

MINUTES OF A REGULAR MEETING  
OF THE LAKE FOREST CITY COUNCIL

The regular meeting of the Lake Forest City Council held December 3, 2013 at the Lake Forest Council Chamber, 25550 Commercentre Drive, Lake Forest, California 92630 was called to order at 7:00 p.m.

ROLL CALL:

Council Members:	Adam Nick Dwight Robinson
Mayor Pro Tem: Mayor	Kathryn McCullough Scott Voigts
City Manager:	Robert C. Dunek
City Attorney:	Scott C. Smith
City Clerk:	Stephanie D. Smith

PUBLIC SESSION

INVOCATION: The Invocation was led by Mayor Voigts.

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

CLOSED SESSION:

There were no items scheduled for Closed Session.

PRESENTATIONS:

There were no items scheduled for Presentation.

REPORT FROM STUDENT LIAISON:

Jeff Domenech, Student Liaison from El Toro High School, presented his report.

PUBLIC COMMENTS:

The following members of the public offered comments:

Gregory Spague, Lake Forest resident, addressed the City Hall display of the American flag. He also expressed his opposition to police officers patrolling on bicycles. He spoke of his concern of neighbors and their lack of compliance to vehicle registration laws.

Marcia Rudolph, Lake Forest resident, provided staff with the annual report issued by the Orange County Child Care Development and Planning Council.

Heiko Peschel, Lake Forest resident, spoke regarding asphalt resurfacing in Foothill Ranch. He asked if street sweeping could be scheduled later in the day when there are fewer cars parked in the street.

Chuck Waychoff, Lake Forest resident, addressed a possible illegal vacation rental home business in his neighborhood. He praised the City's Code Enforcement team for their efforts.

Nancy Cagley, Lake Forest resident, invited the Council to the Sun and Sail Women's Club New Year's Eve party.

The following item was heard out of order.

9. 2014 LEGISLATIVE PLATFORM submitted by City Manager.

Senior Management Analyst Carlo Tomaino introduced the staff report dated December 3, 2013. He introduced Mr. David Jones of Emanuels Jones & Associates.

Mr. Jones summarized Emanuels Jones & Associates' scope of work provided to the City of Lake Forest. He reviewed recent changes in state law, commented on the state's revenue and forecast for the next few years, and reviewed significant bills presented during the recent legislative session. He responded to various questions from Council including the 2014 election ballot, CEQA reform, and a proposed ban on plastic bags. He also discussed a replacement mechanism for the dissolved redevelopment agencies noting the idea isn't currently supported by the governor.

Council Member Robinson commented on local government control and cities' ability to maintain its local tax base.

Mr. Jones suggested term limits could have an effect on local controls in the future.

Mayor Voigts expressed concern that the State of California will waste its surplus monies before paying unfunded mandated bills.

Mr. Jones stated the governor is committed to not adding back rampant spending.

Mayor Pro Tem McCullough commented on subjects of concern including carpool lanes being converted into toll lanes, early inmate release, redevelopment money and proposed water bonds. She asked Mr. Jones to keep the Council informed on these issues.

MOTION: On motion by Mayor Pro Tem McCullough and second by Council Member Robinson, the City Council adopted the 2014 Legislative Platform. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 1)

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

MOTION: On motion by Council Member Robinson and second by Mayor Pro Tem McCullough, the City Council approved the warrant register in the amount of \$4,435,465.80 as submitted. MOTION CARRIED with Council Member Nick abstained on the warrant payable to Cummins and White, LLP.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 2-8)

MOTION: On motion by Council Member Robinson and second by Mayor Voigts, the City Council approved Consent Calendar Item Nos. \*2, \*4, and \*6-8. MOTION UNANIMOUSLY CARRIED.

- \*2. 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.

- \*4. FISCAL YEAR 2013-14 FIRST QUARTER TRAVEL AND MEETING EXPENSES - JULY 1, 2013 - SEPTEMBER 30, 2013 submitted by City Clerk.

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

- \*6. REQUEST FOR PROPOSALS FOR PROCESSING AND TREATMENT OF FOSSILS COLLECTED DURING THE GRADING PHASE OF THE SPORTS PARK PROJECT submitted by Director of Development Services.

ACTION: The City Council: 1. Approved the attached Request for Proposals for processing and treatment of fossils collected from the Lake Forest Sports Park site. 2. Authorized staff to solicit proposals for these services.

- \*7. NOTICE OF COMPLETION FOR THE ADA ACCESS RAMP IMPROVEMENTS - PHASE VI submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Found that Mora's Equipment and Construction ("MEC") completed construction of the ADA Access Ramp Improvements-Phase VI (PW 2011.03). 2. Approved the Notice of Completion and authorized the Mayor to execute the document

on behalf of the City. 3. Authorized release of the five percent retention payment to the contractor in the amount of \$6,471.44, thirty days after the recording of the Notice of Completion, provided no Stop Notices are on file with the City preventing its release.

- \*8. FIRST AMENDMENT TO AGREEMENT WITH ICF INTERNATIONAL FOR CONSULTANT SERVICES TO PROVIDE REGULATORY SUPPORT SERVICES FOR THE PROPOSED CIVIC CENTER PROJECT submitted by Director of Development Services.

ACTION: The City Council: 1. Approved the First Amendment to the agreement with ICF International, substantially in the form attached. 2. Authorized the Mayor to sign the First Amendment with ICF International.

