

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
October 2, 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:

5:40 p.m.

ROLL CALL: Council Members:

Peter Herzog
Marcia Rudolph
Mark Tettermer

Mayor Pro Tem:
Mayor:

Scott Voigts
Kathryn McCullough

City Manager:
City Attorney:
City Clerk:

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

CLOSED SESSION (F: 0410-30)

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

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:53 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:01 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 Tettermer.

CLOSED SESSION REPORT: (F: 0410-30)

City Attorney Smith stated there was no reportable action. The Council added one threat of litigation for consideration, finding it arose after the posting of the agenda and needed immediate consideration by Council before the next Council meeting.

PRESENTATIONS:

There were no items scheduled for Presentation.

REPORT FROM STUDENT LIAISON: (F: 0150-65)

Jens Personius, Student Liaison from El Toro High School, presented his report.

PUBLIC COMMENTS: (F: 0410-35)

The following members of the public offered comments: Colleen Costelo and Elizabeth Wallace.

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

3. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer. (F: 0300-30)

Council Member 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 Voigts and second by Council Member Rudolph, the City Council approved the warrant register in the amount of \$566,053.62 as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 4 - 14)

ACTION: On motion by Council Member Herzog and second by Council Member Tettermer, the City Council approved Consent Calendar Item Nos. *4-14. MOTION CARRIED with Mayor Pro Tem Voigts abstaining on Item No. 11, due to the proximity of the improvements to his primary residence.

- *4. 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.

- *5. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON SEPTEMBER 4, 2012 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *6. AGREEMENT FOR PRINTER MANAGEMENT SERVICES submitted by Deputy City Manager/Director of Management Services. (F: 0400-10)

ACTION: The City Council approved the Total Service Management Agreement with Mr. Copy for service and maintenance of the City's printers.

- *7. CONSTRUCTION CONTRACT AWARD FOR ADA ACCESS RAMP IMPROVEMENTS-PHASE V (PW 2010.01) submitted by Director of Public Works/City Engineer. (F: 0400-10)

ACTION: The City Council: 1. Awarded a contract in the amount of \$181,450 to Rakan, Inc., of Tustin, California, for construction of the ADA Access Ramp Improvements-Phase V (PW 2010.01). 2. Upon receipt of the executed contract documents from Rakan, Inc., rejected all other bids received and authorized return of the bid bonds. 3. Authorized the Mayor to sign, and the City Clerk to attest the contract with Rakan, Inc. 4. Authorized the City Manager to approve contract change orders up to

a maximum ten percent of the contract amount. MOTION UNANIMOUSLY CARRIED.

- *9. AWARD OF CONTRACT FOR PARK MAINTENANCE SERVICES submitted by Director of Public Works/City Engineer. (F: 0400-10)

ACTION: The City Council: 1. Awarded a contract, in an annual not-to-exceed amount of \$784,484.83, to Nieves Landscape, Inc., of Santa Ana, California, for park maintenance services, substantially in the form attached. 2. Upon receipt of the executed contract documents from Nieves, rejected all other bids received and authorized return of the bid bonds. 3. Authorized the Mayor to sign, and the City Clerk to attest, the contract with Nieves Landscape, Inc.

- *10. CONSULTANT CONTRACT AWARD FOR CONTRACT ADMINISTRATION AND CONSTRUCTION INSPECTION SERVICES submitted by Director of Public Works/City Engineer. (F: 0400-10)

ACTION: The City Council: 1. Awarded a contract in the amount of \$250,000, to Dudek of Encinitas, California, for on-call Contract Administration and Construction Inspection Services. 2. Authorized the Mayor to sign, and the City Clerk to attest, the contract with Dudek substantially in the form attached.

- *11. BID DOCUMENTS FOR ADA ACCESS RAMP IMPROVEMENTS PHASE VI (PW 2011.03) submitted by Director of Public Works/City Engineer. (F: 0370-90)

ACTION: The City Council: 1. Approved bid documents for construction of the ADA Access Ramp Improvements Phase VI (PW 2011.03). 2. Authorized staff to solicit bids.

- *12. GRANT OF EASEMENT TO SOUTHERN CALIFORNIA GAS COMPANY FOR A REGULATING STATION FACILITY UPGRADE submitted by Director of Public Works/City Engineer. (F: 0490-30)

ACTION: The City Council: 1. Approved the Grant of Easement and Easement Agreement with the Southern California Gas Company. 2. Authorized the Mayor to sign, and the City Clerk to attest, to execute the Grant of Easement and Easement Agreement with the Southern California Gas Company.

- *13. CONTRACT CHANGE ORDERS NO. 3 AND NO. 4 FOR THE RANCHO PARKWAY PROJECT (PW 2009.06) submitted by Director of Public Works/City Engineer. (F: 0400-10)

ACTION: The City Council: 1. Authorized the City Manager to approve Contract Change Orders No. 3 and No. 4 with GMC Engineering, Inc., for the Rancho Parkway project. 2. Adopted Resolution No. 2012-57 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE CAPITAL IMPROVEMENTS BUDGET FOR 2009-11.

- *14. AGREEMENTS WITH SOUTHERN CALIFORNIA EDISON TO EXTEND ITS ELECTRICAL DISTRIBUTION LINES INTO RANCHO PARKWAY PROJECT AREA submitted by Director of Public Works/City Engineer. (F: 0400-10)

ACTION: The City Council: 1. Approved two agreements with Southern California Edison to extend electrical distribution lines into the Rancho Parkway Project Area. 2. Authorized the City Manager to execute the two agreements with Southern California Edison.

PULLED CONSENT CALENDAR ITEMS:

- *8. REJECT ALL BIDS AND AUTHORIZE RE-BIDDING FOR THE RIMGATE PARK AND TAMARISK PARK IMPROVEMENT PROJECT PW 2009.14 submitted by Director of Public Works/City Engineer. (F: 0370-32)

Council Member Rudolph pulled this item for separate consideration.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Voigts, the City Council: 1. Rejected all bids received for the Rimgate Park and Tamarisk Park Improvement Project PW 2009.14. 2. Authorized staff to solicit new bids for this project. MOTION UNANIMOUSLY CARRIED.

DISCUSSION/ACTION ITEMS:

15. PEDESTRIAN COUNTDOWN SIGNAL HEADS submitted by City Manager. (F: 0860-55)

Staff report dated October 2, 2012 was introduced.

Council discussion ensued.

Mayor McCullough suggested in the area where there are crossing guards, the countdown signal is not necessary. Overall, the City has 93 signal lights. She noted shopping areas like The Arbor on El Toro, have a great deal of pedestrian traffic.

ACTION: On motion by Mayor McCullough and second by Council Member Herzog, the City Council requested staff to research costs of pedestrian countdown signal heads, provide report of existing countdown signals within the City, and prioritize various intersections for replacement as part of the 2013-15 CIP budget review process.
MOTION UNANIMOUSLY CARRIED.

16. LEGISLATIVE AND REGULATORY MATTERS submitted by City Manager. (F: 0480-75)

City Manager Dunek introduced staff report dated October 2, 2012.

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

17. 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 MANAGER'S REPORT:

City Manager Dunek presented no comments.

CITY COUNCIL COMMENTS: (F: 0410-36)

Council Member Herzog offered comments.

Council Member Rudolph offered comments.

Council Member Tetteimer offered no comments.

Mayor Pro Tem Voigts offered no comments.

Mayor McCullough offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 7:48 p.m.