

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
November 18, 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 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: 6:04 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 6:04 p.m. for the purpose of conducting Closed Session business.

CLOSED SESSION (F: 16.3) 6:04 p.m.

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

City Negotiators: City Manager and City Attorney
Property Negotiators: Property Owners of Record
Under Negotiation: Interpretation of Development Agreement for Lenders

- D. Property: 243 acres located on APNs 606-321-01, 02, 03, 04, 05, 07, 08, 09; 606-331-01, 02, 03; 606-332-01; 606-341-01, 03, 04, 05, 06, 07; and 606-351-01 located at north and south of Glenn Ranch Road east of Ellipse and West of El Toro Road, surrounding the intersection of Glenn Ranch Road with Saddleback Ranch Road, Lake Forest, CA

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Existing litigation pursuant to Government Code Section 54956.9 (a): Two (2) Cases.

- 1. Case Name: City of Lake Forest v. Lake Forest Body Centre, et al.
Case No. 07CC11555
- 2. Case Name: Julie Ho v. City of Lake Forest
Case No. 30-2008-00107142
- 3. Case Name: Charlie Abujudeh v. City of Lake Forest
Case No. 07-CC10334

3. CONFERENCE WITH LEGAL COUNSEL REGARDING THE FOLLOWING:

- A. Initiation of litigation pursuant to Government Code Section 54956.9 (c):
One (1) Case.

B. Anticipated litigation pursuant to Government Code Section 54956.9 (b)
(1): One (1) Case.

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 7:12 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:17 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

7:17 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:

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

A. **9th LAKE FOREST LEADERSHIP ACADEMY**

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

REPORT FROM STUDENT LIAISON: (F: 35.2A)

Christopher Berardino, Student Liaison from El Toro High School, presented his report.

RECESS: City Council recessed at 7:26 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:58 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Bob Holtzclaw and Vincent Burke.

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

2. **WARRANT REGISTER** submitted by Director of Finance/City Treasurer in the amount of \$1,196,463.32. (F: 30.11)

Council Member Rudolph pulled the following warrants for the purpose of clarification: County of Orange Animal Control Services, Penco Engineering, Inc., and Stantec Consulting Inc.

Council Member McCullough pulled the following warrants for the purpose of clarification: Orange County Transportation Authority and Shelterclean, Inc.

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council approved the warrant register as submitted. **MOTION UNANIMOUSLY CARRIED.**

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3-10) Items No. 9 and 10 were pulled 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.

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

4. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON OCTOBER 21, 2008, submitted by City Clerk.

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council approved the Minutes of the regular City Council Meeting held on October 21, 2008, as submitted. MOTION UNANIMOUSLY CARRIED.

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

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

6. CREATIVE MANAGEMENT SOLUTIONS – AGREEMENT EXTENSION submitted by Director of Management Services. (F: 48.8)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council approved the First Amendment to the Agreement with Creative Management Solutions, Inc., for human resources consulting services. MOTION UNANIMOUSLY CARRIED.

7. PURCHASE OF CALSENSE IRRIGATION EQUIPMENT submitted by Director of Public Works/City Engineer. (F: 69.8A)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Accepted the low bid from Ewing Irrigation Products, Inc., of Lake Forest, California, for the Calsense Irrigation Equipment Purchase in the amount of \$215,542.77. 2. Authorized staff to issue a purchase order for the equipment and reject all other bids received. **MOTION UNANIMOUSLY CARRIED.**

8. TRAFFIC ENGINEER SERVICES CONSULTANT AGREEMENT submitted by Director of Public Works/City Engineer. (F: 48.8F6)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the selection of Rick Engineering Company to provide Traffic Engineer Services. 2. Authorized the Mayor to sign, and the City Clerk to attest, an agreement with Rick Engineering Company for Traffic Engineer Services, substantially in the form attached. **MOTION UNANIMOUSLY CARRIED.**

9. FIRST AMENDMENT TO AGREEMENT FOR CITY HALL JANITORIAL SERVICES submitted by Director of Public Works/City Engineer. (F: 52.3A2)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Dixon, the City Council: 1. Approved the First Amendment to Agreement for City Hall Janitorial Services with Bell Building Maintenance Company, substantially in the form attached. 2. Authorized the Mayor to sign, and the City Clerk to attest, the contract amendment. **MOTION UNANIMOUSLY CARRIED.**

10. AMENDMENTS WITH SPECTRUMCARE FOR LANDSCAPE MAINTENANCE OF PARKS AND MEDIANS, PARKWAYS, AND SLOPES submitted by Director of Public Works/City Engineer. (F: 34.2A)

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council: 1. Approved the Amendment with SpectrumCare Landscape and Irrigation Management, Inc., for landscape maintenance of parks, substantially in the form attached. 2. Approved the amendment with SpectrumCare Landscape and Irrigation Management, Inc., for landscape maintenance of medians, parkways and slopes, substantially in the form attached. **MOTION UNANIMOUSLY CARRIED.**

DISCUSSION/ACTION ITEMS:

11. ANIMAL CARE SERVICES submitted by Director of Management Services.

11A. LAKE FOREST ANIMAL SERVICES STUDY UPDATE
(F: 71.3B)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved Lake Forest Responsible Pet Ownership Program Concept. 2. Directed staff to create program guidelines for the spay/neuter voucher component of the Lake Forest Responsible Pet Ownership Program for City Council review and approval. **MOTION UNANIMOUSLY CARRIED.**

11B. RENEWAL FOR AGREEMENT OF ANIMAL CARE SERVICES
(F: 71.3)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council approved the agreement, in substantially the form submitted, between the County of Orange and the City of Lake Forest for Animal Care Services. **MOTION UNANIMOUSLY CARRIED.**

12. STATUS OF COMPLIANCE WITH NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER PERMITS FIRST QUARTER FISCAL YEAR 2008-2009 submitted by Director of Public Works/City Engineer. (F: 69.13J)

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

13. 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 offered no comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member Dixon presented 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) 9:35 p.m.