

PRELIMINARY ACTION AGENDA  
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council  
August 5, 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  
Adam Nick  
Dwight Robinson

Mayor Pro Tem:  
Mayor:

City Manager:  
City Attorney:  
City Clerk:

Robert C. Dunek  
Scott C. Smith  
Stephanie D. Smith

CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957  
Title: City Attorney
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: Price and Terms of Payment for Land for On-Site  
Public Facilities
3. 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: Mertiage Homes of California, Inc.  
Under Negotiation: Price and Terms of Payment for Land for On-Site Public Facilities

4. 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 6:55 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 Council Member McCullough.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Mayor Pro Tem Nick who deferred to a Life Scout from Troop 628.

#### CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

#### PRESENTATIONS:

There were no items scheduled for Presentation.

PUBLIC COMMENTS: The following member of the public offered comment: Marcia Rudolph.

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

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

Council Member McCullough pulled the warrant payable to Bonanza

Stream Cleaning.

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

Council Member McCullough referenced the actions being taken by Bonanza Steam Cleaning for Village Pond Park.

ACTION: On motion by Council Member McCullough and second by Council Member Voigts, the City Council approved the warrant payable to Bonanza Steam Cleaning. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 6 - 16)

ACTION: On motion by Council Member Bass and second by Council Member Voigts, the City Council approved Consent Calendar Item Nos. \*6-16. MOTION UNANIMOUSLY CARRIED.

- \*6. 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.

- \*7. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON JULY 1, 2014, submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- \*8. ADOPT ORDINANCE NO. 263 - ADDING CHAPTER 3.03 TO THE LAKE FOREST MUNICIPAL CODE REQUIRING A SUPERMAJORITY VOTE FOR THE ADOPTION OR INCREASE OF TAXES, ASSESSMENTS, AND FEES submitted by City Clerk.

ACTION: The City Council: 1. Conducted the second reading of Ordinance No. 263 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADDING CHAPTER 3.03 TO THE LAKE FOREST MUNICIPAL CODE REQUIRING A SUPERMAJORITY VOTE FOR THE ADOPTION OR INCREASE OF TAXES, ASSESSMENTS, AND FEES. 2. Adopted Ordinance No. 263.

- \*9. ADOPT ORDINANCE NO. 264 - ZONING CODE AMENDMENT 5-14-4503 MODIFYING CHAPTER 9.168 OF THE LAKE FOREST MUNICIPAL CODE SUBMITTAL REQUIREMENTS AND IMPLEMENTATION FOR SHARED PARKING REQUESTS submitted by City Clerk.

ACTION: The City Council: 1. Conducted the second reading of Ordinance No. 264 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING ZONE CHANGE 5-14-4503 AMENDING PORTIONS OF CHAPTER 9.168 OF THE LAKE FOREST MUNICIPAL CODE PERTAINING TO SHARED PARKING (ZONE CHANGE 5-14-4503). 2. Adopted Ordinance No. 264.

- \*10. FIRST CONTRACT AMENDMENT - ADDITIONAL DESIGN SERVICES REQUEST FOR NUVIS LANDSCAPE FOR VILLAGE POND PARK submitted by Director of Community Services.

ACTION: The City Council: 1. Approved the First Contract Amendment with Nuvis Landscape to provide additional design services for Village Pond Park. 2. Authorized the Mayor to sign, and the City Clerk attest, the First Amendment substantially in the form attached.

- \*11. FIRST AMENDMENT TO THE LAKE FOREST EQUESTRIAN CENTER LEASE submitted by Assistant City Manager.

ACTION: The City Council approved the First Amendment to the City's lease with the Lake Forest Equestrian Center Inc., dba Serrano Creek Ranch and authorized the City Manager to execute, and the City Clerk to attest, the document.

- \*12. CONTRACT AWARD FOR GRAPHIC DESIGN SERVICES submitted by Deputy City Manager/Director of Management Services.

