

SUKHEE KANG
Mayor

LARRY AGRAN
Mayor Pro Tempore

STEVEN CHOI
Councilmember

BETH KROM
Councilmember

CHRISTINA SHEA
Councilmember



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 \(Pursuant to Government Code Section 54956.9\(a\)\). Wertheimer v. City of Irvine, Orange County Superior Court Case No. 30-2008-00111655.**](#)

RECONVENE TO THE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

2. PRESENTATIONS

2.1 Employee Recognition: 25 and 30 Years of Service

2.2 Pro Patria and Seven Seals Awards

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:

- 1) Approve the minutes of an adjourned regular joint meeting of the Irvine City Council and the Orange County Great Park Board of Directors held on June 17, 2010.
- 2) Approve the minutes of an adjourned regular meeting of the Irvine City Council held on June 29, 2010.

3.2 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

3.3 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

3.4 WARRANT AND WIRE TRANSFER RESOLUTION – BANK OF AMERICA

ACTION:

Adopt RESOLUTION NO. - 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

3.5 STATE GRANT FUNDING FOR USED OIL PAYMENT PROGRAM

ACTION:

Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING FUNDS FROM THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY FOR THE USED OIL PAYMENT PROGRAM

3.6 BRIDGE MAINTENANCE AND REPAIR PROJECT - CIP 320010 AND 329020

ACTION:

Approve the specifications and contract documents for the Bridge Maintenance and Repair Project, Capital Improvement Projects, (CIP) 320010 and (CIP) 329020, on file with the Public Works Department.

3.7 ACCEPTANCE OF 2010-11 ALCOHOLIC BEVERAGE CONTROL GRANT

ACTION:

- 1) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE 2010-11 ALCOHOLIC BEVERAGE CONTROL GRANT PROJECT
- 2) Accept an Alcoholic Beverage Control grant award in the amount of \$67,985.
- 3) Approve a budget adjustment request in the amount of \$67,985, reflecting \$67,985 in revenues and appropriations.

3.8 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND**ACTION:**

Authorize the Director of Public Safety to apply for and accept a Supplemental Law Enforcement Services Fund award from the State of California, County of Orange, and Orange County Supplemental Law Enforcement Oversight Committee, and to allocate the expenditures listed in the application's Expenditure Intent Form.

3.9 ACCEPTANCE OF OPERATIONAL AREA'S AGREEMENT TO TRANSFER PROPERTY OR FUNDS FOR 2009 ORANGE COUNTY HOMELAND SECURITY GRANT PROGRAM PURPOSES**ACTION:**

- 1) Authorize the Director of Public Safety to accept the Agreement to Transfer Property or Funds for 2009 Homeland Security Grant Program Purposes.
- 2) Authorize the Director of Public Safety to accept any equipment, technology or services purchased by the County of Orange and transferred to the City of Irvine to enhance countywide emergency preparedness.
- 3) Approve a budget adjustment request in the amount of \$180,000 in grant revenues and appropriations for any training costs, any necessary overtime for backfill, and equipment/services.
- 4) Authorize the Director of Public Safety to submit for reimbursement up to \$30,000 in training-related overtime costs, and \$150,000 in approved equipment/services through the FY09 Homeland Security Grant Program.

3.10 ACCEPTANCE OF AGREEMENT FOR PROVISION OF POINT OF DISPENSING SITE PLANNING SERVICES BETWEEN COUNTY OF ORANGE AND CITY OF IRVINE**ACTION:**

- 1) Authorize the Director of Public Safety to accept the Agreement for Provision of Point of Dispensing Site Planning Services between County of Orange and City of Irvine.
- 2) Approve a budget adjustment request in the amount of \$42,500, reflecting \$42,500 in revenues and appropriations.

