

BETH KROM  
Mayor

SUKHEE KANG  
Mayor Pro Tempore

LARRY AGRAN  
Councilmember

STEVEN CHOI  
Councilmember

CHRISTINA SHEA  
Councilmember



# AGENDA

## CITY COUNCIL REGULAR MEETING

July 11, 2006

4:00 P.M.

City Council Chamber  
One Civic Center Plaza

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**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.

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### ROLL CALL

#### 1. CONSENT CALENDAR (Item Nos. 1.1 thru 1.12)

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All matters listed under Consent Calendar are considered to be routine and all will be 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. Please see information in Request to Speak section.

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##### 1.1 CITY COUNCIL MINUTES

**ACTION:** Approve the minutes of a regular meeting of the City Council held on June 27, 2006.

##### 1.2 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

**1.3 BARRANCA PARKWAY LANDSCAPE ENHANCEMENTS FROM JEFFREY ROAD TO SAND CANYON**

**ACTION:** Approve the plans, specifications, and contract documents for Barranca Parkway Landscape Enhancements from Jeffrey Road to Sand Canyon, CIP 354210, on file with the Public Works Department.

**1.4 AGREEMENT FOR SECURITY SERVICES BETWEEN THE CITY OF IRVINE AND HERITAGE FIELDS EL TORO, LLC, A DELAWARE LIMITED LIABILITY COMPANY**

**ACTION:** Authorize the City Manager to approve and execute and the City Clerk to attest to an extension of Agreement No. 5115 between the City of Irvine and Heritage Fields El Toro, LLC, a Delaware Limited Liability Company, the successor-in-interest to Heritage Fields, LLC, for security services at the former El Toro Marine Corps Air Station commencing July 1, 2006.

**1.5 UNIVERSITY COMMUNITY PARK LANDSCAPE REHABILITATION**

**ACTION:** Approve the plans, specifications, and contract documents for University Park Landscaping, CIP 385000, on file with the Public Works Department.

**1.6 FAMILIES FORWARD REQUEST FOR FUNDING**

**ACTION:** Approve Families Forward's request for \$25,000 to match a Supportive Housing Program Grant and allocate funding from the anticipated Fiscal Year 2006 carryover.

**1.7 ORDINANCE NO. 06-06 AMENDING DIVISION 7 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE RELATING TO THE REGULATION OF LOBBYING ACTIVITIES**

**ACTION:** Adopt ORDINANCE NO. 06-06 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING DIVISION 7 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE RELATING TO THE REGULATION OF LOBBYING ACTIVITIES

**1.8 ORDINANCE NO. 06-07 ADDING CHAPTER 5 OF DIVISION 9 OF TITLE 5 TO THE IRVINE MUNICIPAL CODE REGARDING CONSTRUCTION SITE AND VACANT PROPERTY SECURITY**

**ACTION:** Adopt ORDINANCE NO. 06-07 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADDING CHAPTER 5 OF DIVISION 9 OF TITLE 5 TO THE IRVINE MUNICIPAL CODE REGARDING CONSTRUCTION SITE AND VACANT PROPERTY SECURITY

**1.9 ORDINANCE NO. 06-08, 17421 MURPHY AVENUE ZONE CHANGE (PLANNING AREA 36)**

**ACTION:** Adopt ORDINANCE NO. 06-08 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00390311-PZC TO REVISE TEXT IN THE ZONING CODE AND CHANGE THE ZONING ON LOT 17 OF TRACT 8018, AS SHOWN ON MAP FILED IN BOOK 435, PAGE 7, FROM 5.1 IBC MULTI-USE TO 5.3D IBC RESIDENTIAL; LOCATED ON THE NORTHWEST CORNER OF KELVIN AND MURPHY; PLANNING AREA 36; FILED BY STARPOINTE VENTURES ON BEHALF OF JAMBOREE HOUSING CORPORATION

**1.10 DESIGNATION OF VOTING DELEGATES FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE**

**ACTION:** Appoint Mayor Beth Krom as the voting delegate and Councilmember Choi as the voting delegate alternate for the League of California Cities Conference Annual Business Meeting.

**1.11 REVISION OF THE NAVY'S CONVEYANCE TO SECOND HARVEST FOOD BANK**

**ACTION:** Approve the revision to the Second Harvest conveyance and authorize the City Manager to sign a letter to the Department of the Navy accepting the modification to the current conveyance.

**1.12 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:** Indefinitely postpone the public hearing on the condition that Sprint execute an agreement that is satisfactory to

the City Attorney for the waiver of applicable time limits and preservation of the City's rights and interests.

**END OF CONSENT CALENDAR**

**2. COUNCIL BUSINESS**

**2.1 APPOINTMENT OF A CITY COUNCIL REPRESENTATIVE TO THE SOUTH COUNTY MAJOR INVESTMENT STUDY WORKING GROUP**

**ACTION:** Appoint a City Council representative to the Policy Working Group for the South Orange County Major Investment Study.

