

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
June 2, 2009

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, 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: 6:05 p.m.

ROLL CALL: Council Members: Richard T. Dixon (Absent)
Kathryn McCullough
Marcia Rudolph
Mayor Pro Tem: Peter Herzog
Mayor: Mark Tetterer
City Manager: Robert C. Dunek
City Attorney: Scott C. Smith
Acting City Clerk: Debra Rose

RECESS: City Council recessed at 6:05 p.m. for the purpose of conducting Closed Session business.

CLOSED SESSION (F: 16.3) 6:05 p.m.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: APN: 606-161-10
Agency negotiators: City Manager and City Attorney
Negotiating parties: Owner of Record
Under Negotiation: Price and Terms of Payment
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: A portion of APNs 104-132-36 and 104-132-65 located at 20996

Marin, Lake Forest, CA

Agency negotiators: City Manager and City Attorney

Negotiating parties: Owner of Record

Under Negotiation: Terms of Delivery and Maps

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 18 acre portion of Tentative Tract 15944 consisting of Lots 14, 15, 16, 21, and 22 along with the westerly 119'+ 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

Agency negotiators: City Manager and City Attorney

Negotiating parties: Owner of Record

Under Negotiation: Development Agreement Negotiations

4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(c)

Initiation of Litigation

Number of potential cases: Two

5. CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION

Pursuant to Government Code Section 54956.9(b)

Number of potential cases: One

6. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957

Agency Designated Representatives: City Manager

Unrepresented Employees: Miscellaneous

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 7:10 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:13 p.m., with Council Member Dixon absent to continue regular City business.

PUBLIC SESSION

7:13 p.m.

PLEDGE OF ALLEGIANCE: (F: 26.21)

Council Member McCullough 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:

7. RECOGNITION OF DEPUTY SHERIFF JOHN MORA submitted by Chief of Police Services. (F: 55.5) (X: 48.8G)

ACTION: On motion by Mayor Tettemer and second by Council Member McCullough, the City Council approved the recognition as submitted and presented to Deputy Sheriff John Mora. MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.

8. RECOGNITION OF SERVICE OF 2009 EL TORO HIGH SCHOOL STUDENT LIAISON CHRISTOPHER BERARDINO submitted by Acting City Clerk. (F: 55.5) (X: 35.2A)

ACTION: On motion by Mayor Tettemer and second by Council Member McCullough, the City Council approved the recognition as submitted and presented to Student Liaison Christopher Berardiono. MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.

Christopher Berardino, Student Liaison from El Toro High School, presented his final report. (F: 35.2A)

RECESS: City Council recessed at 7:23 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:24 p.m., with Council Member Dixon absent to continue regular City business.

PUBLIC COMMENTS:

The following members of the public offered comments: Marti Rae Ortega, Don Fears, Loree Fears, and Ramiro Herrera.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 9)

9. **WARRANT REGISTER** submitted by Director of Finance/City Treasurer in the amount of \$2,216,631.09. (F: 30.11)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Rudolph, the City Council approved the warrant register as submitted. **MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.**

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 10-20)

10. **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** submitted by Acting City Clerk.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council waived the reading of the Ordinances and Resolutions. **MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.**

11. **MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON MARCH 3, 2009**, submitted by Acting City Clerk.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council approved the Minutes of the regular City Council meeting held on March 3, 2009, as submitted. **MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.**

12. **FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES WITH RJM DESIGN** submitted by Director of Community Services. (F: 50.11E)

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council 1. Approved the First Amendment with RJM Design Group for the Sports Park Master Plan. 2. Authorized the Mayor to sign the First Amendment with RJM Design Group. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG OPPOSING AND COUNCIL MEMBER DIXON ABSENT.**

13. **REQUEST FOR PROPOSAL - HOLIDAY BANNER SERVICES** submitted by Director of Community Services. (F: 17.2)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Rudolph, the City Council: 1. Approved the Request for Proposal for Holiday Banner Services. 2. Authorized staff to solicit proposals. **MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.**

14. **AMERICAN RECOVERY AND REINVESTMENT ACT FORMULA GRANT FUNDING OPPORTUNITIES** submitted by Assistant City Manager. (F: 73.7H3)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council authorized staff to prepare and submit applications for funding through the American Recovery and Reinvestment Act. **MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.**

