

MINUTES OF A REGULAR MEETING
OF THE LAKE FOREST CITY COUNCIL

The regular meeting of the Lake Forest City Council held August 20, 2013 at the Lake Forest Council Chamber, 25550 Commercentre Drive, Lake Forest, California 92630 was called to order at 5:42 p.m.

ROLL CALL:

Council Members:	Peter Herzog Adam Nick Dwight Robinson
Mayor Pro Tem: Mayor	Kathryn McCullough Scott Voigts
City Manager:	Robert C. Dunek
City Attorney:	Scott C. Smith
City Clerk:	Stephanie D. Smith

RECESS: City Council recessed at 5:42 p.m. for the purpose of conducting Closed Session Business.

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representative: City Manager
Unrepresented employee: All Employees
2. 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 and City Attorney
Negotiating parties: Baker Ranch Associates, LLC
Under Negotiation: Dedication of onsite land for development of affordable housing.

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:39 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:02 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

INVOCATION: The Invocation was led by Mayor Voigts.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Council Member Herzog.

CLOSED SESSION REPORT:

City Attorney stated there was no reportable action.

PRESENTATIONS:

3. REPORT BY INVESTMENT OVERSIGHT REVIEWER - QUARTER ENDING JUNE 30, 2013 submitted by Director of Finance/City Treasurer.

MOTION: On motion by Council Member Robinson and second by Mayor Pro Tem McCullough, the City Council received and filed the report from Kathy V. Lai with the firm of Macias, Gini & O'Connell. MOTION UNANIMOUSLY CARRIED.

PUBLIC COMMENTS:

The following members of the public offered comments:

Bob Newcomb, Lake Forest resident, spoke regarding the Timbers Apartment parking, and street sweeping in the area.

Marcia Rudolph, Lake Forest resident, spoke regarding the City of Lake Forest Concert in the Park, and provided her monthly report on the Vector Control Board of Director's meeting.

Kevin Donohoe, Lake Forest resident, spoke in favor of the Council adopting the 1st Law Enforcement Marine Corps Battalion of the Marine Corps at Camp Pendleton.

Rocky Hewitt, Lake Forest resident, addressed adoption of a Marine Corps Battalion.

Mayor Voigts sought consensus to discuss adoption of the Battalion on a future agenda.

CONCENSUS: The adoption of the 1st Law Enforcement Marine Corps Battalion will be placed as a discussion item for the next City Council meeting.

Jim Gardner, Lake Forest resident, spoke regarding the upcoming Planning Commission appointment.

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

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

MOTION: On motion by Mayor Pro Tem McCullough and second by Council Member Nick, the City Council approved the warrant register in the amount of \$1,484,565.00 as submitted. MOTION CARRIED with Council Member Nick abstained because of self-interest on the warrant payable to Cummins & White, LLP.

CONSENT CALENDAR – MISCELLANEOUS: (Item Nos. 5-15)

MOTION: On motion by Mayor Pro Tem McCullough and second by Council Member Robinson, the City Council approved Consent Calendar Item Nos. *5-6, *9-10, *12-15. MOTION UNANIMOUSLY CARRIED.

- *5. 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.

- *6. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON JULY 16, 2013 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

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

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

- *10. CLASSIFICATION PLAN AND SALARY SCHEDULE FOR FISCAL YEAR 2013-2014 submitted by Deputy City Manager/Director of Management Services.

ACTION: The City Council adopted Resolution No. 2013-26 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADOPTING A REVISED CLASSIFICATION PLAN AND SALARY SCHEDULE.

- *12. GRANT OF EASEMENT TO THE SOUTHERN CALIFORNIA EDISON COMPANY AT EL TORO ROAD AND RAINTREE submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the Grant of Easement and Easement Agreement with the Southern California Edison Company. 2. Authorized the City Manager to sign, and the City Clerk to attest, the Grant of Easement and Easement Agreement with the Southern California Edison Company.

