

MINUTES OF A REGULAR MEETING  
OF THE LAKE FOREST CITY COUNCIL

The regular meeting of the Lake Forest City Council held May 7, 2013 at the Lake Forest Council Chamber, 25550 Commercentre Drive, Lake Forest, California 92630 was called to order at 5:35 p.m.

ROLL CALL:

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

RECESS: City Council recessed at 5:35 p.m. for the purpose of conducting Closed Session Business with Mayor Voigts absent.

CLOSED SESSION

1. 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: Price and Terms of Payment for Land for On-site Public Facilities

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(a)  
Existing Litigation  
Number of Cases: 2

Marla James, et al. v. United States of America, et al. (Case No. SACV 12-0280 (MLGx), U.S.D.C. Central District)

Christine Vo, United States Bankruptcy Court, Central District of California, Santa Ana Division (Case No. 8:12-bk-13023-MW)

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code section 54956.9(d)(1)  
Case Name: City of Lake Forest v. Alexander S. Rados, et al.  
Case Number: Orange County Superior Court Case No. 30-2011-00506646

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:40 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:01 p.m., with Mayor Voigts absent to continue regular City business.

## PUBLIC SESSION

INVOCATION: The Invocation was led by Council Member Nick.

## PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the Flag of our Country was led by Council Member Robinson.

## CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

## PRESENTATIONS:

4. PROCLAMATION DESIGNATING MAY 19-25, 2013, AS "NATIONAL PUBLIC WORKS WEEK" submitted by Director of Public Works/City Engineer.

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council approved the proclamation designating May 19-25, 2013 as National Public Works Week in the City of Lake Forest. MOTION CARRIED with Mayor Voigts absent.

5. PROCLAMATION DESIGNATING MAY 5-11, 2013 AS "MUNICIPAL CLERKS WEEK" submitted by City Clerk.

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council approved the proclamation designating the week of May 5-11, 2013 as Municipal Clerks Week. MOTION CARRIED with Mayor Voigts absent.

## REPORT FROM STUDENT LIAISON:

Jens Personious, Student Liaison from El Toro High School, presented his report.

**PUBLIC COMMENTS:**

The following members of the public presented public comments:

Gregory Sprague, Lake Forest resident, spoke about various city street and sidewalk repair expenditures.

Tom Rath, Lake Forest resident, spoke regarding city representation at the Transportation Corridor Agency.

Lanette Stewart, Lake Forest resident, spoke regarding the need for geese crossing signage on Muirlands Boulevard.

Marcia Rudolph, Lake Forest resident and Orange County Vector Control representative spoke regarding various vector issues.

Jim Gardner, Lake Forest resident, spoke and submitted written materials regarding the ratio of city attorney expenses to operating budget. He also invited the audience to the Lake One Garden Club's plant sale on Saturday May 11th.

Mike Balsamo, representing the Orange County Chapter of Building Industry Association introduced himself as their new Chief Executive Officer.

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

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

**MOTION:** On motion by Council Member Robinson and second by Council Member Herzog the City Council approved the warrant register in the amount of \$6,898,376.87 as submitted. **MOTION CARRIED** with Mayor Voigts absent.

**CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 7 - 11)**

**MOTION:** On motion by Council Member Herzog and second by Council Member Robinson, the City Council approved Consent Calendar Item Nos. \*7-11. **MOTION CARRIED** with Mayor Voigts absent.

- \*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 JOINT BUDGET WORKSHOP HELD ON MARCH 26, 2013 AND THE REGULAR MEETING OF THE CITY COUNCIL HELD ON APRIL 2, 2013 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- \*9. RELEASE OF BONDS FOR TRACT NO. 16224 - SHEA BAKER RANCH submitted by Director of Public Works/City Engineer.

ACTION: The City Council authorized the City Clerk to release Subdivision Faithful Performance Bond # 00-283-280, in the amount of \$4,493,849.78, Subdivision Labor and Materials Bond # 00-283-280, in the amount of \$4,493,849.78, Subdivision Warranty Bond # 00-283-280-A in the amount of \$449,384.97, and Subdivision Monument Bond in the amount of \$22,500.00.

- \*10. FIRST AMENDMENT TO AGREEMENT FOR TRAFFIC SIGNAL MAINTENANCE AND OPERATION submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the First Amendment to the agreement for Traffic Signal Maintenance and Operation with the County of Orange, substantially in the form attached. 2. Authorized the Mayor to sign, and the City Clerk to attest and transmit, the First Amendment to the County of Orange for final approval.

