

BETH KROM
Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember



AGENDA
CITY COUNCIL
REGULAR MEETING
June 10, 2008
4:00 P.M.
City Council Chamber
One Civic Center Plaza

Speaker's Card/Request to Speak: If you would like to address the City Council on a scheduled agenda item, please complete the [Request to Speak Form](#). The card is at the table at the entrance to the Council Chamber. Please identify on the card your name, address, and the item on which you would like to speak and return to the City Clerk. The [Request to Speak Form](#) assists the Mayor in ensuring that all persons wishing to address the Council are recognized. Your name will be called at the time the matter is heard by the Council.

[CALL TO ORDER](#)

ROLL CALL

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to Government Code Section 54956.9(a)): City of Irvine v. Orange County Superior Court Case No. 30-2008-00062617 (James A. Musick Jail)

RECESS

[RECONVENE TO THE CITY COUNCIL MEETING](#)

[PLEDGE OF ALLEGIANCE](#)

[MOMENT OF SILENCE](#)

[MUSICAL PRESENTATION](#)

1. **PRESENTATIONS**

1.1 **Commendation to Irvine Valley College Men's Volleyball Team State Championship Winners**

INTRODUCTIONS

CITY MANAGER'S REPORT

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Announcements, Committee Reports and Council Comments are for the purpose of presenting brief comments or reports, are subject to California Government Code Section 54954.2 of the Brown Act and are limited to 15 minutes per meeting.

ADDITIONS AND DELETIONS

Additions to the agenda are limited by California Government Code Section 54954.2 of the Brown Act and for those items that arise after the posting of the Agenda and must be acted upon prior to the next City Council meeting.

2. **CONSENT CALENDAR**

All matters listed under Consent Calendar are considered to be routine and enacted by one roll call vote. There will be no discussion of these items unless members of the City Council request specific items to be removed from the Consent Calendar for separate discussion. Any member of the public may address the Council on items on the Consent Calendar. Public comments on any item or items on the consent calendar are limited to three minutes per speaker. If you wish to speak to a particular item or items, please complete a Speakers Form and give it to the City Clerk.

2.1 **MINUTES**

ACTION: Approve the minutes of a regular meeting of the City Council held on May 27, 2008.

2.2 **WARRANT AND WIRE TRANSFER RESOLUTION**

ACTION: Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2.3 **WARRANT AND WIRE TRANSFER RESOLUTION - AT&T**

ACTION: Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ALLOWING CERTAIN CLAIMS AND DEMANDS OF AT&T AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2.4 FISCAL YEAR 2008-09 MEASURE M ELIGIBILITY

ACTION:

- 1) Approve the Measure M Seven Year Capital Improvement Program - Fiscal Years 2008-09 through FY 2014-15.
- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AFFIRMING CONSISTENCY OF THE CIRCULATION ELEMENT FOR THE CITY OF IRVINE WITH THE MASTER PLAN OF ARTERIAL HIGHWAYS

2.5 RENEW LICENSE AGREEMENT NO. 2197 WITH SOUTHERN CALIFORNIA EDISON COMPANY FOR BIKE TRAIL AND LANDSCAPE PURPOSES, WESTPARK (PLANNING AREA 14)

ACTION: Authorize the Mayor to execute License Agreement No. 2197, between the City of Irvine and Southern California Edison Company.

2.6 ORANGE COUNTY TRANSPORTATION AUTHORITY SOUTH ORANGE COUNTY MAJOR INVESTMENT STUDY LOCALLY PREFERRED STRATEGY

ACTION:

- 1) Select the Locally Preferred Strategy as the City's preferred alternative.
- 2) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE RECOMMENDING A LOCALLY PREFERRED STRATEGY FOR THE SOUTH ORANGE COUNTY MAJOR INVESTMENT STUDY PREPARED BY THE ORANGE COUNTY TRANSPORTATION AUTHORITY

2.7 PROPOSITION 1B GRANT APPLICATION FOR SAND CANYON GRADE SEPARATION PROJECT

ACTION: Authorize the Director of Public Works to sign and submit a grant application for the Sand Canyon Grade Separation Project for Proposition 1B funding consideration.

2.8 NONEXCLUSIVE COMMERCIAL WASTE HAULER APPLICANTS

ACTION:

- 1) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING PARTICIPATION IN THE CITY'S NONEXCLUSIVE FRANCHISE SYSTEM FOR COMMERCIAL SOLID WASTE COLLECTION
- 2) Authorize the Mayor to execute agreements with approved waste haulers.

2.9 FINAL TRACT MAP -- NOTICE OF REVIEW OF TRACT MAP NO. 16816

ACTION: Receive and file.

2.10 WIRELESS MORATORIUM ORDINANCE UPDATE

ACTION: Receive and file.

END CONSENT CALENDAR

3. PUBLIC HEARINGS

Public Hearings are scheduled for a time certain of 4:00 p.m., unless noticed otherwise, or as soon thereafter as possible. Those wishing to address the City Council during the Public Hearing must complete a form and provide it to the City Clerk prior to the hearing.
Notice: Public Hearings listed for continuance will be continued as noted and posting of this agenda serves as notice of continuation. Any matter not noted for continuance, will be posted separately.

