



AGENDA
LAKE FOREST CITY COUNCIL

**Regular Meeting of the City Council
January 2, 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**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. (Two (2) properties.)

Negotiating Parties: William Lyon Company; City Manager and Assistant City Manager

Property: APN 104-541-33 & 34

Under Negotiation: Price and terms of payment

Negotiating Parties: Medix Ambulance; City Manager and Assistant City Manager

Property: Use of Citywide Streets and Right-of-Ways

Under Negotiation: Price and terms of franchise/possible extension

2. CONFERENCE WITH LEGAL COUNSEL REGARDING THE FOLLOWING:

Anticipated litigation pursuant to Government Code Section 54956.9(b):
Two (2) Cases.

Existing litigation pursuant to Government Code Section 54956.9(a): Two (2) Cases.

A. Case Name: City of Lake Forest v. Lake Forest Body Centre
Case Number: 07CC11555

B. Case Name: City of Lake Forest v. Lake Forest Body Centre
Case Number: G039669

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: 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 Council Member McCullough.

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

PRESENTATIONS:

1. REQUESTS FOR COMMENDATIONS AND PROCLAMATIONS submitted by City Clerk.
 - A. COMMENDATION FOR LORETTA HERRIN AS THE 2007 PARKS & RECREATION CHAIRPERSON
 - B. RECOGNITION OF EXPLORER CAPTAIN MIKE GRIJALVA, EXPLORER RECRUIT GARTH DOKKEN, EXPLORER RECRUIT JOHN LEAHY, III, AND EXPLORER RECRUIT CASEY SIVERO

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

2. REPORT BY INVESTMENT OVERSIGHT REVIEWER QUARTER ENDED SEPTEMBER 30, 2007, submitted by Director of Finance/City Treasurer.

RECOMMENDED ACTION: Receive and file.

CITY COUNCIL CEREMONIAL ITEMS

3. COMMENTS AND RECOGNITION OF 2007 MAYOR submitted by City Clerk.

A. COMMENTS BY 2007 MAYOR

RECOMMENDED ACTION: Receive comments by 2007 Mayor, Richard T. Dixon.

B. PRESENTATION OF RESOLUTION COMMENDING 2007 MAYOR

RECOMMENDED ACTION: Mayor Tetteimer and Members of the City Council to make presentation to 2007 Mayor, Richard T. Dixon.

4. COMMENTS BY NEW MAYOR submitted by City Clerk.

RECOMMENDED ACTION: New Mayor is given the opportunity to present comments.

REPORT FROM STUDENT LIAISON: Due to the school holiday closure, there will not be a presentation from the Student Liaison.

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. 5)

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. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$1,691,712.88.

RECOMMENDED ACTION: Approve as submitted.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 6-16)

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.

6. 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.

7. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON NOVEMBER 20, 2007, submitted by City Clerk.

RECOMMENDED ACTION: Approve as submitted.

8. ADOPTION OF ORDINANCE NO. 181 submitted by City Clerk.

RECOMMENDED ACTION: 1. Conduct second reading of Ordinance No. 181 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING SECTION 8.24.030 OF TITLE 8 OF THE LAKE FOREST MUNICIPAL CODE ADOPTING SECTION 102.9 OF THE CALIFORNIA FIRE CODE RELATING TO THE RECONCILIATION OF CONFLICTING PROVISIONS. 2. Adopt Ordinance No. 181 as submitted.

9. CITY FINANCIAL REPORTS – QUARTER ENDED SEPTEMBER 30, 2007, submitted by Director of Finance.

RECOMMENDED ACTION Receive and file.

10. MONTHLY TREASURER’S REPORT submitted by Director of Finance/City Treasurer.

RECOMMENDATION ACTION: Receive and file.

11. RENEWAL OF ORANGE COUNTY FIRE AUTHORITY JOINT POWERS AUTHORITY AGREEMENT submitted by Assistant to the City Manager.

RECOMMENDED ACTION: 1. Approve the First Amendment to the Amended Joint Powers Authority Agreement – Orange County Fire Authority. 2. Authorize the City Manager to sign and the City Clerk to attest the First Amendment.

12. REQUEST FOR PROPOSAL FOR BORREGO PARK IMPROVEMENTS AND PLAYGROUND RENOVATIONS AT ALTON, EL TORO, FOOTHILL COMMUNITY AND RANCHWOOD PARKS (PW 2007.22A & 2007.22B) submitted by Director of Community Services.

RECOMMENDED ACTION: 1. Approve the attached Request for Proposal for professional services for Borrego Park Improvements and Playground Renovations at Alton, El Toro, Foothill Community and Ranchwood Parks. 2. Authorize staff to solicit proposals from the prequalified consultant team for services.

13. CONTRACT AWARD FOR STREET RESURFACING AND SLURRY SEAL IMPROVEMENTS ON VARIOUS CITY STREETS (PW 2005.05 D&E) submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Waive the minor bid irregularity of a substitute reference submittal form, and award a construction contract in the amount of \$1,638,523 to All American Asphalt, of Corona, California, for the Street Resurfacing and Slurry Seal Improvements on Various City Streets Project (PW 2005.05 D&E). 2. Upon receipt of the executed contract documents from All American Asphalt, reject all other bids received and authorize return of the Bid Bonds. 3. Authorize the Mayor to sign, and the City Clerk to attest, the contract with All American Asphalt. 4. Authorize the City Manager to approve contract change orders up to a maximum of ten percent (10%) of the contract amount.

14. AWARD OF PROFESSIONAL CONSULTANT AGREEMENT FOR THE LAKE FOREST DRIVE DRAINAGE IMPROVEMENT PROJECT (PW 2007.24) submitted by Director of Public Works/City Engineer.

RECOMMENDATION ACTION: 1. Approve the selection of DMC Design Group for Professional Consultant Services for the Lake Forest Drive Drainage Improvement Project (PW 2007.24). 2. Authorize the Mayor to execute an agreement with DMC Design Group, substantially in the form attached.

15. SECOND AMENDMENT TO AGREEMENT FOR STREET SWEEPING SERVICES submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Approve the Second Amendment to Agreement for Street Sweeping Services with Sunset Property Services, substantially in the form attached. 2. Authorize the Mayor to sign, and the City Clerk to attest, the contract amendment.

16. CONSENSUS PLAN – UNIVERSALLY ACCESSIBLE PLAYGROUND AT PITTSFORD PARK submitted by Director of Community Services.

RECOMMENDED ACTION: 1. Approve Consensus Plan for a Universally Accessible Playground at Pittsford Park. 2. Authorize staff to direct the architect to develop final plans and specifications.

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.

17. REGENCY AND NORMANDALE PARK SITES submitted by Assistant City Manager and Director of Community Services.

RECOMMENDED ACTION: The City Council direct staff and the Parks and Recreation Commission to move forward with preliminary plans for Regency and Normandale Parks.

18. ANNUAL CITY COUNCIL APPOINTMENTS TO BOARDS, COMMITTEES, COMMISSIONS, AND AGENCIES submitted by City Clerk.

RECOMMENDED ACTION: Exercise City Council discretion to make changes to Boards, Commission, Committee, and Agency Representation.

19. ACTIONS REGARDING MEMORANDUM OF UNDERSTANDING FOR THE SERRANO CREEK RESTORATION submitted by Director of Public Works/City Engineer.

RECOMMENDATION ACTION: Receive and file.

20. LEGISLATIVE 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.

21. 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 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 27, 2007, at 6:00 p.m.

Sherry A.F. Wentz, CMC
City Clerk