

PRELIMINARY ACTION AGENDA  
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council  
June 5, 2012

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:

5:45 p.m.

ROLL CALL: Council Members:

Peter Herzog  
Marcia Rudolph  
Mark Tetteimer

Mayor Pro Tem:

Scott Voigts

Mayor:

Kathryn McCullough

City Manager:

Robert C. Dunek

City Attorney:

Scott C. Smith

City Clerk:

Stephanie D. Smith

CLOSED SESSION (F: 0410-30)

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

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Pursuant to Government Code Section 54956.9(b)  
Significant Exposure to Litigation  
Number of potential cases: 1

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:55 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:06 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 Council Member Rudolph.

#### CLOSED SESSION REPORT: (F: 0410-30)

City Attorney Smith stated there was no reportable action.

#### PRESENTATIONS: (F: 0410-75)

5. RECOGNITION OF ORANGE COUNTY SHERIFF'S DEPARTMENT INVESTIGATOR MARCUS PEREZ, RECIPIENT OF THE 2012 MEDAL OF VALOR AND INVESTIGATOR ADAM KOLIHA, RECIPIENT OF THE 2012 MEDAL FOR LIFE SAVING submitted by City Clerk.

ACTION: On motion by Council Member Herzog and second by Council Member Tettermer, the City Council presented Certificates of Recognition to Orange County Sheriff's Department Investigators Marcus Perez and Adam Koliha. MOTION UNANIMOUSLY CARRIED.

#### REPORT FROM STUDENT LIAISON: (F: 0150-65)

Alice Hackett, Student Liaison from El Toro High School, presented her final report.

#### PUBLIC COMMENTS: (F: 0410-35)

The following members of the public offered comments: Katelyn Suikkanen, Claire Schlotterbeck, Brenda Watkins, Matt Holly, Herb Cohen, Kevin Donohue, Norman Abbod, Richard Stein, Amanda Morrell, Mike Pitlik, Greg Collin, Ted Perle, Marion Pack, Gary Hedrick, Mark Niebel, and Lorenzo Ronquillo.

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

6. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer. (F: 0300-30)

Council Member Tetterer 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.

Council Member Rudolph pulled the following warrants for separate consideration: AY Nursery Inc., and El Toro High School Grad Night 2012.

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

Council Member Rudolph asked what type of tree was selected for the City's 20<sup>th</sup> Anniversary, and where was it going to be planted.

Staff reported a California Oak planted at Heroes Park.

**ACTION:** On motion by Council Member Rudolph and second by Mayor Pro Tem Voigts, the City Council approved the warrant payable to RHA Landscape Architects-Planners, Inc. **MOTION UNANIMOUSLY CARRIED.**

Council Member Rudolph commented on El Toro High School's Grad Night and the City's contribution.

**ACTION:** On motion by Council Member Rudolph and second by Mayor Pro Tem Voigts, the City Council approved the warrant payable to El Toro High School Grad Night. **MOTION UNANIMOUSLY CARRIED.**

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 7 - 17)

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem Voigts, the City Council approved the Consent Calendar Item Nos. \*7-17.  
MOTION UNANIMOUSLY CARRIED.

- \*7. WAIVE READING OF ORDINANCES AND RESOLUTIONS submitted by City Clerk.

ACTION: The City Council approved the 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.

- \*8. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON MAY 1, 2012, submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- \*9. ADOPTION OF ORDINANCE NO. 243 - ZONING CODE AMENDMENT 7-11-2024, NON-RESIDENTIAL USES submitted by City Clerk.  
(F: 0610-10)

ACTION: The City Council: 1. Conducted the second reading of Ordinance No. 243 entitled: AN ORDINANCE AMENDING TITLE 9 OF THE LAKE FOREST MUNICIPAL CODE AND APPLICABLE SECTIONS OF THE LAKE FOREST PLANNED COMMUNITY, FOOTHILL RANCH PLANNED COMMUNITY, BAKER RANCH PLANNED COMMUNITY, PACIFIC COMMERCENTRE PLANNED COMMUNITY AND RANCHO DE LOS ALISOS PLANNED COMMUNITY. (ZC 7-11-2024). 2. Adopted Ordinance No. 243.

