

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
December 21, 2010

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:

7:03 p.m.

ROLL CALL: Council Members:

Kathryn McCullough

Marcia Rudolph

Scott Voigts

Mayor Pro Tem:

Mark Tettermer

Mayor:

Peter Herzog

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 Pro Tem Tettermer.

CLOSED SESSION REPORT:

City Attorney Smith reported there was no Closed Session.

PRESENTATIONS:

1. EMPLOYEE SERVICE AWARDS submitted by Deputy City Manager/Director of Management Services. (F: 48.2)

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the request as submitted and made presentations to those present. MOTION UNANIMOUSLY CARRIED.

2. REPORT BY INVESTMENT OVERSIGHT REVIEWER QUARTER ENDED SEPTEMBER 30, 2010 submitted by Director of Finance/City Treasurer. (F: 30.10A)

ACTION: The City Council received and filed the report from Kathryn Beseau with the firm of Macias, Gini & O'Connell LLP.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

John Heffel, Student Liaison from El Toro High School, presented his report.

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:

There were no comments from the public.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 3)

3. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer. (F: 30.11)

Council Member Rudolph pulled the following warrants for separate consideration: Ameci Pizza and Pasta, League of California Cities, and Sunrise Bagel.

Mayor Pro Tem Tettermer 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.

ACTION: On motion by Mayor Pro Tem Tetterer and second by Council Member McCullough, the City Council approved the balance of the warrant register in the amount of \$1,832,956.98 as submitted. MOTION UNANIMOUSLY CARRIED.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant for Ameci Pizza and Pasta. MOTION UNANIMOUSLY CARRIED.

ACTION: On motion by Council Member Rudolph and second by Mayor Herzog, the City Council approved the warrant for League of California Cities. MOTION UNANIMOUSLY CARRIED.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant for Sunrise Bagel. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 4 - 16)

ACTION: On motion by Mayor Pro Tem Tetterer and second by Council Member McCullough, the City Council approved Consent Calendar Item Nos. *4-10,12, 14-15. MOTION UNANIMOUSLY CARRIED.

- *4. 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.

- *5. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON NOVEMBER 16, 2010 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *6. MONTHLY TREASURER'S REPORT - NOVEMBER submitted by Director of Finance/City Treasurer. (F: 30.12)

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

- *7. 2009-2011 CAPITAL IMPROVEMENT PROJECTS BUDGET REVIEW submitted by Director of Finance/City Treasurer. (F: 30.8)

ACTION: The City Council: 1. Adopted Resolution No. 2010-48 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE CAPITAL IMPROVEMENT PROJECTS BUDGET FOR 2009-11. 2. Approved adjustments to estimated revenues as noted in section "Proposed Estimated Revenue Adjustments."

- *8. AWARD OF CONTRACT FOR FINANCIAL ADVISORY SERVICES submitted by Director of Finance/City Engineer. (F: 48.8E1)

ACTION: The City Council: 1. Approved the selection of Fieldman Rolapp & Associates to provide Financial Advisory Services. 2. Authorized the Mayor to sign, and the City Clerk attest, the agreement with Fieldman Rolapp & Associates.

- *9. HUMAN RESOURCES CONSULTING SERVICES SIX MONTH EXPIRATION NOTICE AND REQUEST FOR PROPOSAL FOR HUMAN RESOURCES CONSULTING SERVICES submitted by Deputy City Manager/Director of Management Services. (F: 48.8)

ACTION: The City Council: 1. Received and filed the six month expiration notice. 2. Approved the Request for Proposal for Human Resources Consulting Services. 3. Authorized staff to solicit proposals for Human Resources Consulting Services.

- *10. CONTRACT AWARD FOR CITY HALL JANITORIAL SERVICES submitted by Director of Public Works/City Engineer. (F: 52.3A2)

ACTION: The City Council: 1. Awarded a contract in the amount of \$30,956.52, to Pacific Building Care of Costa Mesa, California, to provide City Hall janitorial maintenance services. 2. Authorized the Mayor to execute an agreement with Pacific Building Care, substantially in the form attached.

- *12. CONTRACT AWARD FOR TREE SERVICES submitted by Director of Public Works/City Engineer. (F: 34.4A)

ACTION: The City Council: 1. Awarded a contract in the amount of \$163,078, to West Coast Arborists, Inc., of Anaheim, California, for tree services. 2. Upon receipt of the executed contract documents from West Coast Arborists, rejected all other bids received and authorized return of the Bid Bonds. 3. Authorized the Mayor to sign, and City Clerk to attest, the contract with West Coast Arborists, Inc., substantially in the form attached.

