

BETH KROM
Mayor

LARRY AGRAN
Mayor Pro Tempore

STEVEN CHOI
Councilmember

SUKHEE KANG
Councilmember

CHRISTINA SHEA
Councilmember



AGENDA

CITY COUNCIL REGULAR MEETING

May 22, 2007

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

1. **CLOSED SESSION**

- 1.1 **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Pursuant to Subdivision Government Code Section 54956.9(a))
Newpath Networks, LLC v. City of Irvine, U.S. District Court Case No. SACV06-550-JVS

RECESS

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

2. PRESENTATIONS

- 2.1 *Proclaim the week of May 20-26, 2007 as "National Public Works Week."***
- 2.2 *Youth Action Team Recognition***
- 2.3 *Presentation of Plaque from the Orange County Tobacco Use Prevention Coalition***
- 2.4 *Proclaim the week of May 20 - 26, 2007 as the "34th Annual Emergency Medical Services Week."***

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 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 City Council meeting held on May 8, 2007.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclaim the month of June, as "National Safety Month."
- 2) Ratify the following: Proclaim May 18, 2007, as "Orange County Great Park Conservancy 'Jewel of Orange County' Day."

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 TURTLE ROCK DRIVE REHABILITATION FROM CAMPUS DRIVE TO SOUTHERNWOOD - CIP 316160

ACTION: Approve the plans, specifications, and contract documents for Turtle Rock Drive Rehabilitation from Campus Drive to Southernwood, CIP 316160, on file with the Public Works Department.

3.6 ANNUAL LOCAL STREET REHABILITATION AND SLURRY SEAL - CIP 317210 AND 317290

ACTION: Approve the specifications and contract documents for the Annual Local Street Rehabilitation and Slurry Seal, Capital Improvement Projects (CIP) 317210 and 317290, on file with the Public Works Department.

3.7 CONSULTANT TEAM APPROVAL

ACTION: Approve the City's Consultant Team selection for professional and technical consultant services for the three year period ending June 30, 2010, as set forth in the "Consultant Team Recommendations."

3.8 COUNTY OF ORANGE, OFFICE ON AGING REQUEST FOR APPROVAL OF GRANT FUND AGREEMENT FOR NUTRITION PROGRAM

ACTION: Authorize the Director of Community Services, or his designee, to enter into an agreement with the County of Orange, Office on Aging to receive the nutrition grant for the Senior Services nutrition program.

3.9 MAP, BOND, AND AGREEMENTS FOR TRACT MAP NO. 17004, ORCHARD HILLS (PLANNING AREA 1)

ACTION:

- 1) Approve Tract Map No. 17004 on file with the Public Works Department.
- 2) Authorize the Mayor to execute the agreements and accept the security from The Irvine Community Development Company, LLC, guaranteeing street construction, landscaping, and survey monumentation.
- 3) Accept the easements, fee parcels, and vehicular access rights, as dedicated on the tract map.

3.10 MAP, BONDS, AND AGREEMENTS FOR TRACT MAP NO. 17086, WOODBURY (PLANNING AREA 9B)

ACTION:

- 1) Approve Tract Map No. 17086 on file with the Public Works Department.
- 2) Authorize the Mayor to execute the agreements and accept the security from the Irvine Community Development Company, LLC, guaranteeing street construction and survey monumentation.
- 3) Accept the easements and vehicular access rights as dedicated on the tract map.

3.11 MAP, BONDS, AND AGREEMENT FOR TRACT MAP NO. 17143, PORTOLA SPRINGS (PLANNING AREA 6)

ACTION:

- 1) Approve Tract Map No. 17143 on file with the Public Works Department.
- 2) Authorize the Mayor to execute the agreement and accept the security from Irvine Community Development Company, LLC, guaranteeing survey monumentation.
- 3) Accept the easements as dedicated on the tract map.

3.12 MEMORANDUM OF UNDERSTANDING BETWEEN SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS AND THE CITY OF IRVINE REGARDING PARTICIPATION IN THE CLEAN CITIES PROGRAM

ACTION:

- 1) Authorize the Mayor to execute the Memorandum of Understanding (MOU) between the Southern California Association of Governments (SCAG) and the City of Irvine regarding participation in the Clean Cities Program.
- 2) Authorize the City Manager to execute, on behalf of the City, future renewals of the MOU.

3.13 BAKE PARKWAY REHABILITATION FROM THE I-5 FREEWAY TO THE LAKE FOREST CITY LIMIT - CIP 317170

ACTION: Approve the plans, specifications, and contract documents for Bake Parkway Rehabilitation from the I-5 Freeway to the Lake Forest City Limit, CIP 317170, on file with the Public Works Department.

