

**PRELIMINARY ACTION 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

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 <u>NOT</u> 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: 6:00 p.m.

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

RECESS: City Council recessed at 6:00 p.m. for the purpose of conducting Closed Session business.

CLOSED SESSION: (F: 16.3) 6:00 p.m.

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.

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:55 p.m. for the purpose of conducting Closed Session business.

RECONVENE: City Council reconvened at 7:10 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

7:10 p.m.

PLEDGE OF ALLEGIANCE: (F: 26.21)

Council Member Dixon led the pledge of Allegiance to the Flag of our Country.

CLOSED SESSION REPORT: (F: 16.3)

City Attorney Smith reviewed the reportable actions from Closed Session.

PRESENTATIONS: (F: 55.1)

1. REQUESTS FOR COMMENDATIONS AND PROCLAMATIONS submitted by City Clerk.
 - A. PROCLAMATION DECLARING THE MONTHS OF MAY AND NOVEMBER 2008, AS “BUDDY POPPY MONTHS” (F: 55.2)
 - B. PROCLAMATION DECLARING THE MONTH OF MAY 2008, AS “VETERANS APPRECIATION MONTH” (F: 55.2)
 - C. PROCLAMATION DECLARING MAY 1-7, 2008, AS “NATIONAL YOUTH WEEK” (F: 55.2)
 - D. RECOGNITION OF GRADUATES OF THE 2008 LAKE FOREST COMMUNITY PREPAREDNESS ACADEMY (F: 73.4A4)
 - E. RECOGNITION OF DEPUTY SHERIFF ASH ABDELMUTI AND DEPUTY SHERIFF MIKE THALKEN, RECIPIENTS OF THE MEDAL OF COURAGE (F: 55.5) (X: 48.8G)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council: 1. Approved requests as submitted.
2. Made presentations to those present.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

Brittney Slack, Student Liaison from El Toro High School, presented her report.

RECESS: City Council recessed at 7:34 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 8:04 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Jane Wielenga, Miranda Manser, Scott Shoemaker, Bob Holtzclaw, Ruth Kim, Glenn Daynes, Donna Smevog, Lisa Schoeneberger, Nancy Kraus, Grace Blagdon, Michael Strachan, and Douglas Kraus.

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

2. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$3,589,278.20. (F: 30.11)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council approved the Warrant Register as submitted. MOTION CARRIED WITH COUNCIL MEMBER DIXON ABSTAINING ON WARRANTS PAYABLE TO SUNSET PROPERTY SERVICES AND ROGER FAUBEL PUBLIC AFFAIRS.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3-14) (Item No. 8 was pulled from the Consent Calendar for separate consideration.)

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.

On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council waived reading by title of Ordinances and Resolutions. MOTION UNANIMOUSLY CARRIED.

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.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council approved the Minutes of the special meeting of the City Council held on February 26, 2008, and the Minutes of the special meeting of the City Council and Planning Commission held on March 31, 2008, as submitted. MOTION UNANIMOUSLY CARRIED.

5. MONTHLY TREASURER'S REPORT submitted by Director of Finance/City Treasurer. (F: 30.12)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council received and filed the Monthly Treasurer's Report. MOTION UNANIMOUSLY CARRIED.

6. 2008 RESIDENT AND BUSINESS SURVEY submitted by Director of Management Services. (F: 24.7A)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the consultant agreement with True North Research for professional survey consulting services for the 2008 Resident and Business Survey. 2. Authorized the Mayor to execute an agreement with True North Research for professional survey consulting services for the 2008 Resident and Business Survey. MOTION UNANIMOUSLY CARRIED.

