

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
November 6, 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:

5:43 p.m.

ROLL CALL: Council Members:

Peter Herzog
Marcia Rudolph
Mark Tetterer

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

Mayor McCullough arrived at 6:45 p.m. and did not join the Closed Session meeting.

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation
Pursuant to subdivision (b) Government Code Section 54956.9
Number of potential cases: 2
2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of Litigation
Pursuant to subdivision (c) Government Code Section 54956.9
Number of potential cases: 1
3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to subdivision (a) of Government Code Section 54956.9

Case Name: John Doe v. City of Costa Mesa, City of Huntington Beach,
City of Lake Forest, et al.
Case Number: United States District Court, Central District, Case No.
8:12-CV-01665-AG-RNB

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

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the Flag of our Country was led by Council Member Herzog.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

4. REPORT BY INVESTMENT OVERSIGHT REVIEWER - QUARTER ENDING SEPTEMBER 30, 2012 submitted by Director of Finance/City Treasurer.

ACTION: The City Council received and filed the Oversight Review Report for the quarter ending September 30, 2012, from Kathy V. Lai with the firm of Macias, Gini & O'Connell.

REPORT FROM STUDENT LIAISON:

Jens Personius, Student Liaison from El Toro High School, was not present.

PUBLIC COMMENTS:

The following members of the public offered comments: David Rosales, Marilyn MacDougall, and Herb Chatterton.

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

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

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 warrants for separate consideration: Association of California Cities and Orange County (ACC-OC), and AT&T CALNET2.

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

Council Member Rudolph inquired to the purpose of the warrant payable for the Golden Hub Award Event for the ACC-OC.

Staff reported it was a dinner/award ceremony for City Innovation.

ACTION: On motion by Council Member Rudolph and second by Council Member Herzog, the City Council approved the warrant payable to Association of California Cities, Orange County.

Council Member Rudolph reported the AT&T CALNET2 warrant was reimbursed to the City for her use during the election season.

ACTION: On motion by Council Member Rudolph and second by Council Member Herzog, the City Council approved the warrant payable to ATT&T CALNET2. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 6 - 15)

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem Voigts, the City Council approved Consent Calendar Item Nos. *6-12 and *14-15. MOTION CARRIED with Council Member Tetterer abstaining Agenda Item No. 12.

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

ACTION: The City Council approved the 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 OCTOBER 2, 2012 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *8. ADOPT ORDINANCE NO. 247 - AMEND TITLES 5, 7, AND 9 OF THE CITY OF LAKE FOREST MUNICIPAL CODE submitted by City Clerk.

ACTION: The City Council: 1. Conducted the second reading of Ordinance No. 247 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST CALIFORNIA, AMENDING VARIOUS PROVISIONS IN TITLES 5, 7, AND 9 OF THE LAKE FOREST MUNICIPAL CODE. 2. Adopted Ordinance No. 247.

- *9. CITY COUNCIL MEETING CALENDAR 2013 submitted by City Clerk.

ACTION: The City Council approved the City Council Meeting Calendar for 2013 to include a Budget Workshop on Tuesday, May 14, 2013 and the cancellation of the January 2, 2013, Regular City Council Meeting.

- *10. CITY FINANCIAL REPORTS - QUARTER ENDED JUNE 30, 2012 submitted by Director of Finance/City Treasurer.

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

- *11. MICROSOFT OFFICE 2010 SOFTWARE PURCHASE submitted by Deputy City Manager/Director of Management Services.

ACTION: The City Council approved the purchase of 125 Microsoft Office 2010 licenses from Softchoice totaling \$33,168.

- *12. MASTER REIMBURSEMENT AGREEMENT WITH IRVINE RANCH WATER DISTRICT FOR CITY STREET IMPROVEMENT PROJECTS submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the Master Reimbursement Agreement with the Irvine Ranch Water District (IRWD) for work conducted on IRWD facilities as part of future City Street Improvement Projects. 2. Authorized the Mayor to sign, and the City Clerk to attest, the Master Reimbursement Agreement substantially in the form attached.

- *14. COMPLETION REPORT FOR TRAFFIC SIGNAL SYNCHRONIZATION PHASE 1 AND 2 PROJECTS submitted by Director of Public Works/City Engineer.

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

- *15. MEASURE (M2) COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM GRANT APPLICATIONS FOR TRAFFIC SIGNAL SYNCHRONIZATION PHASE 3 submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Adopted Resolution No. 2012-58 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE SUBMISSION OF FIVE IMPROVEMENT PROJECTS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE MEASURE M2 REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM. 2. Authorized the City's Director of Public Works/City Engineer to send a certified copy of the Resolution for the City of Lake Forest to the lead agency cities of Mission Viejo and Irvine.

PULLED CONSENT CALENDAR ITEM:

- 13. STATUS OF COMPLIANCE WITH NPDES STORMWATER PERMITS FIRST QUARTER FISCAL YEAR 2012-2013 submitted by Director of Public Works/City Engineer.

Council Member Rudolph pulled this item for separate consideration. She complimented staff's preparation of a comprehensive report.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Voigts, the City Council received and filed the report as submitted.

DISCUSSION/ACTION ITEMS:

16. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES, ASSOCIATION OF CALIFORNIA CITIES, ORANGE COUNTRY AND/OR THE ORANGE COUNTY CITY SELECTION COMMITTEE submitted by City Clerk.

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

CITY COUNCIL COMMENTS:

Council Member Herzog offered no comments.

Council Member Rudolph offered comments.

Council Member Tetteimer offered comments.

Mayor Pro Tem Voigts offered comments.

Mayor McCullough offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 7:43 p.m.