

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
December 20, 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:

5:35 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: 16.3)

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Existing Litigation

Number of Cases: 4

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

City of Lake Forest v. Pharmer's Choice Collective, et al. (Case No. 30-2010-00435043)

City of Lake Forest v. World Cann Wellness Center (OCSC Case No. 30-2011-00455359)

City of Lake Forest v. 007 South County's Secret Spot (OCSC Case No.

30-2011-00497739)

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 5:55 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:06 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

PLEDGE OF ALLEGIANCE: (F: 26.21)

The Pledge of Allegiance to the Flag of our Country was led by Junior Girl Scout Troop 1564, followed by a chorale rendition of the "Star Spangled Banner" and "O' Beautiful City" by Soundsations, the El Toro High School Vocal Music Performing Arts Team.

CLOSED SESSION REPORT: (F: 16.3)

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

2. RECOGNITION OF OUTGOING PUBLIC WORKS DIRECTOR/CITY ENGINEER submitted by Deputy City Manager/Director of Management Services. (F: 55.5) (X: 48.8F)

ACTION: The City Council presented a Certificate of Appreciation to Robert L. Woodings for his contributions to the City of Lake Forest.

3. EMPLOYEE SERVICE AWARDS submitted by Deputy City Manager/Director of Management Services. (F: 48.2)

ACTION: The City Council made presentations to the following employees: Robert Dunek, Cheryl Kuta, Stephanie Karg, Phil Liso, Steve Gonzales, Shawn Sorensen, Oscar Garcia, Gary Magill, Cody Rosecrans, David Belmer, Glorianne Hesse, Jessica Gonzales, Craig Harris, Joseph Rico, Ron Rivera, Billy Thompson, Lou Kirk and Lorraine Schaefer.

4. PRESENTATION FROM ORANGE COUNTY BUSINESS COUNCIL

COMMENDING CITY'S SHOP AND DINE LAKE FOREST WEEK
submitted by Assistant City Manager. (F: 27.2)

ACTION: The City Council received and filed the presentation.

CITY COUNCIL CEREMONIAL ITEMS

5. RESOLUTION COMMENDING MAYOR submitted by City Clerk.
(F: 26.1)

ACTION: On motion by Mayor Pro Tem Tettemer and second by Council Member Voigts, the City Council adopted Resolution No. 2011-33 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, COMMENDING COUNCIL MEMBER PETER HERZOG ON HIS TERM AS MAYOR. MOTION CARRIED with Mayor Herzog abstained.

6. COMMENTS BY OUTGOING MAYOR submitted by City Clerk. (F: 26.1)

ACTION: The City Council received comments from Mayor Peter Herzog.

RECESS: City Council recessed at 7:38 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:40 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following member of the public offered comments: David Tayani.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 7)

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

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant register in the amount of \$998,897.60 as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 8 - 18)

ACTION: On motion by Mayor Pro Tem Tettemer and second by Council Member McCullough, the City Council approved Consent Calendar Items No. *8, *10-11, *14-16, and *18. MOTION UNANIMOUSLY CARRIED.

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

ACTION: The City Council approved the reading by title 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.

- *10. CITY FINANCIAL REPORTS - QUARTER ENDED SEPTEMBER 30, 2011 submitted by Director of Finance/City Treasurer. (F: 30.13)

ACTION: The City Council received and filed the report.

- *11. MONTHLY TREASURER'S REPORT - NOVEMBER submitted by Director of Finance/City Treasurer. (F: 30.12)

ACTION: The City Council received and filed the report.

- *14. AGREEMENT FOR PROVISION OF POINT OF DISPENSING SITE EQUIPMENT SERVICES WITH COUNTY OF ORANGE submitted by Chief of Police Services. (F: 53.3)

ACTION: The City Council approved the Agreement for Provision of Point of Dispensing Site Equipment Services with County of Orange Health Care Agency.

- *15. AGREEMENT FOR LEGISLATIVE ADVOCACY SERVICES submitted by Assistant to City Manager. (F: 72.2C1)

ACTION: The City Council: 1. Approved the Agreement with Emanuels Jones & Associates for legislative advocacy services. 2. Authorized the Mayor to sign and the City Clerk to attest the Agreement with Emanuels Jones & Associates.

