

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
August 19, 2014

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:

5:35 p.m.

ROLL CALL:	Council Members:	David A. Bass Kathryn McCullough Scott Voigts
	Mayor Pro Tem:	Adam Nick
	Mayor:	Dwight Robinson
	City Manager:	Robert C. Dunek
	City Attorney:	Scott C. Smith
	City Clerk:	Stephanie D. Smith

CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: APN: 104-143-46 and 104-143-47
Agency negotiators: City Manager, Assistant City Manager and City Attorney
Negotiating parties: Baker Ranch Properties, LLC
Under Negotiation: Price and Terms of Payment for Land for On-Site Public Facilities
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: 5.6 Acre site located at the southwest corner of Alton Parkway and Commercentre Drive (APN 610-371-02 & 610-371-05)
Agency negotiators: City Manager, Assistant City Manager and City Attorney

Negotiating parties: Meritage Homes of California, Inc.
Under Negotiation: Price and Terms of Payment for Land for On-Site
Public Facilities

3. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
Number of potential cases: 1

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:58 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:05 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

INVOCATION: The Invocation was led by Matt Parmalee, Pastor/Director of Campus Operations, Saddleback Church.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Boy Scouts from Troop No. 639.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

There were no items scheduled for Presentation.

PUBLIC COMMENTS:

The following members of the public offered comments: Marcia Rudolph, Eric Garretson, and Stan Yombo.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 4)

4. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer.

ACTION: On motion by Council Member Bass and second by Council Member McCullough, the City Council approved the warrant register in the amount of \$863,546.84 as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 5 - 17)

ACTION: On motion by Council Member McCullough and second by Council Member Voigts, the City Council approved Consent Calendar Item Nos. *5-9, *11-12, and *15-17. MOTION UNANIMOUSLY CARRIED.

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

ACTION: The City Council waived reading, by title only, 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.

- *6. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON JULY 15, 2014, submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *7. ADOPTION OF ORDINANCE NO. 261 - ADDING CHAPTER 2.18 TO THE LAKE FOREST MUNICIPAL CODE TO REGULATE PROFESSIONAL LOBBYING ACTIVITIES BY ELECTED CITY OFFICIALS submitted by City Clerk.

ACTION: The City Council: 1. Conducted the second reading of Ordinance No. 261 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA ADDING CHAPTER 2.18 TO THE LAKE FOREST MUNICIPAL CODE RELATING TO THE REGULATION OF PROFESSIONAL LOBBYING ACTIVITIES BY ELECTED CITY OFFICIALS. 2. Adopted Ordinance No. 261.

- *8. ADOPTION OF ORDINANCE NO. 265 - AN ORDINANCE AMENDING THE LAKE FOREST MUNICIPAL CODE RELATING TO PARKS AND RECREATIONAL FACILITIES submitted by City Clerk.

ACTION: The City Council: 1. Conducted the second reading of Ordinance No. 265 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING SECTION

3.26.070, ADDING SECTIONS 13.02.013, 13.02.015, AND 13.02.033, AND DELETING CHAPTER 13.08 OF THE LAKE FOREST MUNICIPAL CODE RELATING TO PARKS AND RECREATIONAL FACILITIES AND USER FEES. 2. Adopted Ordinance No. 265.

- *9. ADOPTION OF ORDINANCE NO. 266 - ADDING SECTION 2.05.020 TO CHAPTER 2.05 OF THE LAKE FOREST MUNICIPAL CODE RELATING TO ELECTRONIC FILINGS submitted by City Clerk.

ACTION: The City Council: 1. Conducted the second reading of Ordinance No. 266 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADDING SECTION 2.05.020 TO CHAPTER 2.05 OF THE LAKE FOREST MUNICIPAL CODE RELATING TO ELECTRONIC AND PAPER FILING METHODS OF CAMPAIGN FINANCE DISCLOSURE STATEMENTS. 2. Adopted Ordinance No. 266.

- *11. FIRST AMENDMENT TO AGREEMENT FOR FIRE/EMS EMERGENCY AMBULANCE SERVICES IN THE CITY OF LAKE FOREST submitted by Assistant City Manager.

ACTION: The City Council authorized the City Manager to execute the submitted contract extensions for the provision of 911 Emergency Medical Transportation and related services.

- *12. CONTRACT FOR CROSSING GUARD SERVICES submitted by Assistant City Manager.

