

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
June 17, 2014

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:

5:40 p.m.

ROLL CALL: Council Members:

David A. Bass
Kathryn McCullough
Scott Voigts
Adam Nick
Dwight Robinson

Mayor Pro Tem:
Mayor:

City Manager:
City Attorney:
City Clerk:

Robert C. Dunek
Scott C. Smith
Stephanie D. Smith

CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: City Manager
2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representative: Mayor
Unrepresented employee: City Manager
3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: City Attorney

4. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representative: City Manager
Unrepresented employee: All Employees

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:50 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:00 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

INVOCATION: The Invocation was led by Father Bishoy Kamel of St. Marina Coptic Orthodox Church.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Council Member Voigts.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action. He noted a previous settlement agreement for Road Builders Incorporated was approved and executed by the City Council with a unanimous vote. The City Council also unanimously voted to award a bonus to the City Manager and once the authorization is executed, it will be a public document.

RECESS: City Council recessed at 7:03 p.m. for the purpose of conducting Lake Forest Housing Authority business.

RECONVENE: City Council reconvened at 7:04 p.m., with all Members present to continue regular City business.

PRESENTATIONS:

There were no items scheduled for Presentation.

PUBLIC COMMENTS:

The following members of the public offered comments: Randy Johnson and Jim Gardner.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 5)

5. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer.

ACTION: On motion by Council Member Bass and second by Council Member Voigts, the City Council approved the warrant register in the amount of \$4,643,320.07 as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 6 - 20)

ACTION: On motion by Council Member McCullough and second by Council Member Voigts, the City Council approved Consent Calendar Item Nos. *6-19. MOTION UNANIMOUSLY CARRIED.

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

ACTION: The City Council waived reading, by title only, 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.

- *7. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON MAY 6, 2014 AND THE JOINT BUDGET WORKSHOP HELD ON MAY 13, 2014, submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *8. MONTHLY TREASURER'S REPORT - MAY submitted by Director of Finance/City Treasurer.

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

- *9. CALIFORNIA CONSTITUTION ARTICLE XIII B APPROPRIATIONS LIMIT submitted by Director of Finance/City Treasurer.

ACTION: The City Council adopted Resolution No. 2014-20 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2014-15 IN THE AMOUNT OF \$96,800,687.

- *10. FIRST AMENDMENT WITH ECONOMICS INC., FOR SOLID WASTE PREPARATION AND ON-CALL SERVICES submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the First Amendment to the Agreement with EcoNomics, Inc., for additional solid waste preparation and on-call services, substantially in the form attached. 2. Authorized the Mayor and City Clerk to attest and execute the First Amendment to the Agreement with EcoNomics.

- *11. RENEWED MEASURE M SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the Renewed Measure M Seven-Year Capital Improvement Program for Fiscal Years 2014-15 through 2020-21. 2. Authorized the Director of Public Works to forward the approved Renewed Measure M Seven-Year Capital Improvement Program Eligibility Packet to the Orange County Transportation Authority.

- *12. NOTICE OF COMPLETION FOR RIMGATE AND TAMARISK PARK IMPROVEMENT PROJECT (PW 2009.14) submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Found that Lehman Construction, Inc., of Tustin, California has completed construction of the Rimgate and Tamarisk Park Improvement Project. 2. Approved the Notice of Completion and authorized the Mayor to execute the document on behalf of the City. 3. Authorized the release of the five percent retention payment to the contractor in the amount of \$121,631 30 days after the recording of the Notice of Completion, providing no Stop Notices are on file with the City preventing the release of the retention payment.

13. ACCEPTANCE OF PUBLIC AND PRIVATE IMPROVEMENTS AND RELEASE OF BONDS FOR TRACT MAP NO. 17525 submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Accepted the public and private improvements constructed by Shea Baker Ranch Associates, LLC, for Tract Map No. 17525. 2. Authorized the City Clerk to release the Subdivision Faithful Performance Bond and the Subdivision Labor and Materials Bond, both in the amount of \$3,025,000 for the public improvements consisting of the Baker Ranch Community Park, and

release the Subdivision Faithful Performance Bond and the Labor and Materials Bond, both in the amount of \$1,289,000 for the private improvements consisting of HOA Park C1. 3. Authorized the City Clerk to release the Subdivision Monument Bond in the amount of \$7,700 for establishment of monuments for Tract Map No. 17525. 4. Authorized the City Clerk to release both the public improvement and private improvement Subdivision Warranty Bond one year after acceptance of the private improvements, and with the concurrence of the Director of Public Works.

