

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
January 3, 2012

Lake Forest City Hall
25550 Commercentre Drive
Council Chambers
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:

7:02 p.m.

ROLL CALL: Council Members:

Peter Herzog
Marcia Rudolph
Mark Tetteimer

Mayor Pro Tem:

Scott Voigts

Mayor:

Kathryn McCullough

City Manager:

Robert C. Dunek

City Attorney:

Scott C. Smith

City Clerk:

Stephanie D. Smith

CLOSED SESSION

There were no items scheduled for Closed Session.

PUBLIC SESSION

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the Flag of our Country was led by Mayor McCullough.

PRESENTATIONS:

1. PRESENTATION BY THE HONORABLE PATRICIA C. BATES, ORANGE COUNTY BOARD OF SUPERVISORS, 5TH DISTRICT, IN RECOGNITION OF THE CITY'S 20TH ANNIVERSARY submitted by City Clerk. (F: 0410-74)

ACTION: On motion by Council Member Tette mer and second by Mayor Pro Tem Voigts, the City Council received the presentation. MOTION UNANIMOUSLY CARRIED.

2. COMMENDATION FOR JIM ROSENBERG AS THE 2011 PARKS & RECREATION CHAIRPERSON submitted by Director of Community Services. (F: 0410-75) (F: 0120-20-50)

ACTION: On motion by Council Member Tette mer and second by Mayor Pro Tem Voigts, the City Council presented the Commendation to Jim Rosenberg the 2011 Parks and Recreation Chairperson 2011. MOTION UNANIMOUSLY CARRIED.

3. COMMENDATION FOR JERRY ZECHMEISTER AS THE 2011 PLANNING COMMISSION CHAIRPERSON submitted by Director of Development Services. (F: 0410-75) (F: 0120-10-50)

ACTION: On motion by Council Member Tette mer and second by Mayor Pro Tem Voigts, the City Council presented the Commendation to Jerry Zechmeister as the 2011 Planning Commission Chairperson. MOTION UNANIMOUSLY CARRIED.

4. RECOGNITION OF DEPUTY CARLOS BARRIENTOS, RECIPIENT OF THE 2011 TRAUMA INTERVENTION PROGRAM "HEROES WITH HEART" AWARD submitted by City Clerk. (F: 0410-75)

ACTION: On motion by Council Member Tette mer and second by Mayor Pro Tem Voigts, the City Council presented a Certificate of Recognition to Deputy Carlos Barrientos, recipient of the 2011 Trauma Intervention Program "Heroes with Heart" award. MOTION UNANIMOUSLY CARRIED.

CITY COUNCIL CEREMONIAL ITEMS

5. COMMENTS BY NEW MAYOR submitted by City Clerk. (F: 0410-20)

ACTION: Mayor McCullough presented comments.

REPORT FROM STUDENT LIAISON:

Due to the New Year's holiday, there was no report from Alice Hackett, Student Liaison from El Toro High School.

RECESS: City Council recessed at 7:32 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 8:28 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS:

The public offered no comments.

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

6. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer. (F: 0300-30)

Council Member Tetterer disclosed he is an employee of the Irvine Ranch Water District (IRWD); he does not work for the department which handles rate setting or billings; because IRWD, a public agency, is the only available purveyor of water in areas of the City, he has concluded, in consultation with the City Attorney, he has a non-interest in this warrant; and having made this disclosure he is permitted to vote on this item.

Council Member Rudolph pulled the following items for separate consideration: Bagels and Brew, Incorporated and Bonanza Steam Cleaning, Incorporated.

Mayor Pro Tem Voigts pulled the following item for separate consideration: Kevin St. Clair.

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

Council Member Rudolph asked what service did Bagels and Brew provide for Police Services.

Staff reported it was for a manned command post following an officer involved shooting and robbery.

ACTION: On motion by Council Member Rudolph and second by Council Member Tetterer, the City Council approved the warrant

payable to Bagels and Brew, Incorporated. MOTION UNANIMOUSLY CARRIED.

Mayor Pro Tem Voigts asked for more details of the services provided by Kevin St. Clair.

Staff reported service provided holiday carolers for the senior community center.

ACTION: On motion by Mayor Pro Tem Voigts and second by Council Member Rudolph, the City Council approved the warrant payable to Kevin St. Clair. MOTION UNANIMOUSLY CARRIED.

Council Member Rudolph, in review of the warrant payable to Bonanza Steam Cleaning, asked for a report on the increased graffiti within the City.