PULLED CONSENT CALENDAR ITEMS:

- 3. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON NOVEMBER 5, 2013, submitted by City Clerk.

Mayor Pro Tem McCullough pulled this item for separate consideration. She stated she had an excused absence for the November 5, 2013 Closed Session meeting and asked that the Minutes be amended to reflect it.

MOTION: On motion by Mayor Pro Tem McCullough and second by Council Member Robinson, the City Council approved the Minutes as amended to excuse Mayor Pro Tem McCullough from Closed Session on November 5, 2013. MOTION UNANIMOUSLY CARRIED.

- 5. CITY FINANCIAL REPORTS - QUARTER ENDED JUNE 30, 2013 submitted by Director of Finance/City Treasurer.

Council Member Robinson pulled this item for separate consideration. He reviewed and summarized the 2013 budget commending staff for being fiscally responsible.

MOTION: On motion by Council Member Robinson and second by Mayor Pro Tem McCullough, the City Council received and filed the report as submitted. MOTION UNANIMOUSLY CARRIED.

DISCUSSION/ACTION ITEMS:

- 10. DISCUSSION AND DETERMINATION OF APPLICANT INTERVIEW PROCESS FOR CITY COUNCIL CANDIDATES submitted by City Clerk.

City Manager Dunek presented the report dated December 3, 2013. He noted Council sought direction for the procedure. He summarized the staff report noting the method gave three options, comprehensive of all candidates, single elimination and a comprehensive elimination. He confirmed the deadline to select a council member is

December 14, 2013, suggested the Council to set special meetings to conduct interviews, and appoint an individual to fill the vacant seat.

Mayor Voigts stated Council could interview all twelve candidates noting Council had already reviewed the extensive applications before them. He emphasized Council's focus in selecting a viable Council Member is critical to avoid a costly special election in 2014.

City Manager Dunek confirmed it will require three Council Members to vote on a single candidate.

Mayor Pro Tem McCullough stated Council needs an elimination process, not a continual repeat of the vote if a viable candidate is not selected. She asked for clarification of the selection process.

Council Member Nick stated the deliberative process creating tiers is his method of choice.

Council discussion continued.

Mayor Pro Tem McCullough suggested sequestering the applicants prior to their interview.

City Manager Dunek reviewed the time element of the interviews recommending Council commit to fifteen minute intervals for each candidate. He suggested scheduling a special council meeting the following week. He also suggested staff will provide a ballot format as used for the selection of commissioners. He continued the City Clerk will read the ballot and if a successful appointment occurs it will be announced. It is possible there might be a need for two to three ballots, whereas staff can provide a recommendation or formula to reduce the applicants for example by those receiving the fewest votes.

Council Member Nick suggested if there is an impasse, Council could resort to the deliberative process.

Mayor Voigts stated if the Council votes bring the selection to an impasse, Council could create a tiered system to narrow the selection field.

Mayor Pro Tem McCullough stated she needed clarification if a council member abstains.

City Manager Dunek stated the balloting would ensue with three Council Members voting.

Mayor Voigts asked for consensus to interview each applicant providing them with five minutes of opening remarks, encouraging candidates to present vital information not already provided in resume packets. He recommended staff prepare a report outlining the details of the selection process along with recommended meeting dates.

CONSENSUS: City Council will hold a special council meeting Tuesday, December 10, 2013 at 5:30 p.m. with the option to adjourn to Wednesday, December 11 as needed. Applicants will be sequestered before their interview. Interviews will include all twelve applicants, each provided four minute opening remarks with Council interviews to follow.

ACTION: The City Council reviewed the applicant interview process options and directed staff to schedule Tuesday, December 10, a special council meeting date to hold interviews of all twelve applicants, selected method for interviews to include all applicants, at intervals of 15 minutes per applicant, sequestered before their interview, with voting by ballot to fill the appointment of an individual to the vacant city council office.

11. 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.

ACTION: The City Council made no appointments.

#### CITY COUNCIL CEREMONIAL ITEMS

12. SELECTION OF MAYOR AND MAYOR PRO TEM FOR THE ENSUING YEAR submitted by City Clerk.

Staff report dated December 3, 2013 was introduced.

MOTION: On motion by Mayor Voigts and second by Council Member Nick, the City Council continued the selection of Mayor and Mayor Pro Tem to the December 17, 2013 City Council meeting to include the newly selected Council Member. MOTION UNANIMOUSLY CARRIED.

#### CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

#### CITY COUNCIL COMMENTS:

Council Member Nick thanked those who attended the meeting.

Council Member Robinson thanked those in attendance of the meeting.

Mayor Pro Tem McCullough in accordance with AB 1234, reported attending the Orange County Council of Governments meeting (OCCOG) and the Orange County Fire Authority Board meeting (OCFA).

Mayor Voigts thanked those who attended the meeting and noted Doctor's Ambulance Service will provide transportation services to the elderly during the holidays. He

reported attending the Heritage Hill Victorian Christmas event, the Lake Forest Chamber of Commerce mixer, and wished everyone a Merry Christmas, Happy Hanukkah, and a Happy New Year.

ADJOURNMENT:

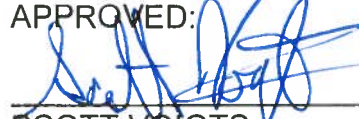
The City Council of the City of Lake Forest adjourned at 8:32 p.m.

Respectfully submitted:

APPROVED:



STEPHANIE D. SMITH, CMC  
CITY CLERK



SCOTT VOIGTS  
MAYOR