



AGENDA

Steven Choi
Mayor

Jeffrey Lalloway
Mayor Pro Tempore

Beth Krom
Councilmember

Lynn Schott
Councilmember

Christina Shea
Councilmember

CITY COUNCIL REGULAR MEETING

January 14, 2014
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 – 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

1. CLOSED SESSION

1.1 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))

1.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – CITY OF IRVINE V. COUNTY OF ORANGE, ORANGE COUNTY SUPERIOR COURT CASE NO. PENDING (ACTION FILED ON JANUARY 8, 2014) (Pursuant to Government Code Section 54956.9(a))

1.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – CITY OF IRVINE V. COUNTY OF ORANGE., ORANGE COUNTY SUPERIOR COURT CASE NO. 30-2013-00622921 (Pursuant to Government Code Section 54956.9(a))

RECONVENE TO THE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

INVOCATION

MUSICAL PRESENTATION

2. PRESENTATIONS

2.1 Proclaim January 20, 2014 as "Dr. Martin Luther King Jr. Day."

2.2 Proclaim January 13, 2014 as "Korean American Day."

2.3 Solar Decathlon 2013 and XPO Post Event Review

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.

CITY MANAGER'S REPORT

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

3.1 MINUTES

ACTION:

Approve the minutes of an adjourned regular meeting of the Irvine City Council held on December 10, 2013.

3.2 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

3.3 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

3.4 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

3.5 ASSESSMENT DISTRICTS LETTER OF CREDIT SUBSTITUTIONS

ACTION:

- 1) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE REASSESSMENT DISTRICT NO. 04-20 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A

- REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A LETTER AGREEMENT, A FIRST AMENDMENT TO PROTOCOL AGREEMENT, AND A THIRD SUPPLEMENTAL INDENTURE APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A REMARKETING MEMORANDUM AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS
- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE ASSESSMENT DISTRICT NO. 07-22 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A LETTER AGREEMENT , A FIRST AMENDMENT TO PROTOCOL AGREEMENT AND A SIXTH SUPPLEMENTAL INDENTURE APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A REMARKETING MEMORANDUM AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

3.6 FEE PROGRAMS FOR THE ORANGE COUNTY GREAT PARK BALLOON AND CAROUSEL

ACTION:

Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING FEES FOR THE BALLOON AND THE CAROUSEL AT THE ORANGE COUNTY GREAT PARK

(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).

3.7 NOTICE OF REVIEW FOR A TRACT MAP IN PORTOLA SPRINGS AND PENDING APPROVAL FOR TRACT MAPS IN ORCHARD HILLS, PORTOLA SPRINGS AND CYPRESS VILLAGE

ACTION:

Receive and file.

3.8 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approve Mayor Choi's request for Community Partnership Fund Grant nominations to Irvine Public Schools Foundation and Human Options.
- 2) Approve Councilmember Shea's request for Community Partnership Fund Grant nominations to Children's Hospital of Orange County Foundation and Crime Survivors.
- 3) Approve Councilmember Krom's request for Community Partnership Fund Grant nominations to Friends of Outreach, Orange County Children's Therapeutic Arts Center, Arts Orange County, Orange County Women's Chorus and Irvine 2/11 Marine Adoption Committee.
- 4) Authorize the City Manager to prepare and sign Funding Agreements for each organization listed in Actions 1 through 3.

3.9 [ADOPTION OF REVISIONS TO THE COMMUNITY DEVELOPMENT DEPARTMENT RECORDS RETENTION SCHEDULE](#)

ACTION:

Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING RESOLUTION NO. 01-25 (CITYWIDE RECORDS RETENTION SCHEDULE) BY REVISING THE COMMUNITY DEVELOPMENT DEPARTMENT RECORDS RETENTION SCHEDULE

3.10 [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

3.11 [ORANGE COUNTY GREAT PARK CORPORATION AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED JUNE 30, 2013](#)

ACTION:

Receive and file.

3.12 [SECOND READING AND ADOPTION OF ORDINANCE NO. 13-08 APPROVING A 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:

Read by title only, second reading and adoption of ORDINANCE NO. 13-08 - 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

(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.)

4. COUNCIL BUSINESS

4.1 PRESENTATION OF FINDINGS OF THE AUDIT OF THE ORANGE COUNTY GREAT PARK

ACTION:

City Council discussion and direction.

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 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.

