

**PRELIMINARY ACTION AGENDA  
LAKE FOREST CITY COUNCIL**

Regular Meeting of the City Council  
April 21, 2009

Lake Forest City Hall  
25550 Commercentre Drive  
City Council Chamber  
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 <u>NOT</u> 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.
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CALL TO ORDER:

6:09 p.m.

ROLL CALL: Council Members:

Richard T. Dixon  
Kathryn McCullough  
Marcia Rudolph  
Peter Herzog  
Mark Tetterer

Mayor Pro Tem:

Mayor:

City Manager:

City Attorney:

Acting City Clerk:

Robert C. Dunek  
Scott C. Smith  
Debra Rose

RECESS: City Council recessed at 6:09 p.m. for the purpose of conducting Closed Session business.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8  
Property:

PARCEL A:

Parcels 9 through 14 of Parcel Map No. 84-121, as shown on a Map filed in Book 192, Pages 5 through 8 of Parcel Maps, records of Orange County, California.

**EXCEPTING THEREFROM:**

Tract No. 13334 as shown on a Map filed in Book 617, Pages 42 to 46; Tract No. 13335 as shown on a Map filed in Book 617, Pages 33 to 41; those portions of Saddleback Ranch Road and Glenn Ranch Road of Tract No. 13524, as shown on a Map filed in Book 639, Pages 11 to 15; Tract No. 13849, as shown on a Map filed in Book 639, Pages 16 to 22, all of Miscellaneous Maps, records of Orange County California.

**ALSO EXCEPTING THEREFROM:**

That portion described in “Irrevocable Offer of Dedication” recorded December 29, 1988 as File No. 88-679627 of Official Records of Orange County. Said offer was accepted by Resolution No. 88-1647 of the Orange County Board of Supervisors.

**ALSO EXCEPTING THEREFROM:**

That portion described in “Irrevocable Offer to Convey Real Property” recorded July 23, 1991 as Document No. 91-384977 of Official Records. Said offer was accepted by Resolution No. 03-334 of Orange County Board of Supervisors, a certified copy of which recorded November 25, 2003 as Document No. 2003-1422386 of Official Records.

**PARCEL B:**

Lots 8 through 13 of Tract No. 13849, as shown on a Map filed in Book 639, Pages 16 through 22, of Miscellaneous Maps, records of Orange County, California.

EXCEPTING THEREFROM that portion of Lot 9 described in Deed to the Irvine Ranch Water District recorded December 9, 1992 as Document No. 92-844000 of Official Records.

**PARCEL C:**

Parcel 5 as shown on Exhibit “B” attached to that certain Lot Line Adjustment No. LL 91-022, recorded June 12, 1991 as Document No. 91-298380 of Official Records.

Agency Negotiators:	City Manager and City Attorney
Negotiating Parties:	Owner of Record
Under Negotiation:	Price and Terms of Payment

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: APN - 612-164-01

Agency Negotiators: City Manager and City Attorney

Negotiating Parties: Foothill Ranch Properties LLC

Under Negotiation: Price and Terms of Payment

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:50 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

7:00 p.m.

PLEDGE OF ALLEGIANCE: (F: 26.21)

Mayor Pro Tem Herzog led the Pledge of Allegiance to the Flag of our Country.

CLOSED SESSION REPORT: (F: 16.3)

City Attorney Smith stated there were no reportable actions from Closed Session.

PRESENTATIONS:

3. RECOGNITION OF CROSSING GUARD CATHY CANTRELL, OUTSTANDING CROSSING GUARD OF THE YEAR AWARD WINNER submitted by Chief of Police Services.

ACTION: On motion by Council Member Dixon and second by Council Member Rudolph, the City Council approved the Crossing Guard of the Year award for Cathy Cantrell. MOTION UNANIMOUSLY CARRIED.

4. PROCLAMATION DESIGNATING MAY 3-9 AS "ARSON

AWARENESS WEEK" submitted by Chief of Police Services.

**ACTION:** On motion by Council Member Dixon and second by Council Member Rudolph, the City Council approved the proclamation designating May 3 through May 9 as Arson Awareness Week in the City of Lake Forest. **MOTION UNANIMOUSLY CARRIED.**

5. **PROCLAMATION DECLARING THE MONTH OF MAY 2009, AS "WATER AWARENESS MONTH"** submitted by Acting City Clerk.

**ACTION:** On motion by Council Member Dixon and second by Council Member Rudolph, the City Council approved the proclamation declaring the month of May 2009 as Water Awareness Month. **MOTION UNANIMOUSLY CARRIED.**

**REPORT FROM STUDENT LIAISON: (F: 35.2A)**

Christopher Berardino, Student Liaison from El Toro High School, presented his report.

