



AGENDA

CITY COUNCIL REGULAR MEETING

June 12, 2012

4:00 PM

Sukhee Kang
Mayor

Beth Krom
Mayor Pro Tempore

Larry Agran
Councilmember

Steven Choi
Councilmember

Jeffrey Lalloway
Councilmember

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

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 City Council Chamber. Please identify on the card your name 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 City Council are recognized. Your name will be called at the time the matter is heard by the City Council. City policy is to limit public testimony to three minutes per speaker (unless extended by the Mayor) which includes the presentation of electronic or audio visual information.

CALL TO ORDER

ROLL CALL

1. CLOSED SESSION

- 1.1 [CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Government Code § 54956.9\(a\) \(one item\): City of Irvine v. Matosantos \(Sacramento County Superior Court Case No. 34-2012-80001161\).](#)

RECONVENE TO THE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

2. PRESENTATIONS

**2.1 Recognition of University of California, Irvine Men's Volleyball Team
NCAA Division I National Championship Winners**

2.2 Proclaim June 18-24, 2012 as "Amateur Radio Week."

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.

3. **CONSENT CALENDAR**

All matters listed under Consent Calendar are considered by the City Manager 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.

3.1 MINUTES

ACTION:

Approve the minutes of a regular meeting of the Irvine City Council held on May 22, 2012.

3.2 PROCLAMATIONS

ACTION:

Proclaim July 1, 2012 as the official dedication date of the Mark Daily Athletic Field.

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopt - 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

3.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopt - 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

3.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ALLOWING CERTAIN CLAIMS AND DEMANDS OF BANK OF AMERICA AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3.6 FISCAL YEAR 2012-2013 LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENTS

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS, APPROVING 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 2012- 2013

3.7 ROADWAY REHABILITATION GRANT PROGRAM

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS FOR THE STATE-LOCAL PARTNERSHIP FORMULA GRANT PROGRAM UNDER THE PROPOSITION 1B HIGHWAY, SAFETY, TRAFFIC REDUCTION, AIR QUALITY, AND PORT SECURITY BOND ACT OF 2006

3.8 CALIFORNIA ENVIRONMENTAL QUALITY ACT MANUAL UPDATE

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE REPEALING RESOLUTION NO. 1194 AND ADOPTING AN UPDATED MANUAL FOR CITY IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

3.9 DAVID G. SILLS RECOGNITION PLAQUE

ACTION:

Approve installation of a plaque on the Hicks Canyon Trail Pedestrian Bridge honoring former Irvine Mayor and Councilmember, Justice David G. Sills.

3.10 PURCHASE OF TICKETS FOR AMERICAN DIABETES ASSOCIATION "FATHER OF THE YEAR" AWARDS TRIBUTE DINNER

ACTION:

Approve the purchase of a maximum of ten individual tickets for the June 14, American Diabetes Association "Father of the Year" Awards Tribute Dinner.

3.11 BUDGET ADJUSTMENTS FOR THE IRVINE BUSINESS COMPLEX AND IRVINE BUSINESS COMPLEX VISION PLAN FUNDS FOR FISCAL YEARS 2011-12 AND 2012-13

ACTION:

- 1) Approve a budget adjustment request in the amount of \$1,144,186 to increase Irvine Business Complex Vision Plan Fund (150) revenues and decrease Irvine Business Complex Fund (123) revenues for Fiscal Year 2011-12.
- 2) Approve a budget adjustment request in the amount of \$40,000 to increase Irvine Business Complex Vision Plan Fund expenditures and reduce General Fund expenditures for Fiscal Year 2011-12.
- 3) Approve a budget adjustment in the amount of \$1,638,388 to the proposed Fiscal Year 2012-13 budget to increase Irvine Business Complex Vision Plan Fund revenues and decrease Irvine Business Complex Fund revenues.
- 4) Approve a budget adjustment request in the amount of \$40,000 to the proposed Fiscal Year 2012-13 budget to increase Irvine Business Complex Vision Plan expenditures and reduce General Fund expenditures.

3.12 RE-ENTERED AGREEMENTS BETWEEN THE CITY OF IRVINE AND THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

- 1) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING A RE-ENTERED 2007 PURCHASE AND SALE AND FINANCING AGREEMENT
- 2) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING A RE-ENTERED 2005 FINANCING AGREEMENT
- 3) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING A RE-ENTERED 2006 FINANCING AGREEMENT

END CONSENT CALENDAR

4. CONSENT CALENDAR - SUCCESSOR AGENCY TO DISSOLVED IRVINE REDEVELOPMENT AGENCY

4.1 WARRANT AND WIRE TRANSFER RESOLUTION – CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ALLOWING CERTAIN CLAIMS AND DEMANDS OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

4.2 RE-ENTERED AGREEMENTS BETWEEN THE CITY OF IRVINE AND THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

- 1) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDVELOPMENT AGENCY APPROVING A RE-ENTERED 2007 PURCHASE AND SALE AND FINANCING AGREEMENT
- 2) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDVELOPMENT AGENCY APPROVING A RE-ENTERED 2005 FINANCING AGREEMENT
- 3) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDVELOPMENT AGENCY APPROVING A RE-ENTERED 2006 FINANCING AGREEMENT

4.3 REVISED RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

Adoption by the City Council as Successor Agency to the dissolved Irvine Redevelopment Agency of a revised Recognized Obligation Payment Schedule of the dissolved Irvine Redevelopment Agency for July through December 2012.