ACTION: The City Council: 1. Awarded a contract in the amount of \$43,900 to Creative Vision Group, LLC., for Graphic Design Services for The Leaflet and In Business newsletters. 2. Awarded a contract in the amount of \$35,400 to Creative Vision Group, LLC., for Graphic Design Services for the Leisure Times. 3. Authorized the Mayor to sign, and the City Clerk attest to, the agreements with Creative Vision Group, substantially in the form attached.

- \*13. BID DOCUMENTS FOR THE SIGNALIZED INTERSECTION AT RANCHO PARKWAY AND SPORTS PARK ACCESS ROAD (PW 2013.20) submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the bid documents for the Signalized Intersection at Rancho Parkway and Sports Park Access Road project. 2. Authorized staff to solicit bids for construction.

- \*14. FIRST AMENDMENT TO AGREEMENT WITH GMU GEOTECHNICAL, INC., FOR ON-CALL GEOTECHNICAL SERVICES submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the First Amendment to the Agreement with GMU Geotechnical, Inc., for on-call geotechnical services. 2. Authorized the Mayor to sign, and the City Clerk to attest, the First Amendment to the Agreement with GMU Geotechnical, Inc., substantially in the form attached.

- \*15. FIRST AMENDMENT FOR PCR SERVICES CORPORATION CONTRACT FOR MITIGATION MONITORING AND REPORTING AT THE LAKE FOREST SPORTS PARK submitted by Director of Development Services.

ACTION: The City Council: 1. Approved the First Amendment with PCR Services Corporation to provide additional professional services related to Mitigation Monitoring and Reporting for the Lake Forest Sports Park. 2. Authorized the Mayor to sign, and the City Clerk to attest, the First Amendment substantially in the form attached.

- \*16. RESOLUTION ESTABLISHING DEPOSIT FOR CAMPAIGN SIGNS POSTED IN THE PUBLIC RIGHT-OF-WAY submitted by Deputy City Manager/Director of Management Services.

ACTION: The City Council: Adopted Resolution No. 2014-29 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ESTABLISHING DEPOSIT FEES FOR CAMPAIGN SIGNS POSTED ON PUBLIC PROPERTY AND ON THE PUBLIC RIGHT-OF-WAY.

**PUBLIC HEARING(S):**

17. PUBLIC HEARING TO CONSIDER STREET NAME FOR THE CAMDEN SQUARE DEVELOPMENT submitted by Director of Public Works/City Engineer.

City Manager Dunek deferred to Public Works Director Tom Wheeler who presented the staff report dated August 5, 2014.

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 Noticed Public Hearing; and 2. Adopted Resolution No. 2014-30 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE STREET NAME OF PRIMROSE DRIVE FOR THE PRIVATE ROADWAY IN THE CAMDEN SQUARE DEVELOPMENT. MOTION UNANIMOUSLY CARRIED.

18. PROPOSED POLICIES & FEE RESOLUTION FOR SPORTS FIELD/GYMNASIUM USER GROUPS & COMMUNITY SERVICES DEPARTMENT PROGRAMS submitted by Director of Community Services.

Community Services Director Gary Magill introduced the staff report dated August 5, 2014.

Recreation Coordinator Craig Harris presented the proposed classifications and fees.

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 Bass, the City Council: 1. Approved group classifications and policy changes for sports field/gymnasium user groups. 2. Approved new fees associated with policy changes for sports field/gymnasium user groups. 3. Approved new fees for existing Community Service

Programs. 4. Adopted Resolution No. 2014-31 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, REVISING THE SCHEDULE OF FEES, CHARGES, AND DEPOSITS FOR CITY SERVICES. MOTION CARRIED with Mayor Pro Tem Nick opposed.

Mayor Robinson moved and Council Member McCullough seconded reconsideration of this matter for further discussion.

Mayor Robinson re-opened the Public Hearing.

Council Member McCullough addressed the no fee policy for citizens who use Etnies Skatepark. She supported a charge for replacement cards only.

