

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
August 2, 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:

6:00 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 REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: APN: 612-022-10
Agency negotiators: City Manager and City Attorney
Negotiating parties: Property - Alex Rados
Under Negotiation: Price and Terms of Payment
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED
ACQUISITION OF REAL PROPERTY
Pursuant to Government Code Section 54956.9(c)
Initiating of litigation
Number of potential cases: 1

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:54 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:03 p.m. to continue regular City business.

PUBLIC SESSION

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the Flag of our Country was led by Mayor Pro Tem Tettemer.

CLOSED SESSION REPORT: (F: 16.3)

City Attorney Smith stated there were two Closed Session items to report. These were actions taken at the meeting of July 19, 2011, which involved settlements with the Lake Forest Patient's Collective and Pelican Investments No. 4. Council voted unanimously to approve the settlement agreements, which were executed allowing the Closed Session report.

PRESENTATIONS:

There were no items scheduled for Presentation.

RECESS: City Council recessed at 7:04 p.m. for the purpose of conducting Redevelopment Agency business.

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

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Robin Clements, Paul Hoffman, Ricky Hoffman, Matt Corrigan, Lee Hugemeyer, Gray Smith, and James Sheffield.

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

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

Council Member Rudolph pulled the following warrants for separate

consideration: Jamey Clark, Incorporated and Lake Forest Electric.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Tettemer, the City Council approved the balance of the warrant register as submitted. MOTION UNANIMOUSLY CARRIED.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to Jamey Clark, Incorporated. MOTION UNANIMOUSLY CARRIED.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council approved the warrant payable to Lake Forest Electric. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 4 - 7)

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Tettemer, the City Council approved the Consent Calendar Item Nos. *4-7. 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 JULY 5, 2011 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *6. BID DOCUMENTS FOR CLEARING AND GRUBBING OF THE SPORTS PARK PROPERTY PW 2009.01 submitted by Director of Public Works/City Engineer. (F: 50.11E PW 2009.01)

ACTION: The City Council: 1. Approved the bid documents for the clearing and grubbing work on the Sports Park property. 2. Authorized staff to solicit bids for this work.

- *7. STATUS OF COMPLIANCE WITH NPDES STORMWATER PERMITS

FOURTH 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.

PUBLIC HEARING(S):

8. APPEAL OF THE PLANNING COMMISSION'S DENIAL OF CHANGED PLAN 11-10-1587 FOR THE INSTALLATION OF TWO GATES AT 23141 ORANGE AVENUE submitted by Director of Development Services. (F: 23.5E14)

Staff report dated August 2, 2011 was introduced.

ACTION: On motion by Mayor Herzog and second by Mayor Pro Tem Tettemer, the City Council continued the Public Hearing to the August 16, 2011 City Council meeting at 7:00 p.m.. MOTION UNANIMOUSLY CARRIED.

9. ANNUAL REVIEW OF OPPORTUNITIES STUDY AREA DEVELOPMENT AGREEMENTS submitted by Assistant to the City Manager. (F: 50.11B3) (F: 50.11B6) (X: 50.11B4)

Staff report dated August 2, 2011 was introduced.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Tettemer, the City Council: 1. Conducted the annual review of development agreements between the City and the following parties: 1) Irvine Ranch Water District ("IRWD"); 2) USA Portola Properties, LLC, and SunRanch Capital Partners, LLC ("Portola"); 3) Westbay Trust U/A DTD ("Pinnacle"); 4) KB Home Coastal, Inc. ("KB"); and 5) Shea/Baker Ranch Associates, LLC ("SBRA"). 2. Found that IRWD, Portola, Pinnacle, KB, and SBRA are each in good faith compliance with their respective development agreements. MOTION UNANIMOUSLY CARRIED.

10. SECOND READING AND ADOPTION OF THE 2010 BUILDING STANDARDS CODES submitted by Director of Development Services. (F: 20.2)

Staff report dated August 2, 2011 was introduced.

ACTION: On motion by Council Member Rudolph and second by

Council Member McCullough, the City Council: 1. Conducted the second reading of Ordinance No. 231 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST CALIFORNIA, AMENDING CHAPTERS 8.02, 8.06, 8.14, 8.16, and 8.20 OF TITLE 8 OF THE LAKE FOREST MUNICIPAL CITY CODE AND ADOPTING BY REFERENCE THE 2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODES (CALIFORNIA CODE OF REGULATIONS, TITLE 24), CONSISTING OF THE CALIFORNIA BUILDING CODE, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE, AND CALIFORNIA PLUMBING CODE. 2. Conducted the second reading of Ordinance No. 232 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST CALIFORNIA, AMENDING TITLE 8, BY REPEALING CHAPTER 8.24 OF THE LAKE FOREST MUNICIPAL CODE AND BY ADDING A NEW CHAPTER 8.24, ADOPTING BY REFERENCE THE 2010 CALIFORNIA FIRE CODE, WITH APPENDICES AND AMENDMENTS THERETO. MOTION UNANIMOUSLY CARRIED.

DISCUSSION/ACTION ITEMS:

11. ADOPTION OF ABX1 27 ORDINANCES TO CONTINUE THE LAKE FOREST REDEVELOPMENT AGENCY submitted by Assistant City Manager. (This item will be heard concurrently with Redevelopment Agency Agenda Item No. 5) (F: A10.2)

The staff report dated August 2, 2011 was introduced.

ACTION: 1. On motion by Mayor Herzog and second by Mayor Pro Tem Tettermer, the City Council: 1. Adopted Ordinance No. 233 entitled: AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, DETERMINING IT WILL COMPLY WITH THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE IN ORDER TO PERMIT THE CONTINUED EXISTENCE AND OPERATION OF THE LAKE FOREST REDEVELOPMENT AGENCY. MOTION CARRIED with Council Member Voigts abstaining.

ACTION: 2. On motion by Council Member Rudolph and second by Mayor Pro Tem Tettermer, the City Council Introduced Ordinance No. 234 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, DETERMINING IT WILL COMPLY WITH THE ALTERNATIVE VOLUNTARY REDEVELOPMENT

PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE IN ORDER TO PERMIT THE CONTINUED EXISTENCE AND OPERATION OF THE LAKE FOREST REDEVELOPMENT AGENCY. 3. Directed staff to commence appeal of the stated amount of the Alternative Voluntary Redevelopment Program Community Contribution. MOTION UNANIMOUSLY CARRIED.

12. LEGISLATIVE AND REGULATORY MATTERS submitted by Assistant to the 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 AND/OR ASSOCIATION OF CALIFORNIA CITIES submitted by City Clerk.

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

CITY COUNCIL COMMENTS:

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Council Member Voigts offered comments.

Mayor Pro Tem Tettermer offered comments.

Mayor Herzog offered no comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 8:23 p.m.