



AGENDA
LAKE FOREST CITY COUNCIL

**Regular Meeting of the City Council
December 16, 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.city-lakeforest.com. 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**6:00 p.m.**

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. (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

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.**

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.

PLEDGE OF ALLEGIANCE: Pledge of Allegiance to the Flag of our Country to be led by Mayor Tette mer.

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

PRESENTATIONS:

1. REQUESTS FOR COMMENDATIONS AND PROCLAMATIONS submitted by City Clerk.
 - A. [EMPLOYEES SERVICE AWARDS](#)
 - B. [CERTIFICATE OF RECOGNITION FOR BONEHEADS RECEIVING AWARD OF “BEST NEW RESTAURANT 2008”](#)
 - C. [CERTIFICATE OF RECOGNITION FOR BLACK & DECKER HHI FOR RECENT AWARD FOR “TOP PLACES TO WORK 2008”](#)

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

CITY COUNCIL CEREMONIAL ITEMS

2. [RESOLUTION COMMENDING MAYOR submitted by City Clerk.](#)

RECOMMENDED ACTION: Approve Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, COMMENDING COUNCIL MEMBER MARK TETTEMER ON HIS TERM AS MAYOR.

3. [COMMENTS BY OUTGOING MAYOR submitted by City Clerk.](#)

RECOMMENDED ACTION: Receive comments by out-going Mayor Mark Tette mer.

REPORT FROM STUDENT LIAISON: Report from Christopher Berardino, Student Liaison from El Toro High School.

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. 4)

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.

4. [WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \\$1,210,187.55.](#)

RECOMMENDED ACTION: Approve as submitted.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 5-15)

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.

5. [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.

6. [MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON NOVEMBER 18, 2008, submitted by City Clerk.](#)

RECOMMENDED ACTION: Approve as submitted.

7. [CITY FINANCIAL REPORTS – QUARTER ENDED September 30, 2008, submitted by Director of Finance/City Treasurer.](#)

RECOMMENDED ACTION: Receive and file.

8. [CARRYOVER REVENUES AND APPROPRIATIONS submitted by Director of Finance/City Treasurer.](#)

RECOMMENDED ACTION: 1. Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 2008-2009 AND THE CAPITAL IMPROVEMENT PROJECTS BUDGET FOR 2007-2009. 2. Approve carryovers of \$2,067,399 in revenues.

9. [CONSENSUS PLAN – EL TORO PARK RENOVATION submitted by Director of Community Services.](#)

RECOMMENDED ACTION: 1. Approve Consensus Plan for El Toro Park Renovation. 2. Authorize staff to direct the architect to develop plans and specifications.

10. [REQUEST FOR PROPOSAL FOR SPORTS PARK AND COMMUNITY CENTER MASTER PLAN SERVICES submitted by Director of Community Services.](#)

RECOMMENDED ACTION: 1. Approve the attached Request for Proposal for professional services for Sports Park and Community Center Master Plan Services. 2. Authorize staff to solicit proposals.

11. [BID DOCUMENTS FOR GRAFFITI REMOVAL AND STEAM CLEANING SERVICES submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve the bid documents for Graffiti Removal and Steam Cleaning Services. 2. Authorize staff to solicit bids.

12. [BID DOCUMENTS FOR THE PLAYGROUND EQUIPMENT REPLACEMENT PROJECT \(PW 2007.22C\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve bid documents for the construction of the Playground Equipment Replacement Project (PW 2007.22C). 2. Authorize staff to solicit bids.

13. [AWARD OF CONTRACT FOR PROFESSIONAL CONSULTING SERVICES FOR THE IMPLEMENTATION PHASE OF THE OPPORTUNITIES STUDY submitted by Director of Development Services.](#)

RECOMMENDED ACTION: 1. Approve the Professional Consultant Services Agreement with Nuquest Ventures, substantially in the form attached. 2. Authorize the Mayor to sign the Professional Consultant Services Agreement with Nuquest Ventures.

14. [FIRST AMENDMENT TO AGREEMENT WITH TREE ELEMENTS, INC. FOR TREE SERVICES submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve the First Amendment with Tree Elements, Inc., for tree services, substantially in the form attached. 2. Authorize the Mayor to sign, and City Clerk to attest the agreement amendment with Tree Elements, Inc.

15. [NOTICE OF COMPLETION FOR THE UNIVERSALLY ACCESSIBLE PLAYGROUND PROJECT \(PW 2007.23\) submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Find that Micon Construction, of Placentia, California has completed the construction of the Universally Accessible Playground Project (PW 2007.23). 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 days of the City Council approval, as required by Section 3093 of the California Civil Code. 4. Authorize payment to the contractor of the ten percent (10%) retention, in the amount of \$34,580.34, 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.

16. [CLARIFICATION/INTERPRETATION OF OFF-STREET PARKING REQUIREMENTS CONTAINED IN CHAPTER 9.168 OF THE MUNICIPAL CODE submitted by Director of Development Services.](#)

RECOMMENDED ACTION: Provide general input and direction on parking requirements for shopping centers and alternatives and exceptions to City parking regulations for analysis and recommendation by the Planning Commission.

17. [ORDINANCES AMENDING PROVISIONS OF THE LAKE FOREST MUNICIPAL CODE RELATED TO THE LAKE FOREST TRANSPORTATION MITIGATION PROGRAM AND SPECIAL EVENTS REGULATIONS submitted by City Attorney.](#)

RECOMMENDED ACTION: 1. Introduce for first reading Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING SECTION 7.19.030(C) OF THE LAKE FOREST MUNICIPAL CODE RELATING TO THE LAKE FOREST TRANSPORTATION MITIGATION PROGRAM BASELINE ADJUSTMENT IMPLEMENTATION PERIOD. 2. Introduce for first reading Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING CHAPTERS 11.16 AND 13.04 OF THE LAKE FOREST MUNICIPAL CODE AND ADDING CHAPTER 5.05 TO THE LAKE FOREST MUNICIPAL CODE RELATING TO SPECIAL EVENTS.

18. [2009-10 LEGISLATIVE PLATFORM submitted by Assistant to the City Manager.](#)

RECOMMENDED ACTION: 1. Approve the addition of a new policy guideline to the 2009-10 Legislative Platform to address overcrowding in residential neighborhoods. 2. Adopt the 2009-10 Legislative Platform.

19. [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 Tetterer:

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 make 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, December 11, 2008 at 6:00 p.m.

Sherry A.F. Wentz, CMC
City Clerk