



AGENDA

CITY COUNCIL ADJOURNED REGULAR MEETING December 10, 2013 5:00 PM

Steven Choi
Mayor

Jeffrey Lalloway
Mayor Pro Tempore

Larry Agran
Councilmember

Beth Krom
Councilmember

Christina Shea
Councilmember

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

Speaker's Card/Request to Speak: If you would like to address the City Council on a scheduled agenda item – including a Consent Calendar item, a Regular Council Business item, a Public Hearing item, or Public Comments – 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. It also ensures the accurate identification of meeting participants in the City Council minutes. Your name will be called at the time the matter is heard by the City Council. City policy is to limit public testimony to up to three minutes per speaker depending on relevant circumstances (unless the time limit is extended by the Mayor), which includes the presentation of electronic or audio visual information. Speakers may not yield their time to other persons.

Please take notice that the order of scheduled agenda items below and/or the time they are actually heard, considered and decided may be modified by the Mayor or the City Council during the course of the meeting, so please stay alert.

[CALL TO ORDER](#)

[ROLL CALL](#)

[PLEDGE OF ALLEGIANCE](#)

[INVOCATION](#)

[MUSICAL PRESENTATION](#)

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.

1. 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. See information for Speaker's Card/Request to Speak on first page.

1.1 MINUTES

ACTION:

Approve the minutes of a regular meeting of the Irvine City Council held on November 26, 2013.

1.2 COMMENDATION

ACTION:

Commend "Young Ladies with Potential."

1.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopt - 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

1.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopt - 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

1.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION:

Adopt - 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

1.6 TREASURER'S REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2013

ACTION:

Receive and file.

1.7 CITY OF IRVINE INVESTMENT POLICY FOR CALENDAR YEAR 2014

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE CITY'S ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2014

1.8 RESOLUTION OF INTENTION, PRELIMINARY ENGINEER'S REPORT AND SET PUBLIC HEARING FOR ASSESSMENT DISTRICT NO. 13-25 (PLANNING AREA 5B)

ACTION:

- 1) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO ORDER THE CONSTRUCTION AND ACQUISITION OF CERTAIN IMPROVEMENTS FOR PROPOSED ASSESSMENT DISTRICT NO. 13-25
- 2) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE PRELIMINARILY ADOPTING, CONFIRMING, AND APPROVING THE ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR PROPOSED ASSESSMENT DISTRICT NO. 13-25

1.9 LICENSE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY AND VERIZON WIRELESS TO ADD CELLULAR EQUIPMENT TO AN EXISTING EDISON TRANSMISSION TOWER ON CITY PROPERTY NEAR SR-133 IN PLANNING AREA 17 (QUAIL HILL)

ACTION:

Authorize the Mayor to execute a License Agreement with Southern California Edison Company (SCE) and Verizon Wireless for

installation of a new wireless communication facility.

1.10 SINGLE AUDIT OF FEDERALLY ASSISTED GRANT PROGRAMS FOR THE FISCAL YEAR ENDED JUNE 30, 2013

ACTION:

Receive and file.

1.11 AIR QUALITY IMPROVEMENT SPECIAL REVENUE FUND AUDIT FOR THE FISCAL YEAR ENDED JUNE 30, 2013

ACTION:

Receive and file.

1.12 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2013 AND AUDITOR'S OPINION

ACTION:

Receive and file.

1.13 FISCAL YEAR 2012-13 CAPITAL IMPROVEMENT AND SPECIAL FUNDS YEAR END REPORT

ACTION:

