

SUKHEE KANG
Mayor

LARRY AGRAN
Mayor Pro Tempore

STEVEN CHOI
Councilmember

BETH KROM
Councilmember

CHRISTINA SHEA
Councilmember



AGENDA

CITY COUNCIL REGULAR MEETING AND JOINT REGULAR MEETING WITH REDEVELOPMENT AGENCY

August 10, 2010

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 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 LABOR NEGOTIATORS \(Pursuant to Government Code Section 54957.6\) Agency Negotiators: Rick Paikoff, Director of Administrative Services; Jan Walden, Manager of Human Resources; and Jimmee Medina, Human Resources Administrator; Employee Organizations: Associated Supervisory/Administrative Personnel \(ASAP\); Irvine City Employees Association \(ICEA\); Irvine Professional Employees Association \(IPEA\); Irvine Police Management Association \(IPMA\) and Irvine Police Association \(IPA\)](#)

RECONVENE TO THE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

2. PRESENTATIONS

- 2.1 ***Proclaim September 2010 as "National Child Awareness Month"***
- 2.2 ***Proclaim September 2010 as Irvine Unified School District "PTA Membership Month"***
- 2.3 ***Irvine Chamber of Commerce***

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.

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 an adjourned regular meeting of the Irvine City Council held on July 27, 2010.

3.2 PROCLAMATIONS/COMMENDATIONS

ACTION:

- 1) Proclaim the week of September 17-23, 2010 as "Constitution Week."
- 2) Commend Yu-Na Kim, 5th Korean-American Leadership Award.
- 3) Commend Dr. Sammy Lee, 5th Korean-American Leadership Award.

3.3 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

3.4 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

3.5 QUITCLAIM OF PORTIONS OF ACCESS EASEMENTS IN WOODBURY

ACTION:

Authorize the Mayor to execute a Quitclaim Deed for unneeded access easements within the Village of Woodbury.

3.6 DEFINED BENEFIT AND DEFINED CONTRIBUTION PENSION PLAN AUDITS FOR THE YEAR ENDED DECEMBER 31, 2009

ACTION:

Receive and file the Defined Benefit Pension Plan and the Defined Contribution Pension Plan audits for the year ended December 31, 2009.

3.7 SUBLEASE AGREEMENT WITH THE COUNTY OF ORANGE FOR 100 ACRE PARCEL IN PLANNING AREA 51

ACTION:

- 1) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE POTENTIAL PAYMENT BY THE IRVINE REDEVELOPMENT

AGENCY OF CERTAIN COSTS FOR THE POTENTIAL FUTURE RECONSTRUCTION OR REPLACEMENT OF CERTAIN FLOOD CONTROL FACILITIES LOCATED ON CERTAIN REAL PROPERTY LOCATED WITHIN THE REDEVELOPMENT PROJECT AREA, AND MAKING FINDINGS UNDER HEALTH AND SAFETY CODE SECTION 33445 FOR THE EXPENDITURE OF AGENCY FUNDS THEREFOR

- 2) Authorize the Mayor to execute a Sublease Agreement and Implementation Agreement No. 2 with the County of Orange to provide the County with a 100 acre parcel in accordance with the 2003 Property Tax Transfer and Pre-Annexation Agreement.
- 3) Authorize the Mayor to execute a Reciprocal License Agreement with the County of Orange and Heritage Fields.

3.8 DESIGNATION OF CITY CONSULTANT AS AUTHORIZED CITY REPRESENTATIVE TO EXAMINE SALES AND USE TAX RECORDS

ACTION:

Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING EXAMINATION OF SALES, USE AND TRANSACTIONS TAX RECORDS

3.9 COLLECTION OF DELINQUENT SPECIAL TAXES AND ASSESSMENTS FISCAL YEAR 2010-11

ACTION:

- 1) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2005-2 (COLUMBUS GROVE) AUTHORIZING AND ORDERING JUDICIAL FORECLOSURE OF CURRENT AND FUTURE DELINQUENT SPECIAL TAXES IN SAID DISTRICT PURSUANT TO THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982 AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH
- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACTING AS THE GOVERNING BODY OF THE ASSESSMENT DISTRICTS SET FORTH HEREIN AUTHORIZING AND ORDERING JUDICIAL FORECLOSURE OF CURRENT AND FUTURE DELINQUENT SPECIAL ASSESSEMENTS IN SAID DISTRICTS PURSUANT TO THE IMPROVEMENT BOND ACT OF 1915 AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH
- 3) Authorize and order the City Attorney to prosecute the foreclosure actions and to collect, in the name of the City and on behalf of the owners of the Bonds, all amounts due on account of the delinquent

- special taxes and special assessments with respect to the property identified in the submitted resolutions.
- 4) Authorize and order City personnel, in conjunction with the City Attorney and other City consultants, pursuant to Government Code Section 53356.2(a) and Section 8833(a)(1) to record notices of intent to remove the delinquent special taxes and special assessments from the tax rolls, and Section 53356.2(b) and Section 8833(a)(1)(A) to request that the applicable Orange County officials remove current and future delinquent special taxes and special assessments from the tax rolls.

