

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
March 1, 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:

7:01 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

There were no items scheduled for Closed Session.

PUBLIC SESSION

7:01 p.m.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the Flag of our Country was led by Council Member McCullough.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no Closed Session.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

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

PRESENTATIONS:

1. 2010 RESIDENT AND BUSINESS SURVEY submitted by Deputy City Manager/Director of Management Services. (F: 24.7A)

ACTION: The City Council received the presentation as submitted.

RECESS: City Council recessed at 7:30 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:33 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Teresa Whatley, Matt Corrigan, and Margie Matsil.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 2)

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

Mayor Pro Tem Tettermer disclosed he is an employee of the Irvine Ranch Water District (IRWD); he does not work for the department which handles rate setting or billings; because IRWD, a public agency, is the only available purveyor of water in areas of the City, he has concluded, in consultation with the City Attorney, he has a non-interest in this warrant; and having made this disclosure he is permitted to vote on this item.

ACTION: On motion by Council Member McCullough and second by Council Member Rudolph, the City Council approved the warrant register in the amount of \$1,834,535.10 as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 3 - 7)

MOTION: On motion by Mayor Pro Tem Tetterer and second by Mayor Herzog, the City Council approved Consent Calendar Item Nos. *3-5 as submitted.
MOTION UNANIMOUSLY CARRIED.

- *3. 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.

- *4. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON FEBRUARY 1, 2011, submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *5. MONTHLY TREASURER'S REPORT - JANUARY submitted by Director of Finance/City Treasurer. (F: 30.12)

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

PULLED CONSENT CALENDAR ITEMS:

- 6. SECOND AMENDMENT WITH JFK TRANSPORTATION FOR TEEN TRANSPORTATION submitted by Director of Community Services. (F: 25.2D1)

Council Member Rudolph pulled this item for separate consideration.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council: 1. Approved an amendment to the Agreement with JFK Transportation Company, Inc. for Teen Related Transportation Services. 2. Authorized the Mayor to sign the Second Amendment with JFK Transportation Company, Inc.
MOTION UNANIMOUSLY CARRIED.

- 7. NOTIFICATION TO ORANGE COUNTY AUDITOR-CONTROLLER REGARDING SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT submitted by Assistant City Manager. (F: A50.7E)

Mayor Herzog pulled this item for separate consideration.

ACTION: On motion by Council Member McCullough and second by Mayor Herzog, the City Council pursuant to the provisions of Assembly Bill X4-26 (ABX4-26), authorized the City Manager to inform the Orange County Auditor-Controller's Office of the Redevelopment Agency's proposed source of funds, should the Agency be required to remit its Fiscal Year 2010-2011 Special Educational Revenue Augmentation Fund ("SERAF") payment. **MOTION UNANIMOUSLY CARRIED.**

PUBLIC HEARING(S):

8. **AN APPEAL OF THE PLANNING COMMISSION'S DECISION AFFIRMING THE DEVELOPMENT SERVICES DIRECTOR'S DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY FOR 7-ELEVEN LOCATED AT 20562 REGENCY LANE, SUITE A, LAKE FOREST submitted by Director of Development Services. (F: 23.5E12)**

Staff report dated March 1, 2011 was introduced.

Mayor Herzog opened the Public Hearing for public comment.

The following members of the public offered comments: Mark Smith, Alex Stoddart, Marvin Blum, JoAnne Erro, Dwight Robinson, Greg Woodard, Rita Bradly, Steve Valderrama, Carol Schaar, Steven Pond, Neil Saavedra, Tom Ludden, Paramjitt Singh, and Liz Miller.

Mayor Herzog closed the public portion of the Public Hearing.

RECESS: City Council recessed at 9:11 p.m.

RECONVENE: City Council reconvened at 9:15 p.m.

ACTION: On motion by Mayor Herzog and second by Mayor Pro Tem Tettemer, the City Council affirmed the Planning Commission's decision affirming the Development Service Director's Determination of Public Convenience or Necessity for 7-Eleven, 20562 Regency Lane, Suite A, Lake Forest and directed staff to bring back an appropriate Resolution for adoption by the City Council. **MOTION CARRIED** with Council Member Voigts opposing.

Council Member Voigts left the dais at 9:20 p.m.

Council Member Voigts returned to the dais at 9:35 p.m.

DISCUSSION/ACTION ITEMS:

9. MID-YEAR BUDGET REVIEW submitted by Director of Finance/City Treasurer. (F: 30.9)

Staff report dated March 1, 2011 was introduced.

ACTION: On motion by Mayor Herzog and second by Council Member Voigts, the City Council: 1. Adopted Resolution No. 2011-06 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11 AND THE CAPITAL IMPROVEMENTS BUDGET FOR 2009-2011. 2. Approved the restatement of beginning balances as noted in the section "Restatement of Beginning Balances." 3. Approved budget adjustments to estimated revenues as noted in section "Proposed Adjustments to Fiscal Year 2010-11 Estimated Revenues." 4. Approved budget adjustments to interfund transfers as noted in section "Proposed Adjustments to Fiscal Year 2010-11 Interfund Transfers." 5. Directed staff to return to the City Council during the annual budget process to provide updated information on implementing the second phase of employee retirement cost sharing. MOTION UNANIMOUSLY CARRIED.

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

ACTION: The City Council received and filed the report with minute action to adopt positions on various legislative proposals as recommended.

11. 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 no comments.

CONTINUED CLOSED SESSION:

There were no items scheduled for Closed Session.

ADJOURNMENT: 10:05 p.m.