

**PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL**

**Regular Meeting of the City Council
May 20, 2008**

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

<p>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 <u>NOT</u> 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.</p>
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CALL TO ORDER:

6:05 p.m.

ROLL CALL: Council Members:

Richard T. Dixon
Kathryn McCullough
Marcia Rudolph
Peter Herzog (Absent)
Mark Tetterer

Mayor Pro Tem:

Mayor:

City Manager:

City Attorney:

City Clerk:

Robert C. Dunek
Scott C. Smith
Sherry A.F. Wentz

RECESS: City Council recessed at 6:05 p.m. for the purpose of conducting Closed Session business.

CLOSED SESSION (F: 16.3)

6:05 p.m.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (7 properties: A - G)

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
- D. Property: 58.63 acres located on APN 104-143-38 and APN 104-541-26
- E. Property: 4.01 acres easement located on Parcel No. PR502-101.03
- F. Property: 13.71 acres located on APN 610-191-01
- G. Property: 14.139 acres located on APN 610-231-01

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957: City Manager.

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 7:10 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:16 p.m. with Mayor Pro Tem Herzog absent, to continue regular City business.

PUBLIC SESSION

7:16 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:

1. **REQUESTS FOR COMMENDATIONS AND PROCLAMATIONS**
submitted by City Clerk. (F: 55.1)
 - A. **PROCLAMATION DECLARING THE MONTH OF MAY 2008, AS**
"WATER AWARENESS MONTH" (F: 55.2)
 - B. **PROCLAMATION DECLARING JUNE 4, 2008, AS "BRAVO**
FOR BRAVERY DAY" (F: 55.2)
 - C. **PROCLAMATION DECLARING MAY 31, 2008, AS "WORLD NO**
TOBACCO DAY" (F: 55.2)
 - D. **PROCLAMATION DECLARING THE MONTH OF MAY 2008, AS**
"NATIONAL AMYOTROPHIC LATERAL SCLEROSIS MONTH"
(F: 55.2)

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council: 1. Approved requests as submitted. 2. Made presentations to those present. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

2. **INTRODUCTION OF NEW EMPLOYEE – CITY MANAGER’S**
DEPARTMENT submitted by Assistant to the City Manager. (F: 48.8A)

ACTION: Received introduction of Management Analyst Calina Hon.

3. INTRODUCTION OF NEW EMPLOYEE – COMMUNITY SERVICES DEPARTMENT submitted by Director of Community Services. (F: 48.8I)

ACTION: Received introduction of Senior Office Specialist Jennifer Connally.

4. INTRODUCTION OF NEW EMPLOYEE – REDEVELOPMENT/ ECONOMIC DEVELOPMENT DEPARTMENT submitted by Assistant City Manager. (F: 48.8J)

ACTION: Received introduction of Management Analyst Carlo Tomaino.

5. FIRE HAZARD SEVERITY ZONE PRESENTATION submitted by Chief of Police Services. (F: 71.7G)

ACTION: The City Council received the presentation as submitted.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

Brittney Slack, Student Liaison from El Toro High School, presented her report.

RECESS: City Council recessed at 7:46 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:55 p.m. with Mayor Pro Tem Herzog absent, to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Reba Thomas and Jean Grace.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 6)

6. **WARRANT REGISTER** submitted by Director of Finance/City Treasurer in the amount of \$607,560.70. (F: 30.11)

Council Member Rudolph pulled the following warrants for purposes of clarification: CBC Restaurant Corporation, County of Orange Public Works Division, County of Orange District Attorney's Office, James Publishing, Inc., and Nuvis.

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council approved the remainder of the warrant register as submitted. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT AND COUNCIL MEMBER DIXON ABSTAINING ON WARRANT PAYABLE TO SUNSET PROPERTY SERVICES.**

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to CBC Restaurant Corporation. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to County of Orange Public Works Division. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to County of Orange District Attorney's Office. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to James Publishing, Inc. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to Nuvis. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 7-13) (Item No. 13 was pulled from the consent Calendar for separate consideration.)

