

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
May 6, 2014

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:

5:30 p.m.

ROLL CALL: Council Members:

David A. Bass
Kathryn McCullough
Scott Voigts

Mayor Pro Tem:

Adam Nick

Mayor:

Dwight Robinson

City Manager:

Robert C. Dunek

City Attorney:

Scott C. Smith

City Clerk:

Stephanie D. Smith

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9(e)(3)
Number of potential cases: 1
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: Nine (9) acre site located at the proposed extension of Indian Ocean Drive (Proposed Civic Center – APN #s 104-132-36, 104-132-65, and 104-132-84)
Agency negotiators: City Manager and Asst. City Manager
Negotiating parties: City Manager, Asst. City Manager and Irvine Ranch Water District
Under Negotiation: Price and Terms of Payment

3. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Name of Claimant: Lake Forest Community Association 1

4. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
Number of potential cases: 2
ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:58 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:05 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

INVOCATION: The Invocation was led by Mayor Robinson.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Council Member Bass.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

5. PROCLAMATION DESIGNATING MAY 18-24, 2014, AS "NATIONAL PUBLIC WORKS WEEK" submitted by Director of Public Works/City Engineer.

ACTION: On motion by Council Member Voigts and second by Council Member McCullough, the City Council approved and presented the proclamation to Public Director Tom Wheeler designating the week of May 18-24, 2014, as National Public Works Week in the City of Lake Forest. MOTION UNANIMOUSLY CARRIED.

6. PROCLAMATION DESIGNATING MAY 4-10, 2014 AS "WILDFIRE AWARENESS WEEK" submitted by City Clerk.

ACTION: On motion by Council Member Voigts and second by Council Member McCullough, the City Council approved and presented the

proclamation to Orange County Fire Authority Division Chief Bryan Brice designating the week of May 4-10, 2014 as Wildfire Awareness Week. MOTION UNANIMOUSLY CARRIED.

7. PROCLAMATION DESIGNATING MAY 26 THROUGH SEPTEMBER 1, 2014 AS "DROWNING PREVENTION AWARENESS SEASON" submitted by City Clerk.

ACTION: On motion by Council Member Voigts and second by Council Member McCullough, the City Council approved and presented the proclamation to Fire Authority Division Chief Bryan Brice designating May 26 through September 1, 2014 as Drowning Prevention Awareness Season. MOTION UNANIMOUSLY CARRIED.

8. PROCLAMATION DESIGNATING MAY 4TH - 10TH AS "MUNICIPAL CLERK'S WEEK" submitted by Deputy City Manager/Director of Management Services.

ACTION: On motion by Council Member Voigts and second by Council Member McCullough, the City Council approved and presented to City Clerk Stephanie D. Smith the proclamation designating May 4-10 as Municipal Clerk's Week. MOTION UNANIMOUSLY CARRIED.

REPORT FROM STUDENT LIAISON:

Jeff Domenech, Student Liaison from El Toro High School, presented his report.

PUBLIC COMMENTS:

The following members of the public offered comments: Marcia Rudolph and Jim Gardner.

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

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

Council Member McCullough pulled the warrant payable to Cummins & White, LLP.

MOTION: On motion by Council Member McCullough and second by Council Member Voigts, the City Council approved the balance of the warrant register as submitted. MOTION UNANIMOUSLY CARRIED.

Mayor Pro Tem Nick recused himself and left the dais.

Council Member McCullough asked for the cost in total to date for the services of Cummins & White, LLP.

City Attorney Smith reported \$111,496.

ACTION: On motion by Council Member McCullough and second by Council Member Voigts, the City Council approved the warrant payable to Cummins & White, LLP as submitted. **MOTION CARRIED** with Mayor Pro Tem Nick abstained and recused from the dais.

Mayor Pro Tem Nick returned to the dais.

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

MOTION: On motion by Council Member Voigts and second by Council Member McCullough, the City Council approved Consent Calendar Item Nos. *10-11, *13-15, *17. **MOTION CARRIED** with Mayor Pro Tem Nick abstained on Agenda Item No. 11.

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

ACTION: The City Council waived 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 only, and further reading waived.

- *11. **BID DOCUMENTS FOR THE SLURRY SEAL PROJECT FOR THE RESIDENTIAL STREETS IN Foothill Ranch and Park Parking Lot Pavement Management** submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the bid documents for the Slurry Seal Project for the Residential Streets in Foothill Ranch and Park Parking Lot Pavement Project. 2. Authorized staff to solicit bids for construction. **MOTION CARRIED** with Mayor Pro Tem Nick abstained.

- *13. **AWARD OF CONTRACT FOR BUS STOP MAINTENANCE SERVICES** submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the award of contract in the amount of \$215,772 to ShelterClean Services, Inc., of Sun Valley California for Bus Stop Maintenance Services. 2. Authorized the Mayor to sign, and the City Clerk to attest the contract with ShelterClean Services, Inc., substantially in the form attached.

