

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
February 15, 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: 6:05 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 6:05 p.m.

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(b)
Number of Potential Cases: 1

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:43 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 Mayor Herzog.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

2. REPORT BY INVESTMENT OVERSIGHT REVIEWER QUARTER ENDED DECEMBER 31, 2010 submitted by Director of Finance/City Treasurer. (F: 30.10A1)

ACTION: The City Council received and filed the report from Lynne Netty with the firm of Macias, Gini & O'Connell LLP.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

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

RECESS: City Council recessed at 7:05 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:10 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS:

The public offered no comments.

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

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

Mayor Pro Tem Tettemer abstained on the warrant payable to David Taussig and Associates.

Council Member Rudolph pulled the following warrant for separate consideration: Association of California Cities – Orange County.

ACTION: On motion by Council Member McCullough and second by Mayor Herzog, the City Council approved the balance of the warrant register as submitted. MOTION CARRIED with Mayor Pro Tem Tettemer abstaining on the warrant payable to David Taussig and Associates.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to Association of California Cities-Orange County. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 4 - 13)

MOTION: On motion by Mayor Pro Tem Tettemer and second by Council Member Rudolph, the City Council approved Consent Calendar Item Nos. *4-8 and *10-13 as submitted. 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 JANUARY 18, 2011 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *6. ADOPTION OF ORDINANCE 225 submitted by City Clerk. (F: 34.5)

ACTION: The City Council: 1. Conducted second reading of Ordinance 225 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST AMENDING AND RESTATING LAKE FOREST MUNICIPAL CODE CHAPTER 6.14, ARTICLE II REGARDING GRAFFITI AND AMENDING ARTICLE I REGARDING NUISANCES. 2. Adopted Ordinance 225.

- *7. FISCAL YEAR 2010-11 2ND QUARTER TRAVEL AND MEETING EXPENSES - OCTOBER 1, 2010 - DECEMBER 31, 2010 submitted by Deputy City Manager/Director of Management Services. (F: 51.2A24)

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

- *8. QUARTERLY FINANCIAL REPORT - DECEMBER 31, 2010 submitted by Director of Finance/City Treasurer. (F: 30.13)

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

- *10. ANNUAL HOUSING ELEMENT PROGRESS REPORT submitted by Director of Development Services. (F: 31.3) (GPA 5-10-1232)

ACTION: The City Council authorized staff to submit Annual Housing Element Progress Report to the State.

- *11. REQUEST FOR QUALIFICATIONS FOR CAPITAL IMPROVEMENTS CONSULTANT SERVICES submitted by Director of Public Works/City Engineer. (F: 30.8)

ACTION: The City Council: 1. Approved the Request for Qualifications for Consultant Services. 2. Authorized staff to solicit and receive qualification statements.

- *12. STATUS OF COMPLIANCE WITH NPDES STORMWATER PERMITS SECOND QUARTER FISCAL YEAR 2010-2011 submitted by Director of Public Works/City Engineer. (F: 69.13C)

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

- *13. THIRD AMENDMENT TO AGREEMENT WITH VA CONSULTING FOR LAKE FOREST TRANSPORTATION MITIGATION PROGRAM UPDATE submitted by Director of Public Works/City Treasurer. (F: 50.11D)

ACTION: The City Council: 1. Approved the Third Amendment to Agreement for Consultant Services for Lake Forest Transportation Mitigation (LFTM) Program development services with VA Consulting Inc., substantially in the form attached. 2. Authorized the Mayor to sign the Third Amendment for Consulting Services with VA Consulting Inc.

PULLED CONSENT CALENDAR ITEMS:

9. REQUEST FOR PROPOSAL FOR INVESTMENT OVERSIGHT REVIEWER SERVICES submitted by Director of Finance/City Treasurer. (F: 30.10A1)

Council Member Rudolph pulled this item for separate consideration.

ACTION: On motion by Mayor Herzog and second by Council Member McCullough, the City Council: 1. Approved the Request for Proposal for Investment Oversight Reviewer Services. 2. Authorized staff to solicit and receive proposals for these services. **MOTION UNANIMOUSLY CARRIED.**

PUBLIC HEARING(S):

14. **INTERIM URGENCY ORDINANCE REGARDING THE MORATORIUM ON THE ISSUANCE OF PERMITS FOR THE ESTABLISHMENT AND OPERATION OF ADULT BUSINESSES** submitted by City Attorney. (F: 50.9A)

Staff report dated February 15, 2011 was introduced.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council adopted Ordinance 226 entitled: **AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, EXTENDING INTERIM URGENCY ORDINANCE NO. 222, REGARDING THE MORATORIUM ON THE ISSUANCE OF PERMITS FOR THE ESTABLISHMENT AND OPERATION OF ADULT BUSINESSES, FOR A PERIOD OF 10 MONTHS AND 15 DAYS PURSUANT TO GOVERNMENT CODE SECTION 65858.** **MOTION UNANIMOUSLY CARRIED.**

DISCUSSION/ACTION ITEMS:

15. **MEMORANDUM OF UNDERSTANDING FOR THE EL TORO ROAD TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT** submitted by Director of Public Works/City Engineer. (F: 66.8A PW 2009.07A)

Staff report dated February 15, 2011 was introduced.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the Memorandum of Understanding C-0-1692 by and between Orange County Transportation Authority and the Cities of Aliso Viejo, Laguna Beach, Laguna Hills, Laguna Woods, Lake Forest, Mission Viejo, the County of Orange, and the State of California Department of Transportation for El Toro Road Traffic Light Synchronization Program Project. **MOTION UNANIMOUSLY CARRIED.**

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

Staff report dated February 15, 2011 was introduced.

The following member of the public offered comments: Larry Gilbert.
(F: 26.12)

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

17. 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: 8:24 p.m.