
CITY COUNCIL AGENDA

BETH KROM

Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember

CITY COUNCIL REGULAR MEETING

July 12, 2005

4:00 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 REGULAR MEETING

July 12, 2005

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CALL TO ORDER

4:00 P.M.

A regular meeting of the Irvine City Council will be called to order on July 12, 2005 at 4:00 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

PRESENTATIONS

GREAT PARK SIGNING CEREMONY

PLEDGE OF ALLEGIANCE

The City of Irvine Police Department will present the colors and lead the Pledge of Allegiance

MOMENT OF SILENCE

MUSICAL PRESENTATION

INTRODUCTIONS

*****REPORT BY MAYOR ON SIGNING CEREMONY - 5:00 P.M.*****

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

CITY MANAGER'S REPORT

***ADDITIONS AND DELETIONS**

*****CONSENT CALENDAR (Item Nos. 1 through 5.2)*****

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

1. CITY COUNCIL MINUTES

1.1 APPROVAL OF CITY COUNCIL MINUTES (Submitted by City Clerk)

ACTION: Approve the minutes of a regular meeting of the Irvine City Council held on June 28, 2005.

2. PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS

2.1 PROCLAIM THE FOLLOWING:

1) Recreation and Parks Month - July 2005

3. AGREEMENTS

3.1 AGREEMENT FOR SECURITY SERVICES BETWEEN THE CITY OF IRVINE AND THE LNR PROPERTY CORPORATION

ACTION:

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

- 1) Authorize the City Manager to approve and execute, and the City Clerk to attest to, an agreement between the City of Irvine and LNR Property Corporation for security services at the former Marine Corps Air Station (MCAS) El Toro commencing July 13, 2005.
- 2) Approve a budget adjustment in the amount of \$505,956 increasing revenue and appropriations related to the agreement for providing security services at the former El Toro MCAS.

4. ALLOCATION OF FUNDS

4.1 RECEIPT OF ORANGE COUNTY GREAT PARK DEVELOPMENT AGREEMENT FUNDS

ACTION: Receive and deposit the first Orange County Great Park Development Agreement payment of \$33,333,333.33 into the Great Park Land & Trust account (01000000993040).

5. RESOLUTIONS

5.1 WARRANT AND WIRE TRANSFER RESOLUTION (Submitted by Administrative Services/Fiscal Services)

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

5.2 COMMITMENT OF CITY FUNDS TOWARD AFFORDABLE HOUSING PROJECT WITHIN WOODBURY (Submitted by Community Development/Planning Services)

ACTION: Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING AN AFFORDABLE HOUSING DEVELOPMENT LOAN NOT TO EXCEED \$2,850,000 IN CITY FUNDS TO BRIDGE HOUSING CORPORATION FOR AN AFFORDABLE HOUSING DEVELOPMENT IN THE NORTHEAST QUADRANT OF WOODBURY

END OF CONSENT CALENDAR

*****ORDINANCES*****

6. SECOND READING OF ORDINANCES

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

6.1 SECOND READING OF ORDINANCE: WIRELESS COMMUNICATION ORDINANCE

ACTION: Adopt and read by title only and ordinance entitled: ORDINANCE NO. 05-13 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING A NEGATIVE DECLARATION FOR AND APPROVING ZONE CHANGE 38413-ZC TO ESTABLISH CITYWIDE REGULATIONS FOR WIRELESS COMMUNICATION FACILITIES

6.2 SECOND READING OF ORDINANCE: ZONE CHANGE 00365094-PZC, IN PLANNING AREA 36, 2801 ALTON; FILED BY STARPOINT VENTURES

ACTION: Adopt and read by title only and ordinance entitled: ORDINANCE NO. 05-15 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00365094-PZC TO REVISE TEXT IN THE ZONING CODE AND CHANGE THE ZONING ON PARCEL 1 OF TRACT 7905 FROM 5.1 IBC MULTI-USE TO 5.3C IBC RESIDENTIAL; LOCATED AT THE NORTHEAST CORNER OF JAMBOREE ROAD AND ALTON PARKWAY; PLANNING AREA 36; FILED BY STARPOINT VENTURES