7. ALTERNATIVE RETIREMENT SYSTEM FOR PART-TIME EMPLOYEES submitted by Director of Management Services. (F: 48.5A)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council adopted Resolution No. 2008-10 entitled **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING AN ALTERNATIVE RETIREMENT SYSTEM FOR PART-TIME EMPLOYEES. MOTION UNANIMOUSLY CARRIED.**

8. UPDATE ON FIRE HAZARD SEVERITY ZONE MAPS submitted by Chief of Police Services. (F: 71.7G)

ACTION: The City Council received and filed the report.

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. (F: 64.4A PW 2007.13)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the attached Request for Proposal (RFP) for Engineering Services for the Light Industrial Area Street Improvement Project (PW 2007.13). 2. Authorized staff to solicit proposals for engineering services. **MOTION UNANIMOUSLY CARRIED.**

10. REQUEST FOR PROPOSAL FOR ON-CALL CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION SERVICES submitted by Director of Public Works/City Engineer. (F: 48.8F2)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the Request for Proposal (RFP) for On-Call Construction Administration and Construction Inspection

Services. 2. Authorized staff to solicit proposals for these services.
MOTION UNANIMOUSLY CARRIED.

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. (F: 64.4A PW 2007.17D&E)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the attached Request for Proposal (RFP) for Professional Services for Street Repaving and Slurry Seal Project (PW 2007.17D&E). 2. Authorized staff to solicit proposals for professional services. MOTION UNANIMOUSLY CARRIED.

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. (F: 66.8A PW 2005.07)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Rejected 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. Waived the minor bid irregularity submitted by Steiny and Company, Inc., the second lowest bid, and awarded a contract in the amount of \$173,738 for Traffic Signal Installation at Vintage Woods and Lake Forest Drive (PW 2005.07). 3. Approved Resolution No. 2008-11 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., rejected all other bids received and authorized return of the Bid Bonds. 5. Authorized the City Manager to approve contract change orders up to a maximum ten percent of the original contract cost. MOTION UNANIMOUSLY CARRIED.

13. **CONTRACT AWARD FOR REVIEW OF CITY LANDSCAPE MAINTENANCE STANDARDS AND PLANT PALETTES** submitted by Director of Public Works/City Engineer. (F: 34.1)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Awarded 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. Authorized the Mayor to sign, and City Clerk to attest, the contract with David Volz Design Group. **MOTION UNANIMOUSLY CARRIED.**

14. **2008/09 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN – FINAL APPROVAL** submitted by Assistant City Manager. (F: 73.7H2) (X: 73.7H2)

ACTION: 1. On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the final draft 2008/09 Community Development Block Grant (CDBG) Action Plan and Amendment to the 5-Year Consolidated Plan. 2. Authorized Staff to submit the Action Plan to the U.S. Department of Housing and Urban Development (HUD). **MOTION UNANIMOUSLY CARRIED.**

PUBLIC HEARING:

15. **APPEAL FROM REVOCATION OF JULIE HO'S MASSAGE ESTABLISHMENT LICENSE TO OPERATE "LAKE FOREST BODY CENTRE"** submitted by Special Advisory Counsel. (F: 47.11E)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council: 1. Thoroughly considered and independently reviewed 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. Stated the grounds for the City Council's decision on the record. 3. Directed 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.”
MOTION UNANIMOUSLY CARRIED.

DISCUSSION/ACTION ITEMS:

16. PARKING RESTRICTIONS ON JERONIMO ROAD AT SERRANO INTERMEDIATE SCHOOL submitted by Director of Public Works/City Engineer. (F: 66.5D)

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council adopted Resolution No. 2008-12 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. MOTION UNANIMOUSLY CARRIED.

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

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council received and filed report. MOTION UNANIMOUSLY CARRIED.

18. LEGISLATIVE 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.

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

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT: (F: 26.17)

City Manager Dunek presented comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member Dixon presented no comments.

Council Member McCullough presented comments.

Council Member Rudolph presented comments.

Mayor Pro Tem Herzog presented comments.

Mayor Tetteimer presented comments.

CLOSED SESSION: (F: 16.3)

ACTION: There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 10:10 p.m.