

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
May 17, 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: 5:40 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

Council Member Voigts joined Closed Session at 5:45 p.m.
Mayor Pro Tem Tettemer joined Closed Session at 6:30 p.m.

CLOSED SESSION (F: !6.3)

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Existing Litigation
Number of Cases: 5

City of Lake Forest v. Moen, et al. (Consolidated Case No. 30-2009-00298887)

City of Lake Forest v. Pharmer's Choice Collective, et al. (Case No. 30-2010-00435043)

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)

City of Lake Forest adv. Marla James, et al. (Case No. SACV 10-00402 AG(MLGx

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: City Manager
3. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representative: Mayor
Unrepresented employee: City Manager

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:45 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:00 p.m., with all Members present 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 Tetterer.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

4. PROCLAMATION DESIGNATING MAY 31ST AS "WORLD NO TOBACCO DAY" submitted by City Clerk. (F: 55.2)

ACTION: On motion by Mayor Pro Tem Tetterer and second by Council Member McCullough, the City Council approved the

proclamation designating May 31st as "World No Tobacco Day" in the City of Lake Forest. MOTION UNANIMOUSLY CARRIED.

5. RECOGNITION OF OUTGOING DIRECTOR OF FINANCE submitted by Deputy City Manager/Director of Management Services. (F: 55.5)

ACTION: The City Council approved and made presentation to Elizabeth Andrew for her contributions to the City of Lake Forest during her tenure as Director of Finance.

REPORT FROM STUDENT LIAISON: (F: 35.2A)

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

RECESS: City Council recessed at 7:20 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:50 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS:

The public offered no comments.

Council Member Rudolph left the dais at 7:51 p.m.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 6)

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

ACTION: On motion by Council Member Voigts and second by Council Member McCullough, the City Council approved the warrant register in the amount of \$1,391,827.31 as submitted. MOTION CARRIED with Council Member Rudolph absent.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 7 - 16)

ACTION: On motion by Council Member Voigts and second by Council Member Tettemer, the City Council approved Consent Calendar Item Nos. *7 and*9-16 as submitted. MOTION CARRIED with Council Member Rudolph absent.

- *7. 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.

- *9. CITY-WIDE RECORDS RETENTION SCHEDULE submitted by City Clerk. (F: 51.5)

ACTION: The City Council adopted Resolution No. 2011-15 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING A CITY-WIDE POLICY AND SCHEDULE FOR THE RETENTION AND DESTRUCTION OF RECORDS MAINTAINED BY THE CITY AND RESCINDING RESOLUTION NOS. 1996-33 AND 2009-02.

- *10. FISCAL YEAR 2010-11 3RD QUARTER TRAVEL AND MEETING EXPENSES - JANUARY 1, 2011 - MARCH 31, 2011 submitted by Deputy City Manager/Director of Management Services. (F: 51.2A24)

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

- *11. SECOND AMENDMENT WITH AGE WELL SENIOR SERVICES FOR SENIOR TRANSPORTATION SERVICES submitted by Director of Community Services. (F: 71.12la)

ACTION: The City Council: 1. Approved an amendment to the Agreement with Age Well Senior Services (formerly known as South County Senior Services) for senior related transportation services. 2. Authorized the Mayor to sign the Amendment to the Agreement with Age Well Senior Services.

- *12. COOPERATIVE AGREEMENT WITH OCTA/SENIOR MOBILITY PROGRAM submitted by Director of Community Services. (F: 71.12l)

ACTION: The City Council approved the Agreement with the Orange County Transportation Authority (OCTA) for Senior Transportation through the Senior Mobility Program (SMP).

- *13. AWARD OF CONTRACT FOR ENVIRONMENTAL CONSULTANT SERVICES FOR THE PROPOSED SHEA/BAKER RANCH

DEVELOPMENT submitted by Director of Development Services.
(F: 50.11B4)

ACTION: The City Council: 1. Approved the selection of The Planning Center for Environmental Consultant Services for the proposed Shea/Baker Ranch development, in an amount not to exceed \$90,690. 2. Authorized the Mayor to execute, and the City Clerk to attest, the agreement with The Planning Center.

