



AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
July 3, 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 LEGAL COUNSEL – EXISTING LITIGATION**
pursuant to Government Code Section 54956.9(a): One (1) Case.

- A. Case Name: La Asociación de Trabajadores de Lake Forest
("ATLF"), et al. v. City of Lake Forest, et al.
Case No. AS CV 07-250 DOC (ANx)

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 Council Member McCullough.

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

PRESENTATIONS:

1. INTRODUCE NEW POLICE SERVICES EMPLOYEE – INVESTIGATOR CHRISTOPHER KILTZ submitted by Chief of Police Services.

RECOMMENDED ACTION: Receive introduction.

2. INTRODUCE NEW POLICE SERVICES EMPLOYEE – DEPUTY BILL BURK submitted by Chief of Police Services.

RECOMMENDED ACTION: Receive introduction.

RECESS: City Council will recess for the purpose of conducting Rancho Cañada Financing Authority and 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 \$2,137,489.70.

RECOMMENDED ACTION: Approve as submitted.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 4-13)

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. MINUTES OF THE WORKSHOP OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY HELD ON MAY 8, 2007, AND REGULAR MEETING OF THE CITY COUNCIL HELD ON JUNE 5, 2007, submitted by City Clerk.

RECOMMENDED ACTION: Approve as submitted.

6. ADOPTION OF ORDINANCE NO. 170 submitted by City Clerk.

RECOMMENDED ACTION: 1. Conduct second reading of Ordinance No. 170 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING CHAPTER 5.07, MESSAGE ESTABLISHMENTS, OF TITLE 5, BUSINESS REGULATIONS, OF THE LAKE FOREST MUNICIPAL CODE.
2. Adopt Ordinance No. 170 as submitted.

7. VAVRINEK, TRINE, DAY & COMPANY – AUDIT SERVICES CONTRACT REVIEW submitted by Director of Finance.

RECOMMENDED ACTION: Receive and file.

8. 2007 RED RIBBON WEEK CAMPAIGN submitted by Chief of Police Services.

RECOMMENDED ACTION: Authorize the expenditure of \$5,000 to Drug Use is Life Abuse for sponsorship of the 2007 Red Ribbon Week Campaign.

9. UPPER NEWPORT BAY ECOSYSTEM RESTORATION PROJECT submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: Authorize the Mayor to sign a Letter of Support for the Upper Newport Bay Ecosystem Restoration Project.

10. AWARD OF CONTRACT FOR CONSULTANT SERVICES FOR ENVIRONMENTAL REVIEW FOR WAL-MART EXPANSION PROPOSAL submitted by Director of Development Services.

RECOMMENDED ACTION: 1. Approve the selection of LSA Associates, Inc. for environmental consultant services for the proposed Wal-Mart expansion project in an amount not to exceed \$125,380. 2. Authorize the City Manager to execute an agreement, substantially in the form attached, with LSA Associates, Inc.

11. AWARD OF CONTRACT FOR RECREATION PROGRAMS AND SERVICES submitted by Director of Community Services.

RECOMMENDED ACTION: 1. Approve the selection of Saddleback Unified School District Department of Recreation and Community Services (District) to provide supplemental recreation programs and services. 2. Authorize the Mayor to execute an Agreement with District for a term of three (3) years with two, one-year renewal options.

12. **CONTRACT AWARD FOR ASPHALT REPAIRS OF VARIOUS STREETS WEST AND EAST OF TOLEDO WAY (PW 2005.5G & 2005.5H)** 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 contract in the amount of \$606,045.40 to Imperial Paving Company, Inc., of Whittier, California, for Asphalt Repairs of Various Streets West of Toledo Way (PW2005.5G). 2. Waive the minor bid irregularity of a substitute reference submittal form, and award a contract in the amount of \$639,809.00 to Imperial Paving Company, Inc., of Whittier, California, for Asphalt Repairs of Various Streets East of Toledo Way (PW 2005.5H). 3. Upon receipt of the executed contract documents from Imperial Paving, reject all other bids received and authorize return of the Bid Bonds. 4. Authorize the Mayor to sign, and City Clerk to attest, the contracts with Imperial Paving Company, substantially in the form attached. 5. Authorize the City Manager to approve contract change orders up to a maximum ten percent (10%) of each contract amount.

13. **BID DOCUMENTS FOR THE SERRANO CREEK AND CAVANAUGH MINI PARK PLAY STRUCTURES PROJECT (PW 2005.9)** submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Approve bid documents for the construction of the Serrano Creek and Cavanaugh Mini Park Play Structures Project (PW 2005.9). 2. Authorize staff to solicit bids. 3. Authorize staff to procure play equipment through sole-source purchases in accordance with the City's Contract and Purchasing Guidelines and the Lake Forest Municipal Code.

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.

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

RECOMMENDED ACTION: Receive and file.

15. 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.

16. 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 Tettermer:

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, June 28, 2007, at 6:00 p.m.

Sherry A.F. Wentz, CMC
City Clerk