7. **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 Council Member McCullough and second by Council Member Rudolph, the City Council waived the reading of Ordinances and Resolutions. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

8. **MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON APRIL 1, 2008, AND SPECIAL MEETING OF THE CITY COUNCIL HELD ON APRIL 14, 2008, submitted by City Clerk.**

ACTION: On motion by Council Member McCullough and second by Council Member Rudolph, the City Council approved the Minutes of the regular City Council meeting held on April 1, 2008, and the Minutes of the Special City Council Meeting held on April 14, 2008, as submitted. **MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.**

9. **ADOPTION OF RESOLUTION REGARDING REVOCATION OF JULIE HO'S MASSAGE ESTABLISHMENT LICENSE TO OPERATE "LAKE FOREST BODY CENTRE" submitted by Special Advisory Counsel. (F: 47.11E)**

ACTION: On motion by City Council Member McCullough and second by City Council Member Rudolph, the City Council adopted Resolution No. 2008-13 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, DENYING THE APPEAL OF JULIE HO AND SUSTAINING THE HEARING OFFICER'S DECISION TO REVOKE JULIE HO'S MASSAGE ESTABLISHMENT LICENSE TO OPERATE THE LAKE FOREST BODYCENTRE. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

10. **FOURTH AMENDMENT WITH SPECTRUMCARE FOR LANDSCAPE MAINTENANCE OF MEDIANS, PARKWAYS, AND SLOPES** submitted by Director of Public Works/City Engineer. (F: 34.2A)

ACTION: On motion by Council Member McCullough and second by Council Member Rudolph, the City Council approved the Fourth Amendment with SpectrumCare Landscape and Irrigation Management, Inc., for landscape maintenance of medians, parkways, and slopes, substantially in the form attached. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

11. **SIXTH AMENDMENT WITH SPECTRUMCARE FOR LANDSCAPE MAINTENANCE OF PARKS** submitted by Director of Public Works/City Engineer. (F: 34.3A PW 1999.08)

ACTION: On motion by Council Member McCullough and second by Council Member Rudolph, the City Council approved the Sixth Amendment with SpectrumCare Landscape and Irrigation Management, Inc., for landscape maintenance of parks, substantially in the form attached. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

12. **SIX MONTH NOTICE OF CONTRACT EXPIRATION: CITY HALL JANITORIAL SERVICES** submitted by Director of Public Works/City Engineer. (F: 52.3A2)

ACTION: On motion by Council Member McCullough and second by Council Member Rudolph, the City Council received and filed the report as submitted. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

13. APPROVE PROGRAM SUPPLEMENT NO. N010 TO RECEIVE ARTERIAL HIGHWAY REHABILITATION PROGRAM FUND submitted by Director of Public Works/City Engineer. (F: 11.2)

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, the City Council Adopted Resolution No. 2008-14 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, TO APPROVE PROGRAM SUPPLEMENT NO. N010 TO THE ADMINISTERING AGENCY-STATE AGREEMENT NO. 12-5469R, AUTHORIZING THE CITY OF LAKE FOREST TO RECEIVE ARTERIAL HIGHWAY REHABILITATION PROGRAM FUNDS AND THE CITY MANAGER TO EXECUTE THE PROGRAM SUPPLEMENT. MOTION CARRIED WITH MAYOR PRO TEM HERZOG ABSENT.

DISCUSSION/ACTION ITEMS:

14. LEGISLATIVE MATTERS submitted by Assistant to the City Manager. (F: 72.2B)

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

15. REQUESTS FOR APPOINTMENT TO AGENCIES, BOARDS, COMMISSIONS AND/OR COMMITTEES THROUGH THE LEAGUE OF CALIFORNIA CITIES submitted by City Clerk. (F: 43.3B)

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT: (F: 26.17)

City Manager Dunek presented comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member Dixon presented no comments.

Council Member McCullough presented comments.

Council Member Rudolph presented comments.

Mayor Pro Tem Herzog was absent.

Mayor Tetteimer presented comments.

CLOSED SESSION: (F: 16.3)

ACTION: There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 8:35 p.m.