3.11 ORDINANCE NO. 10-06, ORDINANCE TO FURTHER IMPROVE WATER QUALITY AND COMPLY WITH STATE AND FEDERAL REQUIREMENTS ON THE CONTROL OF POLLUTANTS IN STORMWATER AND URBAN RUNOFF**ACTION:**

Read by title only, second reading and adoption of ORDINANCE NO. 10-06 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE CODE OF ORDINANCES OF THE CITY OF IRVINE BY AMENDING CHAPTER 3 OF DIVISION 8 “STORMWATER AND URBAN RUNOFF” TO TITLE 6 “PUBLIC WORKS” TO FURTHER IMPROVE WATER QUALITY AND COMPLY WITH STATE AND FEDERAL REQUIREMENTS ON THE CONTROL OF POLLUTANTS IN STORMWATER AND URBAN RUNOFF

3.12 PETITION, BUDGET ADJUSTMENT, AND CASH ADVANCE AGREEMENT FOR ASSESSMENT DISTRICT NO. 10-23 (PLANNING AREA 18)

ACTION:

- 1) Accept and file the petition for forming Assessment District No. 10-23.
- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING PETITION FOR FORMATION OF ASSESSMENT DISTRICT NO. 10-23 (PLANNING AREA 18) AND DIRECTING THAT CERTAIN ACTS BE TAKEN IN FURTHERANCE OF THE DISTRICT'S FORMATION
- 3) Approve a Budget Adjustment to record a revenue and expenditure appropriation of \$100,000 from the Irvine Company for preliminary work associated with proposed Assessment District No. 10-23.
- 4) Authorize the Mayor to execute the Cash Advance Agreement for Assessment District No. 10-23 between the City of Irvine and the Irvine Company.

END 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 GENERAL PLAN, ZONE CHANGE, MASTER PLAN FOR IRVINE BUSINESS COMPLEX (IBC) RESIDENTIAL MIXED-USE VISION PLAN AND RELATED IMPLEMENTING ACTIONS

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 RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CERTIFYING THE PROGRAM ENVIRONMENTAL IMPACT REPORT (SCH# 2007011024, 00497859-PCLE) FOR THE IRVINE BUSINESS COMPLEX VISION PLAN AND RESIDENTIAL MIXED-USE OVERLAY ZONING CODE AND RELATED IMPLEMENTING ACTIONS
- 6) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00497846–PGA TO ADOPT THE IRVINE BUSINESS COMPLEX RESIDENTIAL MIXED-USE VISION PLAN AS A NEW ELEMENT OF THE GENERAL PLAN; TO INCREASE THE RESIDENTIAL UNIT CAP TO 15,000 UNITS, WITH A CORRESPONDING REDUCTION OF NON-RESIDENTIAL INTENSITY; TO REPLACE THE CURRENT 52 UNIT/ACRE DENSITY CAP WITH A 30 UNIT/ACRE DENSITY MINIMUM, AND UPDATE OTHER ELEMENTS OF THE GENERAL PLAN TO REFLECT REFERENCES TO NEW IBC ELEMENT; FILED BY THE CITY OF IRVINE
- 7) Introduce for first reading and read by title only ORDINANCE NO. – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00497861-PZC TO ADD CHAPTER 5-8 IRVINE BUSINESS COMPLEX RESIDENTIAL MIXED-USE OVERLAY ZONING CODE; UPDATE REFERENCES TO EXISTING INTENSITY LIMITS AND TRAFFIC MITIGATION IN CHAPTER 9-36; TO INCREASE THE RESIDENTIAL UNIT CAP TO 15,000 UNITS, WITH A CORRESPONDING REDUCTION OF NON-RESIDENTIAL INTENSITY; TO REPLACE THE CURRENT 52 UNIT/ACRE DENSITY CAP WITH A 30 UNIT/ACRE DENSITY MINIMUM AND AMEND OTHER SECTIONS OF THE ZONING CODE TO REFLECT NEW REFERENCES TO VISION PLAN AND OVERLAY ZONING CODE; FILED BY THE CITY OF IRVINE
- 8) Introduce for first reading and read by title only ORDINANCE NO. – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CHAPTER 10, DEDICATIONS, OF DIVISION 5, SUBDIVISIONS, OF THE CITY’S MUNICIPAL CODE, TO ADD A NEW SECTION TO INCORPORATE NEW URBAN PARK STANDARDS INTO THE CITY’S PARK DEDICATION REQUIREMENTS FOR THE IBC AND AMEND SECTION 5-5-1000D(1) TO REMOVE A 50 UNIT PER ACRE DENSITY CAP FOR DETERMINING PERSONS PER HOUSEHOLD
- 9) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING MASTER PLAN 00497860-PMP TO ESTABLISH DESIGN CRITERIA FOR RESIDENTIAL/MIXED-USE PROJECTS WITHIN THE IRVINE

