

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
January 4, 2011

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:

6:10 p.m.

ROLL CALL: Council Members:

Kathryn McCullough

Marcia Rudolph

Scott Voigts

Mayor Pro Tem:

Mark Tettemer

Mayor:

Peter Herzog

City Manager:

Robert C. Dunek

City Attorney:

Scott C. Smith

City Clerk:

Stephanie D. Smith

CLOSED SESSION (F: !6.3)

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Existing Litigation

Number of Cases: 1

City of Lake Forest v. De La Cuesta, et al. (Consolidated Case No. 30-2009 00298887)

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 7:02 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:08 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 McCullough.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action taken.

PRESENTATIONS:

2. COMMENDATION TO TIM HUGHES, 2010 PLANNING COMMISSION CHAIRPERSON submitted by City Clerk. (F: 55.4)

ACTION: On motion by Mayor Pro Tem Tettemer and second by Council Member McCullough, the City Council approved the Commendation for Planning Commission Chair Tim Hughes as submitted. MOTION UNANIMOUSLY CARRIED.

3. COMMENDATION FOR STEVE MANNING, 2010 PARKS AND RECREATION COMMISSION CHAIRPERSON submitted by City Clerk. (F: 55.4)

ACTION: On motion by Mayor Pro Tem Tettemer and second by Council Member McCullough, the City Council approved and presented the Commendation to Parks and Recreation Commission Chair Steve Manning as submitted. MOTION UNANIMOUSLY CARRIED.

CITY COUNCIL CEREMONIAL ITEMS

4. COMMENTS BY NEW MAYOR submitted by City Clerk. (F: 26.9)

ACTION: Mayor Herzog presented comments.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

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

RECESS: City Council recessed at 7:28 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:29 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS:

The public offered no comments.

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

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

Council Member McCullough pulled the warrant for Lake Forest Electric for separate consideration.

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

Council Member inquired to the tracking of the expense for vandalism to various city outlets.

Staff reported monitoring is in place for various types of vandalism and costs.

MOTION: On motion by Council Member McCullough and second by Mayor Pro Tem Tetterer, the City Council approved the warrant payable to Lake Forest Electric. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 6 - 12)

MOTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Tetterer, the City Council approved Consent Calendar Item Nos. *6-9 and *11-12 as submitted. MOTION UNANIMOUSLY CARRIED.

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

ACTION: The City Council approved the reading 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 DECEMBER 7, 2010 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *8. ADOPTION OF ORDINANCE 221 submitted by City Clerk. (F: 69.13C)

ACTION: The City Council: 1. Conducted the second reading of 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. 2. Adopted Ordinance 221.

- *9. REQUEST FOR PROPOSAL FOR FINANCIAL AND SPECIAL AUDIT SERVICES submitted by Director of Finance/City Treasurer. (F: 30.2)

ACTION: The City Council: 1. Approved the Request for Proposal for Financial and Special Audit Services. 2. Authorized staff to solicit and receive proposals for these services.

- *11. REQUEST FOR PROPOSALS FOR PARK AND PLAYGROUND SAFETY INSPECTION SERVICES submitted by Director of Public Works/City Engineer. (F: 34.3E)

ACTION: The City Council: 1. Approved the Request for Proposals for Park and Playground Inspection Services. 2. Authorized staff to solicit proposals for these services.

- *12. NOTICE OF COMPLETION: STREET RESURFACING PROJECT ON VARIOUS CITY STREETS (PW 2009.08A) submitted by Director of Public Works/City Engineer. (F: 64.4A PW 2009.08A)

ACTION: The City Council: 1. Found that All American Asphalt, of Corona, California, has completed construction of the Street Resurfacing Project on Various Streets (PW 2009.08A). 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 for recordation with the County Recorder of Orange County, within 10 days of City Council approval, as required by Section 3093 of

the California Civil Code. 4. Authorized payment to the contractor of the ten percent retention, in the amount of \$91,049.17, 30 days after the recording date of the Notice of Completion, providing no Stop Notices are on file with the City preventing the release of the final payment.

PULLED CONSENT CALENDAR ITEMS:

10. **SECOND CONTRACT EXTENSION FOR STREET SWEEPING SERVICES** submitted by Director of Public Works/City Engineer. (F: 64.5A)

Council Member McCullough pulled this item for separate consideration.

ACTION: On motion by Council Member McCullough and second by Mayor Pro Tem Tettemer, the City Council: 1. Approved the Second Amendment to Agreement for Street Sweeping Services with Jonset Corporation dba Sunset Property Services. 2. Authorized the Mayor to sign, and the City Clerk to attest, the Second Amendment substantially in the form attached. **MOTION UNANIMOUSLY CARRIED.**

DISCUSSION/ACTION ITEMS:

13. **AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ESTABLISHING A MORATORIUM ON PERMITS FOR THE ESTABLISHMENT AND OPERATION OF ADULT BUSINESSES PURSUANT TO GOVERNMENT CODE SECTION 65858** submitted by City Attorney. (F: 50.9A)

ACTION: On motion by Mayor Pro Tem Tettemer and second by Council Member McCullough, the City Council adopted Urgency Ordinance No. 222 entitled: **AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ESTABLISHING A MORATORIUM ON PERMITS FOR THE ESTABLISHMENT AND OPERATION OF ADULT BUSINESSES PURSUANT TO GOVERNMENT CODE SECTION 65858.** **MOTION UNANIMOUSLY CARRIED.**

14. **COMMISSION APPLICANT INTERVIEWS AND APPOINTMENT PROCESS - PARKS AND RECREATION COMMISSION** submitted by City Clerk. (F: 23.6A)

ACTION: Applicants for the Parks & Recreation Commission made a

presentation to the City Council. Upon completion of the applicant's presentation, the City Council conducted its interviews. At the conclusion of all interviews, by consensus of the City Council, Loretta Herrin, Steve Manning and Jim Rosenberg were selected to serve as the Parks and Recreation Commissioners until December 2014.

15. ANNUAL CITY COUNCIL APPOINTMENTS TO BOARDS, COMMITTEES, COMMISSIONS AND AGENCIES submitted by City Clerk. (F: 23.2)

ACTION: The City Council made appointments to various committees.

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

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

17. 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 no comments.

Mayor Herzog offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 9:25 p.m.