ACTION: The City Council: 1. Awarded a contract, in the amount of \$262,972, to All City Management, Inc. for Crossing Guard Services 2. Authorized the Mayor to sign and the City Clerk to attest to the agreement with All City Management substantially in the form attached.

- *15. AMENDMENT NO. 2 TO MASTER AGREEMENT NO. C-1-2773 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY submitted by Director of Public Works/City Engineer.

ACTION: The City Council authorized the Mayor to execute and the City Clerk to attest, Amendment No. 2 to the Master Funding Agreement No. C-1-2773, substantially in the form attached.

- *16. APPROVAL OF FINAL TRACT MAP NO. 17439 submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Adopted Resolution No. 2014-32 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, APPROVING FINAL TRACT MAP NO. 17439, CREATING A 73-NUMBERED AND 15-LETTERED LOT SUBDIVISION FOR SINGLE FAMILY RESIDENTIAL PURPOSES ON 7.014-ACRES LOCATED SOUTH OF BAKE PARKWAY AND WEST OF PORTOLA PARKWAY. 2. Approved the Subdivision Improvement Agreement with Taylor Morrison of California, LLC, A California Limited Liability Company, to construct the subdivision improvements associated with Final Tract Map No. 17439. 3. Accepted the Subdivision Faithful Performance Bond and the Subdivision Labor and Materials Bond both in the amount of \$449,375, the Subdivision Warranty Bond in the amount of \$44,938, and the Subdivision Monumentation Bond in the amount of \$8,000, as surety for the construction of the subdivision improvements.

- *17. ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR FINAL TRACT MAP NO. 17491 submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Accepted public improvements constructed by Shea Baker Ranch Associates, LLC, for Final Tract Map No. 17491. 2. Authorized the City Clerk to file a Certificate of Acceptance with the Orange County Recorder for the public improvements. 3. Authorized the City Manager to execute the Subordination to the Easement Deed between Shea Baker Ranch Associates, LLC, and Baker Ranch Community Association.

PULLED CONSENT CALENDAR ITEMS:

10. MONTHLY TREASURER'S REPORT - JULY 2014 submitted by Director of Finance/City Treasurer.

Council Member Bass pulled this item for separate consideration.

He asked for clarification on statements within the report.

Staff will report back to Council with the possibility of utilizing outside consultants for funds management.

Council Member Bass asked for consensus and Council Member Voigts seconded the request, to have staff research using outside consultants to manage the fund.

CONSENSUS: Staff will provide a report to the use of an outside source to manage the fund.

ACTION: On motion by Council Member Bass and second by Council Member Voigts, the City Council received and filed the report as submitted. MOTION UNANIMOUSLY CARRIED.

13. CONTRACT AWARD TO SIGMANET INC. FOR THE SPORTS PARK TECHNOLOGY INFRASTRUCTURE PROJECT submitted by Deputy City Manager/Director of Management Services.

Council Member Voigts pulled this item for separate consideration.

He inquired on the current status of SIGMANet's performance with the City.

City Manager Dunek deferred to Deputy City Manager Rose who reported the day-to-day support is positive, SIGMANet provides onsite staffing, and the number of requests for support has declined.

ACTION: On motion by Council Member Voigts and second by Council Member McCullough, the City Council: 1. Awarded a contract in the amount of \$70,497 to SIGMANet, Inc. for Installation of the Lake Forest Sports Park and Recreation Center Technology Infrastructure. 2. Authorized the Mayor to sign, and the City Clerk attest to the agreement with SIGMANet, Inc., substantially in the form attached. MOTION UNANIMOUSLY CARRIED.

PUBLIC HEARING(S):

18. ANNUAL REVIEW OF DEVELOPMENT AGREEMENTS submitted by City Manager.

Staff report dated August 19, 2014 was introduced.

Mayor Robinson opened the Public Hearing for public comment.

The public offered no comments.

Mayor Robinson closed the public portion of the Public Hearing.

Council discussion ensued.

