

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
June 15, 2010

Lake Forest City Hall
25550 Commercentre Drive
Council Chambers
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 NOT 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.

CALL TO ORDER: 5:30 p.m.

ROLL CALL:	Council Members:	Kathryn McCullough Marcia Rudolph Mark Tetterer
	Mayor Pro Tem:	Richard T. Dixon
	Mayor:	Peter Herzog
	City Manager:	Robert C. Dunek
	City Attorney:	Scott C. Smith
	City Clerk:	Stephanie D. Smith

CLOSED SESSION 5:30 p.m.

The City Council unanimously added the following item as an urgency item pursuant to Government Code Section 54954.2(b)(2) as the matter came to the attention of the City after the agenda had been posted and required action prior to the subsequent meeting of July 6, 2010.

ADDED: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Existing Litigation
Number of Cases: 1

City of Lake Forest v. De La Cuesta, et al. (Consolidated Case No. 30-2009 00298887)

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(c)
Number of Potential Cases: 1

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: City Manager
3. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representative: Mayor
Unrepresented employee: City Manager
4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: APN: 104-143-25 and 104-143-27
Agency negotiators: City Manager and City Attorney
Negotiating parties: Property Owner of Record
Under Negotiation: Price and Terms of Payment
5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: APN: 612-022-10
Agency negotiators: City Manager and City Attorney
Negotiating parties: Property Owner of Record
Under Negotiation: Price and Terms of Payment
6. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(b)
Number of Potential Cases: 1

ACTION: Conducted Closed Session.

RECESS: City Council recessed from Closed Session at 7:00 p.m. for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:09 p.m. with all Members present to continue regular City business.

PUBLIC SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Council Member Tettermer.

CLOSED SESSION REPORT: City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

7. CERTIFICATE OF RECOGNITION - CELEBRATING 100 YEARS OF SERVICE BY CAMP FIRE USA submitted by City Clerk. (F: 55.5)

ACTION: On motion by Council Member Tettemer and second by Council Member McCullough, the City Council voted to make the presentation to the Orange County Council of Camp Fire USA recognizing 100 Years of Service.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

Nikki David, Student Liaison from El Toro High School presented her report.

RECESS: City Council recessed at 7:17 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:20 p.m. with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following Members of the Public offered comments:

Michele Stevens, Lake Forest resident
Erin Sanchez, Lake Forest resident
Margo Finlayson, Lake Forest resident
Stephen Berger, Attorney, Irvine

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 8)

8. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer. (F: 30.11)

Council Member Rudolph pulled the following warrants for separate consideration: State Net and Alliant.

ACTION: On motion by Council Member McCullough and second by Mayor Herzog, the City Council approved the balance of the warrant

register as submitted. MOTION CARRIED Mayor Pro Tem Dixon abstaining on the warrant payable to Roger Faubel and Council Member Tettemer abstaining on the warrants payable to David Taussig and Associates and Empire Economics.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Dixon, the City Council approved the warrant payable to State Net as submitted. MOTION UNANIMOUSLY CARRIED.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Dixon, the City Council approved the warrant payable to Alliant as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 9 - 24)

ACTION: On motion by Council Member Tettemer and second by Council Member Rudolph, the City Council approved Consent Calendar Item Nos. *9-12, *14-22 and *24. MOTION UNANIMOUSLY CARRIED

- *9. WAIVE READING OF ORDINANCES AND RESOLUTIONS submitted by City Clerk.

ACTION: Approved 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.

- *10. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON MAY 18, 2010 submitted by City Clerk.

ACTION: Approved as submitted.

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

ACTION: Received and filed the report.

- *12. ARTICLE XIII B APPROPRIATIONS LIMIT submitted by the Director of Finance/City Treasurer. (F: 30.9A)

ACTION: Adopted Resolution No. 2010-14 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-

2011 in the amount of \$86,038,369.

- *14. LOAN FROM CITY TO REDEVELOPMENT AGENCY submitted by Director of Finance/City Treasurer. (F: 30.14)

ACTION: Adopted Resolution No. 2010-15 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, EXTENDING THE REPAYMENT DATE ON THE LOAN OF CERTAIN FUNDS TO THE LAKE FOREST REDEVELOPMENT AGENCY

- *15. UPDATED LOCAL IMPLEMENTATION GUIDELINES FOR THE CALIFORNIA ENVIRONMENTAL QUALITY ACT submitted by Director of Development Services. (F: 72.4E6)

ACTION: Adopted Resolution No. 2010-16 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUB. RESOURCES CODE §§ 21000 ET SEQ.)

- *16. SENIOR TRANSPORTATION CONTRACT submitted by Director of Community Services. (F: 71.12la)

ACTION: The City Council: 1. Approved an Amendment to the Agreement with Age Well (formerly known as South County Senior Services) for Senior Transportation Services. 2. Authorized the Mayor to sign the Amendment.

- *17. PLANS AND SPECIFICATIONS FOR THE ETNIES SKATE PARK OF LAKE FOREST EXPANSION PROJECT (PW 2009.10) submitted by Director of Public Works/City Engineer. (F: 46.9 PW 2009.10)

ACTION: The City Council: 1. Approved bid documents for the construction of Etnies Skate Park of Lake Forest Expansion Project (PW 2009.10). 2. Authorized staff to solicit bids.