- *13. APPROVAL OF FINAL TRACT MAP NO. 17531 submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Adopted Resolution No. 2013-28 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 17531, CREATING A 75-NUMBERED AND 11-LETTERED LOT SUBDIVISION FOR SINGLE FAMILY RESIDENTIAL PURPOSES ON 16.047 ACRES LOCATED AT THE SOUTHWEST CORNER OF ALTON PARKWAY AND MONARCH. 2. Approved the Subdivision Improvement Agreement with Toll CA VII, L.P. to construct the subdivision improvements associated with Final Tract Map No.17531. 3. Accepted the Subdivision Faithful Performance Bond and the Subdivision Labor and Materials Bond both in the amount of \$530,000, the Subdivision Warranty Bond in the amount of \$53,000, and the Subdivision Monumentation Bond in the amount of \$24,000, as surety for the construction of the subdivision improvements.

- *14. APPROVAL OF FINAL TRACT MAP NO. 17532 submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Adopted Resolution No. 2013-29 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 17532, CREATING AN 80-NUMBERED AND 12-LETTERED LOT SUBDIVISION FOR SINGLE FAMILY RESIDENTIAL PURPOSES ON 19.699 ACRES LOCATED SOUTHWEST OF THE INTERSECTION OF ALTON PARKWAY AND MONARCH. 2. Approved the Subdivision Improvement Agreement with Toll CA VII, L.P. to construct the subdivision improvements associated with Final Tract Map No.17532. 3. Accepted the Subdivision Faithful Performance Bond and the Subdivision Labor and Materials Bond both in the amount of \$610,000, the Subdivision Warranty Bond in the amount of \$61,000, and the Subdivision Monumentation Bond in the amount of \$24,000, as surety for the construction of the subdivision improvements.

- *15. ACCEPTANCE OF EASEMENT FOR STORM DRAIN PURPOSES submitted by Director of Public Works/City Engineer.

ACTION: The City Council approved the Storm Drain Easement Agreement with Shea Baker Ranch Associates and authorized the City Manager to sign, and the City Clerk, to attest the agreement.

Council Member Nick asked Council to hear the Public Hearing Appeal item, Agenda Item No. 16, before the pulled Consent Calendar Items.

CONSENSUS: The City Council approved hearing the Public Hearing Appeal item, Agenda Item No. 16, out of order.

THIS ITEM WAS HEARD OUT OF ORDER:

16. APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) FOR A NEW CONVENIENCE STORE LOCATED AT 24882 MUIRLANDS BOULEVARD submitted by Director of Development Services.

Mayor Voigts reviewed the order of the proceedings and introduced the public hearing item dated August 20, 2013.

City Attorney Smith summarized that in California case law there is due process when Counsel participates with staff in bringing an item forward. It requires separate Counsel to sit with City Council and advise it as a hearing body. Arrangements were made and Mr. Joseph W. Fletcher, Attorney at Law, will sit as advisor to the City Council. City Attorney Smith continued, as Counsel to the City he will sit with staff and be able to clarify any legal aspects of their recommendation.

Mr. Fletcher provided a summary of the hearing procedures. He asked if any members of the Council met with, had written communication, or contact of any kind with the applicant or the subject property.

No Council had visited the site, no one met with the applicant, and none of the Council met with the neighbors of the site under appeal.

Mayor Voigts opened the Public Hearing for public comment.

Director of Development Services Gayle Ackerman provided the staff report.

The applicant Mr. Majid Jannatipour, stated he had 35 years of experience, spent a great deal of money to open his business, and was told he did not need a Conditional Use Permit (CUP). He stated he did tenant improvements based on this assumption. He also provided a copy of his Zoning Affidavit. He stated he would accept a Type 20 beer and wine license only.

Mayor Voigts asked if he had other spirit shops.

Mr. Jannatipour stated he had over the last 35 years. He reported he was aware of the census tract. He noted it is a great location and provides easy access both for his business and for customers.

Council Member Herzog asked for an understanding of the Zoning Affidavit.

Director Ackerman introduced Planning Manager Cheryl Kuta to provide detail to the PCN and the zoning process.

Manager Kuta stated the affidavit displays a “no” in the box checked because the business was originally proposed as a deli. The CUP had already been approved by the Planning Commission, was not appealed and is in place.

Council Member Herzog asked about other check marks in Box 4, for “21 off-sale.”

Ms. Kuta explained that particular box referenced different markets, for example a grocery store. The term “21” refers to beer, wine, and distilled spirits.

Council Member Robinson asked about the applicant’s business history.

Mr. Jannatipour provided a historic summary of his business experiences.

The following members of the public offered comments:

Marcia Rudolph, Lake Forest resident, spoke in opposition to the project.

