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# CITY COUNCIL AGENDA

BETH KROM  
Mayor

SUKHEE KANG  
Mayor Pro Tempore

LARRY AGRAN  
Councilmember

STEVEN CHOI  
Councilmember

CHRISTINA SHEA  
Councilmember

## CITY COUNCIL REGULAR MEETING

February 22, 2005

4:00 P.M.

City Council Chamber  
One Civic Center Plaza

### NOTICE TO THE PUBLIC

**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.

**ADDITIONS AND DELETIONS TO THE AGENDA:** 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.

**ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL COMMENTS:** 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.

**CONSENT CALENDAR ITEMS:** 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 Speaker's Form and give it to the City Clerk. (Please see information in "Request to Speak" section.

**PUBLIC COMMENT:** Any member of the public may address the City Council on items within the 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. Public comments are scheduled for 30 minutes and are limited to three minutes per person. If you wish to speak, please complete a Speaker's Form and submit to the City Clerk.

CITY COUNCIL – NOTICE TO THE PUBLIC

**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 card. 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 card 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.

**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.

**PUBLIC HEARINGS:** Public Hearings are scheduled for a time certain of 4:00 p.m. (unless noticed otherwise) or as soon thereafter as possible. City Council, when considering the matter scheduled for hearing, will take the following actions: 1) Open the Public Hearing. 2) Receive staff report. 3) Accept public testimony. 4) City Council comments and questions. 5) Take appropriate action. 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. Any person seeking to challenge a City Council decision made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that action 90 days following the date on which the decision becomes final as provided in Code of Civil Procedure Section 1094.6. Please refer to Code of Civil Procedure 1094.6 to determine how to calculate when a decision becomes “final.” **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.

**AMERICANS WITH DISABILITIES ACT:** 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 Jeri L. Stately, City Clerk, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at the time if you will need accommodations to attend or participate in meetings on a regular basis.

This agenda was prepared by the City Clerk. Regular meetings of the City Council are held on the second and fourth Tuesdays of each month at 4:00 p.m. However, study sessions and/or closed sessions are periodically held prior to the start of the regular meeting. The City Council Agenda is posted in the Police Department and available at your local library. It is also available through our FAX LIBRARY system. Simply dial (949) 724-6210 and request document number 100 anytime after 5:00 p.m. on the Friday prior to a City Council meeting. The Agenda may also be accessed through the City’s web page at [www.ci.irvine.ca.us](http://www.ci.irvine.ca.us)

STATE OF CALIFORNIA        )  
CITY OF IRVINE                ) SS  
COUNTY OF ORANGE         )

I DECLARE UNDER PENALTY OF PERJURY that I am employed by the City of Irvine, in the City Clerk’s Department; and that I posted this agenda in the posting book located in the Public Safety Lobby of City Hall, One Civic Center Plaza.

Dated/Signed: \_\_\_\_\_

**FINAL  
AGENDA**

**IRVINE  
CITY COUNCIL  
REGULAR MEETING**

**February 22, 2005**

**NOTICE TO THE PUBLIC**

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.

**CALL TO ORDER**

**4:00 P.M.**

A regular meeting of the Irvine City Council will be called to order on February 22, 2005 at 4:00 p.m., in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California, by Mayor Krom, presiding officer.

**ROLL CALL**

COUNCILMEMBER:	LARRY AGRAN
COUNCILMEMBER:	STEVEN CHOI
COUNCILMEMBER:	CHRISTINA SHEA
MAYOR PRO TEMPORE:	SUKHEE KANG
MAYOR:	BETH KROM

**\*\*\*\*\*STUDY SESSION/WORKSHOPS/SCOPING SESSIONS\*\*\*\*\***

**Development of an Ethics Code (Submitted by CMO)**

\*\*\*\*\*RECESS\*\*\*\*\*

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

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MUSICAL PRESENTATION**

Concordia Choir, Concordia University, Irvine, will perform "Caritas et Amor" followed by "Betelehemu".

**PRESENTATIONS**

- 1) Government Finance Officers' Association (GFOA) Distinguished Budget Presentation Award (Submitted by CMO/Budget)
- 2) Introduction of New and Newly Promoted Employees (Public Safety/Administration)
- 3) United States Tennis Association, Heritage Park 2004 USA Team Tennis National Champions - 14 & Under Division (submitted by Community Services/Athletics)
- 4) Butterfly Initiative Project (Submitted by Community Services/Irvine Fine Arts Center)
- 5) Operation Photo - DVD and presentation by Councilmember Shea and Mitch Goldstone