15. **FINAL APPROVAL OF SUPPLEMENTAL 2008/09 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG-R)** submitted by Assistant City Manager. (F: 73.7H3)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council approved the application for \$129,993 in Community Development Block Grant (CDBG-R) funds for ADA Access Ramp Improvements and adopted the amendment that include the project in Consolidated Plan. 2. Adopted the Resolution No. 2009-13 entitled: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE CAPITAL IMPROVEMENT PROJECTS BUDGET FOR 2007-2009.** 3. Approved an adjustment to increase estimated grant revenues in the amount of \$129,993. **MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.**

16. GENERAL ENGINEERING SERVICES CONSULTANT AGREEMENT EXTENSION submitted by Director of Public Works/City Engineer. (F: 48.8D)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the one-year extension of the Agreement for Consultant Services with Willdan to provide General Engineering Services. 2. Authorized the Mayor to sign, and the City Clerk to attest, the agreement extension with Willdan for General Engineering Services, substantially in the form attached. MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.

17. SIX MONTH NOTICE OF CONTRACT EXPIRATION FOR STREET SWEEPING submitted by Director of Public Works/City Engineer. (F: 64.5A)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council received and filed the report. MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.

18. SIX MONTH NOTICE OF CONTRACT EXPIRATION FOR TREE SERVICES submitted by Director of Public Works/City Engineer. (F: 34.4A)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council received and filed the report. MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.

19. STOP SIGN CONTROL ON ESTRADA LANE AT LUNETTE AVENUE submitted by Director of Public Works/City Engineer. (F: 66.3II)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council adopted Resolution No. 2009-14 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ESTABLISHING STOP SIGN CONTROL FOR NORTHBOUND TRAFFIC ON ESTRADA LANE AT THE INTERSECTION WITH LUNETTE AVENUE. MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.

20. AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES FOR CIVIC CENTER PROPERTY submitted by Director of Public Works/City Engineer. (F: 48.8F7A)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the First Amendment to Agreement for Consultant Services for Civic Center property concept development services with Psomas, substantially in the form attached. 2. Authorized the Mayor to sign the First Amendment to Agreement for Consultant Services with Psomas. MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.

PUBLIC HEARING(S):

21. APPEAL OF PLANNING COMMISSION'S APPROVAL OF FINAL ENVIRONMENTAL IMPACT REPORT NO. 2008-01, SITE DEVELOPMENT PERMIT NO. 2006-29 AND PLANNED SIGN PROGRAM NO. 2009-02 FOR THE FOOTHILL RANCH WAL-MART EXPANSION - 26502 TOWNE CENTRE DRIVE submitted by Director of Development Services. (F: 23.5E.10)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council continued the item to the July 7, 2009 Council Meeting. MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSENT.

DISCUSSION/ACTION ITEMS:

22. FIVE-YEAR STRATEGIC PLAN REVIEW submitted by Director of Management Services. (F: 30.7)

ACTION: The City Council provided input to staff on updating the Lake Forest Five-Year Strategic Business Plan and asked staff to bring the item back to Council at the scheduled City Council meeting of June 16, 2009.

23. ACTIONS REGARDING MEMORANDUM OF UNDERSTANDING FOR THE SERRANO CREEK RESTORATION submitted by Director of Public Works/City Engineer. (F: 60.7A2)

ACTION: The City Council received and filed the report as submitted.

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

ACTION: The City Council received and filed report with minute action to adopt positions on various legislative proposals as recommended.

25. REQUESTS FOR APPOINTMENT TO AGENCIES, BOARDS, COMMISSIONS AND/OR COMMITTEES THROUGH THE LEAGUE OF CALIFORNIA CITIES submitted by Acting City Clerk. (F: 43.4B)

ACTION: City Council discretion.

CITY MANAGER'S REPORT: (F: 26.17)

City Manager Dunek offered no comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member Dixon (Absent)

Council Member McCullough presented comments.

Council Member Rudolph presented comments.

Mayor Pro Tem Herzog presented no comments.

Mayor Tetteimer presented comments.

CONTINUED CLOSED SESSION: (F: 16.3)

ACTION: There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 9:50 p.m.