

BETH KROM
Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember

AGENDA

CITY COUNCIL REGULAR MEETING

June 27, 2006

3:00 P.M.

City Council Chamber
One Civic Center Plaza

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 form. 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 form 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.

ROLL CALL

1. CLOSED SESSION

- 1.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to Government Code
Section 54956.9(b): one case)**

ADOPTION OF CONSENT CALENDAR

2. COUNCIL BUSINESS

2.1 AWARD OF CITY OF IRVINE EDUCATIONAL PARTNERSHIP FUNDS

ACTION:

- 1) Approve the staff recommendations for program selection and funding levels for the City of Irvine Educational Partnership Fund Program.

- 2) Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING RESOLUTION NO. 06-08 PERTAINING TO ESTABLISHING AN EDUCATIONAL PARTNERSHIP FUND

RECESS

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATIONS

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 (Item Nos. 3.1 - 3.14)

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 Speakers Form and give it to the City Clerk. Please see information in Request to Speak section.

3.1 CITY COUNCIL MINUTES

ACTION:

- 1) Approve the minutes of a special meeting of the City Council held on June 13, 2006.
- 2) Approve the minutes of a regular meeting of the City Council held on June 13, 2006.

3.2 CONTRACT FOR LEGAL ADVERTISING – FY 2006-07

ACTION: Award the contract for publication of legal notices for the City of Irvine for Fiscal Year 2006-2007 to the Irvine World News and the Orange County Register and authorize the Mayor to sign and the City Clerk to attest to the agreements for this service, subject to approval by the City Attorney.

3.3 TREASURER'S REPORT FOR THE QUARTER ENDED MARCH 31, 2006

ACTION: Receive and file the Treasurer's Report for the Quarter Ended March 31, 2006.

3.4 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

3.5 I-5 SAND CANYON INTERCHANGE IMPROVEMENT PROJECT

ACTION: Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE PROJECT REPORT/PROJECT STUDY REPORT AND CERTIFYING THE MITIGATED NEGATIVE DECLARATION FOR THE I-5/SAND CANYON INTERCHANGE IMPROVEMENT PROJECT

3.6 2006 BICYCLE TRANSPORTATION PLAN

ACTION: Adopt the 2006 City of Irvine Bicycle Transportation Plan.

3.7 IRVINE TRANSPORTATION CENTER PARKING STRUCTURE - COOPERATIVE AGREEMENT AMENDMENT NO. 3 - CIP 363000

ACTION: Authorize the Mayor to execute, and the City Clerk to attest Amendment No. 3 to the Cooperative Agreement between the City of Irvine and the Orange County Transportation Authority subject to City Attorney approval as to form.

3.8 RESOLUTIONS CONTAINING TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED AND NON-REPRESENTED EMPLOYEES

ACTION:

- 1) **Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE CITY EMPLOYEES ASSOCIATION (ICEA), AND SUPERSEDING ALL PREVIOUS ICEA MEMORANDUMS OF UNDERSTANDING, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006**
- 2) **Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE PROFESSIONAL EMPLOYEES ASSOCIATION (IPEA), AND SUPERSEDING ALL PREVIOUS IPEA MEMORANDUMS OF UNDERSTANDING, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006**
- 3) **Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE ASSOCIATED SUPERVISORY/ADMINISTRATIVE PERSONNEL (ASAP), AND SUPERSEDING ALL PREVIOUS ASAP MEMORANDUMS OF UNDERSTANDING, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006**
- 4) **Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR MANAGEMENT AND NON-REPRESENTED EMPLOYEES (EXEMPT) OF THE CITY OF IRVINE, AND REPEALING ALL PREVIOUS MANAGEMENT AND NON-REPRESENTED EMPLOYEE COMPENSATION RESOLUTIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006**
- 5) **Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR CONFIDENTIAL EMPLOYEES OF THE CITY OF IRVINE, AND REPEALING ALL PREVIOUS CONFIDENTIAL EMPLOYEE COMPENSATION RESOLUTIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006**
- 6) **Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR PART-TIME EMPLOYEES OF THE CITY OF IRVINE, AND REPEALING ALL PREVIOUS PART-TIME EMPLOYEE COMPENSATION RESOLUTIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006**
- 7) **Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING ALL PREVIOUS**