- *14. ACCEPTANCE OF PRIVATE IMPROVEMENTS AND RELEASE OF BONDS FOR TRACT MAP NO. 17527 submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Accepted the private improvements constructed by Shea Baker Ranch Associates, LLC, for Tract Map No. 17527. 2. Authorized the City Clerk to release the Subdivision Faithful Performance Bond and the Subdivision Labor and Materials Bond, both in the amount of \$450,000 for the private improvements consisting of HOA Park C2. 3. Authorized the City Clerk to release the Subdivision Warranty Bond one year after acceptance of the private improvements, and with the concurrence of the Director of Public Works.

- *15. ACCEPTANCE OF PRIVATE IMPROVEMENTS AND RELEASE OF BONDS FOR TRACT MAP NO. 17530 submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Accepted the private improvements constructed by Shea Baker Ranch Associates, LLC for Tract Map No. 17530. 2. Authorized the City Clerk to release the Subdivision Faithful Performance Bond and the Subdivision Labor and Materials Bond, both in the amount of \$400,000 for the private improvements consisting of HOA Park D. 3. Authorized the City Clerk to release the Subdivision Warranty Bond one year after acceptance of the private improvements, and with the concurrence of the Director of Public Works.

- *16. REQUEST FOR PROPOSALS FOR A SECURITY CAMERA SYSTEM submitted by Deputy City Manager/Director of Management Services.

ACTION: The City Council: 1. Approved the Request for Proposals for a Security Camera System, Maintenance and Ongoing System Support for the Lake Forest Sports Park and Recreation Center. 2. Authorized staff to solicit proposals for a Security Camera System, Maintenance and

Ongoing System Support for the Lake Forest Sports Park and Recreation Center.

- *17. AWARD OF CONTRACT FOR ELECTRICAL MAINTENANCE SERVICES submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Awarded a contract in the amount of \$312,952 to Thomas J. O'Connell, DBA Lake Forest Electric, Inc. of Trabuco Canyon, California, for Electrical Maintenance Services. 2. Authorized the Mayor to sign, and the City Clerk to attest, the award of contract to Thomas J. O'Connell, DBA Lake Forest Electric, Inc. substantially in the form attached.

- *18. AWARD OF CONTRACT FOR GRAFFITI REMOVAL AND STEAM CLEANING MAINTENANCE SERVICES submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved an award of contract in the amount of \$148,100 with Superior Property Services, Inc., of Pico Rivera, California, for Graffiti Removal and Steam Cleaning Services. 2. Authorized the Mayor to sign, and the City Clerk to attest the contract with Superior Property Services, Inc., substantially in the form attached.

- *19. AWARD OF CONTRACT FOR MEDIANS, PARKWAYS, AND SLOPES LANDSCAPE MAINTENANCE SERVICES submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the award of contract in the amount of \$2,658,443 to SpectrumCare Landscape, Inc., of Lake Forest, California, for Medians, Parkways, and Slopes Landscape Maintenance Services. 2. Authorized the Mayor to sign, and the City Clerk to attest the contract with SpectrumCare Landscape, Inc., substantially in the form attached.

PULLED CONSENT CALENDAR ITEM:

20. AGREEMENT WITH THE COUNTY OF ORANGE FOR LAW ENFORCEMENT SERVICES submitted by Chief of Police Services.

A member of the public pulled this item for separate consideration.

The following members of the public offered comments: Jim Gardner and Assistant Sheriff Don Barnes.

Council discussion ensued.

ACTION: On motion by Council Member Voigts and second by Council Member McCullough, the City Council approved and authorized the Mayor to sign the agreement with the County of Orange for Law Enforcement Services for Fiscal Year 2014-15. **MOTION UNANIMOUSLY CARRIED.**

PUBLIC HEARING(S):

21. **CHANGED PLAN 6-14-4509 FOR MODIFICATION TO SITE DEVELOPMENT PERMIT 2-12-2396 TO REVISE THE INTERIOR DIMENSIONS FOR TANDEM GARAGES** submitted by Director of Development Services.

City Manager Dunek introduced Director of Development Services Gayle Ackerman who presented the staff report dated June 17, 2014.

Cheryl Casanova, Development Director of Brookfield Residential, spoke on behalf of Brookfield and the project.

Mayor Robinson opened the Public Hearing for public comment.

The following member of the public offered comment: Jim Gardner.

Mayor Robinson closed the public portion of the Public Hearing.

Council discussion ensued.

