

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
October 18, 2011, 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: 5:45 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

Council Member Rudolph arrived at 6:00 p.m. for Closed Session.

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 6:50 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:07 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 Rudolph.

CLOSED SESSION REPORT: (F: 16.3)

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

2. **INTRODUCTION OF NEW EMPLOYEE - DIRECTOR OF FINANCE/CITY TREASURER** submitted by Deputy City Manager/Director of Management Services. (F: 48.8)

ACTION: City Manager Dunek introduced Keith Neves as the new Director of Finance/City Treasurer.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

Alice Hackett, Student Liaison from El Toro High School, presented her report.

RECESS: City Council recessed at 7:12 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:13 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Michael Hawkins, Jerry Whating, Gordon Wilson, Elaine Washington, Barbara Ayala, Robin Williams, Marla James, Kandice Hawes, Vincente Wilson, Arielle Thompson, Cheryl Fullerton, and Tony Tryon.

CONSENT CALENDAR - WARRANT REGISTER (Item No. 3)

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

ACTION: On motion by Council Member McCullough and second by Council Member Rudolph, the City Council approved the warrant register in the amount of \$1,275,717.26 as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 4 – 9)

ACTION: On motion by Mayor Pro Tem Tetterer and second by Council Member McCullough, the City Council approved Consent Calendar Item Nos. *4-5 and *7-9. MOTION UNANIMOUSLY CARRIED.

- *4. 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.

- *5. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON OCTOBER 4, 2011 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *7. QUARTERLY REPORT ON COMMISSION ATTENDANCE - THIRD QUARTER 2011 submitted by City Clerk. (F: 23.4)

ACTION: The City Council approved Commission absences as excused.

- *8. REQUEST FOR PROPOSAL FOR ADA ACCESS RAMP IMPROVEMENTS PHASE VI (PW 2011.03) submitted by Director of

Public Works/City Engineer. (F: 61.3A PW 2011.03)

ACTION: The City Council: 1. Approved the Request for Proposal for ADA Access Ramp Improvements Phase VI (PW 2011.03). 2. Authorized staff to solicit proposals for professional engineering services for this project.

- *9. REQUEST FOR PROPOSALS FOR THE TEED STREET STORM DRAIN IMPROVEMENT PROJECT (PW 2011.06) submitted by Director of Public Works/City Engineer. (F: 60.6 PW 2011.06)

ACTION: The City Council: 1. Approved the Request for Proposals (RFP) for professional engineering consultant services for the Teed Street Storm Drain Improvement Project. 2. Authorized staff to solicit proposals from consultants utilizing the City Council approved list of pre-qualified consultants.

PULLED CONSENT CALENDAR ITEM:

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

Council Member Rudolph pulled this item for separate consideration.

Council Member Rudolph asked for an explanation to the reduction in the City's portfolio.

Staff reported the purchase of the Rados property changed the portfolio value.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council received and filed the report as submitted. MOTION UNANIMOUSLY CARRIED.

DISCUSSION/ACTION ITEMS:

10. LAKE FOREST TRANSPORTATION MITIGATION PROGRAM BASELINE ADJUSTMENT submitted by Director of Public Works/City Engineer. (F: 50.11C)

Mayor Pro Tem Tetteimer recused himself and left the dais at 7:55 p.m.

Staff report dated October 18, 2011 was introduced.

ACTION: The City Council: 1. Introduced for first reading Ordinance No. 235 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST AMENDING THE LAKE FOREST MUNICIPAL CODE BY AMENDING SECTIONS 7.19.030 AND 7.19.050 OF THE LAKE FOREST MUNICIPAL CODE REGARDING THE LAKE FOREST TRANSPORTATION MITIGATION PROGRAM. 2. Introduced for first reading Ordinance No. 236 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST IMPLEMENTING THE BASELINE ADJUSTMENT OF THE LAKE FOREST TRANSPORTATION MITIGATION PROGRAM IN CHAPTER 7.19 OF THE LAKE FOREST MUNICIPAL CODE. MOTION CARRIED with Mayor Pro Tem Tettermer recused. (abstained)

Mayor Pro Tem Tettermer returned to the dais at 8:00 p.m.

11. DISCUSSION OF LEADERSHIP PRINCIPLES, SECTION 1 - CONDUCT OF PUBLIC MEETINGS submitted by Deputy City Manager/Director of Management Services. (F: 51.2A21)

Staff report dated October 18, 2011 was introduced.

ACTION: On motion by Council Member McCullough and second by Mayor Pro Tem Tettermer, the City Council adopted the revision of the Leadership Principles, Section 1 – Conduct of Public Meetings, to extend the Council Comment period by two minutes for Council Members after attending the State League of California Cities Annual and Mid-Year Conferences. MOTION UNANIMOUSLY CARRIED.

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

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

13. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES AND/OR ASSOCIATION OF CALIFORNIA CITIES, ORANGE COUNTY 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: 26.9)

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Council Member Voigts offered comments.

Mayor Pro Tem Tetteimer offered comments.

Mayor Herzog offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 8:25 p.m.

DRAFT