3.10 IRVINE CHILD DEVELOPMENT CENTER LEASE AGREEMENT

ACTION:

Approve ten-year Lease Agreement between the City of Irvine and Irvine Child Development Center Operating Corporation for operation of the Irvine Child Development Center located at 2 Civic Center Plaza, and authorize the City Manager to sign and execute all necessary documents.

3.11 APPLICATION FOR ACQUISITION OF FEDERAL REAL PROPERTY LOCATED WITHIN THE FORMER MARINE CORPS AIR STATION EL TORO FOR PUBLIC PARK USE

ACTION:

Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING AN APPLICATION TO THE U.S. DEPARTMENT OF INTERIOR FOR THE PUBLIC BENEFIT CONVEYANCE OF BUILDING 746 AND APPROXIMATELY 1.6 ACRES OF LAND LOCATED WITHIN THE FORMER MCAS EL TORO FOR PUBLIC PARK USE

3.12 STANDARD PACIFIC CORPORATION REQUEST FOR AN ENCROACHMENT PERMIT FOR TEMPORARY USE OF THE PUBLIC RIGHT-OF-WAY ON THE SOUTHERLY SIDE OF PATHWAY TO THE EAST OF THE INTERSECTION WITH SILVERADO IN THE VILLAGE OF PORTOLA SPRINGS (PLANNING AREA 6)

ACTION:

Adopt RESOLUTION NO. — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE ISSUANCE OF AN ENCROACHMENT PERMIT TO STANDARD PACIFIC CORPORATION FOR THE TEMPORARY USE OF AN EXISTING SIDEWALK AND CONSTRUCTION OF AN INTERIM PUBLIC SIDEWALK WITH ANCILLARY LANDSCAPE AND FENCING IMPROVEMENTS, ON THE SOUTHERLY SIDE OF PATHWAY

BEGINNING APPROXIMATELY 85.5 FEET TO THE EAST OF THE INTERSECTION WITH SILVERADO AND EXTENDING APPROXIMATELY 106 FEET TO THE EAST IN THE VILLAGE OF PORTOLA SPRINGS (PLANNING AREA 6); FILED BY STANDARD PACIFIC HOMES

3.13 [AGREEMENT FOR ROADWAY IMPROVEMENTS IN PLANNING AREA 34](#)

ACTION:

Authorize the Mayor to execute an agreement between the City of Irvine, the Orange County Flood Control District and the Irvine Company for the improvement of Bake Parkway and Lake Forest Drive.

3.14 [RESOLUTION ADOPTING THE REVISED PUBLIC WORKS RECORDS RETENTION SCHEDULE](#)

ACTION:

Adopt RESOLUTION NO - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING AN AMENDMENT TO CITY COUNCIL RESOLUTION NO. 09-58, TO REVISE THE PUBLIC WORKS DEPARTMENT RECORDS RETENTION SCHEDULE

3.15 [PROPOSITION 84 SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM](#)

ACTION:

Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)

3.16 [COLLECTIVE BARGAINING AGREEMENT WITH THE IRVINE POLICE ASSOCIATION \(IPA\)](#)

ACTION:

Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE POLICE ASSOCIATION (IPA) AND SUPERSEDING ALL PREVIOUS TERMS AND CONDITIONS,

EFFECTIVE THE PAY PERIOD THAT INCLUDES AUGUST 11, 2010

3.17 DESIGNATION OF VOTING DELEGATES FOR LEAGUE OF CALIFORNIA CITIES 2010 ANNUAL CONFERENCE

ACTION:

Appoint Councilmember Choi to serve as the voting delegate and Councilmember Shea to serve as the voting alternate for the Annual Business Meeting at the League of California Cities 2010 Annual Conference.

END CONSENT CALENDAR

4. COUNCIL BUSINESS - JOINT MEETING WITH REDEVELOPMENT AGENCY

4.1 RESPONSE TO ORANGE COUNTY GRAND JURY REPORT

CITY COUNCIL ACTION:

Review the draft reply to the Orange County Grand Jury, revise as deemed appropriate, and authorize the Mayor's signature for submittal to the Presiding Judge of the Orange County Superior Court by the statutory deadline of September 1, 2010.

AGENCY ACTION:

Review the draft reply to the Orange County Grand Jury, revise as deemed appropriate, and authorize the Chair's signature for submittal to the Presiding Judge of the Orange County Superior Court by the statutory deadline of September 1, 2010.

END COUNCIL BUSINESS

PUBLIC COMMENTS (Limited to 3 minutes per speaker)

Public comments will be heard at approximately 6:30 p.m. or prior to adjournment, which ever 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:

- 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, MMC
City Clerk