solicit bids. 3. Authorize staff to procure play equipment and site furnishings through sole-source purchases in accordance with the City's Contract and Purchasing Guidelines and the Lake Forest Municipal Code.

14. [AWARD OF CONTRACT FOR PROFESSIONAL SERVICES FOR TRAFFIC SIGNAL PREEMPTION \(PW 2007.19\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve the selection of DKS Associates for professional services for the Traffic Signal Preemption Project. 2. Authorize the Mayor to execute an agreement with DKS Associates, substantially in the form attached.

15. [CONTRACT AWARD FOR MUIRLANDS BOULEVARD ARTERIAL HIGHWAY REHABILITATION PROJECT \(PW 2005.05F\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Award a construction contract, in the amount of \$1,108,177, to All American Asphalt, Inc. of Corona, California, for the Muirlands Boulevard Arterial Highway Rehabilitation Program (AHRP). 2. Upon receipt of the executed contract documents from All

American Asphalt, reject all other bids received and authorize return of the Bid Bonds. 3. Authorize the Mayor to sign, and the City Clerk to attest the contract with All American Asphalt, Inc. 4. Authorize the City Manager to approve contract change orders up to a maximum of ten percent of the contract amount.

PUBLIC HEARINGS:

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.

16. [CONSIDERATION OF ORDINANCE ESTABLISHING LAKE FOREST TRANSPORTATION MITIGATION PROGRAM submitted by City Manager and City Attorney.](#)

RECOMMENDED ACTION: Introduce and approve for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST AMENDING THE LAKE FOREST MUNICIPAL CODE BY ADDING CHAPTER 7.19 TO TITLE 7 OF THE LAKE FOREST MUNICIPAL CODE REGARDING THE LAKE FOREST TRANSPORTATION MITIGATION PROGRAM.

17. [OPPORTUNITIES STUDY GENERAL PLAN AMENDMENT, ZONE CHANGES, PROGRAM EIR AND DEVELOPMENT AGREEMENTS submitted by Director of Development Services.](#)

RECOMMENDED ACTION:

[1. Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, CERTIFYING THE PROGRAM ENVIRONMENTAL IMPACT REPORT \(SCH#2004071039\) PREPARED FOR THE CITY OF LAKE FOREST OPPORTUNITIES STUDY AND ADOPTING FINDINGS, A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING PROGRAM FOR THE OPPORTUNITIES STUDY AREA.](#)

2. Introduce and approve for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT (GPA) 2008-02 TO ALLOW FOR RESIDENTIAL USES, PUBLIC FACILITIES, COMMERCIAL USES AND MIXED USES WITHIN THE OPPORTUNITIES STUDY AREA.

3. Introduce and approve for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING ZONE CHANGE 2008-01, SHEA/BAKER RANCH, TO REZONE 387 ACRES WITHIN THE BAKER RANCH PLANNED COMMUNITY FROM URBAN ACTIVITY TO RESIDENTIAL AND MIXED-USE IN THE BAKER RANCH PLANNED COMMUNITY, WITHIN THE OPPORTUNITIES STUDY AREA.

4. Introduce and approve for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING ZONE CHANGE 2008-02, PORTOLA CENTER, TO REZONE 243 ACRES WITHIN THE PORTOLA HILLS PLANNED COMMUNITY TO ALLOW FOR RESIDENTIAL USES, PUBLIC FACILITIES, AND MIXED USES, WITHIN THE OPPORTUNITIES STUDY AREA.

5. Introduce and approve for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING ZONE CHANGE 2008-03, IRVINE RANCH WATER DISTRICT, TO REZONE 82 ACRES FROM AGRICULTURE (A1) TO MULTI-FAMILY RESIDENTIAL WITH A PLANNED DEVELOPMENT (R2-PD) OVERLAY, WITHIN THE OPPORTUNITIES STUDY AREA.

6. Introduce and approve for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING ZONE CHANGE 2008-04, WHISLER, TO REZONE 13 ACRES FROM AGRICULTURAL (A1) TO SINGLE-FAMILY RESIDENTIAL WITH PLANNED DEVELOPMENT OVERLAY (RS-PD), WITHIN THE OPPORTUNITIES STUDY AREA.

7. Introduce and approve for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING ZONE CHANGE 2008-05, PACIFIC HERITAGE/PEACHWOOD, TO REZONE 18 ACRES IN THE SERRANO HIGHLANDS PLANNED COMMUNITY TO ALLOW FOR MEDIUM-DENSITY RESIDENTIAL WITHIN THE OPPORTUNITIES STUDY AREA.

8. Introduce and approve for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAKE FOREST AND USA PORTOLA PROPERTIES, LLC FOR CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF LAKE FOREST PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65864 ET SEQ.

9. Introduce and approve for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAKE FOREST, MADISON INVESTMENTS LP AND THE HEERS FAMILY TRUST FOR CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF LAKE FOREST PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65864 ET SEQ.

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.

18. STEP ONE GO LOCAL GRANT PROGRAM: TRANSIT NEEDS ASSESSMENT submitted by Assistant City Manager.

RECOMMENDED ACTION: 1. Receive update on Step One Go Local Program transit needs assessment. 2. Authorize staff to prepare Draft Final Reports on two proposed shuttle projects for funding under Step Two Go Local for submittal to the Orange County Transportation Authority.

19. ACTIONS REGARDING MEMORANDUM OF UNDERSTANDING FOR THE SERRANO CREEK RESTORATION submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: Receive and file.

20. [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.

21. [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 29, 2008, at 6:00 p.m.

Sherry A.F. Wentz, CMC
City Clerk