**INTRODUCTIONS**

**\*ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

**\*ADDITIONS AND DELETIONS**

\*\*\*\*\*CONSENT CALENDAR\*\*\*\*\*

**\*PUBLIC COMMENTS (Limited to three (3) minutes per speaker)**

**1.CITY COUNCIL MINUTES**

**1.1 APPROVAL OF CITY COUNCIL MINUTES (Submitted by City Clerk)**

\*Please refer to Notice to the Public, Pages i & ii

**ACTION:** Approve the minutes of a regular meeting of the City Council held on February 8, 2005.

## **2.PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS**

### **2.1 COMMEND THE FOLLOWING:**

- a) Congratulating the Heritage Park Co-Ed 14 Advanced Tennis Team  
2004 Orange County Spring League (14Adv) Champions  
2004 Southern California Sectional Champions  
2004 USA Team Tennis National Champions

## **3.AGREEMENTS**

### **3.1 COOPERATIVE AGREEMENT WITH CALTRANS FOR THE SAND CANYON/I-5 IMPROVEMENT PROJECT (Submitted by Public Works/Transportation Development)**

**ACTION:**

- 1) Adopt a resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE COOPERATIVE AGREEMENT BETWEEN CALTRANS AND THE CITY OF IRVINE FOR THE SAND CANYON/I-5 IMPROVEMENT PROJECT
- 2) Approve District Agreement No. 12-513 with Caltrans for the Sand Canyon/I-5 Improvement Project. Authorize the Mayor to execute and the City Clerk to attest the Agreement.

## **4.ALLOCATION OF FUNDS**

### **4.1 BUDGET ADJUSTMENT FOR LIGHTED CROSSWALK SAFETY PROGRAM (Submitted by Public Works/Transportation Development)**

**ACTION:**

- 1) Approval of a Budget Adjustment accepting \$53,100 from the State of California, Office of Traffic Safety for Lighted Crosswalk Safety Program and establishing a new CIP account.
- 2) Approval of a Budget Adjustment transferring \$61,646.18 from various Safety Projects to the new established CIP account.

## **5.REPORTS**

\*Please refer to Notice to the Public, Pages i & ii

**5.1 FY 2004-05 COMMUNITY DEVELOPMENT MIDYEAR BUDGET ADJUSTMENT (Submitted by Community Development/Administration)**

**ACTION:** Approve the Budget Adjustments increasing Community Development Department General Fund revenues and expenditures by \$125,000; Building and Safety Fund revenues by \$800,000; and Building and Safety expenditures by \$665,000.

**5.2 IRVINE TRANSPORTATION CENTER 15-YEAR ANNIVERSARY CAMPAIGN (Submitted by Public Works/Advanced Transportation)**

**ACTION:** Receive and file.

**6.RESOLUTIONS**

**6.1 WARRANT AND WIRE TRANSFER RESOLUTION (Submitted by Administrative Services/Fiscal Services)**

**ACTION:** Adopt a Resolution entitled: 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.

**END OF CONSENT CALENDAR**

\*\*\*\*\*ORDINANCES\*\*\*\*\*

**7.FIRST READING OF ORDINANCES**

**7.1 ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CREATING SECTION 5-9-601 THROUGH 5-9-606 OF THE IRVINE MUNICIPAL CODE, REGARDING PUBLIC SAFETY RADIO SYSTEM COVERAGE (Public Safety/Administration)**

**ACTION:** Introduce for first reading and read by title only an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CREATING SECTION 5-9-601 THROUGH 5-9-606 OF THE IRVINE MUNICIPAL CODE, REGARDING PUBLIC SAFETY RADIO SYSTEM COVERAGE

**8.SECOND READING OF ORDINANCES**

**8.1 GENERAL PLAN AMENDMENT AND MUNICIPAL CODE AMENDMENT (NOISE ORDINANCE) - NOISE STANDARDS FORMULTI-FAMILY BALCONIES (Submitted by City Clerk)**

\*Please refer to Notice to the Public, Pages i & ii

**ACTION:** Adopt and read by title only an ordinance entitled: ORDINANCE NO. 05-06 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING AMENDMENTS TO CHAPTER 2, SECTION 6-8-204 (B), OF THE MUNICIPAL CODE TO AMEND EXTERIOR NOISE STANDARDS FOR MULTI-FAMILY BALCONIES

\*\*\*\*\***COUNCIL BUSINESS**\*\*\*\*\*

**9.REPORTS**

**9.1 SCOPING SESSION FOR THREE GENERAL PLAN AMENDMENTS FOR NEW RESIDENTIAL DEVELOPMENT IN THE IRVINE BUSINESS COMPLEX**

**ACTION:**

- 1) Receive staff report.
- 2) Council comments and questions.

**9.2 FREEDOM OF SPEECH ORDINANCE (This item was agendized for discussion by Councilmember Agran)**

**\*PUBLIC COMMENTS (Limited to three (3) minutes per speaker)**

**ADJOURNMENT**

Adjourn to a CITY COUNCIL REGULAR meeting, March 8, 2005, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

**NOTICE TO THE PUBLIC**

The foregoing does constitute the final agenda.

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