ACTION: On motion by Council Member McCullough and second by Council Member Voigts, the City Council: 1. Conducted the annual review of development agreements between the City and the following parties: 1) BrookCal LF LLC ("Brookfield"), 2) Foothill Village LLC ("Trumark")/Taylor Morrison of CA LLC, 3) Irvine Ranch Water District ("IRWD"); 4) USA Portola Properties, LLC, and SunRanch Capital Partners, LLC ("Portola"); 5) Westbay Trust U/A DTD ("Pinnacle"); and 6) Shea/Baker Ranch Associates ("SBRA"). 2. Found that BrookCal LF LLC, Foothill Village LLC ("Trumark")/Taylor Morrison of CA LLC, IRWD, Portola, Pinnacle, and Shea/Baker Ranch Associates ("SBRA") are each in good faith compliance with their respective development agreements. **MOTION UNANIMOUSLY CARRIED.**

19. **ZONING CODE AMENDMENT 6-14-4507, AN ORDINANCE AMENDING TITLE 5 AND TITLE 9 OF THE LAKE FOREST MUNICIPAL CODE RELATING TO PROMOTIONAL SIGNS, TEMPORARY OUTDOOR PROMOTIONS, AND LIVE ENTERTAINMENT** submitted by Director of Development Services.

Staff report dated August 19, 2014 was introduced.

Mayor Robinson opened the public hearing for public comment.

The public offered no comment.

Mayor Robinson closed the public portion of the Public Hearing.

Council discussion ensued.

ACTION: On motion by Council Member Voigts and second by Council Member McCullough, the City Council: 1. Conducted the public hearing. 2. Determined Zoning Code Amendment 6-14-4507 is not a project subject to the California Environmental Quality Act pursuant to sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines. 3. Introduced for first reading Ordinance No. 267 entitled: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING LAKE FOREST MUNICIPAL CODE CHAPTERS 5.05 - SPECIAL EVENTS, AS RELATED TO TEMPORARY OUTDOOR PROMOTIONS, CHAPTER 5.36 - ENTERTAINMENT PERMITS, AS RELATED TO OUTDOOR ENTERTAINMENT, AND CHAPTER 9.164 - SIGNS, AS RELATING TO PROMOTIONAL SIGNS; AND ENACTING CHAPTER 9.180 - TEMPORARY OUTDOOR PROMOTIONS. MOTION UNANIMOUSLY CARRIED.**

Consent Calendar Agenda Item Heard Out of Order:

14. LAKE FOREST TRANSPORTATION MITIGATION PROGRAM FIVE-YEAR REVIEW submitted by Director of Public Works/City Engineer.

Staff pulled this item for separate consideration.

Public Works Director Tom Wheeler presented the staff report dated August 19, 2014.

The following members of the public offered comments: Jim Richert, and Jim Gardner.

Council discussion ensued.

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

DISCUSSION/ACTION ITEMS:

20. TRAFFIC EDUCATION FORUM SUMMARY REPORT submitted by Deputy City Manager/Director of Management Services.

Staff report dated August 19, 2014 was introduced.

The following member of the public offered comment: Jim Gardner.

Council discussion ensued.

ACTION: On motion by Council Member Bass and second by Council Member McCullough the City Council: 1. Received and filed this report with no further action to be taken. **MOTION UNANIMOUSLY CARRIED.**

RECESS: The City Council recessed at 8:45 p.m.

RECONVENE: The City Council reconvened at 8:55 p.m.

21. PAVEMENT MANAGEMENT PROGRAM submitted by Director of Public Works/City Engineer.

Staff report dated August 19, 2014 was introduced.

Council discussion ensued.

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

22. ORDINANCE DETERMINING THE SPEED LIMIT ON RANCHO PARKWAY SOUTH submitted by Director of Public Works/City Engineer.

Staff report dated August 19, 2014 was introduced.

ACTION: On motion by Council Member Bass and second by Council Member McCullough, the City Council introduced for first reading Ordinance No. 268 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, DETERMINING THE SPEED LIMIT ON RANCHO PARKWAY SOUTH. MOTION UNANIMOUSLY CARRIED.

23. CONSIDERATION OF THE CITY COUNCIL WRITTEN COMMUNICATION POLICY submitted by Deputy City Manager/Director of Management Services.

Staff report dated August 19, 2014 was introduced.

Council discussion ensued.

ACTION: The City Council provided direction to staff to draft a City Council Written Communication policy to be brought back to Council for review and approval.

24. LEGISLATIVE AND REGULATORY MATTERS submitted by City Manager.

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

CITY MANAGER'S REPORT:

City Manager Dunek provided no comments.

CITY COUNCIL COMMENTS:

Council Member Bass offered comments.

Council Member McCullough offered comments.

Council Member Voigts offered comments.

Mayor Pro Tem Nick offered comments.

Mayor Robinson offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 9:41 p.m.