

BETH KROM
Mayor

LARRY AGRAN
Mayor Pro Tempore

STEVEN CHOI
Councilmember

SUKHEE KANG
Councilmember

CHRISTINA SHEA
Councilmember



AGENDA

CITY COUNCIL REGULAR MEETING

May 8, 2007

4:00 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 [Request to Speak 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 [Request to Speak 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.

CALL TO ORDER

ROLL CALL

1. CLOSED SESSION

- 1.1 [CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION \(Pursuant to subdivision \(a\) of Government Code Section 54956.9\): CoxCom, Inc. v. City of Irvine, U.S. District Court Case No. SACV 05-1240-JVS](#)

RECESS

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

2. PRESENTATIONS

2.1 *Presentation of gifts from Taoyuan, Taiwan*

2.2 *Red Ribbon Pizza Night Check Presentation to the Youth Action Team*

2.3 *Presentation on Alternative Fuel Vehicles*

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 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: Approve the minutes of a regular City Council meeting held on April 24, 2007.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclaim May 8, 2007 as "Arbor Day."
- 2) Proclaim May 2007 as "Asian Pacific Islander American Heritage Month."

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 BUDGET ADJUSTMENT FOR PLANNING AREA 1 NORTH IRVINE TRANSPORTATION MITIGATION FEES

ACTION: Approve a Budget Adjustment transferring \$814,109 from Assessment District Fund 220 to North Irvine Transportation Mitigation (NITM) Fund 122.

3.7 CULVER DRIVE REHABILITATION FROM BARRANCA PARKWAY TO THE I-405 FREEWAY - CIP 317180

ACTION: Approve the plans, specifications, and contract documents for Culver Drive Rehabilitation from Barranca Parkway to the I-405 Freeway, CIP 317180, on file with the Public Works Department.

3.8 CITY OF IRVINE INVESTMENT POLICY FOR THE CALENDAR YEAR 2007

- ACTION:**
- 1) Receive and file the City of Irvine Investment Policy for the Calendar Year 2007.

- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE CITY'S ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2007.

3.9 UNIVERSITY DRIVE REHABILITATION FROM HARVARD AVENUE TO THE I-405 FREEWAY - CIP 317270

ACTION: Approve the plans, specifications, and contract documents for University Drive Rehabilitation from Harvard Avenue to the I-405 Freeway, CIP 317270, on file with the Public Works Department.

3.10 FINANCING AND COOPERATION AGREEMENT FOR THE GRANITE COURT AFFORDABLE HOUSING PROJECT

ACTION:

- 1) Approve Financing and Cooperation Agreement for the Granite Court Affordable Housing Project.
- 2) Approve Budget Adjustment Request.

3.11 REDEVELOPMENT FUND BUDGET ADJUSTMENTS

ACTION: Approve the budget adjustments revising tax increment budgeted revenue estimates; appropriating pass-through payments and administrative expenditures; and creating a special fund for such transactions.

3.12 ORDINANCE NO. 07-12, AUTHORIZING CITY ENGINEER AUTHORITY TO REVIEW AND APPROVE OR DISAPPROVE FINAL TRACT MAPS AND ASSOCIATED BONDS AND AGREEMENTS, AND TO ACCEPT STREETS INTO THE CITY STREET SYSTEM

ACTION: Read by title and adopt ORDINANCE NO. 07-12 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING CHAPTERS 1, 7, AND 12, OF DIVISION 5 OF TITLE 5 OF THE IRVINE MUNICIPAL CODE RELATING TO SUBDIVISIONS AND AMENDING CHAPTER 2 OF DIVISION 3 OF TITLE 6 OF THE IRVINE MUNICIPAL CODE RELATING TO TRANSPORTATION

3.13 BUDGET ADJUSTMENT AND CLOSURE - ROCKFIELD AND OLDFIELD TRAFFIC SIGNAL INSTALLATION – CAPITAL IMPROVEMENT PROJECT (CIP) 311810

ACTION:

- 1) Approve a budget adjustment increasing revenues and corresponding appropriations in the amount of \$82,652 from Hazard Elimination Safety grant (HES) and Transfer-In from Gas Tax in the amount of \$8,310 to the Rockfield and Oldfield Traffic Signal Installation project, CIP 311810.
- 2) Approve the closure of Rockfield and Oldfield Traffic Signal Installation project, CIP 311810, with \$383,100 in total expenditures.