RESOLUTIONS WHICH ARE INCONSISTENT THEREWITH,
EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006
UNLESS OTHERWISE NOTED

- 8) Approve a Budget Adjustment in the amount of \$2,671,000 to transfer funds from the General Fund Strategic Surplus (Fund Balance) and Special Fund fund balances and increase Departmental expenditure allocations for fiscal year 2006-2007.

3.9 MASTER IMPLEMENTATION AGREEMENT

ACTION: Approve and authorize the Mayor to sign a Master Implementation Agreement between the City of Irvine and Heritage Fields El Toro, LLC.

3.10 GRANT OF EASEMENT TO IRVINE RANCH WATER DISTRICT FOR A WATER PIPELINE WITHIN HERITAGE PARK (PLANNING AREA 11, EL CAMINO REAL)

ACTION: Authorize the Mayor to execute and the City Clerk to attest the Grant of Easement to Irvine Ranch Water District for a water pipeline within Heritage Park, subject to the City Attorney approval as to form.

3.11 RESOLUTIONS CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 7, 2006, AND REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION

ACTION:

- 1) Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 7, 2006 FOR THE ELECTION OF A MAYOR AND TWO MEMBERS OF THE CITY COUNCIL
- 2) Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON TUESDAY, NOVEMBER 7, 2006 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

3.12 FISCAL YEAR 2006/2007 MEASURE M ELIGIBILITY

ACTION:

- 1) Approve the Measure M Seven-Year Capital Improvement Program (CIP) – Fiscal Years 2006-2007 through 2011-2013.
- 2) Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AFFIRMING CONSISTENCY OF THE CIRCULATION ELEMENT FOR THE CITY OF IRVINE WITH THE MASTER PLAN OF ARTERIAL HIGHWAYS

3.13 ORDINANCE NO. 06-05 - ZONE CHANGE FOR PLANNING AREAS 18, 33 (LOT 109), 34, AND 39

ACTION: Adopt ORDINANCE NO. 06-05 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00382341-PZC TO ALLOW FOR RESIDENTIAL DEVELOPMENT LOCATED IN PLANNING AREAS 18, 33 (LOT 109) AND 39 AND TO REDUCE THE NON-RESIDENTIAL INTENSITY BY 2,340,500 MILLION SQUARE FEET IN PA 34; FILED BY THE IRVINE COMMUNITY DEVELOPMENT COMPANY

3.14 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 TO BANK OF AMERICA AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

END OF CONSENT CALENDAR

4. FIRST READING OF ORDINANCES

4.1 FIRST READING OF AN ORDINANCE AMENDING DIVISION 7 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE RELATING TO THE REGULATION OF LOBBYING ACTIVITIES

ACTION: Introduce for first reading and read by title only an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING DIVISION 7 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE RELATING TO THE REGULATION OF LOBBYING ACTIVITIES

5. 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 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.

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.

**5.1 ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE
ADDING CHAPTER 5 OF DIVISION 9 OF TITLE 5 TO THE IRVINE
MUNICIPAL CODE REGARDING CONSTRUCTION SITE AND VACANT
PROPERTY SECURITY**

ACTION:

- 1) Open the public hearing, receive staff report, receive public input, Council comments and questions.
- 2) Close the public hearing.
- 3) Introduce for first reading and read by title only an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADDING CHAPTER 5 OF DIVISION 9 OF TITLE 5 TO THE IRVINE MUNICIPAL CODE REGARDING CONSTRUCTION SITE AND VACANT PROPERTY SECURITY

**5.2 QUITCLAIM AGREEMENTS AND RESOLUTIONS TO VACATE
PORTIONS OF EDISON AND LEWIS (PLANNING AREA 8,
NORTHWOOD)**

ACTION:

