



AGENDA
LAKE FOREST CITY COUNCIL

**Regular Meeting of the City Council
January 2, 2007**

**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:

Peter Herzog
Kathryn McCullough
Marcia Rudolph
Mark Tettermer
Richard T. Dixon

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.: One (1) property.

Property: Parcel Number: 614-024-1
City Negotiators: City Manager and City Attorney
Negotiating Parties: Orange County Transportation Authority
Under Negotiation: Price and Terms of Payment

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing litigation pursuant to Government Code Section 54956.9(a): One (1) Case.

Case Name: El Toro Materials Company, et al. v. City of Lake Forest, et al. Case No. 05VV06128

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 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 JIM ROSENBERG AS THE 2006 PARKS & RECREATION COMMISSION CHAIRPERSON
 - B. COMMENDATION FOR JERRY ZECHMEISTER AS THE 2006 PLANNING COMMISSION CHAIRPERSON

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

CITY COUNCIL CEREMONIAL ITEMS

2. COMMENTS BY NEW MAYOR submitted by City Clerk.

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

REPORT FROM STUDENT LIAISON:

Nico Lechuga, Student Liaison from El Toro High School, will not be present, due to Saddleback Valley Unified School District's Winter Break.

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. 3)

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. **WARRANT REGISTER** submitted by Director of Finance/City Treasurer in the amount of \$684,104.25.

RECOMMENDED ACTION: Approve as submitted.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 4-8)

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. **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.

5. **MONTHLY TREASURER'S REPORT** submitted by Director of Finance/City Treasurer.

RECOMMENDED ACTION: Receive and file.

6. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON DECEMBER 5, 2006, submitted by City Clerk.

RECOMMENDED ACTION: Approve as submitted.

7. NOTICE OF COMPLETION FOR COMMERCENTRE DRIVE RESURFACING PROJECT (PW 2005.5C) submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Accept the construction work completed by All American Asphalt, Inc., of Corona, California, for the project entitled, Commercentre Drive Resurfacing Project (PW 2005.5C). 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 retention, in the amount of \$48,552, thirty-five 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. 5. Authorize the City Clerk to release Material and Labor Bond #08853151, in the amount of \$479,389, thirty-five days after the date of recordation of the Notice of Completion. 6. Authorize the City Clerk to release Faithful Performance Bond #08853151, in the amount of \$479,389, two years after the date of recordation of the Notice of Completion.

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.
--

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

RECOMMENDED ACTION: 1. Approve the First Amendment to Agreement for Street Sweeping Services, substantially in the form attached.

2. Authorize the Mayor Pro Tem to sign, and the City Clerk to attest, the First Amendment.

9. MOBILEHOME PARK LOCAL ENFORCEMENT AUTHORITY submitted by Director of Development Services and Assistant to the City Manager.

RECOMMENDED ACTION: Receive and file.

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

RECOMMEND ACTION: Exercise City Council discretion to make changes to Board, Commission, Committee, and Agency representation.

11. 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 Herzog:

Council Member McCullough:

Council Member Rudolph:

Mayor Pro Tem Tetteimer:

Mayor Dixon:

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 28, 2006, at 6:00 p.m.

Sherry A.F. Wentz, CMC
City Clerk