- *16. BID DOCUMENTS FOR THE RANCHO PARKWAY PROJECT (PW 2009.06) submitted by Director of Public Works/City Engineer. (F: 66.14 2009.06)

ACTION: The City Council: 1. Approved bid documents for construction of the Rancho Parkway Project (PW 2009.06). 2. Authorized staff to solicit bids for this work.

- *18. FIRST AMENDMENT WITH PSOMAS FOR THE RANCHO PARKWAY PROJECT (PW 2009.06) submitted by Director of Public Works/City Engineer. (F: 66.14 2009.06)

ACTION: The City Council: 1. Approved the First Amendment to Agreement for Professional Consultant Services ("First Amendment") with Psomas for design services for the Rancho Parkway Project, substantially in the form attached. 2. Authorized the Mayor to execute the First Amendment to Agreement for Professional Services with Psomas.

PULLED CONSENT CALENDAR ITEMS:

9. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON DECEMBER 6, 2011, submitted by City Clerk.

ACTION: Staff removed this item from the agenda.

12. ADOPTION OF ORDINANCE NO. 237 - CHILD SAFE ZONE submitted by City Clerk. (F: 53.3B)

Council Member Voigts pulled this item for separate consideration.

The following members of the public offered comments: Allison Wiemann, Hollie Schilling, Susan Bundy, Kelly Hagins, and Vincent Burke.

ACTION: On motion by Mayor Pro Tem Tettermer and second by Mayor Herzog, the City Council: 1. Conducted the second reading of Ordinance No. 237 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADDING CHAPTER 13.12 TO TITLE 13 OF THE LAKE FOREST MUNICIPAL CODE, PROHIBITING REGISTERED SEX OFFENDERS FROM ENTERING LAKE FOREST PARKS. 2. Adopted Ordinance No. 237. MOTION UNANIMOUSLY CARRIED.

13. AWARD OF CONTRACT FOR PAYROLL PROCESSING SERVICES submitted by Director of Finance/City Treasurer. (F: 48.8E)

Mayor Herzog pulled this item for separate consideration.

ACTION: On motion by Mayor Herzog and second by Council Member McCullough, the City Council: 1. Approved the selection of Automated Data Processing, Inc. to provide Payroll Processing Services.
2. Authorized the Mayor to sign, and the City Clerk attest, the agreement with Automated Data Processing, Inc., as amended regarding term.
MOTION UNANIMOUSLY CARRIED.

17. ANNUAL REPORT OF FINANCIAL TRANSACTIONS AND HOUSING ACTIVITIES OF THE LAKE FOREST REDEVELOPMENT AGENCY submitted by Assistant City Manager. (This item is companion to Redevelopment Agency Agenda Item No. 5) (F: 30.4)

Council Member Rudolph pulled this item for separate consideration.

ACTION: On motion by Council Member Rudolph and second by Council Member Voigts, the City Council approved and authorized submittal of the Lake Forest Redevelopment Agency's Annual Report and the Housing and Community Development Report. **MOTION UNANIMOUSLY CARRIED.**

PUBLIC HEARING(S):

19. 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 Director of Development Services. (F: 50.9)

Staff report dated December 20, 2011 was introduced.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council adopted Urgency Ordinance No. 238 entitled: AN INTERIM URGENCY ORDINANCE 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.**

DISCUSSION/ACTION ITEMS:

20. CIVIC CENTER CONCEPTUAL PLAN submitted by Deputy City Manager/Director of Management Services. (F: 15.6)

Mayor Pro Tem Tetteimer recused himself and left the dais.

Staff report dated December 20, 2011 was introduced.

ACTION: On motion by Council Member McCullough and second by Council Member Rudolph, the City Council affirmed Civic Center Project Planning Principles and provided input on the Civic Center Conceptual Plan. MOTION CARRIED with Mayor Pro Tem Tetteimer recused. (absent from the dais.)

Mayor Pro Tem Tetteimer returned to the dais.

21. SELECTION OF CITY TREE submitted by Director of Community Services. (F: 10.3)

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the selection of the Live Oak as the designated City Tree. MOTION UNANIMOUSLY CARRIED.

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: (F: 26.17)

City Manager Dunek presented 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: (F: 16.3)

There was no continued Closed Session.

ADJOURNMENT: 9:10 p.m.