ACTION: On motion by Mayor Robinson and second by Mayor Pro Tem Nick, the City Council: 1. Found that the proposed action is consistent with the Mitigated Negative Declaration adopted by the City Council on July 30, 2013 and that preparation of a subsequent Mitigated Negative Declaration is not required. 2. Adopted Resolution No. 2014-21 entitled: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING CHANGED PLAN 6-14-4509, A MODIFICATION TO SITE DEVELOPMENT PERMIT 2-12-2396 TO REVISE THE APPROVED DIMENSIONS FOR TANDEM GARAGES FOR THE BROOKFIELD MULTIFAMILY RESIDENTIAL PROJECT AT 61 AND 71 AUTO CENTER DRIVE (ACCESSOR'S PARCEL NUMBERS 612-161-11-12).** **MOTION CARRIED** with Council Member Bass and Council Member McCullough opposed.

DISCUSSION/ACTION ITEMS:

22. ADOPTION OF FISCAL YEAR 2014-15 OPERATING BUDGET submitted by Director of Finance/City Treasurer.

City Manager Dunek introduced Director of Finance Keith Neves who presented the staff report dated June 17, 2014.

Council discussion ensued.

ACTION: On motion by Council Member Bass and second by Council Member McCullough, the City Council: 1. Adopted Resolution No. 2014-22 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2014-15. 2. Adopted Resolution No. 2014-23 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 2013-14.

23. INTRODUCTION OF AN ORDINANCE ADDING CHAPTER 2.18 TO THE LAKE FOREST MUNICIPAL CODE RELATING TO THE REGULATION OF PROFESSIONAL LOBBYING ACTIVITIES BY ELECTED CITY OFFICIALS submitted by City Attorney.

City Manager Dunek introduced City Attorney Smith who presented the staff report dated June 17, 2014.

Council discussion ensued.

ACTION: On motion by Mayor Robinson and second by Mayor Pro Tem Nick, the City Council introduced Ordinance No. 261 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA ADDING CHAPTER 2.18 TO THE LAKE FOREST MUNICIPAL CODE RELATING TO THE REGULATION OF PROFESSIONAL LOBBYING ACTIVITIES BY ELECTED CITY OFFICIALS. MOTION UNANIMOUSLY CARRIED.

24. ORDINANCE REGARDING AMENDMENTS TO LAKE FOREST MUNICIPAL CODE CHAPTER 3.13 CONCERNING PUBLIC PROJECTS BIDDING AND PROCEDURES AND UPDATES TO CITY PURCHASING AND CONTRACT GUIDELINES submitted by Deputy City Manager/Director of Management Services.

City Manager Dunek introduced Deputy City Manager Rose who presented the staff report dated June 17, 2014.

Council discussion ensued.

Council Member Voigts left the dais at 8:06 p.m.

ACTION: On motion by Mayor Robinson and second by Mayor Pro Tem Nick, the City Council: 1. Introduced for first reading Ordinance No. 262 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING LAKE FOREST MUNICIPAL CODE CHAPTER 3.13, PUBLIC PROJECTS – BIDDING PROCEDURES, TO MODIFY INFORMATION BIDDING LIMITS CONSISTENT WITH THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT. 2. Approved the proposed Purchasing and Contract Guidelines in the form substantially submitted. **MOTION CARRIED** with Council Member Voigts absent.

25. DISCUSSION ON CITYWIDE WIRELESS COVERAGE submitted by Director of Development Services.

City Manager Dunek presented the staff report dated June 17, 2014.

Council Member Voigts returned to the dais at 8:12 p.m.

Council discussion ensued.

ACTION: On motion by Mayor Pro Tem Nick and second by Council Member Voigts, the City Council directed staff to provide the item to the Planning Commission for review and incorporate changes from the Federal Communications Commission (FCC). Staff will return the item to Council for final review. **MOTION UNANIMOUSLY CARRIED.**

26. REQUEST FOR APPOINTMENT - ORANGE COUNTY COUNCIL OF GOVERNMENTS submitted by City Clerk.

Staff report dated June 17, 2014 was introduced.

ACTION: On motion by Mayor Robinson and second by Council Member McCullough, the City Council moved to approve the appointment of Council Member Dave Bass to serve as the second alternate to Council Member Kathryn McCullough on the Orange County Council of Governments. **MOTION UNANIMOUSLY CARRIED.**

CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

CITY COUNCIL COMMENTS:

Council Member Bass offered comments.

Council Member McCullough offered comments.

Council Member Voigts offered comments.

Mayor Pro Tem Nick offered comments.

Mayor Robinson offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 8:29 p.m.