
CITY COUNCIL AGENDA

BETH KROM
Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember

CITY COUNCIL SPECIAL MEETING

January 10, 2006
3:00 P.M.

City Council Chamber
One Civic Center Plaza

NOTICE TO THE PUBLIC

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.

ADDITIONS AND DELETIONS TO THE AGENDA: 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.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL COMMENTS: 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.

CONSENT CALENDAR ITEMS: 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 Speaker's Form and give it to the City Clerk. (Please see information in "Request to Speak" section.

PUBLIC COMMENT: Any member of the public may address the City Council on items within the Council's subject matter jurisdiction but which are not listed on this agenda during public comments. However, no action may be taken on matters that are not part of the posted agenda. Public comments are scheduled for 30 minutes and are limited to three minutes per person. If you wish to speak, please complete a Speaker's Form and submit to the City Clerk.

CITY COUNCIL – NOTICE TO THE PUBLIC

SPEAKER’S CARD/REQUEST TO SPEAK: If you would like to address the City Council on a scheduled agenda item, please complete the speaker’s card. 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 speaker’s card 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.

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.

PUBLIC HEARINGS: Public Hearings are scheduled for a time certain of 4:00 p.m. (unless noticed otherwise) or as soon thereafter as possible. City Council, when considering the matter scheduled for hearing, will take the following actions: 1) Open the Public Hearing. 2) Receive staff report. 3) Accept public testimony. 4) City Council comments and questions. 5) Take appropriate action. 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.

AMERICANS WITH DISABILITIES ACT: 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 Jeri L. Stately, City Clerk, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at the time if you will need accommodations to attend or participate in meetings on a regular basis.

This agenda was prepared by the City Clerk. Regular meetings of the City Council are held on the second and fourth Tuesdays of each month at 4:00 p.m. However, study sessions and/or closed sessions are periodically held prior to the start of the regular meeting. The City Council Agenda is posted in the Police Department and available at your local library. It is also available through our FAX LIBRARY system. Simply dial (949) 724-6210 and request document number 100 anytime after 5:00 p.m. on the Friday prior to a City Council meeting. The Agenda may also be accessed through the City’s web page at www.ci.irvine.ca.us

STATE OF CALIFORNIA)
CITY OF IRVINE) SS
COUNTY OF ORANGE)

I DECLARE UNDER PENALTY OF PERJURY that I am employed by the City of Irvine, in the City Clerk’s Department; and that I posted this agenda in the posting book located in the Public Safety Lobby of City Hall, One Civic Center Plaza.

Dated/Signed: _____

**FINAL
AGENDA**

**IRVINE
CITY COUNCIL
SPECIAL MEETING**

January 10, 2006

CALL TO ORDER

3:00 P.M.

A special meeting of the Irvine City Council will be called to order on January 10, 2006 at 3:00 p.m., in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California, by Mayor Krom, presiding officer.

ROLL CALL

COUNCILMEMBER:	LARRY AGRAN
COUNCILMEMBER:	STEVEN CHOI
COUNCILMEMBER:	CHRISTINA SHEA
MAYOR PRO TEMPORE:	SUKHEE KANG
MAYOR:	BETH KROM

RECESS

CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to Subdivision (a) of Government Code Section 54956.9)**
 - 1.1 Cox Com, Inc. a Delaware corporation v. City of Irvine, a Municipal Corporation of the State of California, United States District Court, Central District of California**
- 2. PUBLIC EMPLOYMENT (Pursuant to Government Code Section 54957)**

2.1 Position Title: City Manager

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

PRESENTATIONS

- 1) Presentation of proclamation entitled, "University California Irvine Symposium - Martin Luther King, Jr., January 16, 2006."
- 2) Presentation of proclamation entitled, "100 Black Men of Orange County and Passport to the Future Day, February 4, 2006."
- 3) Presentation of proclamation entitled, "National Charity League, Irvine Chapter - 25 Years Anniversary Celebration, January 23, 2006."
- 4) Presentation of a plaque from the American Cancer Society for support of the Orange County Relay for Life 2005 Event.

INTRODUCTIONS

CITY MANAGERS REPORT

***ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

***ADDITIONS AND DELETIONS**

CITY COUNCIL REORGANIZATION

Selection of Mayor Pro Tempore

*Please refer to Notice to the Public, Pages i & ii

CONSENT CALENDAR (Item Nos. 3.1 through 7.4)

***PUBLIC COMMENTS (Limited to 3 minutes per speaker)**

3. CITY COUNCIL MINUTES

3.1 APPROVAL OF CITY COUNCIL MINUTES

ACTION: Approve the minutes of a regular meeting of the City Council held on December 13, 2005.

4. PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS

4.1 PROCLAIM THE FOLLOWING:

ACTION:

- 1) National Charity League, Irvine Chapter - 25 Years Anniversary Celebration - January 23, 2006
- 2) Martin Luther King, Jr. Day - January 16, 2006
- 3) 100 Black Men of Orange County and Passport to the Future Day - February 4, 2006

5. AGREEMENTS

5.1 APPROVE USE AND MAINTENANCE AGREEMENTS FOR SLOPE LANDSCAPING ALONG CULVER DRIVE WITHIN THE UNIVERSITY OF CALIFORNIA, IRVINE CAMPUS (PLANNING AREA 50)

ACTION: Approve Use and Maintenance Agreements between the City of Irvine and the Regents of the University of California across the University of California, Irvine Campus, and authorize the Mayor to execute and the City Clerk to attest said agreements, subject to City Attorney approval as to form.

5.2 APPROVE THE CONVEYANCE OF AN EASEMENT TO THE SOUTHERN CALIFORNIA EDISON COMPANY AT 27 LAKE (PLANNING AREA 15, WOODBRIDGE)

*Please refer to Notice to the Public, Pages i & ii

ACTION: Approve a Grant of Easement to Southern California Edison Company and authorize the Mayor to sign and the City Clerk to attest to the Grant of Easement subject to the City Attorney as to form.

5.3 APPROVAL OF MAP, BONDS, AND AGREEMENTS, FOR TRACT MAP NO. 16893 (PLANNING AREA 6, PORTOLA SPRINGS)

ACTION:

- 1) Approve Tract Map No. 16893.
- 2) Approve the agreements and accept the security from California Pacific Homes, guaranteeing street improvements and survey monuments for Tract Map No. 16893 and authorize the Mayor to sign and the City Clerk to attest to the agreements subject to City Attorney approval as to form.
- 3) Accept the dedication of an easement for emergency access and public service vehicle ingress and egress, sidewalk and access purposes as shown on the map.

6. ALLOCATION OF FUNDS

6.1 ORANGE COUNTY GREAT PARK BUDGET ADJUSTMENT

ACTION: Approve the attached Budget Adjustment that completes the Orange County Great Park Corporation (OCGPC) Board action of December 12, 2005, increasing lease revenues by \$600,000 and allocations by \$492,784, and making other adjustments between accounts within the OCGPC Fund.

6.2 BUDGET ADJUSTMENT REQUEST TO ESTABLISH A NEW CIP IN THE IRVINE BUSINESS COMPLEX TRANSPORTATION MANAGEMENT PROGRAM FUND FOR THE IBC SIDEWALK CONNECTIONS AND GAP CLOSURES PROJECT

ACTION: Approval of a Budget Adjustment to appropriate \$95,958 in available Irvine Business Complex (IBC) Transportation Management Plan (TMP) fund balance and establish a new Capital Improvement Project (CIP) account to complete the final design engineering phase of the IBC Sidewalk Connections and Gap Closures project.

*Please refer to [Notice to the Public](#), Pages i & ii

7. RESOLUTIONS

7.1 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

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

7.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopt a Resolution entitled: 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.

7.3 AMENDMENTS TO THE POSITION CONTROL RESOLUTION

ACTION: Adopt a resolution entitled: 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 2005-2006 FISCAL YEAR, AND REPEALING ALL PREVIOUS RESOLUTIONS AUTHORIZING FULL-TIME POSITIONS

7.4 ACCEPT PETITION FOR FORMING ASSESSMENT DISTRICT NO. 05-21 (PLANNING AREA 1, ORCHARD HILLS)

ACTION:

- 1) Accept and file the petition for forming Assessment District No. 05-21.
- 2) Adopt a Resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, ACCEPTING PETITION FOR FORMATION OF ASSESSMENT DISTRICT NO. 05-21 (ORCHARD HILLS) AND DIRECTING THAT CERTAIN ACTS BE TAKEN IN FURTHERANCE OF THE DISTRICT'S FORMATION

*Please refer to Notice to the Public, Pages i & ii

END OF CONSENT CALENDAR

COUNCIL BUSINESS

ORDINANCES

8. RESOLUTIONS

8.1 PLUG-IN PARTNER NATIONAL PLUG-IN HYBRID ELECTRIC VEHICLES INITIATIVE – RESOLUTION OF SUPPORT

ACTION: Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE CITY TO SUPPORT A LOCAL “PLUG-IN CITY OF IRVINE” CAMPAIGN

9. SECOND READING OF ORDINANCES

9.1 SECOND READING OF ORDINANCE: ZONE CHANGE FOR PLAZA-IRVINE, PHASES III AND IV PLANNING AREA 36

ACTION: Adopt and read by title only, an ordinance entitled: ORDINANCE NO. 05-27 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING ADDENDUM TO ENVIRONMENTAL IMPACT REPORT 88-ER-0087 AND APPROVING ZONE CHANGE 00367058-PZC (FORMERLY 00372849-PZC) TO CHANGE THE ZONING ON LOT 1 OF TRACT 16843 FROM 5.1 IBC MULTI-USE TO 5.0 IBC RESIDENTIAL; AND REVISE THE PLANNING AREA INTENSITY LIMITS FOR PLAZA – IRVINE PHASES III-IV LOCATED AT THE SOUTHEAST CORNER OF JAMBOREE ROAD AND DIPLOMA; PLANNING AREA 36; FILED BY STARPOINTE VENTURES