5. 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 are requested to 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.

5.1 MUNICIPAL CODE AMENDMENT TO CONSTRUCTION WASTE RECYCLING AND DIVERSION PROVISIONS

ACTION:

- 1) Receive staff report.
- 2) Open the public hearing; receive public input.
- 3) Close the public hearing.
- 4) City Council comments and questions.
- 5) Introduce for first reading and read by title only – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING CHAPTER 9 OF DIVISION 7 OF SECTION 6 OF THE IRVINE MUNICIPAL CODE PERTAINING TO RECYCLING AND DIVERSION OF CONSTRUCTION AND DEMOLITION WASTE

5.2 COMMUNITY SERVICES DEPARTMENT FISCAL YEAR 2012-2013 PROPOSED FEE CHANGES

ACTION:

- 1) Receive staff report.
- 2) Open the public hearing; receive public input.
- 3) Close the public hearing.
- 4) City Council comments and questions.
- 5) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING FEES FOR VARIOUS COMMUNITY SERVICES DEPARTMENT ACTIVITIES FOR THE FISCAL YEAR 2012-13

6. COUNCIL BUSINESS

6.1 BOND ISSUANCE FOR ASSESSMENT DISTRICT NO. 07-22 GROUP THREE

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$6,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 07-22 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP THREE, APPROVING THE EXECUTION AND DELIVERY OF A FOURTH SUPPLEMENTAL INDENTURE AND A BOND PURCHASE AGREEMENT

6.2 CONSIDERATION OF CITY OF IRVINE FISCAL YEAR 2012-13 BUDGET**ACTION:**

- 1) Adopt the FY 2012-13 Budget.
- 2) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET AND FINANCIAL POLICIES FOR THE CITY OF IRVINE FOR FISCAL YEAR 2012-2013
- 3) Adopt - 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 FISCAL YEAR 2012-2013, AND SUPERSEDING RESOLUTION NO. 11-86, WHICH IS INCONSISTENT THEREWITH
- 4) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2012-2013
- 5) Approve the Orange County Great Park Fiscal Year 2012-13 Budget in the amount of \$46,043,466 and authorize the execution of sole source contracts and Great Park grants as approved by the Orange County Great Park Board of Directors at its meeting of March 15, 2012.
- 6) Approve the release of the commitment of \$13.25 million of Orange County Great Park fund balance for the Wildlife Corridor in anticipation of future funding provided for in the Recognized Obligation Payment Schedule or the Adjacent Landowner Agreement and that a written assurance is made of future commitment of \$13.25 million for the Wildlife Corridor.
- 7) Approve the release of the commitment of \$2.12 million of Orange County Great Park fund balance for the O Club.
- 8) Receive and file the Strategic Technology Plan 2012-2017.
- 9) Approve the closure of Fee District 89-1 (Bake/I5 Interchange), provide refunds to claimants in proportion to the amount paid by each owner to the total fees collected, and transfer \$1,822,000 to Assessment District 87-8.

6.3 STATUS OF GREAT PARK REDEVELOPMENT FUNDING, RELATED LITIGATION AND SOUTH LAWN CONSTRUCTION PROJECT

ACTION:

City Council discussion and direction.

6.4 DISCUSSION REGARDING THE WARPED TOUR

ACTION:

City Council discussion and direction.

PUBLIC COMMENTS (Limited to 3 minutes per speaker) Public comments will be heard at approximately 6:30 p.m. or prior to adjournment, whichever occurs earlier.

ADJOURNMENT

NOTICE TO THE PUBLIC

LIVE BROADCASTING

Regular 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.

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.

**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 City Council. 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 City Council 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's Office at (949)724-6205 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)724-6253 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.

PUBLIC COMMENT

Any member of the public may address the City Council on items within the City Council's subject matter jurisdiction but which are not listed on this agenda during Public Comment; however, no action may be taken on matters that are not part of the posted agenda. If you would like to address the City Council during the Public Comment portion of the Agenda, please complete the Request to Speak Form. The card is at the table at the entrance to the City Council Chamber. Please complete the card with your name and return to the City Clerk. The Request to Speak Form assists the Mayor in ensuring that all persons wishing to address the City Council are recognized. Your name will be called at the time Public Comment is taken by the City Council. City policy is to limit public testimony to three minutes per speaker (unless extended by the Mayor) which includes the presentation of electronic or audio visual information.

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:

- City Clerk's Office
- Police Department
- Local library
- 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, MMC
City Clerk