

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
March 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 (Absent)

Mayor:

Peter Herzog (Absent)

City Manager:

Robert C. Dunek

City Attorney:

Scott C. Smith

City Clerk:

Stephanie D. Smith

CONVENE: The City Clerk convened the meeting of the Lake Forest City Council concurrently with the Lake Forest Housing Authority, Lake Forest Redevelopment Agency, and Rancho Cañada Financing Authority.

City Clerk Stephanie D. Smith called the meeting to order at 6:05 p.m. It was noted that Mayor Herzog was absent with an excused absence due to business travel and Mayor Pro Tem Tettemer was absent with an excused absence due to illness. It was appropriate for the three remaining City Council Members to move to select a Chair or Presiding Officer for the agenda meetings.

On motion by City Council Member Rudolph and second by City Council Member McCullough, the Lake Forest City Council voted City Council Member McCullough as Mayor Pro Tem. MOTION CARRIED with Mayor Herzog and Mayor Pro Tem Tettemer absent.

RECESS: The Lake Forest City Council recessed at 6:07 p.m. for the purpose of conducting City Council Closed Session.

RECONVENE: The Lake Forest City Council reconvened at 7:23 p.m. for the purpose of conducting combined City Council, Lake Forest Redevelopment Agency, Lake Forest Housing Authority, and Rancho Cañada Financing Authority business.

CLOSED SESSION (F: 16.3)

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Existing Litigation
Number of Cases: 1
Julie Ho v. City of Lake Forest (Case No. 30-2008-00107142)

United States Bankruptcy Court, Central District of California, Santa Ana Division (Case No. 8:11-bk-10907-ES)

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

City of Lake Forest v. Patient Farmers Cooperative (OCSC Case No. 30-2011-00455352)

City of Lake Forest v. World Cann Wellness Center (OCSC Case No. 30-2011-00455359)

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 7:08 p.m., with Mayor Herzog and Mayor Pro Tem Tettermer (excused) 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 Rudolph.

CLOSED SESSION REPORT:

City Attorney stated there was no reportable action taken.

PRESENTATIONS:

3. ORANGE COUNTY SHERIFF'S DEPARTMENT 2010 DEPUTY OF THE YEAR submitted by Chief of Police Services. (F: 55.5)

ACTION: The City Council approved the Certificate of Recognition for Deputy Sheriff Christine Chang. Chief of Police Doyle presented the recognition.

4. ORANGE COUNTY SHERIFF'S DEPARTMENT 2010 MOTHERS AGAINST DRUNK DRIVING AWARD RECIPIENTS submitted by Chief of Police Services. (F: 55.5)

ACTION: The City Council presented Certificates of Recognition to the 2010 Mothers Against Drunk Driving Award Recipients, Deputy Dallas Hennessey, Deputy Corey Mayer, and Deputy Boris Garcia.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

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

CONVENED: City Council convened currently with the Lake Forest Redevelopment Agency, Rancho Cañada Financing Authority, and the Lake Forest Housing Authority at 7:23 p.m., for the purpose of conducting combined Lake Forest City Council, Lake Forest Redevelopment Agency, Rancho Cañada Financing Authority, and Lake Forest Housing Authority business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Joseph Richter, and Margie Matsil.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 5)

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

Council Member Rudolph pulled the following warrants for separate consideration: County of Orange 2010-11 Special Taxes Sports Park

Land, and Photography by Tony Kawashima, Inc.

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

ACTION: On motion by Council Member Rudolph and second by Council Member Voigts, the City Council approved the warrant payable to the County of Orange 2010-11 Special Taxes Sports Park Land. MOTION CARRIED with Mayor Herzog and Mayor Pro Tem Tettemer absent.

ACTION: On motion by Council Member Rudolph and second by Council Member Voigts, the City Council approved the warrant payable to Photography by Tony Kawashima, Inc. MOTION CARRIED with Mayor Herzog and Mayor Pro Tem Tettemer absent.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 6 - 12)

On motion by Council Member Voigts and second by Council Member Rudolph, the City Council approved Consent Calendar Item Nos. *6-7, and *9-11 as submitted. MOTION CARRIED with Mayor Herzog and Mayor Pro Tem Tettemer absent.

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

ACTION: On motion by Council Member Voigts and second by Mayor Pro Tem McCullough, 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. MOTION CARRIED with Mayor Herzog and Mayor Pro Tem Tettemer absent.

- *7. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON FEBRUARY 15, 2011 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *9. URBAN AREA SECURITY INITIATIVE GRANT PROGRAM submitted by Chief of Police Services. (F: 32.3)

ACTION: The City Council: 1. Authorized the City Manager to execute, and the City Clerk to attest, the agreement with the City of Anaheim to Transfer Funds for the 2010 Urban Area Security Initiative Grant Program. 2. Adopted Resolution No. 2011-07 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ACCEPT THE AGREEMENT TO TRANSFER FUNDS FOR THE 2010 URBAN AREA SECURITY INITIATIVE GRANT PROGRAM.

