



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**

**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](http://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:** 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

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.

**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.

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**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 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. [9<sup>th</sup> LAKE FOREST LEADERSHIP ACADEMY](#)

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

**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. 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 \\$1,196,463.32.](#)

RECOMMENDED ACTION: Approve as submitted.

## CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3-10)

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 OCTOBER 21, 2008, submitted by City Clerk.](#)

RECOMMENDED ACTION: Approve as submitted.

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

RECOMMENDED ACTION: Receive and file.

6. [CREATIVE MANAGEMENT SOLUTIONS – AGREEMENT EXTENSION submitted by Director of Management Services.](#)

RECOMMENDED ACTION: 1. Approve the First Amendment to the Agreement with Creative Management Solutions, Inc., for human resources consulting services.

7. [PURCHASE OF CALSENSE IRRIGATION EQUIPMENT submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Accept 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. Authorize staff to issue a purchase order for the equipment and reject all other bids received.

8. [TRAFFIC ENGINEER SERVICES CONSULTANT AGREEMENT submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve the selection of Rick Engineering Company to provide Traffic Engineer Services. 2. Authorize 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.

9. [FIRST AMENDMENT TO AGREEMENT FOR CITY HALL JANITORIAL SERVICES submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve the First Amendment to Agreement for City Hall Janitorial Services with Bell Building Maintenance Company, substantially in the form attached. 2. Authorize the Mayor to sign, and the City Clerk to attest, the contract amendment.

10. [AMENDMENTS WITH SPECTRUMCARE FOR LANDSCAPE MAINTENANCE OF PARKS AND MEDIANS, PARKWAYS, AND SLOPES submitted by Director of Public Works/City Engineer.](#)

RECOMMENDED ACTION: 1. Approve the Amendment with SpectrumCare Landscape and Irrigation Management, Inc., for landscape maintenance of parks, substantially in the form attached. 2. Approve the amendment with SpectrumCare Landscape and Irrigation Management, Inc., for landscape maintenance of medians, parkways and slopes, substantially in the form attached.

### **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.

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

#### [11A. LAKE FOREST ANIMAL SERVICES STUDY UPDATE](#)

RECOMMENDED ACTION: 1. Approve Lake Forest Responsible Pet Ownership Program Concept. 2. Direct 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.

#### [11B. RENEWAL FOR AGREEMENT OF ANIMAL CARE SERVICES](#)

RECOMMENDED ACTION: Approve the agreement, in substantially the form submitted, between the County of Orange and the City of Lake Forest for Animal Care Services

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.](#)

RECOMMENDED ACTION: Receive and file.

13. [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:

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### **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, November 13, 2008, at 6:00 p.m.

Sherry A.F. Wentz, CMC  
City Clerk