END OF CONSENT CALENDAR

4. FIRST READING OF ORDINANCES

4.1 [ORDINANCE TO CONFORM TO THE REQUIREMENTS OF SENATE BILL 53, TO DESCRIBE THE IRVINE REDEVELOPMENT AGENCY PROVISIONS AND LIMITATIONS FOR EMINENT DOMAIN](#)

ACTION: Introduce for first reading and read by title only ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE CONFORMING TO THE REQUIREMENTS OF SENATE BILL 53, CHAPTER 591 OF STATUTES OF 2006, AS CODIFIED IN CALIFORNIA HEALTH AND SAFETY CODE SECTION 33342.7, TO DESCRIBE THE IRVINE REDEVELOPMENT AGENCY'S PROVISIONS AND LIMITATIONS FOR REAL PROPERTY ACQUISITION BY EMINENT DOMAIN

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 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 continuance. Any matter not noted for continuance, will be posted separately

5.1 [ORDINANCE RELATING TO STATE AND LOCAL FRANCHISES FOR CABLE COMMUNICATIONS AND FRANCHISE AGREEMENT WITH COX COMMUNICATIONS](#)

- ACTION:**
- 1) Introduce for first reading and read by title only ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE RELATING TO STATE AND LOCAL FRANCHISES FOR CABLE COMMUNICATIONS SYSTEMS AND GRANTING A FRANCHISE TO COXCOM, INC. DBA COX COMMUNICATIONS

- 2) Approve a budget adjustment to receive \$929,860 of the Cox Settlement Agreement Payment into the General Fund Strategic Surplus (Fund Balance).
- 3) Approve a budget adjustment to transfer \$3,070,140 of the Cox Franchise Agreement Grant Payment to the Technology Fund (Fund 579) and allocate for upgrading the video system in the City Council Chambers (\$1,750,000) to conform with Federal Communication Standards and for future video related projects (\$1,320,140).

6. COUNCIL BUSINESS

6.1 2007 STRATEGIC BUSINESS PLAN

ACTION: Adopt the 2007 Strategic Business Plan.

6.2 CONSIDERATION OF PARKING REQUIREMENTS IN COMMERCIAL CENTERS

ACTION: City Council discussion and direction.

6.3 ORANGE COUNTY GREAT PARK CORPORATION BALLOON PROJECT BID, ADD ALTERNATES, AND PROPOSED BUDGET ADJUSTMENT

ACTION:

- 1) Approve a budget adjustment to the Fiscal Year 2006-2007 Great Park budget reducing the anticipated contribution from Heritage Fields by \$155,700.
- 2) Approve an increase to the Orange County Great Park Balloon Project Budget (CIP No. 377040) by \$179,300 to reestablish the project contingency.
- 3) Provide direction to staff to add any or all of the following options to the Orange County Great Park Balloon Project (CIP No. 377040):

Option 1: Asphalt roadway with wood header edges that connects Marine Way to the balloon site, and asphalt paving extension on the east side of the parking lot, and bus parking lot paint lines (\$154,688).

Option 2: Timeline painting mock-up and the timeline painting (\$10,224).

Option 3: 47-36" box citrus trees with irrigation and mulch for ground cover (\$18,286).

Option 4: Planting of areas outside of the balloon berm, installation of irrigation, and hydro seed (\$61,695).

Option 5: Center paint line and orange dots for entire length of entrance drive from the entry guard shack to the balloon parking lot (\$14,376).

- 4) Provide direction to staff to purchase the visitors center tent at an additional project cost of \$244,000.
- 5) Approve a budget adjustment allocating funds from the OCGP Fund 180 fund balance in the amount identified in recommendations 1 and 2, and any option(s) directed from recommendation 3 and 4 above.

6.4 ORANGE COUNTY GREAT PARK CORPORATION CONTRACT EXTENSION AND BUDGET AMENDMENT REQUEST

ACTION:

- 1) Approve a budget adjustment increasing the Fiscal Year 2006-2007 Great Park budget for the Great Park Design Studio by \$2,208,039.
- 2) Authorize the City Manager to execute a contract amendment to the Master Designer Agreement incorporating the \$2,208,039 budget increase for Task 7.

END OF COUNCIL BUSINESS

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

ADJOURNMENT

Next Meeting: CITY COUNCIL REGULAR meeting, May 22, 2007, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

NOTICE TO THE PUBLIC

LIVE BROADCASTING

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. 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.

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, CMC
City Clerk