- *10. **CONTRACT AWARD FOR PARK AND PLAYGROUND SAFETY INSPECTION SERVICES** submitted by Director of Public Works/City Engineer. (F: 34.3E)

ACTION: The City Council: 1. Awarded a contract in the amount of \$25,840, to Playground Safety Analysts, of Rancho Santa Margarita, California, to provide park and playground safety inspection services. 2. Authorized the Mayor to sign, and the City Clerk to attest, the contract with Playground Safety Analysts, substantially in the form attached.

- *11. **REQUEST FOR PROPOSAL FOR ADA ACCESS RAMP IMPROVEMENTS (PW 2010.01)** submitted by Director of Public Works/City Engineer. (F: 61.3A PW2010.01)

ACTION: The City Council: 1. Approved the Request for Proposal for ADA Access Ramp Improvements (PW 2010.01). 2. Authorized staff to solicit proposals for professional engineering services for this project.

PULLED CONSENT CALENDAR ITEMS:

8. **2011 LAW ENFORCEMENT MEMORIAL BIKE RIDE** submitted by Chief of Police Services. (F: 71.17)

Council Member Rudolph pulled this item for separate consideration.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem McCullough, the City Council: 1. Approved the City's participation in the 2011 Memorial Bike Ride. 2. Authorized the expenditure of \$1,500 amended to \$2,000 to help offset the cost of participation in the event for riders representing the City of Lake Forest. **MOTION CARRIED** with Mayor Herzog and Mayor Pro Tem Tettemer absent.

12. DRAFT 2011/12 ACTION PLAN AND RELATED DOCUMENTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) submitted by Assistant City Manager. (F: 73.7H2)

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

The following members of the public offered comments: Reidel Post, Margie Wakeham, and Joy Cleary.

ACTION: On motion by Council Member Voigts and second by Council Member Rudolph, the City Council: 1. Approved the draft 2011/12 Action Plan and Re-Program unspent Community Development Block Grant (CDBG) from prior years. 2. Approved amendment to Citizen Participation Plan, Draft Section 3 Policy, and Draft Analysis of Impediments to Fair Housing. 3. Approved a 30-day public review and comment period for all documents, and directed staff to return documents to City Council for final approval and adoption on May 3, 2011. MOTION CARRIED with Mayor Herzog and Mayor Pro Tem Tettermer absent.

DISCUSSION/ACTION ITEMS:

13. ORDINANCE MODIFYING SKATEPARK REGULATIONS submitted by the Director of Community Services. (F: 46.9) (X: 40.1)

Staff report dated March 15, 2011 was introduced.

ACTION: On motion by Council Member Rudolph and second by Council Member Voigts, the City Council: Introduced for first reading Ordinance No. 227 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING SECTIONS 13.05.010, 13.05.030, 13.05.040, AND 13.05.050 OF THE LAKE FOREST MUNICIPAL CODE REGARDING SKATEPARK REGULATIONS. MOTION UNANIMOUSLY CARRIED with Mayor Herzog and Mayor Pro Tem Tettermer absent.

14. COMMUNICATIONS SITE LICENSE AGREEMENT FOR WIRELESS COMMUNICATIONS FACILITIES submitted by Assistant City Manager. (F: 24.9)

Staff report dated March 15, 2011 was introduced.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem McCullough, the City Council approved the attached Communications Site License Agreement ("License Agreement") as the standard template for the use of City property located in the public right-of-way. MOTION CARRIED with Mayor Herzog and Mayor Pro Tem Tettemer absent.

15. FIRST AMENDMENT TO LEASE AGREEMENT FOR 2004 CERTIFICATES OF PARTICIPATION submitted by City Attorney. (This item was heard concurrently with Rancho Cañada Financing Authority Item No. 2) (F: 30.19) (X: 30.6)

Staff report dated March 15, 2011 was introduced.

ACTION: On motion by Council Member Rudolph and second by Council Member Voigts, the City Council: 1. Approved Amendment No. 1 to the Lease Agreement between the Rancho Cañada Financing Authority and the City of Lake Forest. 2. Adopted Resolution No. 2011-08 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST AUTHORIZING THE EXECUTION AND DELIVERY OF AMENDMENT NO. 1 TO LEASE AGREEMENT. 3. Authorized the City Manager to execute the Certificate of the City of Lake Forest delivered in connection with the execution of Amendment No. 1 to the Lease Agreement. MOTION CARRIED with Mayor Herzog and Mayor Pro Tem Tettemer absent.

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

ACTION: On motion by Council Member Voigts and second by Council Member Rudolph, the City Council received and filed the report as submitted. MOTION CARRIED with Mayor Herzog and Mayor Pro Tem Tettemer absent.

17. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES AND/OR ASSOCIATION OF CALIFORNIA CITIES, ORANGE COUNTY submitted by City Clerk. (F: 43.3)

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT: (F: 26.16)

City Manager Dunek presented comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member McCullough presented comments.

Council Member Rudolph presented comments.

Council Member Voigts presented comments.

Mayor Pro Tem Tetteimer was absent.

Mayor Herzog was absent.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 8:40 p.m.