- 1) Approve the continuation of 101 City and 218 Special District capital projects with budgets of \$71.3 million and \$100.1 million, respectively, for a total of \$171.4 million to Fiscal Year 2013-14.
- 2) Approve the closure of 46 completed City and Special District projects, with \$41.7 million in expenditures.
- 3) Appropriate \$0.3 million from existing CIP project closeouts to a new capital improvement project for the design and construction of a left-turn pocket on Alton Parkway into the south entrance of the Civic Center.
- 4) Appropriate \$0.4 million in Infrastructure and Rehabilitation funds to expand the scope of the Irvine Facility Master Plan Evaluation project (CIP 391201) to include a reassessment of citywide park and facilities priorities, playground ADA evaluation, and any required environmental review.
- 5) Approve a modification to the project scope for the Fiscal Year 2013-14 Streetscape Rehabilitation project (CIP 351401), to include portions of Irvine Center Drive between Harvard and Culver.
- 6) Approve the adjustment of inter-fund transfers for capital projects among the General, Infrastructure and Rehabilitation, Measure M Turnback, Gas Tax, Fees and Exactions, System Development Charge, Renewed Measure M2 Fairshare, Community Facility District, and Fleet Service Funds for the fiscal year beginning July 1,

2013.

- 7) Approve funding for outstanding purchase orders and continuing activities in the Special Funds totaling \$3.6 million.

1.14 RESOLUTIONS AMENDING PERSONNEL RULES AND PROCEDURES; TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED EMPLOYEES; AND SUPPLEMENTAL MILITARY LEAVE BENEFITS FOR CITY EMPLOYEES CALLED INTO ACTIVE MILITARY DUTY AS A RESULT OF THE WAR ON TERRORISM

ACTION:

- 1) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AMENDMENTS TO THE PERSONNEL RULES AND PROCEDURES
- 2) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AN AMENDED ATTACHMENT V TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF IRVINE AND THE IRVINE POLICE ASSOCIATION (IPA), AND SUPERSEDING THE ATTACHMENT V TO THE IPA MOU ADOPTED EFFECTIVE AUGUST 11, 2013
- 3) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CONTINUING AND AMENDING TEMPORARY SUPPLEMENTAL MILITARY BENEFITS, EFFECTIVE JANUARY 1, 2014, FOR FULL-TIME CITY EMPLOYEES CALLED INTO ACTIVE MILITARY DUTY AS A RESULT OF THE WAR ON TERRORISM

1.15 SECOND READING AND ADOPTION OF ORDINANCE NO. 13-07 APPROVING ZONE CHANGE 00537029-PZC IN PLANNING AREAS 30 AND 51 (GREAT PARK NEIGHBORHOODS)

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 13-07 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE (00537029-PZC) TO REZONE AN 11-ACRE PARCEL AND THE ENTIRE PLANNING AREA 30 TO 8.1/8.1B TRAILS AND TRANSIT ORIENTED DEVELOPMENT DISTRICT AND COMBINE THESE PROPERTIES INTO PLANNING AREA 51; REZONE PROPERTY TO 1.4 PRESERVATION TO ACCOMMODATE THE RELOCATED WILDLIFE CORRIDOR FEATURE FOR SEGMENTS 2 AND 3 AND REZONE THE FORMER LOCATION OF THE WILDLIFE CORRIDOR FEATURE TO 8.1 TRAILS AND TRANSIT ORIENTED DEVELOPMENT DISTRICT; MODIFY THE RESIDENTIAL AND NON-RESIDENTIAL INTENSITY FOR A MAXIMUM 9,500 RESIDENTIAL UNITS AND 6,135,200 SQUARE FEET OF NON-RESIDENTIAL INTENSITY IN PLANNING AREA 51; AND OTHER

MINOR AMENDMENTS TO THE ZONING ORDINANCE TO IMPLEMENT THE PROJECT; FILED BY FIVE POINT COMMUNITIES ON BEHALF OF HERITAGE FIELDS EL TORO, LLC FOR THE GREAT PARK NEIGHBORHOODS DEVELOPMENT; LOCATED IN PLANNING AREAS 30 AND 51

(Unless otherwise directed by a member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

1.16 ORANGE COUNTY GREAT PARK FISCAL YEAR 2012-13 YEAR-END REPORT

ACTION:

- 1) Receive and file the year-end budget update report for the fiscal year ended June 30, 2013.
- 2) Approve a budget adjustment in the amount of \$812,698 for unfinished purchase orders and year-end surplus requests in the amount of \$223,777 for expenditures approved in Fiscal Year 2012-13.
- 3) Approve CIP budget adjustments to close one CIP project, and align existing Fiscal Year 2013-14 budgets with the remaining allocation of funds in each CIP project.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

