



AGENDA

CITY COUNCIL REGULAR MEETING

Sukhee Kang
Mayor

Beth Krom
Mayor Pro Tempore

Larry Agran
Councilmember

Steven Choi
Councilmember

Jeffrey Lalloway
Councilmember

**June 14, 2011
4:00 PM**

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, 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 LABOR NEGOTIATORS \(Pursuant to Government Code Section 54957.6\) Agency Negotiators: Gary Burton, Director of Administrative Services; Dave Larsen, Rutan & Tucker; Jan Walden, Manager of Human Resources; and Jimmee Medina, Human Resources Administrator; Employee Organizations: Associated Supervisory/ Administrative Personnel \(ASAP\); Irvine City Employees Association \(ICEA\); Irvine Professional Employees Association \(IPEA\); Management and Non-Represented Employees \(EXEMPT\); and](#)

Confidential Employees

RECONVENE TO THE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

2. PRESENTATIONS

2.1 Proclaim June 20-26, 2011 as "Amateur Radio Week."

2.2 Presentation by Families Forward

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 a regular meeting of the Irvine City Council held on May 24, 2011.
- 2) Approve the minutes of a special meeting of the Irvine City Council held on June 2, 2011.

3.2 COMMENDATIONS

ACTION:

- 1) Commend Tustin Unified School District Superintendent Richard Bray on his upcoming retirement.
- 2) Commend the Irvine Senior Scholar Athletes of the Year.

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 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

3.6 TREASURER'S REPORT FOR THE QUARTER ENDED MARCH 31, 2011

ACTION:

Receive and file.

3.7 FISCAL YEAR 2011-2012 LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENTS

ACTION:

Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS, APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE IRVINE LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENT, FISCAL YEAR 2011- 2012

3.8 RESOLUTION OF INTENTION, PRELIMINARY ENGINEER'S REPORT AND SET PUBLIC HEARING FOR ASSESSMENT DISTRICT NO. 11-24 (PLANNING AREA 40)

ACTION:

- 1) Adopt RESOLUTION NO. - 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. 11-24
- 2) Adopt RESOLUTION NO. - 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. 11-24

3.9 CONTRACT FOR LEGAL ADVERTISING - FISCAL YEAR 2011-12

ACTION:

Award the contract for publication of legal notices for the City of Irvine for Fiscal Year 2011-12 to Irvine World News and the Orange County Register; and authorize the Mayor to execute the agreements.

3.10 FINAL TRACT MAP NOS. 16999, 17403, AND 17420 NOTICE OF REVIEW AND PENDING APPROVAL FOR RESIDENTIAL CONDOMINIUMS IN IRVINE BUSINESS COMPLEX, STONEGATE, AND PLANNING AREA 40

ACTION:

Receive and file.

3.11 AVALONBAY COMMUNITIES DENSITY BONUS HOUSING AGREEMENT

ACTION:

- 1) Approve a Density Bonus Housing Agreement substantially in the form attached to the staff report with AvalonBay Communities, Inc., a Maryland corporation.
- 2) Authorize the City Manager to execute the Density Bonus Agreement by and between the City of Irvine and AvalonBay Communities, Inc. a Maryland corporation.

3.12 ORDINANCE NO. 11-03, ORDINANCE EXTENDING THE DEVELOPMENT FEE DEFERRAL PROGRAM FOR NEW RESIDENTIAL

DEVELOPMENT AND EXPANDING THE SCOPE

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 11-03 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE EXTENDING THE DEVELOPMENT FEE DEFERRAL PROGRAM FOR NEW RESIDENTIAL DEVELOPMENT AND EXPANDING THE SCOPE TO INCLUDE NEW COMMERCIAL DEVELOPMENT BY TEMPORARILY SUPERSEDING CERTAIN CITY MUNICIPAL AND ZONING CODE PROVISIONS RELATING TO THE REQUIRED TIME OF PAYMENT OF SPECIFIC DEVELOPMENT IMPACT FEES

3.13 ORDINANCE NO. 11-04, ORDINANCE AMENDING TITLE I, DIVISION 5 OF THE IRVINE MUNICIPAL CODE REGARDING THE CITY SEAL AND THE CITY LOGO

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 11-04 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING TITLE I, DIVISION 5 OF THE IRVINE MUNICIPAL CODE REGARDING THE CITY SEAL AND THE CITY LOGO

3.14 ROLLER HOCKEY FACILITY GROUND LEASE AND SALE OF BUILDING AND IMPROVEMENTS AND LEASE EXTENSION

ACTION:

- 1) Authorize the City Manager to execute and sign all necessary documents for a Ground Lease Agreement between the City of Irvine and Anaheim Ducks Hockey Club, LLC for the Irvine Roller Hockey Facility located at 3150 Barranca Parkway, Irvine, California.
- 2) Authorize the City Manager to execute and sign all necessary documents for a Purchase and Sale Agreement between the City of Irvine and Anaheim Ducks Hockey Club, LLC of the building and improvements for the Irvine Roller Hockey Facility located at 3150 Barranca Parkway, Irvine, California.
- 3) Authorize the City Manager to execute and sign all necessary documents for a First Amendment to the Roller Hockey Center Lease Agreement between the City of Irvine and 949 Roller Hockey Center (Eddie Limbaga, individual operator) for the Irvine Roller Hockey Facility located at 3150 Barranca Parkway, Irvine, California.