- 1) Open the public hearing, receive staff report, receive public input, Council comments and questions.
- 2) Close the public hearing.
- 3) Authorize the Mayor to execute and the City Clerk to attest the agreements with local property owners to convert Edison and Lewis streets into landscaped paseos, subject to City Attorney approval as to form.
- 4) Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE TO ORDER THE VACATION OF A PORTION OF EDISON WITHIN PLANNING AREA 8, PURSUANT TO STREETS AND HIGHWAYS CODE SECTION 8320 ET. SEQ.
- 5) Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE TO ORDER THE VACATION OF A PORTION OF LEWIS WITHIN PLANNING AREA 8, PURSUANT TO STREETS AND HIGHWAYS CODE SECTION 8320 ET. SEQ.

5.3 AFFORDABLE HOUSING IN-LIEU FEE INCREASE/ANNUAL ADJUSTMENT

ACTION:

- 1) Open the public hearing, receive staff report, receive public input, Council comments and questions.
- 2) Close public hearing.
- 3) Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING AN INCREASE TO THE AFFORDABLE HOUSING IN-LIEU FEE

5.4 GENERAL PLAN AMENDMENT AND ZONE CHANGE, 17421 MURPHY AVENUE IN PLANNING AREA 36

ACTION:

- 1) Open the public hearing, receive staff report, receive public input, Council comments and questions.
- 2) Close public hearing.
- 3) Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00390309-PGA TO AMEND LAND USE TABLE A-1 OF THE GENERAL PLAN FOR THE GRANITE COURT APARTMENT; LOCATED AT 17421 MURPHY AVENUE ON THE NORTHEAST CORNER OF KELVIN AND MURPHY; PLANNING AREA 36; FILED BY STARPOINTE VENTURES ON BEHALF OF JAMBOREE HOUSING CORPORATION
- 4) Introduce for first reading and read by title an ordinance AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00390311-PZC TO REVISE TEXT IN THE ZONING CODE AND CHANGE THE ZONING ON LOT 17 OF TRACT 8018, AS SHOWN ON MAP FILED IN BOOK 435, PAGE 7, FROM 5.1 IBC MULTI-USE TO 5.3D IBC RESIDENTIAL; LOCATED ON THE NORTHWEST CORNER OF KELVIN AND MURPHY; PLANNING AREA 36; FILED BY STARPOINTE VENTURES ON BEHALF OF JAMBOREE HOUSING CORPORATION

5.5 GENERAL PLAN AMENDMENT AND ZONE CHANGE, IN PLANNING AREA 36, 2323 MAIN STREET

ACTION:

- 1) Open the public hearing.
- 2) Continue public hearing to July 11, 2006.

5.6 GENERAL PLAN AMENDMENT AND ZONE CHANGE, AVALON JAMBOREE VILLAGE, PLANNING AREA 36

ACTION:

- 1) Open the public hearing.
- 2) Continue public hearing to July 11, 2006.

5.7 PLANNING AREA 39 DEVELOPMENT AGREEMENT

ACTION:

- 1) Open public hearing.
- 2) Continue public hearing to July 25, 2006.

6. COUNCIL BUSINESS (Continued)

6.1 SISTER CITY RELATIONSHIP WITH THE DISTRICT OF XUHUI, SHANGHAI, CHINA AND THE CITY OF IRVINE

6.2 REPORT OF THE ORANGE COUNTY GRAND JURY

ACTION: Review the findings and recommendations of the June 14, 2006 report of the Orange County Grand Jury and provide staff direction for preparation of a response.

END OF COUNCIL BUSINESS

PUBLIC COMMENTS (Limited to 3 minutes per speaker) - 6:00 P.M.

ADJOURNMENT

Next Meeting: CITY COUNCIL REGULAR meeting, July 11, 2006, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

NOTICE TO THE PUBLIC

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. 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.

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.

Pamyla Means, MMC
City Clerk