1.17 ORANGE COUNTY GREAT PARK AGREEMENT WITH SECOND HARVEST FOOD BANK OF ORANGE COUNTY TO MANAGE THE INCREDIBLE EDIBLE PARK

ACTION:

- 1) Authorize the Mayor to execute the Agreement with Second Harvest Food Bank of Orange County for the relocation and continued operation of the Incredible Edible Park at the Orange County Great Park, in substantial conformance to the Agreement attached to the staff report.
- 2) Authorize the increase to the Great Park Fiscal Year 2013-14 budget for landscape maintenance for Incredible Edible Park in the amount

of \$21,375 (January through June 2014).

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

1.18 MEMORANDUM OF UNDERSTANDING WITH HERITAGE FIELDS EL TORO, LLC REGARDING MARINE WAY IMPROVEMENTS

ACTION:

It is recommended that the City Council approve a Memorandum of Understanding (MOU) with Heritage Fields El Toro, LLC (Heritage Fields), which will make an additional \$10 million in funding available to the City by the end of 2018 for funding right of way acquisition for the improvement of Marine Way.

1.19 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

Approve Mayor Choi's Community Partnership Fund Grant nominations to Innovative Teaching Technology for Autism and the Korean American Federation of Orange County and authorize the City Manager to prepare and execute Funding Agreements for each organization.

1.20 AUTHORITY TO SELECT AND CONTRACT FOR AMBULANCE SERVICES IN THE CITY OF IRVINE

ACTION:

Authorize the Orange County Fire Authority to select and enter into a contract with an ambulance provider on behalf of the City of Irvine.

2. COUNCIL BUSINESS

2.1 CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR PRO TEMPORE

3. 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 are requested to 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.

3.1 ZONE CHANGE TO PROHIBIT BATTING CAGE(S) ON RESIDENTIAL LOTS CITYWIDE AND REVISIONS TO CERTAIN DEVELOPMENT STANDARDS IN PLANNING AREA 4 (LOWER PETERS CANYON)

ACTION:

- 1) Receive staff report.
- 2) Reopen the public hearing; receive public input.
- 3) Close the public hearing.
- 4) City Council comments and questions.
- 5) Introduce for first reading and read by title only - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00584720-PZC TO PROHIBIT BATTING CAGE(S) ON RESIDENTIAL LOTS CITYWIDE AND REVISIONS TO CERTAIN DEVELOPMENT STANDARDS IN PLANNING AREA 4 (LOWER PETERS CANYON) FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC COMMENTS - Public comments will be heard at approximately 6:30 p.m. or prior to adjournment, whichever occurs earlier.

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 Comments; however, no action may be taken on matters that are not part of the posted agenda. See information for Speaker's Card/Request to Speak on the first page.

ADJOURNMENT

NOTICE TO THE PUBLIC

LIVE BROADCASTING AND REBROADCASTING

Regular City Council meetings are broadcast live every 2nd and 4th Tuesday of the month at 4 p.m. and are replayed on Tuesdays at 4 p.m. (in weeks in which there is not a live City Council meeting), Sundays at 11 a.m., Wednesdays at 7 p.m., and Thursdays at 7 p.m. until the next City Council meeting. All broadcasts can be viewed on Cox Communications Local Access Channel 30 and U-Verse Channel 99. City Council meetings are also available via live webcast and at any time for replaying through the City's ICTV webpage at cityofirvine.org/ictv. 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 cityofirvine.org 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 cityofirvine.org/ictv.

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.

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 that is not filed within this 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 AND ELECTRONIC DEVICES

To minimize distractions, please be sure all personal communication and electronic 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 at the following locations:

- City Clerk's Office
- Police Department
- City's web page at www.ci.irvine.ca.us

I hereby certify that the agenda for the Adjourned Regular City Council meeting was posted in accordance with law in the posting book located in the Public Safety Lobby of City Hall, One Civic Center Plaza, Irvine, California on _____ by _____ as well as on the City's web page.

/s/ Marie Macias
Marie Macias, MMC
Interim City Clerk