

MINUTES OF A REGULAR MEETING
OF THE LAKE FOREST CITY COUNCIL

The regular meeting of the Lake Forest City Council held April 16, 2013 at the Lake Forest Council Chamber, 25550 Commercentre Drive, Lake Forest, California 92630 was called to order at 5:33 p.m.

ROLL CALL:

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

RECESS: City Council recessed at 5:33 p.m. for the purpose of conducting Closed Session Business with Mayor Voigts absent.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
Discussion of pending litigation pursuant to Government Code Subsection 54956.9(d)(1)
Case Name(s):
San Diego Regional Water Permit – Orange County, 10-Tc-11;
Santa Ana Regional Water Permit – Orange County, 09-Tc-03
2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Subsection 54956.9(c)
Number of potential cases: 1
3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code section 54956.9(d)(1)
Case Name: City of Lake Forest v. Alexander S. Rados, et al.
Case Number: Orange County Superior Court Case No. 30-2011-00506646

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:51 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:03 p.m., with Mayor Voigts absent to continue regular City business.

PUBLIC SESSION

INVOCATION:

The Invocation was led by Mayor Pro Tem McCullough.

PLEDGE OF ALLEGIANCE:

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

CLOSED SESSION REPORT:

City Attorney Smith reported the City Council authorized the City Manager and City Attorney to file an appeal of a pending draft Regional Water Quality Control Board permit. The City has filed objections to the permit. Should the Regional Board adopt the draft permit without addressing the City's concerns, the Council has authorized staff to seek an appeal of the permit.

PRESENTATIONS:

4. PROCLAMATION DESIGNATING APRIL 26, 2013, AS ARBOR DAY IN THE CITY OF LAKE FOREST submitted by Director of Public Works/City Engineer.

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council approved the proclamation designating Friday, April 26, 2013 as Arbor Day in the City of Lake Forest. MOTION CARRIED with Mayor Voigts absent.

5. PROCLAMATION DESIGNATING APRIL 22, 2013, AS EARTH DAY IN THE CITY OF LAKE FOREST submitted by Director of Public Works/City Engineer.

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council approved the proclamation designating Monday, April 22, 2013 as Earth Day in the City of Lake Forest. MOTION CARRIED with Mayor Voigts absent.

6. PROCLAMATION DESIGNATING THE MONTH OF APRIL 2013 AS "DMV / DONATE LIFE CALIFORNIA MONTH" submitted by City Clerk.

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council designated April 2013 as "DMV / Donate Life California Month" and made a presentation to Ani Taylor, representative for Donate Life California. MOTION CARRIED with Mayor Voigts absent.

7. PROCLAMATION DESIGNATING MAY 1-7, 2013 AS "WILDFIRE AWARENESS WEEK" submitted by City Clerk.

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council declared May 1-7, 2013 as "Wildfire Awareness Week," in the City of Lake Forest and presented a proclamation to Orange County Fire Authority Battalion Chief Art Nevarez. MOTION CARRIED with Mayor Voigts absent.

8. RECOGNITION OF ORANGE COUNTY SHERIFF'S DEPUTY JEREMY BUFFONG, DEPUTY MANUAL DURAN, AND INVESTIGATOR SEAN DUMAS FOR MERITORIOUS SERVICE AND AWARD OF THE ORANGE COUNTY SHERIFF'S DEPARTMENT MEDAL OF LIFESAVING AND MEDAL OF COURAGE submitted by Chief of Police Services.

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council presented certificates of recognition to Orange County Sheriff's Deputy Jeremy Buffong, Deputy Manual Duran, and Investigator Sean Dumas. MOTION CARRIED with Mayor Voigts absent.

REPORT FROM STUDENT LIAISON:

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

PUBLIC COMMENTS:

The following members of the public offered comments:

Gregory Sprague, Lake Forest resident, spoke regarding federal tax dollars and local public works projects.

Teresa Stone, Lake Forest resident, recommended for better visibility a taller post for the stop sign at the intersection of 2nd Street and Cherry Avenue.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 9)

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

MOTION: On motion by Council Member Robinson and second by Council Member Herzog, the City Council approved the warrant register in the amount of \$1,831,499.01 as submitted. MOTION CARRIED with Mayor Voigts absent.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 10 - 17)

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council approved Consent Calendar Item Nos. *10-17. MOTION

CARRIED with Mayor Voigts absent.

- *10. 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.

- *11. MINUTES OF THE REGULAR MEETINGS OF THE CITY COUNCIL HELD ON MARCH 5, 2013 AND MARCH 19, 2013 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *12. 1ST QUARTER COMMISSION ATTENDANCE REPORT submitted by City Clerk.

ACTION: The City Council approved the Commission absences as excused.

