



AGENDA

CITY COUNCIL ADJOURNED REGULAR MEETING March 11, 2014 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](#)

1. PRESENTATIONS

1.1 Proclaim March 17, 2014 as "Holi" India's Spring Festival of Colors

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.

2. 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.

2.1 MINUTES

ACTION:

Approve the minutes of a regular meeting of the Irvine City Council held on February 25, 2014.

2.2 PROCLAMATIONS

ACTION:

- 1) Proclaim March 14, 2014 as the "50th Anniversary of the Orange Coast Mayors' Prayer Breakfast."
- 2) Proclaim the City of Irvine as a "Purple Heart City."
- 3) Proclaim March 20, 2014 as "Great American Meatout Day."

2.3 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

2.4 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

2.5 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

2.6 STREET REHABILITATION AND SLURRY SEAL

ACTION:

- 1) Approve specifications and contract documents for Street Rehabilitation and Slurry Seal, Capital Improvement Project (CIP) 311408 and 341401.
- 2) Approve the Engineer's Estimate, Construction Contingency and Funding Summary, and authorize staff to solicit competitive bids for construction in accordance with the City's purchasing policies and procedures.
- 3) Authorize the City Manager to execute the Reimbursement Agreement with Irvine Ranch Water District for installation and adjustment of water district facilities within the project limits.

2.7 APPROVAL OF NOMINATIONS TO WALL OF RECOGNITION

ACTION:

Approve nominated individuals and organizations for inclusion on the Wall of Recognition.

2.8 ALLOCATION OF STATE HOUSING-RELATED PARKS GRANT FUNDS

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING AN APPLICATION FOR THE HOUSING-RELATED PARKS PROGRAM GRANT PROVIDED BY THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

2.9 AGREEMENT TO RELOCATE AFFORDABLE HOUSING SITE FROM GREAT PARK NEIGHBORHOODS DISTRICT 1 TO DISTRICT 8; FILED BY HERITAGE FIELDS EL TORO, LLC

ACTION:

Approve Agreement to Re-Encumber Real Property and Related Implementing Provisions (Agreement) substantially in the form attached to the staff report and authorize the City Manager to finalize and execute the Agreement to relocate affordable housing site from District 1 to District 8 with provisions of Heritage Fields Density Bonus Agreement.

2.10 ACCEPTANCE OF AN AFFORDABLE HOUSING SITE IN PORTOLA SPRINGS (PLANNING AREA 6), PURSUANT TO THE TERMS OF A DEVELOPMENT AGREEMENT WITH THE IRVINE LAND COMPANY, LLC DATED SEPTEMBER 29, 2006

ACTION:

Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE AFFORDABLE HOUSING SITE IN PORTOLA SPRINGS (PLANNING AREA 6), PURSUANT TO THE TERMS OF A DEVELOPMENT AGREEMENT WITH THE IRVINE LAND COMPANY, LLC DATED SEPTEMBER 29, 2006

2.11 TREASURER'S REPORT FOR THE QUARTER ENDED DECEMBER 31, 2013

ACTION:

Receive and file the Treasurer's Report for the quarter ended December 31, 2013.

2.12 ADDITION OF PETTY OFFICER FIRST CLASS REGAN YOUNG TO THE MILITARY MEMORIAL AT COLONEL BILL BARBER MARINE CORPS PARK

ACTION:

Approve addition of Petty Officer First Class Regan Young to the Military Memorial at Colonel Bill Barber Marine Corps Park.

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 APPEAL OF THE PLANNING COMMISSION ACTION APPROVING A CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF A FAST-FOOD ESTABLISHMENT WITH A DRIVE-THROUGH LOCATED AT 4127 CAMPUS DRIVE WITHIN UNIVERSITY CENTER

ACTION:

- 1) Receive staff report.
- 2) Open the public hearing, receive public input.
- 3) Close the public hearing.
- 4) City Council comments and questions.
- 5) Grant the appeal, thereby overturning the Planning Commission's decision:

Adopt — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE GRANTING AN APPEAL THEREBY OVERTURNING THE PLANNING COMMISSION'S DECISION TO APPROVE CONDITIONAL USE PERMIT 00573364-PCPM FOR THE DEVELOPMENT OF A FAST-FOOD ESTABLISHMENT WITH A DRIVE-THROUGH LOCATED AT 4127 CAMPUS DRIVE IN PLANNING AREA 24 (UNIVERSITY TOWN CENTER)

- OR -

Deny the appeal, thereby upholding the Planning Commission's decision:

Adopt — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE CONDITIONAL USE PERMIT 00573364-PCPM FOR THE DEVELOPMENT OF A FAST-FOOD ESTABLISHMENT WITH A DRIVE-THROUGH LOCATED AT 4127 CAMPUS DRIVE IN PLANNING AREA 24 (UNIVERSITY TOWN CENTER)

4. COUNCIL BUSINESS

4.1 BOND ISSUANCE FOR REASSESSMENT DISTRICT NO. 04-20 GROUP FOUR

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$14,460,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE REASSESSMENT DISTRICT NO. 04-20 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP FOUR APPROVING THE EXECUTION AND DELIVERY OF A THIRD

SUPPLEMENTAL INDENTURE AND A BOND PURCHASE AGREEMENT

4.2 ORDINANCE TO ESTABLISH CHANGES AND ADDITIONS TO POSTED SPEED LIMITS

ACTION:

Introduce for first reading, and read by title only - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE DIRECTING AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE PUBLIC WORKS DEPARTMENT AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

4.3 CONSIDERATION OF A RESOLUTION IN SUPPORT OF ASSEMBLY BILL 1453 ESTABLISHING A STATE VETERANS CEMETERY IN ORANGE COUNTY

ACTION:

Consider Councilmember Agran's proposal to:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE IN SUPPORT OF ASSEMBLY BILL 1453 AND THE ESTABLISHMENT OF THE SOUTHERN CALIFORNIA STATE VETERANS CEMETERY

5. CLOSED SESSION

5.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – T-MOBILE WEST, LLC V. CITY OF IRVINE, UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA, CASE NO. SACV 13-1652-JVS (DFMx) (Pursuant to Government Code Section 54956.9(a))

**5.2 PERFORMANCE EVALUATION OF CHIEF EXECUTIVE OFFICER OF THE ORANGE COUNTY GREAT PARK
*Government Code Section 54957***

RECONVENE TO THE CITY COUNCIL MEETING

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