ACTION: On motion by Council Member Rudolph and second by Council Member Tetterer, the City Council approved the warrant payable to Bonanza Steam Cleaning, Incorporated. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 7 - 11)

ACTION: On motion by Mayor Pro Tem Voigts and second by Council Member Tetterer, the City Council approved Consent Calendar Item Nos. *7-11. MOTION UNANIMOUSLY CARRIED.

- *7. WAIVE READING OF ORDINANCES AND RESOLUTIONS submitted by City Clerk.

ACTION: The City Council approved 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.

- *8. QUARTERLY SIX MONTH CONTRACT EXPIRATION NOTICE MEMORANDUM submitted by City Clerk. (F: 0400-05)

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

- *9. FIRST AMENDMENT TO AGREEMENT WITH RHA INC., FOR DESIGN SERVICES FOR RIMGATE AND TAMARISK PARK IMPROVEMENTS

submitted by Director of Community Services. (F: 0400-10)

ACTION: The City Council: 1. Approved the First Amendment to the Agreement with RHA Landscape Architects-Planners, Inc., for Design Services for Rimgate and Tamarisk Park Improvements. 2. Authorized the Mayor to sign the First Amendment with RHA Landscape Architects-Planners.

- *10. **NOTICE OF COMPLETION FOR SLURRY SEAL PROJECT ON VARIOUS STREETS PW 2009.08D** submitted by Assistant City Manager/Interim Director of Public Works/City Engineer. (F: 0400-10)

ACTION: The City Council: 1. Found that Rubberized Pavement Contractors, of Santa Fe Springs, California, has completed construction on the Slurry Seal Project on Various Streets PW 2009.08D. 2. Approved the Notice of Completion and authorized the Mayor to execute the document on behalf of the City. 3. Authorized the City Clerk to submit said Notice of Completion with the County Clerk-Recorder of Orange County, within 10 days of City Council approval as required by Section 3093 of the California Civil Code. 4. Authorized payment of the ten percent retention payment to the contractor in the amount of \$110,702.01, 30 days after the recording of the Notice of Completion, provided no Stop Notices are on file with the City preventing release of the retention payment.

- *11. **RESOLUTION OF SUPPORT FOR THE DESIGN PHASE OF THE EL TORO ROAD WIDENING PROJECT** submitted by Assistant City Manager/Interim Director of Public Works/City Engineer. (F: 0820-15)

ACTION: The City Council: 1. Adopted Resolution No. 2012-01 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, SUPPORTING THE SUBMITTAL OF AN IMPROVEMENT PROJECT APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY BY THE COUNTY OF ORANGE FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM. 2. Authorized the Mayor to sign and the City Clerk to attest the Resolution.

DISCUSSION/ACTION ITEMS:

12. **CITY MEMBERSHIP IN THE ASSOCIATION OF CALIFORNIA CITIES - ORANGE COUNTY** submitted by Assistant to City Manager. (F: 0140-15)

The staff report dated January 3, 2012 was introduced.

ACTION: On motion by Council Member Herzog and second by Council Member Tetterer, the City Council approved payment of the 2012 Association of California Cities – Orange County membership with Mayor McCullough and Council Member Rudolph opposed.

13. ANNUAL CITY COUNCIL APPOINTMENTS TO BOARDS, COMMITTEES, COMMISSIONS AND AGENCIES submitted by City Clerk. (F: 0410-20)

Mayor McCullough reviewed the Fair Political Practice Commission's ruling for voting procedures and recusal from the dais.

Council made Committee appointments as follows:

1. Appointment to California Joint Power Insurance Authority

Mayor McCullough opened nominations for the California Joint Power Insurance Authority.

Mayor Pro Tem Voigts nominated Council Member Rudolph for the Board of Directors of the California Joint Power Insurance Authority.

The City Council appointed Council Member Rudolph to the Board of Directors for the California Joint Power Insurance Authority to serve a one-year term. Motion Carried with Council Member Rudolph recused from the dais (abstained).

2. South Orange County Association of Mayors

There was no appointment necessary for this Committee.

3. Foothill/Eastern Transportation Corridor Agency

Mayor McCullough opened nominations for the Foothill/Eastern Transportation Corridor Agency.

Council Member Tetterer nominated Council Member Herzog for the Board of Directors of the Foothill/Eastern Transportation Corridor Agency.

Mayor McCullough nominated Mayor Pro Tem Voigts for the Board of Directors of the Foothill/Eastern Transportation Corridor Agency.

The City Council appointed Mayor Pro Tem Voigts for the Board of Directors of the Foothill/Eastern Transportation Corridor Agency. Motion carried with Mayor Pro Tem Voigts and Council Member Herzog recused from the dais (abstained).