Mayor Robinson reclosed the Public Hearing.

ACTION: On motion by Council Member McCullough and second by Council Member Voigts, the City Council moved to charge residents for replacement cards and charge no fees for the use of the Etnies Skatepark. MOTION CARRIED with Mayor Pro Tem Nick opposed.

#### DISCUSSION/ACTION ITEMS:

19. ORDINANCE AMENDING THE LAKE FOREST MUNICIPAL CODE RELATING TO PARKS AND RECREATIONAL FACILITIES submitted by Deputy City Manager/Director of Management Services.

Deputy City Manager Rose provided the staff report dated August 5, 2014.

There was no public comment.

ACTION: On motion by Council Member Bass and second by Council Member Voigts, the City Council introduced for first reading 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. MOTION UNANIMOUSLY CARRIED.

20. ORDINANCE PROVIDING FOR ELECTRONIC AND PAPERLESS

FILING OF FAIR POLITICAL PRACTICES COMMISSION CAMPAIGN DISCLOSURE STATEMENTS submitted by Deputy City Manager/Director of Management Services.

City Clerk Smith provided the staff report dated August 5, 2014.

**ACTION:** On motion by Council Member Voigts and second by Council Member Bass, the City Council introduced for first reading 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. MOTION UNANIMOUSLY CARRIED.

21. 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 submitted by City Attorney.

City Attorney Smith provided the staff report dated August 5, 2014.

There was no public comment.

**ACTION:** On motion by Mayor Pro Tem Nick and second by Council Member McCullough, the City Council introduced for first reading 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. MOTION UNANIMOUSLY CARRIED.

22. PROPOSED DOG PARK AT THE TERMINUS OF BAFFIN BAY DRIVE ON THE NORTH/EAST SIDE OF BAKE PARKWAY submitted by Assistant City Manager.

Assistant City Manager Belmer presented the staff report dated August 5, 2014.

The following members of the public offered comments: Bob Holtzclaw, Jim Gardner, and Bob Yoder.



Council discussion ensued.

**ACTION:** On motion by Council Member McCullough and second by Council Member Voigts, the City Council: 1. Reviewed, discussed, and provided comments on the conceptual plan prepared by Shea/Baker Ranch Associates (SBRA) for a proposed dog park at the terminus of Baffin Bay Drive on the north/east side of Bake Parkway. 2. Referred SBRA's conceptual plan to the Parks and Recreation Commission for review and comment. 3. Directed staff to initiate various actions required to establish an off-leash dog park at the terminus of Baffin Bay Drive, including: (1) prepare and approve an agreement between the City and SBRA to define the roles and responsibilities between the parties for the construction and maintenance of the proposed park; (2) prepare and approve easements and a related agreement between the City and Baffin Bay Associates, LLC to receive and convey signage, access, and real property rights to allow for the development of the proposed dog park; (3) review and accept Quitclaim Deeds to the land underlying Baffin Bay Drive north/east of Bake Parkway; (4) initiated the street vacation process for Baffin Bay Drive north/east of Bake Parkway; and (5) subject to comments from the City Council and Parks and Recreation Commission, authorized staff to work with SBRA to finalize construction plans and specifications for the proposed park which, upon completion of construction by SBRA, would be City-owned and maintained. 4. Authorized the City Manager to sign any and all agreements required to implement the proposed project, including an agreement between the City and SBRA and easements and "Donor Agreement" between the City and Baffin Bay Associates, LLC (d.b.a., SmartStop Self Storage).  
**MOTION UNANIMOUSLY CARRIED.**

23. CAPITAL IMPROVEMENT PROJECTS BUDGET UPDATE submitted by City Manager.

City Manager Dunek presented the staff report dated August 5, 2014.

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

A. STATUS OF CURRENT CAPITAL IMPROVEMENT PROGRAM PROJECTS submitted by Director of Public Works/City Engineer.

Staff report dated August 5, 2014 was introduced.