- *14. COOPERATIVE AGREEMENTS WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR TRANSPORTATION ENHANCEMENT (TE) ACTIVITY GRANTS submitted by Director of Public Works/City Engineer. (F: 32.16)

ACTION: The City Council: 1. Approved cooperative agreements with the Orange County Transportation Authority (OCTA) for Transportation Enhancement Activity Grant Funds under the 2005 Safe, Accountable, Flexible, Efficient, Transportation Act - Legacy for Users for the Rockfield Boulevard, Jeronimo Road, and El Toro Road Streetscape Projects. 2. Authorized the Mayor to sign, and the City Clerk to attest the agreements substantially in the form attached.

- *15. LOCAL TRAFFIC SIGNAL SYNCHRONIZATION PLAN FOR THE CITY OF LAKE FOREST submitted by Director of Public Works/City Engineer. (F: 66.8A PW 2009.08A)

ACTION: The City Council adopted Resolution No. 2010-49 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING A LOCAL TRAFFIC SIGNAL SYNCHRONIZATION PLAN FOR THE CITY OF LAKE FOREST.

PULLED CONSENT CALENDARS:

11. CONTRACT AWARD FOR LANDSCAPE MAINTENANCE OF MEDIANS, PARKWAYS AND SLOPES submitted by Director of Finance/City Treasurer. (F: 34.2A)

This item was pulled for separate consideration by a member of the public.

ACTION: On motion by Council Member Rudolph and second by Mayor Herzog, the City Council: 1. Rejected the low bid in the amount of \$641,937.58 received from Pacific West Land Care, Inc., as a non-responsive bid. 2. Accepted the bid from SpectrumCare Landscape Inc., for the landscape maintenance of medians, parkways and slopes, and awarded a maintenance contract for an annual not-to-exceed amount of \$660,497.50. 3. Authorized the Mayor to sign, and the City Clerk to attest, the contract with SpectrumCare Landscape, Inc., substantially in the form attached. 4. Upon receipt of the executed contract documents from SpectrumCare Landscape Inc., rejected all other bids received and authorized return of the bid bonds. **MOTION UNANIMOUSLY CARRIED.**

Council Member Rudolph left the dais at 8:00 p.m.

13. **AGREEMENT NO. D10-050 WITH THE ORANGE COUNTY FLOOD CONTROL DISTRICT FOR WATER QUALITY ACTIVITIES** submitted by Director of Public Works/City Engineer. (F: 69.13C)

This item was pulled by Mayor Herzog for separate consideration.

ACTION: On motion by Mayor Herzog and second by Council Member McCullough, the City Council: 1. Approved the Water Quality Implementation Agreement, substantially in the form attached. 2. Authorized the Mayor to execute the agreement and the City Clerk to attest. **MOTION CARRIED** with Council Member Rudolph absent.

Council Member Rudolph returned to the dais at 8:04 p.m.

16. **2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM** submitted by Chief of Police Services. (F: 32.21)

This item was pulled by Council Member Rudolph for separate consideration.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Tettemer, the City Council authorized the City Manager to approve the Agreement to Transfer Funds for the 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. **MOTION UNANIMOUSLY CARRIED.**

DISCUSSION/ACTION ITEMS:

17. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING TITLE 15, CHAPTER 15.14, REGARDING STORMWATER QUALITY MANAGEMENT submitted by Director of Public Works/City Engineer. (F: 69.13C)

Staff report dated December 21, 2010 was introduced.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Tettemer, the City Council Introduced Ordinance No. 221 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING TITLE 15, CHAPTER 15.14, REGARDING STORMWATER QUALITY MANAGEMENT. MOTION UNANIMOUSLY CARRIED.

18. TRAVEL POLICY UPDATE submitted by Deputy City Manager/Director of Management Services. (F: 51.2A24)

ACTION: On motion by Council Member Rudolph and second by Mayor Herzog, the City Council provided direction regarding updates to the travel policy. MOTION UNANIMOUSLY CARRIED.

19. CELEBRATION OF THE CITY'S 20 YEAR ANNIVERSARY submitted by Deputy City Manager/Director of Management Services. (F: 63.3C)

ACTION: The City Council provided direction to staff.

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

ACTION: On motion by Mayor Herzog and second by Council Member Tettemer, the City Council adopted the 2011 Legislative Platform.

21. REQUEST FOR APPOINTMENT - 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 presented no comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Council Member Voigts offered comments.

Mayor Pro Tem Tetteimer offered comments.

Mayor Herzog offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 9:00 p.m.