- \*10. RESOLUTIONS PERTAINING TO THE 2012 GENERAL MUNICIPAL ELECTION submitted by City Clerk. (F: 0430-20)

ACTION: The City Council: 1. Adopted Resolution No. 2012-37 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES. 2. Adopted Resolution No. 2012-38 entitled: A RESOLUTION OF THE CITY

COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA,  
REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF  
ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO  
BE HELD ON TUESDAY, NOVEMBER 6, 2012, WITH THE  
STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE  
PURSUANT TO § 10403 OF THE CALIFORNIA ELECTIONS CODE.

3. Adopted Resolution No. 2012-39 entitled: A RESOLUTION OF THE  
CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA,  
ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE  
OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED  
TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY,  
NOVEMBER 6, 2012.

- \*11. FISCAL YEAR 2011-2012 THIRD QUARTER TRAVEL AND MEETING  
EXPENSES - JANUARY 1, 2012 - MARCH 31, 2012 submitted by City  
Clerk. (F: 0360-40)

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

- \*12. REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE  
PURSUANT TO THE POLITICAL REFORM ACT OF 1974 submitted by  
City Clerk. (F: 0460-05)

ACTION: The City Council: 1. Directed the City Manager or designee to  
have the City's Conflict of Interest Code reviewed pursuant to  
Government Code Section 87306.5. 2. Filed a statement of review with  
the City Council no later than October 1, 2012. 3. Revised the Conflict of  
Interest Code based upon such review if necessary.

- \*13. INDEPENDENCE DAY PARADE ROAD CLOSURES AND RELATED  
ACTIVITIES - JULY 4, 2012 submitted by Director of Community  
Services. (F: 0910-50)

ACTION: The City Council: 1. Approved road closures of race and  
parade route from 5:00 A.M. – 1:00 P.M. on July 4, 2012. 2. Directed  
Public Works to provide required traffic control devices and crews for  
road closures. 3. Directed Police Services to staff road closures and  
patrol events. 4. Approved street sweeping of route before race and  
after parade.

- \*14. CONTRACTUAL SERVICES AGREEMENT WITH THE LAKE FOREST  
CHAMBER OF COMMERCE submitted by Assistant City Manager.  
(F: 0400-10)

**ACTION:** The City Council reviewed the Lake Forest Chamber of Commerce Fiscal Year 2012-2013 Business Proposal and approved a Contractual Services Agreement between the City of Lake Forest and the Chamber of Commerce for business development and attraction services.

- \*15. **CONTRACT AWARD FOR GRAFFITI REMOVAL AND PRESSURE WASHING SERVICES** submitted by Director of Public Works/City Engineer. (F: 0400-10)

**ACTION:** The City Council: 1. Awarded a contract for an annual not-to-exceed amount of \$73,030, to Bonanza Steam Cleaning of San Juan Capistrano, California, for graffiti removal and pressure washing services, substantially in the form attached. 2. Waived the minor bid irregularity of a unit bid price clerical error. 3. Upon receipt of the executed contract documents from Bonanza, rejected all other bids received and authorized return of the bid bonds. 4. Authorized the Mayor to sign, and the City Clerk to attest, the contract with Bonanza Steam Cleaning.

- \*16. **APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE STATE-LOCAL PARTNERSHIP PROGRAM FORMULA GRANT** submitted by Director of Public Works/City Engineer. (F: 0390-30)

**ACTION:** The City Council: 1. Adopted Resolution No. 2012-40 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE STATE-LOCAL PARTNERSHIP PROGRAM UNDER THE PROPOSITION 1B HIGHWAY SAFETY, TRAFFIC REDUCTION, AIR QUALITY, AND PORT SECURITY BOND ACT OF 2006 FOR STREET RESURFACING VARIOUS STREETS PROJECT. 2. Authorized the Mayor to sign and the City Clerk to send a certified copy of the Resolution to the Orange County Transportation Authority. 3. Authorized the Director of Public Works/City Engineer to complete and submit the necessary Funding Application forms to Orange County Transportation Authority for the projects identified in the Resolution.

17. **MEASURE M SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM** submitted by Director of Public Works/City Engineer. (F: 0330-40)

**ACTION:** The City Council: 1. Approved the Measure M Seven-Year

Capital Improvement Program for Fiscal Years 2012-13 through 2018-19. 2. Authorized the Director of Public Works to forward the approved Measure M Seven-Year Capital Improvement Program to the Orange County Transportation Authority.