BUSINESS COMPLEX

- 10) Direct staff to amend the City of Irvine Park Standards Manual to ensure park dedication requirements are consistent with the IBC Design Criteria and the IBC Mixed Use Overlay Zone.
- 11) Provide direction to staff regarding recommendations from Planning Commission regarding amendments to City Park Code for affordable housing incentives and to the Bicycle Master Plan for bicycle commuting opportunities.

5. COUNCIL BUSINESS

5.1 CAMPAIGN SIGN PLEDGE

ACTION:

Consider adoption of Pledge of Voluntary Political Sign Practices.

5.2 IMPLEMENTATION RESOLUTION FOR THE PURPOSE OF PLACING A MEASURE ON THE NOVEMBER 2, 2010 BALLOT REGARDING CONTINUED PROVISION OF FINANCIAL SUPPORT TO EDUCATIONAL AND ENRICHMENT PROGRAMS IN IRVINE'S PUBLIC SCHOOLS K-12

ACTION:

- 1) Adopt RESOLUTION NO. 10-__ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SUBMITTING TO THE QUALIFIED VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2010 A PROPOSAL TO ADOPT AN ORDINANCE CONTINUING PROVISION OF FINANCIAL SUPPORT TO EDUCATIONAL AND ENRICHMENT PROGRAMS IN IRVINE'S PUBLIC SCHOOLS, GRADES K-12; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND AUTHORIZING AND SETTING DEADLINES FOR THE FILING OF ARGUMENTS FOR OR AGAINST THE BALLOT MEASURE
- 2) Allocate \$8,500 from the Unallocated Year-End Surplus Fund to fund unanticipated costs for services provided by the Orange County Registrar of Voters related to the translating and publishing of the ballot measure, impartial analysis and related arguments in the sample voter pamphlet.

5.3 IMPLEMENTATION RESOLUTION FOR THE PURPOSE OF PLACING A MEASURE ON THE NOVEMBER 2, 2010 BALLOT REGARDING THE IRVINE SUSTAINABLE COMMUNITY INITIATIVE

ACTION:

- 1) Adopt RESOLUTION NO. 10-__ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SUBMITTING TO THE QUALIFIED VOTERS AT THE GENERAL MUNICIPAL ELECTION

- TO BE HELD ON NOVEMBER 2, 2010 A PROPOSAL TO ADOPT AN ORDINANCE RATIFYING AND IMPLEMENTING POLICIES IN SUPPORT OF RENEWABLE ENERGY AND ENVIRONMENTAL PROGRAMS FOR A SUSTAINABLE COMMUNITY; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND AUTHORIZING AND SETTING DEADLINES FOR THE FILING OF ARGUMENTS FOR OR AGAINST THE BALLOT MEASURE
- 2) Allocate \$8,500 from the Unallocated Year-End Surplus Fund to cover unanticipated costs for services provided by the Orange County Registrar of Voters related to the translating and publishing of the ballot measure, impartial analysis and related arguments in the sample voter pamphlet.

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, 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:

- 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