Jim Gardner, Lake Forest resident, spoke in opposition to the project.

Council Member Nick disclosed he is a retailer of alcohol. He stated this license does not affect his business and he will not be required to recuse himself.

Mayor Voigts closed the public portion of the Public Hearing.

RECESS: The City Council recessed at 8:03 p.m.

RECONVENED: The City Council reconvened at 8:12 p.m.

Council Member Herzog suggested having a review of the Public Convenience or Necessity (PCN) policy. He noted there are many new businesses wanting to establish a Lake Forest location but are impacted by the oversaturation of permitted ABC licenses. He asked staff if currently all census tracts are oversaturated.

City Manager Dunek stated all those within the city are oversaturated except for two which includes the Light Industrial Area (LIA), and the census tract area including Trabuco and El Toro Roads. He noted all others are oversaturated or residential zoning.

Council Member Robinson stated the need is to review each applicant on a case by case basis. He noted the applicants must meet the criteria for each census tract.

Council discussion continued.

Mayor Pro Tem McCullough made a motion to uphold the findings of the Planning Commission and vote no without prejudice.

Mr. Fletcher asked if Mayor Pro Tem McCullough's motion was to deny the PCN and uphold the findings of the Planning Commission.

Mayor Pro Tem McCullough stated her motion is to deny the PCN. Council Member Robinson seconded the motion.

Mayor Voigts called for a roll call vote.

MOTION: On motion by Mayor Pro Tem McCullough and second by Council Member Robinson, the City Council denied the appeal and did not make a Determination of Public Convenience or Necessity for a new convenience store located at 24882 Muirlands Boulevard and directed City staff to inform the Department of Alcoholic Beverage Control of the decision. MOTION CARRIED with Council Member Herzog opposed.

Mayor Pro Tem McCullough asked for consensus for staff to review the PCN policy.

CONSENSUS: Staff will provide City Council with policy recommendations for PCN.

PULLED CONSENT CALENDAR ITEMS:

7. ADOPTION OF ORDINANCE NO. 253 - ADOPTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAKE FOREST AND BROOKCAL LF LLC FOR CERTAIN PROPERTY LOCATED WITHIN THE CITY OF LAKE FOREST submitted by City Clerk.

This item was pulled for separate consideration by a member of the public.

The following members of the public offered comments:

Jim Gardner, Lake Forest resident, spoke in opposition to the project and asked Council to send this item back to the Planning Commission. He addressed concerns about traffic, and impact fees. He submitted information regarding the California Environmental Quality Act (CEQA).

Tim Morrisette, Lake Forest resident, spoke in opposition to the project.

Paul Matheis, Lake Forest resident, spoke in opposition to the development.

Mayor Voigts asked for staff to address the traffic study for the project.

Staff provided the process of the traffic modeling.

Mayor Voigts stated the impact of the project was reviewed and at looking at the intersections referenced by Mr. Gardner, there was no impact.

City Attorney Smith confirmed the section of the code Mr. Gardner referenced only applied when there are two conflicting expert opinions.

Staff reported libraries are an area that have an impact fee program and when those fees are paid the impacts are considered mitigated.

It was moved by Council Member Robinson, second by Mayor Voigts to approve staff's recommendations.

Council discussion continued.

Council Member Herzog spoke in opposition to the project. He noted the Planning Commission is the approving authority. He stated the tandem parking is not allowed under Foothill Ranch Community Development text. He stated the Mitigated Negative Declaration states this project is inconsistent with the Foothill Ranch Community Plan because of the residential unit cap.

Mayor Pro Tem McCullough addressed the recent growth of commercial development in the area for the proposed project. She spoke in opposition to the project.

Council Member Nick suggested restricted parking could be implemented to enforce residents to use their respective spaces.

RECESSED: The City Council recessed at 9:40 p.m.

RECONVENED: The City Council reconvened at 9:55 p.m.

Mayor Voigts noted the schools in the area are under the jurisdiction of the Saddleback Valley Unified School District, which is outside the City's sphere of influence.

Mayor Voigts asked for consensus to expand the 300 foot noticing requirement.

CONSENSUS: The City Council will discuss noticing requirements at a future Council meeting.

Council discussion continued.

Mayor Pro Tem McCullough made a substitute motion to send the item back to the Planning Commission to ensure staff requests are completed. There was no second.