**ACTION:** On motion by Council Member Voigts and second by Council Member Bass, the City Council received and filed the report as

submitted. MOTION UNANIMOUSLY CARRIED.

- B. WHISPERING HILLS PARK SITE submitted by Director of Community Services.

Community Services Director Gary Magill presented the staff report dated August 5, 2014.

The following members of the public offered comments: Jim Gardner, Kenton Boettcher, and Dorina Tan.

Council discussion ensued.

**ACTION:** On motion by Council Member Voigts and second by Council Member McCullough, the City Council: 1. Authorized staff to develop a Request for Proposal for Preliminary Design Services without including a specific pre-determined use for the Whispering Hills Park Site. 2. Directed staff to prepare an amendment to the FY 2013-15 CIP to include preliminary design costs for the project. MOTION UNANIMOUSLY CARRIED.

- C. VILLAGE POND PARK RENOVATION PROJECT submitted by Director of Community Services.

Community Services Director Gary Magill presented the staff report dated August 5, 2014.

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

Council discussion ensued.

**ACTION:** On motion by Council Member Voigts and second by Council Member McCullough, the City Council: 1. Approved the Conceptual Plan for Village Pond Park. 2. Authorized staff to prepare a Request for Proposal to develop construction Plans and Specifications for the Renovation of Village Pond Park. 3. Directed staff to amend the 2013-15 Capital Improvement Budget to include Final Design Services for Village Pond Park as appropriate. MOTION UNANIMOUSLY CARRIED.

- D. OFF-LEASH DOG PARK EVALUATION submitted by Director of Community Services.

Community Services Director Gary Magill presented the staff report dated August 5, 2014. Mayor Pro Tem Nick recused himself and left the dais due to his primary residence being located within 500 feet of Normandale park.

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

Council discussion ensued.

Mayor Robinson moved to include this matter when the CIP budget is considered in 2015. Council Member McCullough seconded the motion.

**ACTION:** On motion by Mayor Robinson and second by Council Member McCullough, the City Council directed staff to return this item to Council for consideration with the CIP budget in 2015. **MOTION CARRIED** with Mayor Pro Tem Nick absent/recused.

**RECESS:** The City Council recessed at 10:19 p.m.

**RECONVENE:** The City Council reconvened to the dais at 10:26 p.m., with all Members present.

**E. POTENTIAL ADDITIONAL CAPITAL IMPROVEMENT PROJECTS DISCUSSION** submitted by Director of Public Works/City Engineer.

Public Works Director Tom Wheeler presented the staff report.

Council discussion ensued.

Council Member Voigts moved to approve the Rue de Fortuna crosswalk. Council Member McCullough seconded the motion.

Council Member Bass made a substitute motion that the CIP budget be amended to approve the split rail fencing at \$50,000, Rue de Fortuna at \$65,000 to also include catch basin screen \$100,000 coming from OCTA and \$33,000 coming from other refunds. Council Member Voigts seconded the motion.

Mayor Robinson made a substitute motion to move forward with obtaining grant funding for Rue de Fortuna and accept the OCTA grant funding.

Council Member McCullough made a substitute motion to research grant funding for the split rail fencing. Mayor Robinson seconded the motion.

ACTION: On motion by Council Member McCullough and second by Mayor Robinson, the City Council directed staff to research grant funding for the split rail fencing. MOTION UNANIMOUSLY CARRIED.

#### CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

#### CITY COUNCIL COMMENTS:

Council Member Bass offered comments.

Council Member McCullough offered comments.

Council Member Voigts offered no comments.

Mayor Pro Tem Nick offered comments.

Mayor Robinson requested the meeting adjourn in honor of the memory of Major General Harold Greene who was killed in Afghanistan earlier this day.

#### CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: The regular meeting of the City Council of the City of Lake Forest was adjourned at 10:55 p.m. in memory of Major General Harold Greene, killed in Afghanistan and the first general officer to be killed on the battlefield since the Vietnam war.