

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
May 15, 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:

5:35 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 REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: APNs: 612-161-11, 612-161-12 and 612-163-03
Agency negotiators: City Manager and City Attorney
Negotiating parties: Trumark Companies, LLC and Brookfield Homes, LLC
Under Negotiation: Square Foot And Per Acre Fee Assertions
3. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Subsection 54956.9(c)

Number of potential cases: 1

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:53 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 McCullough.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

4. REPORT BY INVESTMENT OVERSIGHT REVIEWER QUARTER ENDED MARCH 31, 2012 submitted by Director of Finance/City Treasurer. (F: 0350-85)

ACTION: The City Council received and filed the report from Linda Hurley with the firm of Macias, Gini & O'Connell.

REPORT FROM STUDENT LIAISON: (F 0150-65)

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

PUBLIC COMMENTS: (F: 0410-35)

The following members of the public offered comments: Gregory Sprague, Mark Neibel, Lorenzo Ronquillo, and Loyla Eteonadi.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 5)

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

ACTION: On motion by Mayor Pro Tem Voigts and second by Council Member Herzog, the City Council approved the warrant register in the amount of \$1,076,261.77 as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 6 - 13)

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem Voigts, the City Council approved Consent Calendar Item Nos. *6-9, *11-13. MOTION UNANIMOUSLY CARRIED.

- *6. 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.

- *7. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON APRIL 17, 2012, submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *8. MONTHLY TREASURER'S REPORT - APRIL submitted by Director of Finance/City Treasurer. (F: 0320-70)

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

- *9. AWARD OF PROFESSIONAL SERVICES CONTRACT FOR TEEN TRANSPORTATION SERVICES submitted by Director of Community Services. (F: 0400-10)

ACTION: The City Council: 1. Approved the selection of JFK Transportation Company, Inc. for Teen Transportation Services. 2. Authorized the Mayor to execute an agreement with JFK Transportation Company, Inc.

- *11. CONSULTANT CONTRACT AWARD FOR ENGINEERING DESIGN SERVICES FOR THE ADA ACCESS RAMP IMPROVEMENT PROJECT PHASE VI (PW 2011.03) submitted by Director of Public Works/City Engineer. (F: 0400-10)

ACTION: The City Council: 1. Awarded a contract in the amount of \$43,366 to PENCO Engineering, Inc., for professional engineering design services for the ADA Access Ramp Improvement Project Phase VI (PW 2011.03). 2. Authorized the Mayor to sign, and the City Clerk to attest the Agreement with PENCO Engineering, Inc., substantially in the form attached.

- *12. APPROVE FISCAL YEAR 2012/2013 ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) submitted by Assistant City Manager. (F: 0670-25)

ACTION: The City Council: 1. Approved the Fiscal Year 2012/2013 Action Plan for the City's Community Development Block Grant (CDBG) and authorized its submission to the U.S. Department of Housing and Urban Development (HUD).

- *13. APPLICATION TO ENABLE THREE LAKE FOREST EMPLOYERS TO PARTICIPATE IN OCTA'S METROLINK STATION VAN PROGRAM submitted by Assistant City Manager. (F: 0150-31)

ACTION: The City Council: 1. Reviewed and approved the Draft application for OCTA's Metrolink Station Van Program. 2. Adopted Resolution No. 2012-33 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE SUBMITTAL OF TRANSIT IMPROVEMENT PROJECTS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR MEASURE M FUNDING UNDER PROJECT S BUS AND STATION VAN PROGRAM.

PULLED CONSENT CALENDAR ITEMS:

10. BID DOCUMENTS FOR THE RIMGATE PARK AND TAMARISK PARK IMPROVEMENT PROJECT PW 2009.14 submitted by Director of Public Works/City Engineer. (F: 0370-32)

Council Member Rudolph pulled this item for separate consideration.

ACTION: On motion by Council Member Herzog and second by Council Member Tettermer, the City Council: 1. Approved the bid documents for the Tamarisk Park and Rimgate Park Renovation Project PW 2009.14. 2. Authorized staff to solicit bids for construction. MOTION UNANIMOUSLY CARRIED.

PUBLIC HEARING(S):

14. SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, AREA PLAN 2-11-1732, AND TENTATIVE TRACT MAP 16466 , SHEA / BAKER RANCH DEVELOPMENT submitted by Director of Development Services. (F: 0600-76)

Staff report dated May 15, 2012 was introduced.

Mayor McCullough opened the Public Hearing for public comment.

Bob Yoder, representing Shea/Baker addressed the Council.

Mayor McCullough closed the public portion of the Public Hearing.

ACTION: On motion by Council Member Herzog and second by Council Member Tetterer, the City Council: 1. Adopted Resolution No. 2012-34 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, CERTIFYING THE SHEA/BAKER RANCH SUPPLEMENTAL FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2004071039), ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE PROJECT (Attachment 1).

2. Adopted Resolution No. 2012-35 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING AREA PLAN 2-11-1732 FOR THE SHEA / BAKER RANCH DEVELOPMENT, LOCATED IN THE NORTHWESTERN PORTION OF THE CITY OF LAKE FOREST AND BOUND BY THE BORREGO CANYON WASH TO THE WEST, COMMERCENTRE DRIVE TO THE SOUTH, BAKE PARKWAY TO THE SOUTHEAST, AND RANCHO PARKWAY TO THE NORTH. (ASSESSOR'S PARCEL NUMBERS 610-421-07 through 09; 610-422-01; 610-431-01 through 12; 410-432-01 through 17; 612-132-01 and 612-134-05) (Attachment 2).

3. Adopted Resolution No. 2012-36 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 16466 FOR THE SHEA / BAKER RANCH DEVELOPMENT, LOCATED IN THE NORTHWESTERN PORTION OF THE CITY OF LAKE FOREST AND

BOUND BY THE BORREGO CANYON WASH TO THE WEST, COMMERCENTRE DRIVE TO THE SOUTH, BAKE PARKWAY TO THE SOUTHEAST, AND RANCHO PARKWAY TO THE NORTH. (ASSESSOR'S PARCEL NUMBERS 610-421-07 through 09; 610-422-01; 610-431-01 through 12; 410-432-01 through 17; 612-132-01 and 612-134-05) (Attachment 3). MOTION UNANIMOUSLY CARRIED.

15. ZONING CODE AMENDMENT 7-11-2024, NON-RESIDENTIAL USES ORDINANCE submitted by Director of Development Services. (F: 0610-10)

Staff report dated May 15, 2012 was introduced.

ACTION: On motion by Council Member Rudolph and second by Council Member Herzog the City Council introduced for first reading 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). MOTION UNANIMOUSLY CARRIED.

DISCUSSION/ACTION ITEMS:

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

ACTION: The City Council continued this item to the June 5, 2012 City Council meeting.

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

ACTION: On motion by Mayor Pro Tem Voigts and second by Council Member Rudolph, the City Council received and filed the report as submitted adopting positions on various legislative proposals as recommended. MOTION UNANIMOUSLY CARRIED.

18. 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 no comments.

Council Member Rudolph offered comments.

Council Member Tetteimer offered no comments.

Mayor Pro Tem Voigts offered no comments,

Mayor McCullough offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 8:30 p.m.