- *14. LETTER AGREEMENT WITH ORANGE COUNTY TRANSPORTATION AUTHORITY AMENDING MASTER AGREEMENT NO. C-1-2773 submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved Letter Agreement No. 4 to amend Master Funding Agreement No. C-1-2773 between the Orange County Transportation Authority and the City of Lake Forest for Measure M (M2) Comprehensive Transportation Funding Programs. 2. Authorized the Mayor to execute, and the City Clerk to attest, Letter Agreement No. 4 to Agreement No. C-1-2773, substantially in the form attached.

- *15. BID DOCUMENTS FOR THE BAKE PARKWAY RESURFACING PROJECT (PW 2013.04A) submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved bid documents for construction of the Bake Parkway Resurfacing Project (PW 2013.04A) 2. Authorized staff to solicit bids for this work.

- *17. PROFESSIONAL CONSULTANT SERVICES AGREEMENT WITH THE PM GROUP FOR PRINT AND DESIGN SERVICES submitted by Assistant City Manager.

ACTION: The City Council: 1. Approved the Agreement for Consultant Services with The PM Group for Shop & Dine Lake Forest Week Printing and Design Services. 2. Authorized the Mayor to sign, and the City Clerk to attest, the agreement substantially in the form attached.

PULLED CONSENT CALENDAR ITEMS:

- 12. COST SHARING AND COOPERATIVE AGREEMENT WITH MISSION VIEJO FOR LOS ALISOS REHABILITATION PROJECT submitted by Director of Public Works/City Engineer.

Council Member McCullough pulled this item for separate consideration.

Council Member McCullough stated she had no conflict with this item

and supported moving it forward.

ACTION: On motion by Council Member McCullough and second by Council Member Voigts, the City Council: 1. Approved the Cost Sharing and Cooperative Agreement with the City of Mission Viejo for the Los Alisos Boulevard Pavement Rehabilitation Project. 2. Authorized the City Manager to sign the Agreement. **MOTION UNANIMOUSLY CARRIED.**

16. **CONTRACTUAL SERVICES AGREEMENT WITH THE LAKE FOREST CHAMBER OF COMMERCE** submitted by Assistant City Manager.

A member of the public pulled this item for separate consideration.

The following members of the public offered comments: Mike Brenhaug, Mary Visconti, and Jim Gardner.

ACTION: On motion by Council Member McCullough and second by Council Member Voigts, the City Council: 1. Reviewed the Lake Forest Chamber of Commerce Fiscal Year 2014-2015 Business Proposal; and 2. Approved a Contractual Services Agreement between the City of Lake Forest and Lake Forest Chamber of Commerce for business development and attraction services. **MOTION UNANIMOUSLY CARRIED.**

DISCUSSION/ACTION ITEMS:

18. **USE OF STATE APPROVED FIREWORKS** submitted by City Manager.

Staff report dated May 6, 2014 was introduced.

Council Member Voigts requested consensus to remove the item from the agenda. Council Member Bass seconded the request.

The following members of the public offered comments:

Jim Dolan, Marcia Rudolph, Jim Gardner, and Bob Holtzclaw.

ACTION: On motion by Council Member Voigts and second by Council Member Bass, the City Council removed the item for consideration. **MOTION UNANIMOUSLY CARRIED.**

19. DISCUSSION OF CITY OF IRVINE CAMPAIGN FINANCING LAW submitted by Deputy City Manager/Director of Management Services.

Staff report dated May 6, 2014 was introduced.

The following member of the public offered comment: Jim Gardner.

Council discussion ensued.

Council Member McCullough motioned to not move the item forward at this time. Council Member Voigts seconded the motion.

Mayor Pro Tem Nick motioned to adopt a disclosure policy.

ACTION: On motion by Mayor Pro Tem Nick and second by Council Member Bass, the City Council considered the adoption of a campaign financing law. **MOTION FAILED** with Mayor Robinson, Council Member McCullough and Council Member Voigts opposed.

20. DISCUSSION OF CITY OF IRVINE ETHICS CODE (IRVINE MEASURE H) submitted by Deputy City Manager/Director of Management Services.

Staff report dated May 6, 2014 was introduced.

The following member of the public offered comment: Jim Gardner.

Council discussion ensued.

ACTION: On motion by Mayor Robinson and second by Mayor Pro Tem Nick, the City Council reviewed, discussed and provided direction to staff in consideration of the City of Irvine Ethics Code, Irvine Measure H. **MOTION UNANIMOUSLY CARRIED.**

21. LEGISLATIVE AND REGULATORY MATTERS submitted by City Manager.

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

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.

Staff report dated May 6, 2014 was introduced.

Council discussion ensued.

ACTION: On motion by Council Member Bass and second by Council Member McCullough, the City Council approved to support Assembly Bill 1423, which supports a veteran's cemetery in Orange County. **MOTION UNANIMOUSLY CARRIED.**

CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

CITY COUNCIL COMMENTS:

Council Member Bass offered comments.

Council Member McCullough offered comments.

Council Member Voigts offered comments.

Mayor Pro Tem Nick offered comments.

Mayor Robinson offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 9:37 p.m.