3.1 APPEAL OF PLANNING COMMISSION ACTION TO DENY CONDITIONAL USE PERMITS FOR TEN WIRELESS COMMUNICATIONS FACILITIES LOCATED IN THE PUBLIC RIGHTS-OF-WAY AND/OR PUBLIC UTILITY EASEMENTS IN TURTLE ROCK (PLANNING AREA 21)

ACTION:

- 1) Reopen the public hearing.
- 2) Continue the public hearing to a date uncertain.

3.2 GENERAL PLAN AMENDMENT, ZONE CHANGE AND DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF 176 APARTMENT UNITS AT 2802 KELVIN AVENUE IN PLANNING AREA 36

ACTION:

- 1) Reopen the public hearing.
- 2) Continue the public hearing to a date uncertain.

3.3 [PUBLIC FACILITIES RESERVATION AND FEE POLICY ANNUAL REVIEW, AND COMMUNITY SERVICES DEPARTMENT PROPOSED FEES FOR FY 2008-2009](#)

ACTION:

- 1) Approve proposed changes to the Public Facilities Reservation and Fee Policy for Fiscal Year 2008-2009.
- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING AN ADJUSTMENT TO FEES CHARGED FOR FACILITY USE
- 3) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING FEES FOR VARIOUS COMMUNITY SERVICES DEPARTMENT ACTIVITIES FOR THE FISCAL YEAR 2008-2009

4. COUNCIL BUSINESS

4.1 [PROTECTION OF EMAIL ADDRESSES AND OTHER PERSONAL INFORMATION](#)

ACTION: City Council discussion and direction.

4.2 [FISCAL YEAR 2008-2009 LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENTS](#)

ACTION: Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS, APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE IRVINE LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENT, FISCAL YEAR 2008-2009

4.3 [CITY OF IRVINE FY 2008-09 BUDGET](#)

ACTION:

- 1) Introduce for first reading and read by title only ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING SECTION 1-2-108 OF THE IRVINE MUNICIPAL CODE RELATING TO THE CITY COUNCIL COMPENSATION SCHEDULE IN ACCORDANCE WITH SECTION 36516 OF THE CALIFORNIA GOVERNMENT CODE
- 2) Adopt the FY 2008-09 budget.
- 3) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AND APPROVING THE BUDGET AND FINANCIAL POLICIES FOR THE CITY OF IRVINE FOR THE FISCAL YEAR 2008-09
- 4) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR THE 2008-09 FISCAL YEAR AND REPEALING ALL PREVIOUS RESOLUTIONS AUTHORIZING FULL-TIME POSITIONS
- 5) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR MANAGEMENT AND NON-REPRESENTED EMPLOYEES (EXEMPT) OF THE CITY OF IRVINE, AND REPEALING ALL PREVIOUS MANAGEMENT AND NON-REPRESENTED EMPLOYEE COMPENSATION RESOLUTIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2008
- 6) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR CONFIDENTIAL EMPLOYEES OF THE CITY OF IRVINE, AND REPEALING ALL PREVIOUS CONFIDENTIAL EMPLOYEE COMPENSATION RESOLUTIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2008
- 7) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR PART-TIME EMPLOYEES OF THE CITY OF IRVINE, AND REPEALING ALL PREVIOUS PART-TIME EMPLOYEE COMPENSATION RESOLUTIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2008
- 8) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING ALL PREVIOUS RESOLUTIONS WHICH ARE

INCONSISTENT THEREWITH, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2008

- 9) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2008-09
- 10) Receive and file the Strategic Technology Plan.
- 11) Approve the Fourth Amendment to the Affiliated Computer Services (ACS) Agreement for implementation of the FY 2008-09 Strategic Technology Plan, Duplicating, Convenience Copiers, and Telecommunications services as included in the FY 2008-09 Proposed budget.
- 12) Provide direction on the disposition of City Council Executive Assistant funds remaining at the end of the current (2007-08) fiscal year.

4.4 CITY AUTHORIZATION TO INITIATE A GENERAL PLAN AMENDMENT, ZONE CHANGE AND DEVELOPMENT AGREEMENT AMENDMENT FOR THE CITY OF IRVINE AND HERITAGE FIELDS EL TORO LLC

ACTION: Direct staff to initiate a general plan amendment, zone change and development agreement amendment to allow policy and zoning revisions and clarifications in Planning Areas 30 and 51 and to consider certain land exchanges between the City of Irvine and Heritage Fields El Toro LLC.

4.5 IRVINE CHILDREN'S HEALTH PROGRAM IMPLEMENTATION PLAN (I-CHP)

ACTION:

- 1) Approve proposed Irvine Children's Health Program Implementation Plan (I-CHP).
- 2) Authorize the City Manager to enter into a sole source contract in an amount not to exceed \$200,000 (up to \$182,500 from the General Fund, and \$17,500 from a private donation) over a 24 month period with Public Health Foundation Enterprise through its program titled Children's Health Initiative of Orange County (PHFE-CHIOC).

