

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
March 6, 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: 5:39 p.m.

ROLL CALL: Council Members: Peter Herzog
Marcia Rudolph (Excused
Absence)
Mark Tettemer
Mayor Pro Tem: Scott Voigts
Mayor: Kathryn McCullough
City Manager: Robert C. Dunek
City Attorney: Scott C. Smith
City Clerk: Stephanie D. Smith

CLOSED SESSION

Mayor Pro Tem Voigts arrived at 5:41 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 OCSC Case No. 30-2009-00298887)

City of Lake Forest v. Pharmer's Choice Collective, et al. (OCSC 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. Charles Café (OCSC Case No. 30-2011-515872)

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a) Existing Litigation
Number of Cases: 1

Marla James, et al. v. United States of America, et al. (Case No. SACV 12-0280 (MLGx), U.S.D.C. Central District)

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 7:01 p.m., with Council Member Rudolph absent 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 Herzog.

CLOSED SESSION REPORT: (F: 0410-30)

City Attorney Smith stated the City Council authorized the City Attorney to seek depublication and grant of review by the California Supreme Court of the appellate decision relating to the preliminary injunction against Lake Forest Wellness, Independent Collective of Orange County, and Evergreen Holistic under Closed Session Item No. 1.

PRESENTATIONS:

City Manager Dunek announced employee Ben Siegel's departure from the City and the Mayor presented a certificate of Recognition and City Plaque acknowledging Mr. Siegel's 9 years of City service.

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

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

PUBLIC COMMENTS: (F: 0410-35)

The following member of the public offered comment: Vincent Burke.

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

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

ACTION: On motion by Mayor Pro Tem Voigts and second by Council Member Herzog, the City Council approved the warrant register in the amount of \$6,413,200.51 as submitted. MOTION CARRIED with Council Member Rudolph absent and Council Member Tettemer abstained on warrants payable to Fieldman, Rolapp & Associates, RBF Consulting, and Irvine Ranch Water District (IRWD).

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

ACTION: On motion by Council Member Tettemer and second by Council Member Herzog, the City Council approved Consent Calendar Item Nos. *4-9, *11-12. MOTION CARRIED with Council Member Rudolph absent.

- *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 FEBRUARY 7, 2012 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *6. ADOPTION OF ORDINANCE NO. 240 submitted by City Clerk. (F: 0660-40)

ACTION: The City Council: 1. Conducted the second reading of Ordinance No. 240 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, REPEALING ORDINANCE NO. 233 ELECTING TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM

PURSUANT TO HEALTH AND SAFETY CODE 34192 ET SEQ.
2. Adopted Ordinance No. 240.

- *7. CONTRACT EXTENSION FOR COMPUTER SUPPORT SERVICES submitted by Deputy City Manager/Director of Management Services. (F: 0400-10)

ACTION: The City Council approved the Third Amendment to the Professional Consultant Services Agreement with Synoptek, Inc., substantially in the form attached, to provide computer support services.

- *8. REQUEST FOR PROPOSAL – TEEN TRANSPORTATION SERVICES submitted by Director of Community Services. (F: 0370-32)

ACTION: The City Council: 1. Approved the attached Request for Proposal for Teen Transportation Services. 2. Authorized staff to solicit proposals for Teen Transportation Services.

- *9. BID DOCUMENTS FOR GRAFFITI REMOVAL AND STEAM CLEANING SERVICES submitted by Director of Public Works/City Engineer. (F: 0370-32) (X: 0230-75)

ACTION: The City Council: 1. Approved the bid documents for graffiti removal and steam cleaning services. 2. Authorized staff to solicit bids.

- *11. SECOND AMENDMENT WITH LGC FOR RANCHO PARKWAY GEOTECHNICAL SERVICES (PW 2009.01G) submitted by Director of Public Works/City Engineer. (F: 0400-10)

ACTION: The City Council: 1. Approved the Second Amendment to the Agreement with LGC Geotechnical, Inc., (LGC), for additional construction services for the Rancho Parkway project, substantially in the form attached. 2. Authorized the Mayor to execute, and City Clerk to attest, the Second Amendment to the Agreement with LGC.

- *12. CONTRACT EXTENSION FOR ON-CALL ELECTRICAL REPAIR SERVICES submitted by Director of Public Works/City Engineer. (F: 0400-10)

ACTION: The City Council: 1. Approved the First Amendment to Agreement with Lake Forest Electric, for on-call electrical repair services, substantially in the form attached. 2. Authorized the Mayor to sign, and the City Clerk to attest, the First Amendment.

PULLED CONSENT CALENDAR ITEMS:

10. **CONSTRUCTION CONTRACT AWARD FOR RANCHO PARKWAY PROJECT (PW 2009.06)** submitted by Director of Public Works/City Engineer. (F: 0400-10)

Council Member Herzog pulled this item for separate consideration.

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem Voigts, the City Council: 1. Awarded a contract in the amount of \$2,906,152 to GMC Engineering, Inc., of Tustin, California, for construction of the Rancho Parkway Project (PW 2009.06). 2. Upon receipt of the executed contract documents from GMC Engineering, Inc., rejected all other bids received and authorized return of the bid bonds. 3. Authorized the Mayor to sign, and City Clerk to attest the contract with GMC Engineering, Inc. 4. Authorized the City Manager to approve contract change orders up to a maximum ten percent of the contract amount. 5. Adopted Resolution No. 2012-19 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA AMENDING THE CAPITAL IMPROVEMENTS BUDGET FOR 2009-11. MOTION CARRIED with Council Member Rudolph absent.

13. **ADOPTION OF ADMINISTRATIVE BUDGET FOR THE SUCCESSOR AGENCY TO THE FORMER LAKE FOREST REDEVELOPMENT AGENCY** submitted by Assistant City Manager. (F: 0660-30)

Council Member Herzog pulled this item for separate consideration.

ACTION: On motion by Council Member Herzog and second by Council Member Tettermer, the City Council acting as the Successor Agency adopted Resolution No. 2012-20 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AS THE SUCCESSOR AGENCY TO THE LAKE FOREST REDEVELOPMENT AGENCY, APPROVING AND ADOPTING A PROPOSED ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE, SECTION 34177(j). MOTION CARRIED with Council Member Rudolph absent.

DISCUSSION/ACTION ITEMS:

14. LEGISLATIVE AND REGULATORY MATTERS submitted by Assistant to the City Manager. (F: 0480-75)

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

15. 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. (F: 0140-10)

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

CITY COUNCIL COMMENTS:

Council Member Herzog offered comments.

Council Member Rudolph was absent.

Council Member Tetterer offered comments.

Mayor Pro Tem Voigts offered comments.

Mayor McCullough offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 8:05 p.m.