**2.2 DISCUSSION AND POSSIBLE DIRECTION REGARDING CHILD CARE IN IRVINE**

**2.3 REPORT OF THE ORANGE COUNTY GRAND JURY**

**ACTION:** Review the findings and recommendations of the June 14, 2006 report of the Orange County Grand Jury and provide staff direction for preparation of a response.

**RECESS - 4:45 P.M.**

**RECONVENE TO THE CITY COUNCIL MEETING - 5:00 P.M.**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MUSICAL PRESENTATIONS**

**3. PRESENTATIONS**

**3.1 *Presentation of \$66 Million Dollar Installment Check by Emile Haddad, Chief Investment Officer, Lennar Corporation and Robert Santos, President, Heritage Fields Land Division, Lennar Corporation, in Conjunction with the Development Agreement No. 5163***

**3.2 *Irvine Relay for Life Awards***

**3.3 Employee Service Recognition**

**25 Years of Service:**

**Bill Sellin, Community Services; and Ron Carr, Public Safety; Alex de Haro, Public Works**

**30 Years of Service:**

**Tracy Jacobson, Public Safety; Carl Pagano, Public Safety; Pat Fierro, Community Services; and Russ Helmick, Community Development**

**INTRODUCTIONS**

**CITY MANAGER'S REPORT**

**ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

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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.

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**ADDITIONS AND DELETIONS**

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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.

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**4. COUNCIL BUSINESS (Continued)**

**4.1 IRVINE BUSINESS COMPLEX (IBC) RESIDENTIAL MIXED-USE VISION PLAN AND OVERLAY ZONE STRATEGY**

**ACTION:**

- 1) Receive staff report.
- 2) Receive public input.
- 3) City Council comments and questions.
- 4) Direct staff to:

- Prepare an Environmental Impact report on the Draft Overlay Zoning Code and Draft IBC Vision Plan, which embody and represent the Council's expectations for current and future residential development in the IBC. The Environmental Impact Report shall also analyze a Town Center concept and anticipated infrastructure improvements.

- Prepare a scope of work on the Environmental Impact Report for

the Draft Overlay Zoning Code, Draft IBC Vision Plan, Town Center concept, and anticipated infrastructure improvements, for presentation to the City Council within six months.

- Direct staff to explore development agreement opportunities for all residential General Plan Amendments and zone changes to allow for funding of potential improvements in the IBC area.

- 5) Introduce for first reading an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING CHAPTER 8 TO DIVISION 7 OF TITLE 2 OF THE IRVINE MUNICIPAL CODE DESIGNATING CERTAIN POWERS TO COMMUNITY FACILITIES DISTRICTS FORMED PURSUANT TO THE MELLO-ROOS ACT

#### **4.2 DISCUSSION AND DIRECTION REGARDING NINE IRVINE BUSINESS COMPLEX RESIDENTIAL PROJECTS**

**ACTION:**

- 1) Receive staff report.
- 2) Council comments and questions.

## **5. PUBLIC HEARINGS**

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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 Request to Speak form and provide it to the City Clerk prior to the hearing. If, in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you, or someone else raised orally at the public hearing or in written correspondence received by the City at or before the hearing. Any person seeking to challenge a City Council decision made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that action 90 days following the date on which the decision becomes final as provided in Code of Civil Procedure Section 1094.6. Please refer to Code of Civil Procedure 1094.6 to determine how to calculate when a decision becomes final.

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.

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#### **5.1 AMENDMENT TO THE METROPOLITAN CONDOMINIUMS AFFORDABILITY COVENANT GRANT DEED**

**ACTION:**

- 1) Open public hearing, receive staff report, receive public input, Council comments and questions.
- 2) Close public hearing.

- 3) Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE RESCINDING CITY COUNCIL RESOLUTION NO. 93-55, TERMINATING AND RELEASING THE AFFORDABILITY COVENANTS ON FOUR CONDOMINIUM UNITS AT THE METROPOLITAN CONDOMINIUM OWNED BY JAMBOREE HOUSING CORPORATION, AND AUTHORIZING THE SALE OF FOUR CONDOMINIUM UNITS WITH THE PROCEEDS TO BE USED IN FURTHERANCE OF AFFORDABLE HOUSING PURPOSES IN THE CITY OF IRVINE

**5.2 AFFORDABLE HOUSING IN-LIEU FEE INCREASE/ANNUAL ADJUSTMENT**

**ACTION:**

- 1) Open the public hearing, receive staff report, receive public input, Council comments and questions.
- 2) Close public hearing.
- 3) Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING AN INCREASE TO THE AFFORDABLE HOUSING IN-LIEU FEE

**END OF COUNCIL BUSINESS**

**PUBLIC COMMENTS (Limited to 3 minutes per speaker) - 6:00 P.M.**

**ADJOURNMENT**

Next Meeting: CITY COUNCIL REGULAR meeting, July 25, 2006, 10:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

**NOTICE TO THE PUBLIC**

**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. 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.

**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 90<sup>th</sup> 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](http://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.

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Pamyla Means, MMC  
City Clerk