

PRELIMINARY ACTION AGENDA  
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council  
May 18, 2010

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: 5:36 p.m.

ROLL CALL:	Council Members:	Kathryn McCullough Marcia Rudolph Mark Tettermer Richard T. Dixon Peter Herzog
	Mayor Pro Tem:	
	Mayor:	
	City Manager:	Robert C. Dunek
	City Attorney:	Scott C. Smith
	City Clerk:	Stephanie D. Smith

CLOSED SESSION (F: 16.3) 5:36 p.m.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code Section 54956.8  
Property: APN: 104-143-25 and 104-143-27  
Agency negotiators: City Manager and City Attorney  
Negotiating parties: Property Owner of Record  
Under Negotiation: Price and Terms of Payment
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(c)  
Number of Potential Cases: 1
3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(a)  
Existing Litigation  
Number of Cases: 1

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

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

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

5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(a)  
Existing Litigation  
Number of Cases: 4

City of Lake Forest v. Lake Forest Body Centre, Charlie Abujudeh, Julie Ho, Christine Vo & El Toro Plaza, L.P. (Case No. 07-CC11555)

Charlie Abujudeh v. City of Lake Forest (Case No. 07-CC10334)

Julie Ho v. City of Lake Forest (Case No. 30-2008-00107142)

Doris Vo, et al. v. City of Lake Forest, et al. (Case No. 30-2008-00113132)

6. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957  
Title: City Manager

7. CONFERENCE WITH LABOR NEGOTIATORS  
Pursuant to Government Code Section 54957.6  
Agency designated representative: Mayor  
Unrepresented employee: City Manager

8. CONFERENCE WITH LABOR NEGOTIATORS  
Pursuant to Government Code Section 54957.6  
Agency designated representative: City Manager  
Unrepresented employee: All Employees

9. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section

54956.9(b)  
Number of Potential Cases: 1

ACTION: Conducted Closed Session.

RECESS: City Council recessed from Closed Session at 7:01 p.m. for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:07 p.m. with all members present to continue regular City business.

PUBLIC SESSION 7:00 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Mayor Pro Tem Dixon.

CLOSED SESSION REPORT: (F: 16.3)

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

10. REPORT BY INVESTMENT OVERSIGHT REVIEWER QUARTER ENDED MARCH 31, 2010 submitted by Director of Finance/City Treasurer. (F: 30.10A)

ACTION: On motion by Council Member Tettemer and second by Council Member McCullough, the City Council received and filed the report from Kathryn Beseau with the firm of Macias, Gini & O'Connell LLP. MOTION UNANIMOUSLY CARRIED.

11. RECOGNITION OF KENNETH G. HOLLAND, 2010 ORANGE COUNTY SHERIFF'S MEDAL FOR LIFESAVING RECIPIENT submitted by Chief of Police Services. (F: 55.5)

ACTION: On motion by Council Member Tettemer and second by Council Member McCullough, the City Council presented a Certificate of Recognition to the 2010 Orange County Sheriff's Department Medal for Lifesaving recipient, Community Services Officer (CSO) Kenneth G. Holland. MOTION UNANIMOUSLY CARRIED.

REPORT FROM STUDENT LIAISON:

Nikki David, Student Liaison from El Toro High School, presented her report.

RECESS: City Council recessed at 7:19 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:25 p.m. with all members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

Bob Serra, Irvine resident, offered comments.  
Vincent Burke, Lake Forest resident, offered comments.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 12)

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

Council Member Rudolph pulled the warrant payable to California Building Standards for separate consideration.

ACTION: On motion by Council Member McCullough and second by Council Member Rudolph, 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 California Building Standards as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 13 - 20)

ACTION: On motion by Council Member Tettermer and second by Council Member Rudolph, the City Council approved Consent Calendar Item Nos. \*13-19. MOTION UNANIMOUSLY CARRIED.

13. WAIVE READING OF ORDINANCES AND RESOLUTIONS submitted by City Clerk.

ACTION: 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.

- \*14. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON APRIL 20, 2010 submitted by City Clerk.

ACTION: Approved as submitted.

- \*15. CITY FINANCIAL REPORTS - QUARTER ENDED MARCH 31, 2010 submitted by Director of Finance/City Treasurer. (F: 30.13)

ACTION: Received and filed.

