



AGENDA  
LAKE FOREST CITY COUNCIL

**Regular Meeting of the City Council  
July 17, 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](http://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

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**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 REGARDING THE FOLLOWING:
  - A. Anticipated litigation pursuant to Government Code Section 54956.9(b):  
One (1) Case.
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957: City Manager
3. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6 Title: City Manager

**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 Mayor Pro Tem Tetteimer.

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

**PRESENTATIONS:**

1. **PRESENTATION OF AWARDS FOR THE EL TORO ROAD TRAFFIC AND LANDSCAPE IMPROVEMENT PROJECT (PW 2003.8)** submitted by Director of Public Works/City Engineer.

**RECOMMENDED ACTION:** Receive presentation of awards for the El Toro Road Traffic and Landscape Improvement Project from Tom Herbel, Vice President of Psomas, and the Director of Public Works/City Engineer.

**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 \$1,441,467.37.

**RECOMMENDED ACTION:** Approve as submitted.

## **CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3-16)**

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.

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 JUNE 19, 2007, AND SPECIAL MEETING OF THE CITY COUNCIL HELD ON JUNE 26, 2007, 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. CLASSIFICATION PLAN FOR FY 2007-08 submitted by Director of Management Services.

RECOMMENDED ACTION: Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING A REVISED CLASSIFICATION PLAN.

7. APPROVAL OF FINAL PARCEL MAP NO. 2004-320 submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2004-320, CREATING A 4-PARCEL SUBDIVISION FOR COMMUNITY COMMERCIAL PURPOSES ON 15.93 ACRES LOCATED AT THE NORTHWEST CORNER OF EL TORO ROAD AND ROCKFIELD BOULEVARD.

8. APPROVAL OF FINAL PARCEL MAP NO. 2005-134 submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2005-134, CREATING A 4-PARCEL SUBDIVISION FOR INDUSTRIAL/COMMERCIAL CONDOMINIUM PURPOSES ON 3.01 ACRES LOCATED ON THE WEST SIDE OF ASPAN STREET, SOUTH OF MUIRLANDS BOULEVARD.

9. APPROVAL OF A PRE-QUALIFIED LIST OF ON-CALL PLANNING SERVICES CONSULTANTS submitted by Director of Development Services.

RECOMMENDED ACTION: Approve the consultants identified in the On-Call Planning Consultants List as those consulting firms eligible to provide the City with “as-needed” planning services.

10. REQUEST FOR QUALIFICATIONS FOR CONSULTANT TEAM SERVICES submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Approve the Request for Qualifications for Consultant Team Services, utilizing On-Call Contract Administration and Construction Inspection Services. 2. Authorize staff to solicit and receive qualifications statements.

11. CONSTRUCTION CONTRACT FOR THE EL TORO ROAD/TRABUCO ROAD INTERSECTION IMPROVEMENT PROJECT (PW 2005.3) 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 \$364,438 to Alliance Streetworks, Inc. of Anaheim, California, for the El Toro Road/Trabuco Road Intersection Improvement Project (PW 2005.3). 2. Upon receipt of the executed contract documents from Alliance Streetworks, Inc, 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 Alliance Streetworks, Inc. 4. Authorize the City Manager to approve contract change orders up to a maximum of ten percent (10%) of the contract amount.

12. AWARD OF CONTRACT FOR THE MAINTENANCE OF BUS SHELTER AND CONCRETE BUS BENCHES submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Approve the selection of ShelterCLEAN, Inc. to provide bus shelter and concrete bus bench maintenance and award a one-year contract from August 3, 2007, through August 2, 2008, with an option for two one-year extensions, in an amount not to exceed \$224,860 annually. 2. Authorize the Mayor to sign, and the City Clerk to attest, the contract documents

13. REJECT BIDS FOR THE LANDSCAPE MAINTENANCE OF MEDIANS, PARKWAYS, AND SLOPES submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Reject all bids for Landscape Maintenance of Medians, Parkways, and Slopes. 2. Authorize staff to return all bid bonds. 3. Authorize staff to proceed with solicitation of bids for Landscape Maintenance of Medians, Parkways, and Slopes using the bid documents and specifications substantially in the form previously approved by the City Council.

14. REJECT BIDS FOR THE LANDSCAPE MAINTENANCE OF PARKS submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Reject all bids for Landscape Maintenance of Parks. 2. Authorize staff to return all bid bonds. 3. Authorize staff to proceed with solicitation of bids for Landscape Maintenance of Parks using the bid documents and specifications substantially in the form previously approved by the City Council.

15. COOPERATIVE AGREEMENT BETWEEN THE OCTA AND CITY FOR THE GO LOCAL TRANSIT NEEDS ASSESSMENT GRANT submitted by Assistant City Manager and Director of Development Services.

RECOMMENDED ACTION: Authorize the Mayor to execute an agreement with the Orange County Transportation Authority (OCTA) for a Transit Needs Assessment funded by the Go Local Grant.

16. FOURTH CONTRACT AMENDMENT WITH SPECTRUMCARE FOR LANDSCAPE MAINTENANCE OF PARKS submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: Approve the fourth contract amendment with SpectrumCare for landscape maintenance of parks, 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.

17. **EXTEND PERMIT PARKING RESTRICTIONS ON MALABAR ROAD TO INCLUDE A PORTION OF HIGHRIDGE WAY AND ADD A STREET SWEEPING RESTRICTION** submitted by Director of Public Works/City Engineer.

**RECOMMENDED ACTION:** Approve a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, TO EXTEND THE EXISTING PERMIT PARKING RESTRICTION ON MALABAR ROAD TO INCLUDE THE PORTION OF HIGHRIDGE WAY TO THE EASTERLY PROPERTY LINE OF 19822 HIGHRIDGE WAY AND ESTABLISHING A STREET SWEEPING RESTRICTION ON A PORTION (230 FEET) OF MALABAR ROAD.

18. **COMMUNITY COMMUNICATION NETWORK USA** submitted by Director of Management Services.

**RECOMMENDED ACTION:** Receive and file.

19. **MUNICIPAL CODE RECODIFICATION** submitted by City Attorney and Director of Management Services.

**RECOMMENDED ACTION:** Introduce and approve for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING, RESTATING, AND RECODIFYING TITLES 6, 7, 11, AND 12 OF THE LAKE FOREST MUNICIPAL CODE.



20. APPROVAL OF PLANS AND SPECIFICATION FOR THE RAILROAD ACCESS ROAD SURFACING AND LANDSCAPE PROJECT submitted by Director of Public Works/City Engineer.

RECOMMENDED ACTION: 1. Approve the plans and specification for the Railroad Access Surfacing and Landscape Project. 2. Authorize staff to proceed with project improvements upon receipt of right-of-way confirmation from the Orange County Transportation Authority.

21. 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.

22. 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 Tettemer:

Mayor Dixon:

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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, July 12, 2007, at 6:00 p.m.

Sherry A.F. Wentz, CMC  
City Clerk