9.2 SECOND READING OF ORDINANCE: ZONE CHANGE, PLANNING AREA 10; FILED BY PIRZADEH AND ASSOCIATES

ACTION: Adopt and read by title only, an ordinance entitled: ORDINANCE NO. 05-28 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00387627-PZC TO CHANGE THE 4.2E COMMUNITY COMMERCIAL ZONING DISTRICT FOR THE PARCEL LOCATED EAST OF JAMBOREE ROAD TO 5.5B MEDICAL AND SCIENCE, AND TO INCREASE THE

*Please refer to [Notice to the Public](#), Pages i & ii

BUILDING INTENSITY STANDARD FOR THE 5.5B MEDICAL AND SCIENCE ZONING DISTRICT FROM 632,940 SQUARE FEET TO 782,000 SQUARE FEET; LOCATED EAST OF JAMBOREE ROAD (FORMER HOMEFINDING CENTER SITE), PLANNING AREA 10; FILED BY PIRZADEH & ASSOCIATES, ON BEHALF OF THE IRVINE COMPANY

9.3 SECOND READING OF ORDINANCE: ZONE CHANGE TO ALLOW WINDOWS/OPENINGS ON ZERO LOT LINE PROPERTIES WITH AND WITHOUT EASEMENTS, AND ON NON-ZERO LOT LINE PROPERTIES WITH EASEMENTS

ACTION: Adopt and read by title only, an ordinance entitled: ORDINANCE NO. 05-29 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00401999-PZC REPEALING SECTION 3-27-2.A.4 OF THE ZONING CODE ELIMINATING RESTRICTIONS ON THE PLACEMENT OF OPENINGS/WINDOWS ON RESIDENTIAL ZERO LOT LINE PROPERTIES WITH AND WITHOUT EASEMENTS AND ON NON-ZERO LOT LINE PROPERTIES WITH EASEMENTS FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

10. REPORTS

10.1 APPROVAL OF APPOINTMENTS OF DELEGATES AND ALTERNATES TO AGENCIES ON WHICH THE CITY HAS REPRESENTATION

ACTION: Appoint delegates and alternates to agencies on which the City has representation, as noted in attached list.

10.2 ADOPTION OF RULES OF ETHICAL AND OPEN GOVERNANCE AND CODE OF ETHICS/LOBBYING REGULATIONS (Continued from the meeting of December 13, 2005)

ACTION:

- 1) Adopt a resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE RULES OF ETHICAL AND OPEN GOVERNANCE

*Please refer to Notice to the Public, Pages i & ii

- 2) Introduce for first reading and read by title only an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING THE IRVINE MUNICIPAL CODE BY ADDING NEW DIVISION 6 TO TITLE 1 RELATING TO THE ADOPTION OF A CODE OF ETHICS, AND AMENDING CERTAIN PORTIONS OF TITLE 1 OF THE IRVINE MUNICIPAL CODE RELATING TO OPEN GOVERNANCE PROVISIONS (COMMITTEE ASSIGNMENTS, AUDIT OF THE CITY CONTRACTS, AND DIVISION OF COUNCIL VOTES)
- 3) Introduce for first reading and read by title only and ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING THE IRVINE MUNICIPAL CODE BY ADDING NEW DIVISION 7 TO TITLE 1 RELATING TO THE REGULATION OF LOBBYING ACTIVITIES

10.3 CITY COUNCIL POLICY AND PROCEDURES MANUAL (Continued from the meeting of December 13, 2005)

ACTION:

- 1) Approve update of the City Council Policy and Procedures Manual with wording changes as detailed in this report.
- 2) Direct the City Manager and Community Services staff to return to City Council with a review of the policy on "Recognition of Significant Contributions by Persons Living or Deceased."
- 3) Consider amending the Council Executive Assistant program as proposed by Mayor Pro Tem Kang.

**11. PUBLIC HEARINGS
END COUNCIL BUSINESS**

***PUBLIC COMMENTS (Limited to 3 minutes per speaker)**

ADJOURNMENT

Adjourn to a CITY COUNCIL SPECIAL meeting, January 24, 2006, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

*Please refer to Notice to the Public, Pages i & ii

NOTICE TO THE PUBLIC

The foregoing does constitute the final agenda.

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