- *13. SIX MONTH CONTRACT EXPIRATION NOTICE submitted by City Clerk.

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

- *14. MONTHLY TREASURER'S REPORT - MARCH submitted by Director of Finance/City Treasurer.

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

- *15. CITY FINANCIAL REPORTS - QUARTER ENDED MARCH 31, 2013 submitted by Director of Finance/City Treasurer.

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

- *16. REQUEST FOR PROPOSAL FOR BANKING SERVICES submitted by Director of Finance/City Treasurer.

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

- *17. REQUEST FOR PROPOSAL FOR SALES TAX AND PROPERTY TAX AUDIT AND REPORTING SERVICES submitted by Director of Finance/City Treasurer.

ACTION: The City Council: 1. Approved the Request for Proposal for Sales Tax and Property Tax Audit and Reporting Services. 2. Authorized Staff to solicit and receive proposals for these services.

DISCUSSION/ACTION ITEMS:

18. FIVE-YEAR STRATEGIC PLAN PROGRAMS AND PROJECTS submitted by Assistant City Manager.

Jim Gardner, Lake Forest resident, recommended the City provide more public workshops and include the commissioners for more interaction with the council.

ACTION: The City Council continued the item to the May 7, 2013 City Council meeting in the absence of Mayor Voigts.

19. POTENTIAL MODIFICATIONS TO THE CITY'S TEMPORARY SIGNAGE AND PROMOTION PROCEDURES AND LIVE ENTERTAINMENT REGULATIONS submitted by Assistant City Manager.

ACTION: The City Council continued the item to the May 7, 2013 City Council meeting in the absence of Mayor Voigts.

20. LEAGUE OF CALIFORNIA CITIES PROPOSED BYLAW AMENDMENT submitted by City Clerk.

City Manager Dunek introduced the report dated April 16, 2013.

Council discussion ensued.

MOTION: On motion by Mayor Pro Tem McCullough and second by Council Member Robinson, the City Council voted approval of the proposed Bylaw changes by the League of California Cities to include: 1. Resolutions submitted to the League for presentation to the General Assembly must be concurred on by at least five or more cities or by city officials from at least five or more cities. 2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of the Directors present. MOTION CARRIED with Mayor Voigts absent.

21. LEGISLATIVE AND REGULATORY MATTERS submitted by City Manager.

Staff report dated April 16, 2013 was introduced.

Council Member Herzog stated there is usually a standard limited liability clause used in most statutes and recommended incorporating the language into Assembly Bill 265 which states "unless the city is negligent." Staff will forward the recommendation.

Mayor Pro Tem McCullough stated the Orange County Senior Citizens Advisory Council encouraged seniors to write letters to their respective State representatives opposing possible funding cuts to long-term care. She noted the League of California Cities is looking for letter writing support from its members on various issues as well.

ACTION: The City Council received and filed the report.

22. 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:

Council Member Herzog stated he appreciated Mayor Pro Tem McCullough's comments regarding the residents of Boston at the beginning of the meeting. He thanked the professionals and volunteers who served the City of Boston after the bombings and in memory of the victims, survivors, and volunteers asked to adjourn the meeting in unity with the people of Boston and the Commonwealth of Massachusetts.

Council Member Nick stated his sentiments were reflected in the words of both Mayor Pro Tem McCullough and Council Member Herzog.

Council Member Robinson stated he too had the same sentiments of Mayor Pro Tem McCullough and Council Member Herzog. He noted he was not able to attend the ribbon cutting of the new Kaiser Permanente Medical Center due to illness.

Mayor Pro Tem McCullough in compliance with AB 1234, reported attending the League of California Cities Housing and Administration Policy meetings, and the Senior Citizens Advisory Council. She remarked that three people died and over 170 were injured in the Boston Marathon bombing and is grateful for increased funding for mental health throughout the nation. She asked to adjourn the meeting in memory of Matthew Warren, son of Saddleback Church Pastor Rick Warren.

Mayor Voigts was absent.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

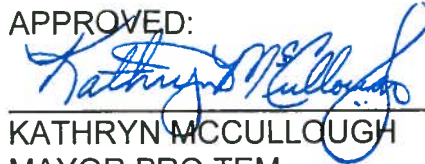
ADJOURNMENT:

The City Council of the City of Lake Forest adjourned the City Council meeting at 7:49 p.m. in memory of Matthew Warren, son of Saddleback Church Pastor Rick Warren, who passed away April 5, 2013, and in memory of the victims of the Boston Marathon bombing which occurred on Monday, April 15, 2013.

Respectfully submitted:


STEPHANIE D. SMITH, CMC
CITY CLERK

APPROVED:


KATHRYN MCCULLOUGH
MAYOR PRO TEM