**RECESS:** City Council recessed at 7:10 p.m. for the purpose of conducting Redevelopment Agency business.

**RECONVENE:** City Council reconvened at 7:17 p.m., with all Members present to continue regular City business.

**PUBLIC COMMENTS: (F: 26.12)**

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

6. **WARRANT REGISTER** submitted by Director of Finance/City Treasurer in the amount of \$1,931,127.20. (F: 30.11)

**ACTION:** On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council approved the warrants payable as submitted. **MOTION UNANIMOUSLY CARRIED.**

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

7. MOTION TO APPROVE THE READING BY TITLE 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 submitted by Acting City Clerk.

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council waived the reading of Ordinances and Resolutions. MOTION UNANIMOUSLY CARRIED.

8. INVESTMENT POLICY REVISION submitted by Director of Finance/City Treasurer. (F: 30.10)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council approved the revised Investment Policy. MOTION UNANIMOUSLY CARRIED.

9. AGREEMENT WITH THE COUNTY OF ORANGE REGARDING THE ALLOCATION OF CITY AID PROGRAM (CAP) FUNDING submitted by Director of Public Works/City Engineer. (F: 32.27)

ACTION: On motion by Council Member Dixon and second by Mayor Pro Tem Herzog, the City Council: 1. Approved the agreement with the County of Orange for the City Aid Program, substantially in the form attached. 2. Authorized the Mayor to sign, and the City Clerk to attest, the agreement. MOTION UNANIMOUSLY CARRIED.

10. AGREEMENT AND RESOLUTION FOR ALTON PARKWAY AND COMMERCENTRE DRIVE CONSTRUCTION (PW 2007.08) submitted by Director of Public Works/City Engineer. (F: 66.12)

ACTION: 1. Approved Resolution No. 2009-08 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, DECLARING A PORTION OF ALTON PARKWAY FROM NORTHERLY CITY OF LAKE FOREST/CITY OF IRVINE BOUNDARY TO COMMERCENTRE DRIVE AND A PORTION OF COMMERCENTRE DRIVE FROM ALTON PARKWAY TO 450 FEET SOUTH OF ALTON PARKWAY, COUNTY

HIGHWAYS. 2. Approved Agreement No. D08-082, substantially in the form attached, with the County of Orange for the construction of Alton Parkway and Commercentre Drive. 3. Authorized the Mayor to execute Agreement No. D08-082 with the County. MOTION UNANIMOUSLY CARRIED.

11. UPDATED LOCAL IMPLEMENTATION GUIDELINES FOR THE CALIFORNIA ENVIRONMENTAL QUALITY ACT submitted by Director of Development Services. (F: 72.4E6)

ACTION: On motion by Council Member Rudolph and second by Council Member Dixon, the City Council adopted Resolution No. 2009-09 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUB. RESOURCES CODE 21000 ET SEQ.) MOTION UNANIMOUSLY CARRIED.

#### PUBLIC HEARING(S):

12. INTRODUCTION OF SHOPPING CART ORDINANCE AND A RESOLUTION ESTABLISHING A FEE FOR SUBMISSION AND REVIEW OF SHOPPING CART CONTAINMENT PLANS submitted by Director of Development Services. (F: 34.6)

ACTION: On motion by Council Member Dixon and second by Council Member McCullough, the City Council: 1. Introduced and approve for first reading Ordinance No. 202 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADDING CHAPTER 5.40 TO TITLE 5 OF THE LAKE FOREST MUNICIPAL CODE RELATING TO SHOPPING CARTS". 2. Approved Resolution No. 2009-10 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ESTABLISHING A FEE FOR SUBMISSION AND REVIEW OF SHOPPING CART CONTAINMENT PLANS". MOTION UNANIMOUSLY CARRIED.

#### DISCUSSION/ACTION ITEMS:

13. STATUS UPDATE ON IMPLEMENTATION OF THE LIGHT INDUSTRIAL AREA REVITALIZATION ACTION PLAN submitted by Assistant City Manager. (F: 50.7A2)

ACTION: On motion by Mayor Pro Tem Herzog and second by Council Member McCullough, the City Council received the update on implementation of the Revitalization Action Plan for the Light Industrial Area and provided direction as appropriate. MOTION UNANIMOUSLY CARRIED.

14. LEGISLATIVE AND REGULATORY MATTERS submitted by the Assistant to the City Manager.

ACTION: The City Council received and filed report with minute action to adopt positions on various legislative proposals as recommended.

15. REQUESTS FOR APPOINTMENT TO AGENCIES, BOARDS, COMMISSIONS AND/OR COMMITTEES THROUGH THE LEAGUE OF CALIFORNIA CITIES submitted by Acting City Clerk.

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT: (F: 26.17)

City Manager Dunek offered no comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member Dixon presented comments.

Council Member McCullough presented comments.

Council Member Rudolph presented comments.

Mayor Pro Tem Herzog presented comments.

Mayor Tetteimer presented comments.

CLOSED SESSION: (F: 16.3)

ACTION: There was no continued Closed Session.

ADJOURNMENT: (F: 26.8) 9:46 p.m.