MOTION: On motion by Council Member Robinson and second by Mayor Voigts, the City Council: 1. Conducted the second reading of Ordinance No. 253 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE ADOPTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAKE FOREST AND BROOKCAL LF LLC FOR CERTAIN REAL PROPERTY

LOCATED WITHIN THE CITY OF LAKE FOREST PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65864 ET SEQ. 2. Adopted Ordinance No. 253. MOTION CARRIED with Mayor Pro Tem McCullough and Council Member Herzog opposed.

8. ADOPTION OF ORDINANCE NO. 254 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST APPROVING ZONE CHANGE 2-12-2394 submitted by City Clerk.

This item was pulled by a member of the public for separate consideration.

Paul Matheis, Lake Forest resident, spoke in opposition to the zone change.

Council Member Robinson made a motion to approve the recommended action. Council Member Nick seconded the motion.

Mayor Pro Tem McCullough made a substitute motion to deny the zone change. Council Member Herzog seconded the motion.

SUBSTITUTE MOTION: Mayor Pro Tem McCullough moved, second by Council Member Herzog, to deny Zone Change 2-12-2394 amending the Land Use Zone from Foothill Ranch Plan Commercial to Foothill Ranch Plan Multiple Family for the Brookfield Towne Center Residential Development located south of Portola Parkway and east of Bake Parkway (APN 612-161-11 & 612-161-12). MOTION FAILED with Mayor Voigts, Council Member Nick and Council Member Robinson opposed.

Mayor Voigts called for the vote on the original motion.

MOTION: On motion by Council Member Robinson and second by Council Member Nick, the City Council: 1. Conducted the second reading of Ordinance No. 254 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST APPROVING ZONE CHANGE 2-12-2394 AMENDING THE LAND USE ZONING FROM FOOTHILL RANCH PLAN COMMERCIAL TO FOOTHILL RANCH PLAN MULTIPLE FAMILY FOR THE BROOKFIELD TOWNE CENTER RESIDENTIAL DEVELOPMENT LOCATED SOUTH OF PORTOLA PARKWAY AND EAST OF BAKE PARKWAY (APN 612-161-11 & 612-161-12) 2. Adopted Ordinance 254. MOTION CARRIED with Mayor Pro Tem McCullough and Council Member Herzog opposed.

11. ADOPTION OF A RESOLUTION FOR DENIAL, WITHOUT PREJUDICE, OF USE PERMIT 11-12-2955 FOR A SELF-STORAGE AND TRUCK/TRAILER RENTAL FACILITY AT 25290 JERONIMO ROAD submitted by Director of Public Works/City Engineer.

This item was pulled by a member of the public for separate consideration.

Marcia Rudolph, Lake Forest resident, asked for clarification of the result if the resolution

of denial was approved.

City Attorney Smith stated this resolution makes the denial without prejudice so the applicant can immediately submit a new application.

MOTION: On motion by Council Member Herzog and second by Mayor Pro Tem McCullough, the City Council adopted Resolution No. 2013-27 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, REVERSING THE ACTION OF THE PLANNING COMMISSION AND DENYING WITHOUT PREJUDICE USE PERMIT 11-12-2955 TO OPERATE A SELF-STORAGE AND TRUCK/TRAILER RENTAL FACILITY AT 25290 JERONIMO ROAD. MOTION CARRIED with Council Member Robinson opposed.

PUBLIC HEARING(S):

17. GENERAL PLAN AMENDMENT 1-12-2377, ZONE CHANGE 1-12-2376, TENTATIVE TRACT MAP 17439, SITE DEVELOPMENT PERMIT 1-12-2378, MITIGATED NEGATIVE DECLARATION AND DEVELOPMENT AGREEMENT FOR THE PASEOS AT FOOTHILL RANCH, TRUMARK RESIDENTIAL PROJECT, 70 AUTO CENTER DRIVE (APN 612-160-03) submitted by Director of Development Services.

City Council Member Herzog made a procedural point of order to present this item at an adjourned meeting to provide time for both the public and Council for review and discussion. He made a motion to continue the item, to be heard as the only item at a regularly adjourned meeting. Mayor Pro Tem McCullough seconded the motion.