5.1 APPEAL OF THE PLANNING COMMISSION ACTION APPROVING VESTING TENTATIVE TRACT MAP 17612 (00571145-PTT), MASTER PLAN (00571142-PMP) AND PARK PLAN MODIFICATION (00571147-PPK) CYPRESS VILLAGE (PLANNING AREA 40 EAST)

ACTION:

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

A) Adopt — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE UPHOLDING AN APPEAL SUBJECT TO ADDITIONAL CONDITIONS THEREBY OVERTURNING THE

PLANNING COMMISSION'S DECISION TO APPROVE VESTING TENTATIVE TRACT MAP 17612 (00571145-PTT) TO SUBDIVIDE 56.7 NET ACRES INTO EIGHT NUMBERED LOTS AND SIX LETTERED LOTS FOR THE DEVELOPMENT OF UP TO 485 RESIDENTIAL DWELLING UNITS, TWO PRIVATE NEIGHBORHOOD PARKS AND APPROVING PARK PLAN MODIFICATION 00571147-PPK LOCATED NORTH OF NIGHTMIST, SOUTH OF TRABUCO ROAD BETWEEN STATE ROUTE 133 TO THE EAST AND SAND CANYON AVENUE TO THE WEST IN PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE APARTMENT COMMUNITIES

B) Adopt — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE UPHOLDING AN APPEAL SUBJECT TO ADDITIONAL CONDITIONS THEREBY OVERTURNING THE PLANNING COMMISSION'S DECISION TO APPROVE MASTER PLAN 00571142-PMP FOR THE DEVELOPMENT OF 485 APARTMENT UNITS AND TWO PRIVATE NEIGHBORHOOD PARKS LOCATED WITHIN LOTS 5 AND 6 OF VESTING TENTATIVE TRACT MAP 17612 IN PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE APARTMENT COMMUNITIES

-OR-

- 6) Deny the appeal thereby upholding the Planning Commission's decision:

A) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE VESTING TENTATIVE TRACT MAP 17612 (00571145-PTT) TO SUBDIVIDE 56.7 NET ACRES INTO EIGHT NUMBERED LOTS AND SIX LETTERED LOTS FOR THE DEVELOPMENT OF UP TO 485 RESIDENTIAL DWELLING UNITS, TWO PRIVATE NEIGHBORHOOD PARKS AND APPROVING PARK PLAN MODIFICATION 00571147-PPK LOCATED NORTH OF NIGHTMIST, SOUTH OF TRABUCO ROAD BETWEEN STATE ROUTE 133 TO THE EAST AND SAND CANYON AVENUE TO THE WEST IN PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE APARTMENT COMMUNITIES

B) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE MASTER PLAN 00571142-PMP FOR THE DEVELOPMENT OF 485 APARTMENT UNITS AND TWO PRIVATE NEIGHBORHOOD PARKS LOCATED WITHIN LOTS 5

AND 6 OF VESTING TENTATIVE TRACT MAP 17612 IN PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE APARTMENT COMMUNITIES

6. COUNCIL BUSINESS (CONTINUED)

6.1 APPROVAL OF APPOINTMENTS OF CITY COUNCIL REPRESENTATIVES TO CITY ADVISORY COMMITTEES AND GOVERNMENTAL AGENCIES

ACTION:

- 1) Reappoint City Council delegates and alternates to outside governmental agencies on which the City has representation for the 2014 calendar year, as reflected in Attachments 1 and 2 to the staff report.

Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DESIGNATING AND APPOINTING ITS REPRESENTATIVE AND ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY’S BOARD OF DIRECTORS

- 2) Reappoint City Council representatives to various City of Irvine advisory committees and task forces for the 2014 calendar year as reflected in Attachment 3 to the staff report.

6.2 DISCUSSION OF THE DEVELOPMENT AND ISSUANCE OF A REQUEST FOR PROPOSAL FOR THE RV STORAGE OPERATIONS AT THE ORANGE COUNTY GREAT PARK

ACTION:

Direct staff to prepare and issue a Request for Proposal for the RV Storage Operation at the Great Park, which identifies an entity to (1) oversee day-to-day operations of the RV storage enterprise; and (2) develop and implement a plan to suspend the storage operation from its current location at the Great Park and assist with identifying and implementing a relocation plan, if feasible.

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 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/ Molly McLaughlin
Molly McLaughlin, CMC
City Clerk