- \*16. MONTHLY TREASURER'S REPORT - APRIL submitted by Director of Finance/City Treasurer. (F: 30.12)

ACTION: Received and filed.

- \*17. ADOPTION OF ORDINANCE NO. 213 - LAKE FOREST TRANSPORTATION MITIGATION PROGRAM BASELINE ADJUSTMENT IMPLEMENTATION PERIOD submitted by City Clerk. (F: 50.11C)

ACTION: 1. Conducted second reading of Ordinance No. 213, entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING SECTION 7.19.030(C) OF THE LAKE FOREST MUNICIPAL CODE RELATING TO THE LAKE FOREST TRANSPORTATION MITIGATION PROGRAM BASELINE ADJUSTMENT IMPLEMENTATION PERIOD. 2. Adopted Ordinance No. 213.

- \*18. AMENDMENT TO CONTRACT FOR HOUSING REHABILITATION LOAN PROGRAM IMPLEMENTATION SERVICES submitted by Assistant City Manager. (F: 73.7E)

ACTION: Approved amendment to the Housing Rehabilitation Loan Program implementation services contract extending the term and service costs for an additional year.

- \*19. AMENDMENT TO CONTRACT FOR HOUSING REHABILITATION LOAN PROGRAM ESCROW SERVICES submitted by Assistant City Manager. (F: 73.7E)

ACTION: Approved amendment to the Housing Rehabilitation Loan Program Escrow Services contract extending the term and service costs for an additional year.

PULLED CONSENT CALENDAR ITEMS:

Mayor Herzog pulled the following item for separate consideration:

20. CONSULTANT AGREEMENT FOR HUMAN RESOURCES CONSULTING SERVICES submitted by Deputy City Manager/Director of Management Services. (F: 48.8)

ACTION: On motion by Mayor Herzog and second by Council Member Tettermer, the City Council approved the Agreement with Creative Management Solutions, Inc., for human resources consulting services as amended. MOTION UNANIMOUSLY CARRIED.

PUBLIC HEARING(S):

21. RETAINING WALL DESIGN GUIDELINES submitted by Director of Development Services. (F: 50.17)

ACTION: On motion by Mayor Herzog and second by Council Member McCullough, the City Council continued the public hearing on Retaining Wall Design Guidelines to the June 1, 2010 regular City Council Meeting. MOTION UNANIMOUSLY CARRIED.

Council Member Rudolph left the dais at 8:23 p.m.

22. ZONE CHANGE 2009-01, AMENDMENT TO CHAPTER 9.164 (SIGN CODE) OF THE LAKE FOREST MUNICIPAL CODE submitted by Director of Development Services. (F: 50.31)

ACTION: On motion by Vice Chair Dixon and second by Council Member McCullough, the City Council introduced for first reading an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING CHAPTER 9.164 (SIGN CODE) OF THE LAKE FOREST MUNICIPAL CODE (ZC 2009-01). MOTION UNANIMOUSLY CARRIED WITH COUNCIL MEMBER RUDOLPH ABSENT.

Council Member Rudolph returned to the dais at 8:25 p.m.

Council Member McCullough left the dais at 8:25 p.m.

Council Member McCullough returned to the dais at 8:31 p.m.

DISCUSSION/ACTION ITEMS:

23. FISCAL YEAR 2010-11 OPERATING BUDGET WORKSHOP submitted by Director of Finance/City Treasurer. (F: 30.9)

ACTION: On motion by Mayor Pro Tem Dixon and second by Mayor Herzog, the City Council: 1. Conducted the Workshop on the Fiscal Year 2010-11 Proposed Operating Budget. 2. Reviewed, revised, and provided other direction to finalize the Proposed Operating Budget. 3. Continued discussion to the June 1, 2010 regular City Council meeting. MOTION UNANIMOUSLY CARRIED.

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

ACTION: On motion by Mayor Pro Tem Dixon and second by Mayor Herzog, the City Council adopted Resolution No. 2010-09. MOTION UNANIMOUSLY CARRIED.

25. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES submitted by City Clerk. (F: 43.4B)

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT:

The City Manager offered no comments.

CITY COUNCIL COMMENTS:

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Council Member Tetteimer offered comments.

Mayor Pro Tem Dixon offered comments.

Mayor Herzog offered no comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 10:20 p.m.