**PUBLIC HEARING(S):**

18. INTRODUCTION FOR FIRST READING OF AN ORDINANCE REPEALING CHAPTER 9.142 OF THE LAKE FOREST MUNICIPAL CODE RELATING TO DEVELOPMENT REVIEW IN THE EL TORO REDEVELOPMENT PROJECT AREA AND ADOPTION BY THE CITY COUNCIL ACTING AS THE REDEVELOPMENT AGENCY SUCCESSOR AGENCY OF A RESOLUTION REPEALING RESOLUTION NO. 2006-R06 PROVIDING FOR REDEVELOPMENT PLAN CONFORMANCE REVIEW BY THE REDEVELOPMENT AGENCY submitted by City Attorney and Director of Development Services. (F: 0660-10)

City Attorney Smith introduced the staff report dated June 5, 2012.

Mayor McCullough opened the Public Hearing for public comment.

Mayor McCullough closed the public portion of the Public Hearing.

**ACTION:** On motion by Council Member Rudolph and second by Council Member Herzog, the City Council: 1. Introduced for first reading Ordinance No. 244 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST CALIFORNIA, REPEALING CHAPTER 9.142 OF THE LAKE FOREST MUNICIPAL CODE RELATING TO DEVELOPMENT REVIEW IN THE EL TORO REDEVELOPMENT PROJECT AREA. 2. Adopted Resolution No. 2012-41 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST REPEALING RESOLUTION NO. 2002-R06 PROVIDING FOR REDEVELOPMENT PLAN CONFORMANCE REVIEW BY THE LAKE FOREST REDEVELOPMENT AGENCY. 3. Adopted Resolution No. 2012-42 entitled: A RESOLUTION OF THE LAKE FOREST CITY COUNCIL, ACTING AS SUCCESSOR AGENCY TO THE LAKE FOREST REDEVELOPMENT AGENCY REPEALING RESOLUTION NO. 2002-R06 PROVIDING FOR REDEVELOPMENT PLAN REVIEW BY THE LAKE FOREST REDEVELOPMENT AGENCY. MOTION UNANIMOUSLY CARRIED.

**DISCUSSION/ACTION ITEMS:**

19. APPOINTMENT PROCESS FOR CITY COMMISSIONERS submitted by Deputy City Manager/Director of Management Services. (F: 0410-20)

ACTION: On motion by Mayor Pro Tem Voigts and second by Council Member Herzog, the City Council continued the item to the June 19, 2012 City Council meeting. MOTION UNANIMOUSLY CARRIED.

20. DISCUSSION OF ANTI-BULLYING CAMPAIGN IN LAKE FOREST SCHOOLS submitted by City Clerk. (F: 0150-65)

Mayor McCullough introduced the agenda item.

ACTION: On motion by Mayor Pro Tem Voigts and second by Council Member Rudolph, the City Council asked staff to prepare and return to Council an Anti-Bullying Program. MOTION UNANIMOUSLY CARRIED.

21. POTENTIAL SENIOR ADVISORY BOARD submitted by Director of Community Services. (F: 0120-05)

Staff report dated June 5, 2012 was introduced.

ACTION: On motion by Council Member Rudolph and second by Mayor McCullough, the City Council asked staff to provide additional direction on the establishment of a Senior Advisory Board as appropriate. MOTION UNANIMOUSLY CARRIED.

22. INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 13.20 OF THE LAKE FOREST MUNICIPAL CODE REGULATING CAMPING AND STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY submitted by City Attorney. (F: 0610-10)

City Attorney Smith introduced the staff report dated June 5, 2012.

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem Voigts, the City Council introduced Ordinance No. 245 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST CALIFORNIA, AMENDING CHAPTER 13.20 OF THE LAKE FOREST MUNICIPAL CODE REGULATING CAMPING AND STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY as amended. MOTION UNANIMOUSLY CARRIED.



23. LEGISLATIVE AND REGULATORY MATTERS submitted by Deputy City Manager/Director of Management Services. (F: 0480-75)

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

24. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES, ASSOCIATION OF CALIFORNIA CITIES, ORANGE COUNTY AND/OR THE ORANGE COUNTY CITY SELECTION COMMITTEE 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: 0410-36)

Council Member Herzog offered comments.

Council Member Rudolph offered comments.

Council Member Tetteimer offered no comments.

Mayor Pro Tem Voigts offered comments.

Mayor McCullough offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 10:08 p.m.