3.14 HOUSING STRATEGY AND IMPLEMENTATION PLAN ANNUAL UPDATE

ACTION: Receive and file.

3.15 BUDGET ADJUSTMENT FOR THE TELEPHONE, MAIL, AND DUPLICATING FUND

ACTION: Approve the submitted Budget Adjustment increasing Mail Postage revenues and corresponding expenditures in the amount of \$85,000.

3.16 REQUEST FOR APPROVAL TO RENEW SENIOR MOBILITY PROGRAM FUNDING AGREEMENT WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA)

ACTION: Authorize the Director of Community Services to execute and the City Clerk to attest to an Amendment to the Senior Mobility Grant from OCTA for continued Senior Mobility Program funds to support transportation services.

3.17 ORDINANCE NO. 07-13, CONFORM TO THE REQUIREMENTS OF SENATE BILL 53, TO DESCRIBE THE IRVINE REDEVELOPMENT AGENCY PROVISIONS AND LIMITATIONS FOR EMINENT DOMAIN

ACTION: Read by title and adopt ORDINANCE NO. 07-13 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE CONFORMING TO THE REQUIREMENTS OF SENATE BILL 53, CHAPTER 591 OF STATUTES OF 2006, AS CODIFIED IN CALIFORNIA HEALTH AND SAFETY CODE SECTION 33342.7,

TO DESCRIBE THE IRVINE REDEVELOPMENT AGENCY'S PROVISIONS AND LIMITATIONS FOR REAL PROPERTY ACQUISITION BY EMINENT DOMAIN

3.18 *ORDINANCE NO. 07-14, RELATING TO STATE AND LOCAL FRANCHISES FOR CABLE COMMUNICATIONS AND FRANCHISE AGREEMENT WITH COX COMMUNICATIONS*

ACTION: Read by title and adopt ORDINANCE NO. 07-14 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE RELATING TO STATE AND LOCAL FRANCHISES FOR CABLE COMMUNICATIONS SYSTEMS AND GRANTING A FRANCHISE TO COXCOM, INC. DBA COX COMMUNICATIONS

END OF CONSENT CALENDAR

4. 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

4.1 *ASSESSMENT DISTRICT NO. 07-22, STONEGATE AND STONEGATE EAST (PLANNING AREAS 9B AND 9C-2)*

ACTION:

- 1) Open the public hearing, receive public input, Council comments and questions.
- 2) Close the public hearing.
- 3) Announce ballot results.
- 4) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CONFIRMING THE ASSESSMENTS IN ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST) PLANNING AREAS 9B AND 9C-2, ORDERING THE IMPROVEMENTS AND ACQUISITIONS TO BE MADE, AUTHORIZING ENTRY INTO CERTAIN AGREEMENTS, AND DESIGNATING THE CITY TREASURER TO COLLECT AND RECEIVE MONEY
- 5) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, DETERMINING UNPAID ASSESSMENTS IN ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST) PLANNING AREAS 9B AND 9C-2 AND THE MANNER OF PAYMENT THEREOF AND LISTING BONDS ISSUED ON THE SECURITY THEREOF

- 6) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE OF IRVINE ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST) PLANNING AREAS 9B AND 9C-2 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A REIMBURSEMENT AGREEMENT, A BOND PURCHASE AGREEMENT, A REMARKETING AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO

4.2 ASSESSMENT DISTRICT NO. 85-7, SPECTRUM 1, 3 & 4 (PLANNING AREA 12) BOND REFUNDING

ACTION:

- 1) Open the public hearing.
- 2) Continue the public hearing to June 26, 2007 at 4:00 p.m.

5. COUNCIL BUSINESS

5.1 ISSUANCE OF FIXED RATE CONVERSION BONDS FOR ASSESSMENT DISTRICT NO. 93-14 (GROUP FIVE), ASSESSMENT DISTRICT NO. 03-19 (GROUP FIVE) AND ASSESSMENT DISTRICT NO. 04-20 (GROUP ONE)

ACTION:

- 1) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,335,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 93-14 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP FIVE, APPROVING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT AND A GROUP FIVE CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO
- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$19,275,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 03-19 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP FIVE, APPROVING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT AND A GROUP

- FIVE CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO
- 3) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$42,530,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 04-20 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP ONE, APPROVING THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT AND A GROUP ONE CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO

5.2 FIRST READING OF ORDINANCE: LIVING WAGE REQUIREMENTS

ACTION: Introduce for first reading and read by title only ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADDING DIVISION 6 TO TITLE 2 OF THE IRVINE MUNICIPAL CODE RELATING TO LIVING WAGE REQUIREMENTS

END OF COUNCIL BUSINESS

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

ADJOURNMENT

Next Meeting: CITY COUNCIL REGULAR meeting, June 12, 2007, 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. 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.

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