MOTION: On motion by Council Member Herzog and second by Mayor Pro Tem McCullough, the City Council moved to continue the General Plan Amendment 1-12-2377, Zone Change 1-12-2376, Tentative Tract Map 17439, Site Development Permit 1-12-2378, Mitigated Negative Declaration and Development Agreement for the Paseos at Foothill Ranch, Trumark Residential Project, 70 Auto Center Drive (APN 612-160-03) to a regularly adjourned City Council meeting. MOTION FAILED with Mayor Voigts, Council Member Nick and Council Member Robinson opposed.

Development Services Director Gayle Ackerman provided the staff report dated August 20, 2013. She provided the Planning Commissions actions taken at the June 27, 2013 meeting.

Assistant City Manager David Belmer summarized the Development Agreement. He noted the General Plan Amendment would not be effective until the Development Agreement was approved. He reported it is a five-year term, vested rights to the Development Agreement and provides for a maximum of 69-75 units. He noted the fees are a result of a per-square foot approach and the City will receive \$31,292 dollars per unit for the facility fees.

City Attorney Smith reviewed the sequence of the enactments before the Council. He stated the entitlements are interdependent, each must pass for the others to have effect. He noted the most important is the Ordinance approving the Development Agreement.

Mayor Pro Tem McCullough asked for clarification to staff's comments that the appearance of the project must be uniform.

Director Ackerman stated the project must be consistent in relationship to the surrounding area.

Mayor Voigts opened the Public Hearing for public comment.

James O'Malley, representative for Trumark, spoke in support of the staff report and the Development Agreement negotiations.

Council Member Herzog asked if Trumark owns the property intended for development.

Jim O'Malley stated no, Trumark has an option to purchase the property.

Jim Gardner, Lake Forest resident, quoting from the City's leadership principles, spoke to the appearance of impropriety by Council members.

Council Member Nick made a motion to extend the City Council meeting to 11:15 p.m.

Mayor Pro Tem McCullough made a substitute motion to extend the City Council meeting to 11:00 p.m.

SUBSTITUTE MOTION: On motion by Mayor Pro Tem McCullough and second by Mayor Voigts, the City Council extended the City Council meeting to 11:00 p.m.

Bob Holtzclaw, Lake Forest resident, spoke in opposition to the development.

Marcia Rudolph, Lake Forest resident, spoke in opposition to the development.

Tim Morrisette, Lake Forest resident, spoke in opposition to the development.

Tom Grable, Lake Forest resident, spoke in favor of the project.

Dave Bartlett, vice president of land entitlement for Brookfield Homes, spoke in favor of the development. He stated cities county-wide are rezoning commercial land for residential. He stated there are significant economic benefits to this development.

Terry Anderson, Lake Forest resident, spoke in opposition to the project.

Mayor Voigts closed the public portion of the Public Hearing.

Council Member Herzog noted the City has rezoned 800 acres of commercial property to develop over 4,000 housing units, increasing the housing supply and population by 15 percent.

Mayor Pro Tem McCullough asked to extent the Council meeting time.

CONSENSUS: The City Council continued the meeting to hear the balance of the agenda items and to complete the agenda as presented.

Mayor Pro Tem McCullough made a motion to revert to the procedure for hearing the items independently and not as a package of submittals. The motion failed due to a lack of a second.

City Attorney Smith stated these applications were all submitted at one time and the Council's direction was they are to be considered concurrently.

Council Member Herzog summarized his opposition to the project.

Council Member Nick made a motion to accept staff recommendations.

MOTION: On motion by Council Member Nick and second by Council Member Robinson, the City Council: 1. Adopted Resolution No. 2013-31 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING AND ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE PASEOS AT FOOTHILL RANCH PROJECT LOCATED AT 70 AUTO CENTER DRIVE.

2. Introduced for first reading Ordinance No. 255 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE ADOPTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAKE FOREST AND FOOTHILL VILLAGE LLC FOR CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF LAKE FOREST PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65864 ET SEQ.

3. Adopted Resolution No. 2013-30 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT 1-12-2377 AMENDING THE LAND USE DESIGNATION AT 70 AUTO CENTER DRIVE, LOCATED SOUTH OF AUTO CENTER DRIVE AND NORTH OF TOWNE CENTRE DRIVE (APN 612-163-03) IN ORDER TO ALLOW FOR LOW-MEDIUM DENSITY RESIDENTIAL DEVELOPMENT.