4.6 IRVINE ADULT DAY HEALTH SERVICES, INC. (IADHS) FUNDING PROPOSAL/STRATEGIC PLANNING

ACTION: City Council discussion and direction.

END COUNCIL BUSINESS

PUBLIC COMMENTS (Limited to 3 minutes per speaker) - 6:30 P.M.

ADJOURNMENT

Next Meeting: CITY COUNCIL REGULAR meeting, June 24, 2008, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

NOTICE TO THE PUBLIC

LIVE BROADCASTING

City Council meetings are broadcasted live every 2nd and 4th Tuesday of the month at 4:00 p.m. and are replayed on Sundays at 11:00 a.m., and Thursdays at 7:00 p.m. All broadcasts can be viewed on Cox Communications Local Access Channel 30. City Council meetings are also available via live webcast through the City's website at www.cityofirvine.org. For more information, please contact the City Clerk's office at (949)724-6205.

ADJOURNMENT

At 11:00 p.m., the City Council will determine which of the remaining agenda items can be considered and acted upon prior to 12:00 midnight and will continue all other items on which additional time is required until a future City Council meeting. All meetings are scheduled to terminate at 12:00 midnight.

STAFF REPORTS

As a general rule, staff reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda. Copies of these materials are on file with the City Clerk and are available for public inspection and copying once the agenda is publicly posted, (at least 72 hours prior to a regular City Council meeting). Staff reports can also be downloaded from the City's website at http://www.ci.irvine.ca.us/council/agenda/agenda_archive.asp beginning the Friday prior to the scheduled City Council meeting on Tuesday.

In addition, meetings can be viewed live at the time posted on the agenda and related staff reports can be opened and viewed simultaneously along with the streaming of the meeting. To view the meeting, go to http://irvine.granicus.com/ViewPublisher.php?view_id=6.

If you have any questions regarding any item of business on the agenda for this meeting, or any of the staff reports or other documentation relating to any agenda item, please contact City Clerk staff at (949)724-6205.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this agenda after the posting of the agenda will be available for public review in the City Clerk's Office, One Civic Center Plaza, Irvine, California, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

**SUBMITTAL OF INFORMATION BY MEMBERS OF THE PUBLIC FOR
DISSEMINATION OR PRESENTATION AT PUBLIC MEETINGS**

Media Types and Guidelines

1. Written Materials/handouts:

Any member of the public who desires to submit documentation in hard copy form may do so prior to the meeting or at the time he/she addresses the legislative body. Please provide 15 copies of the

information to be submitted and file with the City Clerk at the time of arrival to the meeting. This information will be disseminated to the legislative body at the time testimony is given.

2. Large Displays/Maps/Renderings:

Any member of the public who desires to display freestanding large displays or renderings in conjunction with their public testimony is asked to notify the City Clerk no later than 12:00 noon on the day of the scheduled meeting so that an easel can be made available if necessary.

3. Electronic Documents/Audio-visuals:

Any member of the public who desires to display information electronically in conjunction with their public testimony is asked to submit the information to the Public Information Office (PIO) no later than 12:00 noon on the day of the scheduled meeting. To facilitate your request contact the PIO Office at 949.724.6248 or the City Clerk's Office at 949.724.6205.

Information must be provided on CD, DVD, or VHS; or, emailed by 12:00 noon on the day of the scheduled meeting to pio@ci.irvine.ca.us. Members of the public will be asked to provide their name, identify the meeting and the agenda item to be addressed, and a day time phone number.

The PIO office will notify the person submitting the information as soon as possible prior to the meeting if the information cannot be accessed or if the version provided is incompatible with the City's system. Every effort will be made by City staff to facilitate the presentation.

CITY SERVICES TO FACILITATE ACCESS TO PUBLIC MEETINGS

It is the intention of the City of Irvine to comply with the Americans With Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Irvine will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (949)724-6205.

Assisted listening devices are available at the meeting for individuals with hearing impairments. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35. 102-35. 104 ADA Title II)

CHALLENGING CITY DECISIONS

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred.

If a person wishes to challenge the nature of the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Irvine, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

COMMUNICATION DEVICES

To minimize distractions, please be sure all personal communication devices are turned off or on silent mode.

MEETING SCHEDULE

Regular meetings of the City Council are held on the second and fourth Tuesdays of each month at 4:00 p.m. Study Sessions and/or Closed Sessions are periodically held prior to the start of the regular meeting. Agendas are available as follows:

- Police Department
- Local library
- FAX Library System (Dial (949) 724-6210 and request document number 100 anytime after 5:00 p.m. on the Friday prior to a City Council meeting)
- City's web page at www.ci.irvine.ca.us

I hereby certify that the agenda for the Regular City Council meeting was posted in the posting book located in the Public Safety Lobby of City Hall, One Civic Center Plaza, Irvine, California on _____ by _____ p.m. as well as on the City's web page.

Sharie Apodaca, CMC
City Clerk