Alternate

Mayor McCullough opened nominations for the Alternate for the Board of Directors of the Foothill/Eastern Transportation Corridor Agency.

Council Member Rudolph nominated Mayor McCullough for the Alternate for the Board of Directors of the Foothill/Eastern Transportation Corridor Agency.

Mayor McCullough nominated Council Member Herzog for the Alternate for the Board of Directors of the Foothill/Eastern Transportation Corridor Agency.

Mayor Pro Tem Voigts called the vote.

The City Council appointed Mayor McCullough for the Alternate for the Board of Directors of the Foothill/Eastern Transportation Corridor Agency. MOTION CARRIED with Mayor McCullough and Council Member Herzog recused from the dais (abstained).

4. Growth Management Area 9 Interjurisdictional Planning Forum

Mayor McCullough opened nominations for Growth Management Area 9 Interjurisdictional Planning Forum.

Council Member Rudolph nominated herself for the representative position of Growth Management Area 9 Interjurisdictional Planning Forum.

The City Council appointed Council Member Rudolph as representative to Growth Management Area 9 Interjurisdictional Planning Forum.

Alternate

Mayor McCullough opened nominations for Alternate to the Growth

Management Area 9 Interjurisdictional Planning Forum.

Mayor Pro Tem Voigts nominated himself as Alternate to the Growth Management Area 9 Interjurisdictional Planning Forum.

The City Council appointed Mayor Pro Tem Voigts as Alternate to the Growth Management Area 9 Interjurisdictional Planning Forum.

5. Upper Newport Bay Watershed Committee

Mayor McCullough opened the nominations for the Upper Newport Bay Watershed Committee.

Mayor Pro Tem Voigts nominated Mayor McCullough as Council representative to the Upper Newport Bay Watershed Committee.

The City Council appointed Mayor McCullough as representative to the Upper Newport Bay Watershed Committee.

Alternate

Mayor McCullough opened nominations for Alternate to the Upper Newport Bay Watershed Committee.

Council Member Rudolph nominated herself for Alternate to the Upper Newport Bay Watershed Committee.

The City Council appointed Council Member Rudolph for position of Alternate to the Upper Newport Bay Watershed Committee.

This item was taken out of order:

7. Orange County Public Library Advisory Board

Mayor McCullough opened the nominations for the Orange County Public Library Advisory Board.

Mayor Pro Tem Voigts nominated Mayor McCullough as representative to the Orange County Public Library Advisory Board.

The City Council appointed Mayor McCullough as representative to the Orange County Public Library Advisory Board.

Alternate

Mayor Pro Tem Voigts nominated Council Member Rudolph as Alternate to the Orange County Public Library Advisory Board.

The City Council appointed Council Member Rudolph as Alternate to the Orange County Public Library Advisory Board.

6. Orange County Fire Authority Appointment

Mayor McCullough opened the nominations.

Mayor McCullough nominated Council Member Tettermer as representative to the Orange County Fire Authority Board.

ACTION: On motion by Mayor McCullough and second by Council Member Rudolph, the City Council adopted Resolution No. 2012-02 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, DESIGNATING AND APPOINTING IT'S REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS. MOTION CARRIED with Council Member Tettermer recused (absent from the dais).

Alternate

Mayor Pro Tem Voigts nominated Council Member Rudolph for the position of alternate.

Council Member Tettermer nominated Council Member Herzog for the position of alternate.

RECESS: City Council recessed at 9:05 p.m.

RECONVENED: City Council reconvened at 9:09 p.m.

ACTION: On motion by Council Member Tettermer and second by Mayor McCullough, the City Council adopted Resolution No. 2012-03 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, DESIGNATING AND APPOINTING IT'S ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS. MOTION CARRIED with Council Member Rudolph opposed and Council Member Herzog recused (absent from the dais).

14. LEGISLATIVE AND REGULATORY MATTERS submitted by Assistant to City Manager. (F: 0480-75)

ACTION: On motion by Council Member Herzog and second by Council Member Tetterer, the City Council approved the Legislative Platform amended to support measures that restore to Redevelopment Agencies the authority and financing which existed in 2010. MOTION UNANIMOUSLY CARRIED.

15. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES, ASSOCIATION OF CALIFORNIA CITIES, ORANGE COUNTY AND/OR THE ORANGE COUNTY CITY SELECTION COMMITTEE submitted by City Clerk. (F: 0410-45)

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

CITY COUNCIL COMMENTS:

Council Member Herzog offered comments.

Council Member Rudolph offered comments.

Council Member Tetterer offered no comments.

Mayor Pro Tem Voigts offered comments.

Mayor McCullough offered comments.

ADJOURNMENT: 9:30 p.m.