6.3 SECOND READING OF ORDINANCE: CITYWIDE ZONING ORDINANCE AND MUNICIPAL CODE UPDATE

ACTION: Adopt and read by title only an ordinance entitled: ORDINANCE NO. 05-16 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00357863-PZC TO UPDATE AND CLARIFY THE ZONING CODE AND THE MUNICIPAL CODE AS WELL AS ADDING REGULATIONS FOR RESTAURANTS, "TYPE 47" ALCOHOL BEVERAGE CONTROL LICENSE

6.4 SECOND READING OF ORDINANCE: ELECTRICAL CODE ADOPTION

ACTION: Adopt and read by title only, an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CHAPTERS 1 AND 3 OF DIVISION 9 OF TITLE 5 OF THE IRVINE MUNICIPAL CODE PERTAINING TO ELECTRICAL CODE REGULATIONS

*****PUBLIC HEARINGS*****

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

7. PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE TO RECONCILE INTENSITY CAPS WITH EXISTING BUILDING DEVELOPMENT, PLANNING AREA 35 (SPECTRUM) (Continued from the meeting of May 24, 2005) (Submitted by Community Development/Development Services)

ACTION:

- 1) Reopen public hearing.
- 2) Continue public hearing to September 13, 2005.

8. PUBLIC HEARING: APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A CONDITIONAL USE PERMIT FOR A GAS STATION, CONVENIENCE STORE AND CAR WASH, AND A FINDING OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 20 OFF-SITE BEER AND WINE LICENSE IN PLANNING AREA 17 (Submitted by Community Development/Development Services)

ACTION:

- 1) Open public hearing.
- 2) Continue public hearing to July 26, 2005.

*******COUNCIL BUSINESS*******

9. RESOLUTIONS

9.1 ISSUANCE OF FIXED RATE CONVERSION BONDS FOR ASSESSMENT DISTRICT NO. 87-8 (GROUP SEVEN), ASSESSMENT DISTRICT 93-14 (GROUP THREE), ASSESSMENT DISTRICT NO. 97-17 (GROUP FIVE), ASSESSMENT DISTRICT NO. 00-18 (GROUP FIVE) AND ASSESSMENT DISTRICT NO. 03-19 (GROUP THREE) (Submitted by Administrative Services/Fiscal Services)

ACTION:

- 1) Adopt a resolution entitled: - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$17,695,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 87-8 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP SEVEN, APPROVING THE EXECUTION AND DELIVERY OF A SEVENTH SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT AND A GROUP SEVEN CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO.

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

- 2) Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$4,670,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 93-14 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP THREE, APPROVING THE EXECUTION AND DELIVERY OF A THIRD SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT AND A GROUP THREE CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO.
- 3) Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,650,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 97-17 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.
- 4) Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$7,520,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 00-18 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP FIVE, APPROVING THE EXECUTION AND DELIVERY OF A FOURTH 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.
- 5) Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$10,230,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 03-19 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP THREE, APPROVING THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT AND A GROUP THREE CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO.

10. REPORTS

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

10.1 CONSIDERATION OF CONSULTANT SERVICES AGREEMENT FOR PUBLIC PARTICIPATION AND STRATEGIC ADVISORY SERVICES FOR FISCAL YEAR 2005-06

ACTION: Provide direction on the renewal of the consulting retainer for Forde & Mollrich for Fiscal Year 2005-06.

10.2 APPOINTMENT OF TWO CITY COUNCILMEMBERS TO A CITY BORDERS COMMITTEE WITH THE CITY OF NEWPORT BEACH (Submitted by Public Works/Administration)

ACTION: Appoint two City representatives to a Borders Committee with the City of Newport Beach.

10.3 SCOPING SESSION FOR EIGHT GENERAL PLAN AMENDMENTS FOR NEW RESIDENTIAL DEVELOPMENT IN THE IRVINE BUSINESS COMPLEX (Submitted by Community Development/Development Services)

ACTION:

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

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

*****RECESS*****

*****CLOSED SESSION*****

LIABILITY CLAIMS (Pursuant to Government Code Section 54956.95)

11. One Case: Tony Fausto v. City of Irvine

*****RECONVENE TO THE CITY COUNCIL MEETING*****

ADJOURNMENT

Adjourn to a CITY COUNCIL REGULAR meeting, July 26, 2005, 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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