

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
July 15, 2008

Lake Forest City Hall
25550 Commercentre Drive
City Council Chamber
Lake Forest, California 92630

PRELIMINARY ACTION AGENDA: The listed Action represents a brief synopsis of the Council action. The Council Minutes, when approved, stand as the official record of the meeting. This Preliminary Action Agenda is provided as quick reference only and is NOT intended to serve as any form of the official record and should not be relied upon in making important decisions. Before making important decisions, you should review the approved minutes.

CALL TO ORDER: 6:04 p.m.

ROLL CALL: Council Members: Richard T. Dixon
Kathryn McCullough
Marcia Rudolph
Mayor Pro Tem: Peter Herzog
Mayor: Mark Tetterer
City Manager: Robert C. Dunek
City Attorney: Scott C. Smith
City Clerk: Sherry A.F. Wentz

RECESS: City Council recessed at 6:04 p.m. for the purpose of conducting Closed Session business.

CLOSED SESSION (F: 16.3) 6:04 p.m.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (3 properties: A - C)

City Negotiators: City Manager and City Attorney
Property Negotiators: Property Owners on Record
Under Negotiation: Price and Terms of Payment

A. Property: Approximately 13.2 acres on APN 612-022-10

- 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: 7 acres located on APN 104-132-36, 104-132-65, located at 20996 Marin, Lake Forest, CA

2. CONFERENCE WITH LEGAL COUNSEL REGARDING THE FOLLOWING:

- A. Existing litigation pursuant to Government Code Section 54956.9(a):
Three (3) Cases
 - 1. Case Name: City of Lake Forest v. Lake Forest Body Centre
Case No. 07CC1155
 - 2. Case Name: Julie Ho v. City of Lake Forest
Case No. 30-2008-00107142
- B. Initiation of litigation pursuant to Government Code Section 54956.9:
One Case.

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 7:03 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:09 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

7:09 p.m.

PLEDGE OF ALLEGIANCE: (F: 26.21)

Council Member McCullough led the pledge of Allegiance to the Flag of our Country.

CLOSED SESSION REPORT: (F: 16.3)

City Attorney Smith stated there were no reportable actions from Closed Session.

PRESENTATIONS: (F: 55.1)

1. **PRESENTATION BY THE EL TORO HIGH SCHOOL PRINCIPAL ALLAN MUCERINO** submitted by City Clerk. (F: 55.1) (F:59.2A)

ACTION: The City Council received the presentation.

RECESS: City Council recessed at 7:40 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:44 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The public offered no comments.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 2)

2. **WARRANT REGISTER** submitted by Director of Finance/City Treasurer in the amount of \$274,687.30. (F: 30.11)

Council Member Rudolph pulled the following warrants for the purpose of clarification: Beega's Boys Inc., Esoteric Woodcraft Inc., First American Core Logic, and In-N-Out Burger.

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council approved the remainder of the warrant register as submitted. **MOTION UNANIMOUSLY CARRIED.**

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable for Beega's Boy Inc. **MOTION UNANIMOUSLY CARRIED.**

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable for Esoteric Woodcraft Inc. **MOTION UNANIMOUSLY CARRIED.**

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council approved the warrant payable for First American Core Logic. **MOTION UNANIMOUSLY CARRIED.**

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council approved the warrant payable for In-N-Out Burger. **MOTION UNANIMOUSLY CARRIED.**

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3 -10) (Items No. 7 and 9 were pulled for separate consideration.)

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.**

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Rudolph, the City Council waived the reading of Ordinances and Resolutions. **MOTION UNANIMOUSLY CARRIED.**

4. **CITY FINANCIAL REPORTS – QUARTER ENDED MARCH 31, 2008, submitted by Director of Finance/City Treasurer. (F: 30.13)**

ACTION: The City Council received and filed the report as submitted.