- \*11. FISCAL YEAR 2013/2014 ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) submitted by Assistant City Manager.

ACTION: The City Council: approved the Fiscal Year 2013/2014 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).

DISCUSSION/ACTION ITEMS:

12. FIVE-YEAR STRATEGIC PLAN REVIEW submitted by City Manager.

City Manager Dunek provided a brief staff report and requested staff continue the item in the absence of Mayor Voigts.

Jim Gardner, Lake Forest resident, suggested with new council members they might consider creating a new strategic plan. He also suggested the city use outside sources for the creation of the development plan rather than using staff.

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council directed staff to continue the item to this item to the May 14, 2013 Budget Workshop meeting. MOTION CARRIED with Mayor Voigts absent.

13. POTENTIAL MODIFICATIONS TO THE CITY'S TEMPORARY SIGNAGE AND PROMOTION PROCEDURES AND LIVE ENTERTAINMENT REGULATIONS submitted by Assistant City Manager and Director of Development Services.

City Manager Dunek recommended staff continue this item in the absence of Mayor Voigts.

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council continued this agenda item to the May 21, 2013 City Council meeting. MOTION CARRIED with Mayor Voigts absent.

14. LEGISLATIVE AND REGULATORY MATTERS submitted by City Manager.

City Manager Dunek introduced the report dated May 7, 2013.

Council Member Herzog addressed the State's attempt to remove cities rights to regulate their own land use in State Assembly Bill 667 and recommended opposing it. He suggested the City direct its legislative advocate to search all bills for language that makes local land use a statewide concern and the removal of local land use control.

MOTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council opposed State Assembly Bill 667. MOTION CARRIED with Mayor Voigts absent.

15. 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.

Mayor Pro Tem McCullough stated she was applying for the End Homelessness 2020 Housing Commission.

Council Member Herzog noted he is serving as Board Member of the Local Agency Formation Commission for an additional term.

ACTION: The City Council made no appointments.

#### CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

#### CITY COUNCIL COMMENTS:

Council Member Herzog noting it was Public Work's week, commented on the public works innovation of Etnies Skatepark; a collaborative effort with land donated by Bank of America, and a business partnership to develop the site with Etnies and the City of Lake Forest. He also mentioned the City's Economic Development team received an award

from Cal Association of Local Econ Development for outstanding work with local brokers.

Council Member Nick thanked staff and the public for attending the council meeting.

Council Member Robinson commended all of the volunteers in the city and reported attending the Foothill Ranch Community Foundation event which raised money for school technology, the Jim Sax Award luncheon, the Girl Scouts Gold and Silver Awards event, the Boy Scouts Eagle Award Scouting event, and the Rancho Fiesta days at Heritage Hill Historic Park.

Mayor Pro Tem McCullough on behalf of the City of Lake Forest received the Lifetime Achievement Award from Heritage Hill Historic Park, reported attending the Transportation Corridor Agency meeting, the League of California Cities, Orange County quarterly meeting, the Orange County 2020 Ending Homelessness Board meeting, the Orange County Special Needs in Transit Advisory Committee, the Mental Health Services Act Steering Committee, the Girl's Scouts Gold and Silver Awards event, the Boy Scout's Eagle Award Scouting event, met with Fire Authority executives, attended the City of Lake Forest 4<sup>th</sup> of July parade committee, and wished all a Happy Mother's Day.

Mayor Voigts was absent.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT:

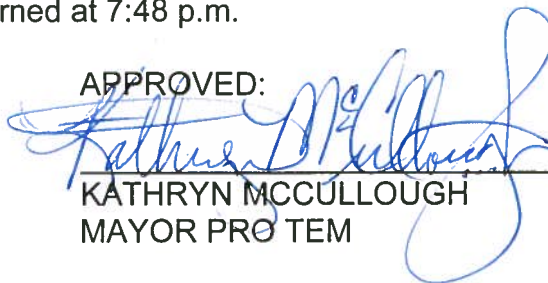
The City of Lake Forest City Council adjourned at 7:48 p.m.

Respectfully submitted:



STEPHANIE D. SMITH, CMC  
CITY CLERK

APPROVED:



KATHRYN MCCULLOUGH  
MAYOR PRO TEM