- *14. AMENDMENT TO AGREEMENT FOR HOUSING REHABILITATION LOAN PROGRAM IMPLEMENTATION SERVICES submitted by Assistant City Manager. (F: 73.7E)

ACTION: The City Council approved the Second Amendment to the Agreement for Professional Consultant Services with Housing Rehabilitation Consulting Services for implementation of the Housing Rehabilitation Loan Program.

- *15. AMENDMENT TO AGREEMENT FOR HOUSING REHABILITATION LOAN PROGRAM ESCROW SERVICES submitted by Assistant City Manager. (F: 73.7E)

ACTION: The City Council approved Second Amendment to the Agreement for Professional Consultant Services with AmeriNational Community Services for implementation of escrow services for the Housing Rehabilitation Loan Program.

- *16. 23201 SAGUARO STREET DRAFT RELOCATION PLAN submitted by Assistant City Manager. (F: A52.2)

ACTION: The City Council: 1. Approved Saguaro Project Draft Relocation Plan to commence a 30-day review and comment period. 2. Directed staff to return the Saguaro Project Draft Relocation Plan for final approval following the review period.

PULLED CONSENT CALENDAR ITEM:

8. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON APRIL 19, 2011 submitted by City Clerk.

Mayor Pro Tem Tetteimer pulled this item for separate consideration.

ACTION: On motion by Mayor Pro Tem Tetteimer and second by

Council Member Voigts, the City Council approved the Minutes as amended. MOTION CARRIED with Council Member Rudolph absent.

Council Member Rudolph returned to the dais at 7:55 p.m.

DISCUSSION/ACTION ITEMS:

17. SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT CLOSURE OF ALISO ELEMENTARY SCHOOL submitted by Assistant to the City Manager. (F: 59.2C)

The following members of the public offered comments: Harris Khan, Angela Zendijar, Andrew Grizarra, Ulu Cook, Jim Bothwell, and Rob Lange.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council directed staff to send a letter to the Saddleback Valley Unified School Board in opposition to the closure of Aliso Elementary School. MOTION UNANIMOUSLY CARRIED.

18. CIVIC CENTER WORKSHOP submitted by Deputy City Manager/Director of Management Services. (F: 15.6)

City Attorney Smith stated Mayor Pro Tem Tettermer is an employee of Irvine Ranch Water District (IRWD); because his employer is a public entity, he is not subject to the rules of the Political Reform Act or Government Code Section 10.90. However, if there are discussions relating to IRWD's unique interest, issues that are related to IRWD's location or the ultimate use of the IRWD property, he will recuse himself. Issues that relate to the project in general, the conceptual presentations in staff report, do not relate to IRWD's unique interest, and it is recommended that he participate in the discussion.

City Manager Dunek introduced the Agenda Item.

Deputy City Manager Rose introduced the staff report dated May 17, 2011 and provided a presentation.

CONSENSUS: Staff will incorporate Council comments with regard to service goals/amenities and image for initial scoping of Civic Center project and provide revised image/concepts for Council review.

19. IMPLEMENTATION OF "IN GOD WE TRUST" DISPLAY IN CITY COUNCIL CHAMBERS submitted by Assistant to the City Manager. (F: 10.3)

Council discussion ensued.

ACTION: On motion by Council Member Voigts and second by Council Member McCullough, the City Council selected Troop leader James Hoffman of Boy Scout Troop 747 to assist in providing design and installation within the City Council Chambers the motto "In God We Trust." MOTION CARRIED with Mayor Herzog and Mayor Pro Tem Tetterer abstained.

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

ACTION: The City Council provided direction to staff to address a letter at the request of the City of San Clemente, to the Blue Ribbon Commission on America's Nuclear Future encouraging the scheduling of a Commission meeting in California.

ACTION: On motion by Mayor Herzog and second by Mayor Pro Tem Tetterer, the City Council took the position of opposition to Senate Bill 437. MOTION CARRIED with Council Member McCullough and Council Member Rudolph opposed.

21. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES AND/OR ASSOCIATION OF CALIFORNIA CITIES submitted by City Clerk. (F: 43.4B)

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 no comments.

Mayor Herzog offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 10:22 p.m.