4. Introduce for first reading Ordinance No. 256 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING ZONE

CHANGE 1-12-2376, AMENDING THE ZONING FROM FOOTHILL RANCH PLANNED COMMUNITY COMMERCIAL TO FOOTHILL RANCH PLANNED COMMUNITY RESIDENTIAL, SINGLE-FAMILY AT 70 AUTO CENTER DRIVE, LOCATED SOUTH OF AUTO CENTER DRIVE AND NORTH OF TOWNE CENTRE DRIVE.

5. Adopted Resolution No. 2013-32 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 17439 FOR THE PASEOS AT FOOTHILL RANCH, TRUMARK HOMES DEVELOPMENT AT 70 AUTO CENTER DRIVE, LOCATED SOUTH OF AUTO CENTER DRIVE AND NORTH OF TOWNE CENTRE DRIVE.

6. Adopt Resolution No. 2013-33 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT 1-12-2378 FOR THE PASEOS AT FOOTHILL RANCH, TRUMARK HOMES DEVELOPMENT AT 70 AUTO CENTER DRIVE, LOCATED SOUTH OF AUTO CENTER DRIVE AND NORTH OF TOWNE CENTRE DRIVE. MOTION CARRIED with Mayor Pro Tem McCullough and Council Member Herzog opposed.

DISCUSSION/ACTION ITEMS:

18. SEASONAL LIGHTING DISPLAY SERVICES submitted by Director of Community Services.

City Manager Dunek introduced the staff report dated August 20, 2013.

Community Services Manager Victoria Blethen provided an overview of the item. She asked for Council's direction.

Council Member Herzog left the meeting at 11:32 p.m.

Mayor Voigts made recommendations to use multi-colored lights at the medians and four corner trees adjacent to the Arbor. At the corner of Rockfield and El Toro Road, he recommended multi-colored lighting. He requested multi-colored lights in the tree limbs but white lights at the tree trunks.

Staff recommended the City lease the lighting materials and not purchase them.

Mayor Voigts moved with stated modifications, to approve the complete package of Table No. 1, to increase the budget allocation to include the entire package and to lease the lighting. Mayor Pro Tem McCullough seconded the motion. She amended the motion to include white lighting year round.

Council Member Robinson asked for a review of this item next year before implementing it again.

City Manager Dunek summarized the motion and stated the City is finalizing the contract

with the preferred vendor which will possibly reduce the cost.

MOTION: On motion by Mayor Pro Tem McCullough and second by Mayor Voigts, the City Council: 1. Received the presentation from staff. 2. Provided direction to staff with regard to placement and type of lighting, to include illumination of selected public areas throughout the year, and recommended leasing of required hardware. MOTION CARRIED with Council Member Herzog absent.

19. LEGISLATIVE AND REGULATORY MATTERS submitted by City Manager.

City Manager Dunek recommended Council oppose Senate Bill 594 as currently drafted. He stated staff would send a letter of opposition on Council's behalf.

MOTION: On motion by Mayor Voigts and second by Mayor Pro Tem McCullough, the City Council moved to oppose Senate Bill 594 and forward a letter of opposition to the State Senate. MOTION CARRIED with Council Member Herzog absent.

20. 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:

Council Member Herzog was absent.

Council Member Nick asked for information from City Attorney Smith regarding mobile home park issues.

City Attorney Smith stated he will provide information to Council within the week.

Council Member Robinson summarized the actions taken place at the Council meeting.

Mayor Pro Tem McCullough thanked the public for their patience with the long meeting. She reported attending as an invited guest, the Laguna Hills Toastmaster's meeting, the Transportation Corridor Agency meeting, the City of Lake Forest Concert in the Park, the Lake Forest Boys and Girls Club fundraiser, the grand opening of Uptown Cheapskate store, the Southern California Association of Governments meeting, and addressed concerns within the mobile home park community.

Mayor Voigts thanked staff for the Concert in the Park event, and spoke on unifying the

Council.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

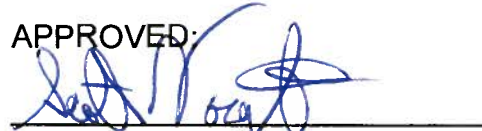
ADJOURNMENT:

The Meeting of the City Council of the City of Lake Forest adjourned at 12:00 a.m.

Respectfully submitted:


STEPHANIE D. SMITH, CMC
CITY CLERK

APPROVED:


SCOTT VOIGTS
MAYOR