- *18. MEASURE M SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM submitted by Director of Public Works/City Engineer. (F: 71.12D8)

ACTION: The City Council: 1. Approved the Measure M Seven-Year Capital Improvement Program for Fiscal Years (FY) 2010-11 through 2016-17. 2. Adopted Resolution No. 2010-17 entitled: A RESOLUTION

OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST,
CALIFORNIA, CONCERNING THE STATUS OF THE CIRCULATION
ELEMENT FOR THE CITY OF LAKE FOREST, CALIFORNIA.

3. Authorized the Director of Public Works to forward the approved Measure M Seven-Year Capital Improvement Program to the Orange County Transportation Authority.

- *19. AMENDMENT TO AGREEMENT FOR GRAFFITI REMOVAL AND STEAM CLEANING SERVICES submitted by Director of Public Works/City Engineer. (F: 34.5)

ACTION: The City Council: 1. Approved the First Amendment to the Agreement for Graffiti Removal and Steam Cleaning Services with Bonanza Steam Cleaning, Inc., substantially in the form attached. 2. Authorized the Mayor to sign, and the City Clerk to attest, the First Amendment.

- *20. THIRD AMENDMENT TO AGREEMENT FOR GENERAL ENGINEERING CONSULTANT SERVICES WITH WILLDAN submitted by Director of Public Works/City Engineer. (F: 48.8F6)

ACTION: The City Council: 1. Approved the Third Amendment to the Agreement with Willdan for general engineering services, substantially in the form attached. 2. Authorized the Mayor to sign, and the City Clerk to attest, the Third Amendment (agreement extension) with Willdan for general engineering services.

- *21. TRAFFIC SIGNAL MAINTENANCE AND OPERATION SERVICES AGREEMENT WITH THE COUNTY OF ORANGE submitted by Director of Public Works/City Engineer. (F: 66.7A1)

ACTION: The City Council: 1. Approved the Agreement for Traffic Signal Maintenance and Operation Services with the County of Orange, substantially in the form attached. 2. Authorized the Mayor to sign the Agreement and the City Clerk to attest and transmit to the County of Orange for final approval.

- *22. REQUEST FOR PROPOSAL FOR SPORTS PARK CONSTRUCTION MANAGEMENT SERVICES (PW 2009.01CM) submitted by Director of Public Works/City Engineer. (F: 50.11E PW 2009.01CM)

ACTION: The City Council: 1. Approved the Request for Proposal for Sports Park Construction Management Services (PW 2009.01CM).

2. Authorized staff to solicit proposals for these services.

- *24. RESOLUTION ACCEPTING HOMELAND SECURITY GRANT FUNDS submitted by City Clerk. (F: 32.17)

ACTION: Adopted Resolution No. 2010-18 entitled: A RESOLUTION OF THE CITY OF LAKE FOREST, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ACCEPT THE AGREEMENT TO TRANSFER FUNDS FOR THE 2009 HOMELAND SECURITY GRANT PROGRAM

PULLED CONSENT CALENDAR ITEMS:

Council Member Rudolph pulled this item for separate consideration following Agenda Item No. 26, Travel Policy Update.

13. FISCAL YEAR 2010-11 OPERATING BUDGET submitted by Director of Finance/City Treasurer. (F: 30.9)

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council: 1. Adopted Resolution No. 20 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11. 2. Adopted Resolution No. 2010-21 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE CAPITAL IMPROVEMENT PROJECTS BUDGET FOR 2009-11. MOTION UNANIMOUSLY CARRIED.

Mayor Pro Tem Dixon pulled this item for separate consideration.

23. 2010-11 RENEWAL AGREEMENT FOR LAW ENFORCEMENT SERVICES submitted by Chief of Police Services. (F: 71.17G)

ACTION: On motion by Mayor Pro Tem Dixon and second by Council Member Tettermer, the City Council approved and authorized the Mayor to sign the agreement with the County of Orange for Law Enforcement Services for Fiscal Year 2010-11. MOTION UNANIMOUSLY CARRIED.

PUBLIC HEARING(S):

25. RETAINING WALL DESIGN GUIDELINES submitted by Director of Development Services. (F: 50.17)

ACTION: On motion by Mayor Pro Tem Dixon and second by Council Member Rudolph, the City Council adopted Resolution No. 2010-19 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE RETAINING WALL DESIGN GUIDELINES AND DIRECTING STAFF TO INITIATE IMPLEMENTATION. MOTION UNANIMOUSLY CARRIED.

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.

26. TRAVEL POLICY UPDATE submitted by Deputy City Manager/Director of Development Services. (F: 51.2A24)

ACTION: On motion by Mayor Pro Tem Dixon and second by Mayor Herzog, the City Council approved the revised Expense Reimbursement and Travel Policy for City Council Members and Commissioners in the form substantially submitted. MOTION CARRIED with Council Member Rudolph opposed.

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

ACTION: On motion by Mayor Pro Tem Dixon and second by Council Member McCullough, the City Council received and filed the report with minute action to adopt positions on various legislative proposals as recommended. MOTION UNANIMOUSLY CARRIED.

28. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES submitted by City Clerk. (F: 43.4B)

ACTION: Exercise City Council discretion regarding appointment to Agencies, Boards, Commissions and/or Committees through the League of California Cities.

CITY MANAGER'S REPORT:

City Manager Dunek presented no Report.

CITY COUNCIL COMMENTS:

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Council Member Tetteimer offered no comments.

Mayor Pro Tem Dixon offered no comments.

Mayor Herzog offered comments.

CONTINUED CLOSED SESSION:

There was no Continued Closed Session.

ADJOURNMENT: The City Council Meeting was adjourned at 8:28 p.m. in memory of Paul Wagner, son of Assembly Candidate Don Wagner.