



AGENDA
LAKE FOREST CITY COUNCIL

**Regular Meeting of the City Council
August 5, 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 LABOR NEGOTIATOR: Robert Dunek, City Manager, pursuant to Government Code Section 54957.6
Title: Unrepresented Employees.
 3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One (1) case.
 4. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9: Two (2) Cases.

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.

<p>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.</p>
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PLEDGE OF ALLEGIANCE: Pledge of Allegiance to the Flag of our Country to be led by Council Member Rudolph.

CLOSED SESSION REPORT: City Attorney will report on Closed Session.

PRESENTATIONS:

1. [REQUESTS FOR COMMENDATIONS AND PROCLAMATIONS submitted by City Clerk.](#)

A. RECOGNITION OF 2008 PARADE VOLUNTEERS, SPONSORS AND TROPHY WINNERS

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

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. 2)

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.

2. [WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \\$2,253,153.72.](#)

RECOMMENDED ACTION: Approve as submitted.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3-18)

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. [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.

4. [MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON JUNE 17, 2008, submitted by City Clerk.](#)

RECOMMENDED ACTION: Approve as submitted.

5. [ADOPTION OF ORDINANCE NO. 195 submitted by City Clerk.](#)

RECOMMENDED ACTION: 1. Conduct second reading of Ordinance No. 195 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE LAKE FOREST MUNICIPAL CODE AND PLANNED COMMUNITY TEXTS REGARDING MASSAGE ESTABLISHMENT ZONING RESTRICTIONS AND ENACTING AN AMORTIZATION PERIOD FOR NON-CONFORMING MASSAGE ESTABLISHMENTS. 2. Adopt Ordinance No. 195 as submitted.

6. [CONDOMINIUM CONVERSION ORDINANCE REVIEW submitted by Director of Development Services.](#)

RECOMMENDED ACTION: Receive and file.

7. [MONTHLY TREASURER'S REPORT submitted by Director of Finance/City Treasurer.](#)

RECOMMENDED ACTION: Receive and file.

8. [ADOPTION OF DEPOSIT/FEEES RELATED TO EXISTING LICENSED MASSAGE ESTABLISHMENTS submitted by Director of Development Services.](#)

RECOMMENDED ACTION: Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING NEW DEPOSIT/FEEES RELATED TO EXISTING LICENSED MASSAGE ESTABLISHMENTS.

9. 2008 DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT ASSISTANCE PROGRAM submitted by Chief of Police Services.

RECOMMENDED ACTION: Authorize the Chief of Police Services to sign the standard agreement with the State of California to accept grant funding from the Department of Alcoholic Beverage Control.

10. MASS NOTIFICATION SYSTEM submitted by Chief of Police Services.

RECOMMENDED ACTION: Approve the Memorandum of Understanding (MOU) between the County of Orange and the City of Lake Forest for the provision of a Countywide Mass Notification System.

11. FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES WITH AMIES COMMUNICATIONS submitted by Assistant City Manager.

RECOMMENDED ACTION: Approve the First Amendment to the Agreement with Amies Communications to increase the contract amount to continue providing consultant services for economic development and redevelopment marketing and public information.

12. APPROVE MASTER AGREEMENT NO. 12-5469R ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE REVISED "MASTER AGREEMENT ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS" TO ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS NO. 12-5469R WITH THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION.

13. [AWARD OF ENGINEERING SERVICES AGREEMENT FOR THE LIGHT INDUSTRIAL AREA STREET IMPROVEMENT PROJECT \(PW 2007.13\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve the selection of Stantec Consulting Inc., for Engineering Services for the Light Industrial Area Street Improvement Project (PW 2007.13). 2. Authorize the Mayor to execute an agreement with Stantec Consulting Inc., substantially in the form attached.

14. [APPROVAL OF PLANS AND SPECIFICATIONS FOR THE ASPHALT REHABILITATION PROJECT ON VARIOUS CITY STREETS \(PW 2007.17C\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve the plans and specifications for the Asphalt Rehabilitation Project on Various City Streets (PW 2007.17C). 2. Authorize the City Clerk to advertise and receive bids for this project.

15. [APPROVAL OF CONSTRUCTION PLANS AND SPECIFICATIONS FOR THE LAKE FOREST DRIVE STORM DRAIN IMPROVEMENTS \(PW 2007.24\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve the plans and specifications for the Lake Forest Drive Storm Drain Improvements. 2. Authorize the City Clerk to advertise and receive bids for this project.

16. [CONCEPTUAL PLANS – ALTON, FOOTHILL COMMUNITY AND RANCHWOOD PARKS PLAY EQUIPMENT AND BORREGO PARK SHADE STRUCTURES submitted by Director of Community Services.](#)

RECOMMENDED ACTION: 1. Approve conceptual plans for Alton, Foothill Ranch Community and Ranchwood Parks play equipment and Borrego Park shade structure. 2. Authorize staff to direct the architect to develop final plans and specifications.

17. [REQUEST FOR PROPOSAL FOR DESIGN SERVICES FOR EXPANSION AT ETNIES SKATEPARK OF LAKE FOREST submitted by Director of Community Services.](#)

RECOMMENDED ACTION: 1. Approve the attached Request for Proposal for design services for the expansion of the Etnies Skatepark of Lake Forest. 2. Authorize staff to solicit proposals from firms for design services.

18. [NOTICE OF COMPLETION FOR STREET RESURFACING AND SLURRY SEAL PROJECT ON VARIOUS CITY STREETS \(PW 2005.05D&E\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Find that All American Asphalt of Corona, California, has completed the construction of the Street Resurfacing and Slurry Seal Project on Various City Streets (PW 2005.05D&E). 2. Approve the Notice of Completion and authorize the Mayor to execute the document on behalf of the City. 3. Authorize the City Clerk to submit said Notice of Completion for recordation to the Office of the County Recorder of Orange County, within ten (10) days of the City Council approval, as required by Section 3093 of the California Civil Code. 4. Authorize the ten percent (10%) retention payment in the amount of \$147,347.94 to the contractor for 35 days after the recording date of the Notice of Completion, providing no Stop Notices are on file with the City preventing the release of the final payment.

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.

19. [OPPORTUNITIES STUDY DEVELOPMENT AGREEMENT FOR IRVINE RANCH WATER DISTRICT submitted by Director of Development Services.](#)

RECOMMENDED ACTION: 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 IRVINE RANCH WATER DISTRICT FOR CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF LAKE FOREST PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65864 ET SEQ.

20. [OPPORTUNITIES STUDY DEVELOPMENT AGREEMENT FOR WHISLER TRUST submitted by Director of Development Services.](#)

RECOMMENDED ACTION: 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 THE ELMER H. WHISLER 1994 TRUST FOR CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF LAKE FOREST PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65864 ET. SEQ.

21. [ACTION REGARDING MEMORANDUM OF UNDERSTANDING FOR THE SERRANO CREEK RESTORATION submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: Receive and file.

22. [ADJUSTMENT OF COUNCIL MEMBER AND COMMISSIONER COMPENSATION submitted by Director of Finance/City Treasurer.](#)

RECOMMENDED ACTION: 1. Introduce Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING SECTION 2.04.050 OF THE LAKE FOREST MUNICIPAL CODE AND ADJUSTING COMPENSATION FOR THE CITY COUNCIL MEMBERS. 2. Adopt Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADJUSTING COMPENSATION FOR CITY COMMISSIONERS.

23. [LEGISLATIVE AND REGULATORY 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.

24. [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 Tettermer:

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 made 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, July 31, 2008, at 6:00 p.m.

Sherry A.F. Wentz, CMC
City Clerk