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 PUBLIC HEARING FOR CHANGES AND MODIFICATIONS IN THE IMPROVEMENTS FOR ASSESSMENT DISTRICT NO. 89-9

ACTION:

- 1) Open the public hearing.
- 2) Continue the public hearing to a date uncertain.

4.2 COMMUNITY SERVICES DEPARTMENT FISCAL YEAR 2011-12 PROPOSED FEE CHANGES

ACTION:

- 1) Receive staff report.
- 2) Open the public hearing; receive public input.
- 3) Close the public hearing.
- 4) Review and comment on Community Services Department Fiscal Year 2011-12 Proposed New or Increased Fees and Service Charges.
- 5) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING FEES FOR VARIOUS COMMUNITY SERVICES DEPARTMENT ACTIVITIES FOR THE FISCAL YEAR 2011-12

CALL TO ORDER - JOINT MEETING OF THE IRVINE REDEVELOPMENT AGENCY AND IRVINE CITY COUNCIL

5. BUSINESS

5.1 CITY OF IRVINE AND IRVINE REDEVELOPMENT AGENCY FISCAL YEAR 2011-12 BUDGET

RECOMMENDED REDEVELOPMENT AGENCY ACTION:

Adopt RESOLUTION NO. – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRVINE REDEVELOPMENT AGENCY APPROVING THE IRVINE REDEVELOPMENT AGENCY BUDGET AND WORK PROGRAM FOR FISCAL YEAR 2011-2012

RECOMMENDED CITY COUNCIL ACTION:

- 1) Adopt the FY 2011-12 Budget.
- 2) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET AND FINANCIAL POLICIES

- 3) FOR THE CITY OF IRVINE FOR THE FISCAL YEAR 2011-2012 Adopt RESOLUTION NO. – 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 2011-2012 FISCAL YEAR, AND SUPERSEDING RESOLUTION NO. 11-22 WHICH IS INCONSISTENT THEREWITH
- 4) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2011-2012
- 5) Approve the Orange County Great Park Fiscal Year 2011-12 Budget as amended in the amount of \$64.8 million and authorize the execution of the sole source contracts and grants approved by the Orange County Great Park Board of Directors at its meeting on May 19, 2011.
- 6) Receive the informational report regarding the City’s contract cost containment and reduction strategies and provide direction as appropriate.
- 7) Receive and file the Strategic Technology Plan, and adopt corresponding Resolution No. – A Resolution of the City Council of the City of Irvine, California, rescinding resolution No. 02-69 and amending and restating the citywide records retention schedule relating to electronic-mail (e-mail) records.
- 8) Approve the Sixth Amendment to the Affiliated Computer Services (ACS) Agreement for implementation of the Strategic Technology Plan 2011-2016, duplicating, convenience copiers and telecommunications services and extend the term of the agreement through June 30, 2016, as included in the proposed budget.

ADJOURNMENT - JOINT MEETING

RECONVENE - CITY COUNCIL REGULAR MEETING

6. COUNCIL BUSINESS

6.1 [ORDINANCE TO ADD CHAPTER 8 TO DIVISION 14 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE RELATING TO CHILD SAFETY ZONES IN CITY PARKS](#)

ACTION:

- 1) Introduce for first reading and read by title only ORDINANCE NO.- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING CHAPTER 8 TO DIVISION 14 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE PROHIBITING REGISTERED SEX OFFENDERS FROM ENTERING CITY PARKS

AND RECREATIONAL FACILITIES

Or

- 2) Introduce for first reading and read by title only ORDINANCE NO.- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING CHAPTER 8 TO DIVISION 14 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE PROHIBITING REGISTERED SEX OFFENDERS CONVICTED OF A CRIME AGAINST A MINOR FROM ENTERING CITY PARKS AND RECREATIONAL FACILITIES

Or

- 3) Defer consideration of the adoption of an ordinance pending further study and monitoring of similar regulations in Orange County and elsewhere for their effectiveness and any legal developments concerning their validity.

PUBLIC COMMENTS - REDEVELOPMENT AGENCY (Limited to 3 minutes per speaker)

**PUBLIC COMMENTS - CITY COUNCIL (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