5. **MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON JUNE 3, 2008, submitted by City Clerk.**

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Rudolph, the City Council approved the Minutes of the Regular City Council Meeting held on June 3, 2008, as submitted. **MOTION UNANIMOUSLY CARRIED.**

6. **AGENDA MANAGEMENT SOFTWARE submitted by City Clerk and Director of Management Services. (F: 52.4B2f)**

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Rudolph, the City Council authorized the City Manager to sign a Services Agreement with Sire Technologies for SIRE Agenda Plus with Minutes Plus software, annual maintenance and related professional services. **MOTION UNANIMOUSLY CARRIED.**

7. **REQUEST FOR PROPOSAL FOR THE JERONIMO ROAD STREETSCAPE PROJECT (PW 2007.05) submitted by Director of Public Works/City Engineer. (F: 64.4A PW 2007.05)**

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the Request for Proposal (RFP) for the Jeronimo Road Streetscape Project. 2. Authorized staff to solicit proposals for these professional services. **MOTION UNANIMOUSLY CARRIED.**

8. **SIXTH AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES WITH NUQUEST VENTURES submitted by Director of Development Services. (F: 50.11)**

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Rudolph, the City Council: 1. Approved the Sixth Amendment for Program Management Services for Phase 3 of the Opportunities Study with Nuquest Ventures, substantially in the form attached. 2. Authorized the Mayor to sign the Sixth Amendment with Nuquest Ventures. **MOTION UNANIMOUSLY CARRIED.**

9. **STATUS OF COMPLIANCE WITH NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORM WATER PERMITS FOURTH QUARTER FY 2007-08** submitted by Director of Public Works/City Engineer. (F: 69.13C)

ACTION: On motion by Council Member McCullough and second by Council Member Rudolph, the City Council received and filed the report submitted. **MOTION UNANIMOUSLY CARRIED.**

CONTINUED PUBLIC HEARING:

10. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE LAKE FOREST MUNICIPAL CODE AND PLANNED COMMUNITY TEXTS REGARDING MASSAGE ESTABLISHMENTS** submitted by Director of Development Services and City Attorney. (F: 50.10)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member Rudolph, the City Council introduced and approved for first reading Ordinance No. 195 entitled **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE LAKE FOREST MUNICIPAL CODE AND PLANNED COMMUNITY TEXTS REGARDING MASSAGE ESTABLISHMENT ZONING RESTRICTIONS AND ENACTING AN AMORTIZATION PERIOD FOR NON-CONFORMING MASSAGE ESTABLISHMENTS.** **MOTION CARRIED WITH COUNCIL MEMBER DIXON OPPOSING.**

DISCUSSION/ACTION ITEMS:

11. **TRAFFIC CONTROLS ON MIDCREST DRIVE** submitted by Director of Public Works/City Engineer. (F: 66.3Y)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council received and filed the report.
MOTION UNANIMOUSLY CARRIED.

12. **CONCEPTUAL PLANS FOR THE ROCKFIELD BOULEVARD STREETSCAPE PROJECT (PW 2003.02)** submitted by Director of Public Works/City Engineer. (F: 64.4A PW 2003.02)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Received the presentation. 2. Approved Alternative Landscape Plan 2 with the modifications proposed by the Planning Commission, which include: (a) Oak accent trees per Alternative 3, (b) Bus shelter furniture per Alternative 1, and (c) Decorative pavement in the intersection crosswalks. 3. Directed staff to complete the Rockfield Boulevard Streetscape Master Plan. 4. Directed staff to study policy issues associated with potentially narrowing Rockfield Boulevard between El Toro Road and Los Alisos Boulevard. **MOTION UNANIMOUSLY CARRIED.**

13. **LEGISLATIVE AND REGULATORY MATTERS** submitted by Assistant to the City Manager. (F: 72.2B)

ACTION: The City Council received and filed the report with minute action to adopt positions on various legislative proposals as recommended.

14. **REQUESTS FOR APPOINTMENT TO AGENCIES, BOARDS, COMMISSIONS AND/OR COMMITTEES THROUGH THE LEAGUE OF CALIFORNIA CITIES** submitted by City Clerk. (F: 43.4B)

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT: (F: 26.17)

City Manager Dunek offered no comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member Dixon presented comments.

Council Member McCullough presented comments.

Council Member Rudolph presented comments.

Mayor Pro Tem Herzog presented comments.

Mayor Tetteimer presented comments.

CLOSED SESSION: (F: 16.3)

ACTION: There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 9:50 p.m.