
CITY COUNCIL AGENDA

BETH KROM

Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember

CITY COUNCIL REGULAR MEETING

July 26, 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

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**

July 26, 2005

CALL TO ORDER

4:00 P.M.

A regular meeting of the Irvine City Council will be called to order on July 26, 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*******

JOINT STUDY SESSION WITH THE PLANNING COMMISSION ON UNIVERSAL DESIGN

Receive staff report and comment.

*******RECESS*******

*******CLOSED SESSION*******

- 1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code Section 54956.8)**

- 1.1 Property: City Public Rights of Way
 Negotiating Parties: Dan Jung, City of Irvine; Cox Communications
Under Negotiation: Price and Terms

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

Darius Edwards will perform "God Bless the USA."

PRESENTATIONS

- 1) Employee Service Recognition - Twenty-five Years of Service

Terry Newland
Mel Harwell

- 2) Info Link Orange County - 2-1-1

INTRODUCTIONS

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

CITY MANAGER'S REPORT

***ADDITIONS AND DELETIONS**

*******CONSENT CALENDAR (Item Nos. 2 through 7.6)*******

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

2. CITY COUNCIL MINUTES

2.1 APPROVAL OF CITY COUNCIL MINUTES

ACTION: Approve the minutes of a regular meeting of the City Council held on July 12, 2005.

3. COMMENDATIONS/PROCLAMATIONS/RATIFICATIONS

3.1 COMMEND THE FOLLOWING:

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

ACTION: Employee Service Recognition - Twenty-Five Years of Service: Mel Harwell, Denise Nagahama and Terry Newland

3.2 PROCLAIM THE FOLLOWING:

ACTION: "National Alcohol and Drug Addiction Recovery Month," September, 2005

4. AGREEMENTS

4.1 ENVIRONMENTAL INSURANCE - ORANGE COUNTY GREAT PARK (Submitted by Administrative Services/Human Resources)

ACTION:

- 1) Authorize the Acting City Manager to execute an agreement with AIG Insurance to purchase higher limits for the Orange County Great Park environmental insurance in years eleven through fifteen of the current policy at an additional cost of \$450,794.
- 2) Approve a budget adjustment to transfer \$2,900,794 from the General Fund to the Insurance Fund.

5. ALLOCATION OF FUNDS

5.1 SAFE SCHOOLS HEALTHY STUDENTS AND SCHOOL COMMUNITY POLICING GRANT

ACTION:

- 1) Accept the Safe Schools, Healthy Students and School Community Policing Grant in the amount of \$60,000.
- 2) Approve a budget adjustment increasing revenue by \$60,000 with corresponding appropriations related to the Safe Schools, Healthy Students and School Community Policing Grant.

5.2 BUDGET ADJUSTMENT FOR ACCEPTANCE OF ENVIRONMENTAL TRANSPORTATION PLANNING GRANT FUNDS (Submitted by Public Works/Advanced Transportation)

ACTION:

- 1) Adopt a Resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE CITY TO APPLY FOR AND ACCEPT A GRANT FOR \$48,000 FROM THE CALIFORNIA

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

DEPARTMENT OF TRANSPORTATION AND TO APPROPRIATE THE FUNDS TO PAY FOR A LONG RANGE TRANSPORTATION PLAN OUTREACH INITIATIVE PROJECT

- 2) Approve a Budget Adjustment accepting \$48,000 from the California Department of Transportation, Environmental Justice Transportation Planning Grant Program, and matching this grant with \$12,000 from funds earmarked in the existing Long Range Transportation Plan (CIP 370350).

6. REPORTS

6.1 STRATEGIC PLAN FOR CHILDREN AND FAMILIES

ACTION: Authorize the City Manager to approve and the City Clerk to attest a contract to begin development of a second Indicators Report on the Conditions of Children, Youth and Families in Irvine, subject to approval of the City Attorney.

7. RESOLUTIONS

7.1 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.

7.2 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA (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 TO BANK OF AMERICA AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID.

7.3 RESOLUTION TO ADOPT THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

ACTION: Adopt a resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE

*Please refer to [Notice to the Public](#), Pages i & ii

ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM
(NIMS)

7.4 AMENDING RESOLUTION AND ESTABLISHING OVERALL ANNUAL DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL OF 10% FOR FEDERAL FISCAL YEAR 2005/06 (Submitted by Administrative Services/Fiscal Services-Purchasing)

ACTION: Adopt a Resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CITY COUNCIL RESOLUTION NO. 04-117 ADOPTING AN ESTABLISHED OVERALL ANNUAL DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL FOR FEDERAL FISCAL YEAR 2005/06, PURSUANT TO THE REGULATIONS SET FORTH UNDER TITLE 49 CFR PART 26 OF THE FEDERAL REGULATIONS.

7.5 COLLECTIVE BARGAINING AGREEMENTS WITH THE IRVINE POLICE ASSOCIATION (IPA) AND THE IRVINE POLICE MANAGEMENT ASSOCIATION (IPMA) AND RELATED BUDGET ADJUSTMENT (Submitted by Administrative Services/Human Resources)

ACTION:

- 1) Adopt a resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE POLICE ASSOCIATION (IPA), AND SUPERSEDING ALL PREVIOUS IPA MEMORANDUMS OF UNDERSTANDING, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 16, 2005.
- 2) Adopt a resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE POLICE MANAGEMENT ASSOCIATION (IPMA), AND SUPERSEDING ALL PREVIOUS IPMA MEMORANDUMS OF UNDERSTANDING, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 16, 2005
- 3) Approve a budget adjustment in the amount of \$1,067,609 from the General Fund balance to the Public Safety Department Fund to increase Public Safety budget for Fiscal Year 2005-2006.

7.6 AMENDMENTS TO THE FULL-TIME POSITION CONTROL AND SALARY GRADE ORDER RESOLUTIONS

*Please refer to [Notice to the Public](#), Pages i & ii

ACTION:

- 1) Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR THE 2005-2006 FISCAL YEAR, AND REPEALING ALL PREVIOUS RESOLUTIONS AUTHORIZING FULL-TIME POSITIONS
- 2) Adopt a resolution entitled: 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 26, 2005 UNLESS OTHERWISE NOTED

END OF CONSENT CALENDAR

*****ORDINANCES*****

8. FIRST READING OF ORDINANCES

8.1 PROPOSED REVISIONS TO ORDINANCE NO. 95-19 AMENDING SECTION 5-4-101 AND SETTING COMPENSATION SCHEDULE FOR ZONING ADMINISTRATOR (Submitted by Community Development/Development Services)

ACTION:

- 1) Adopt a resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING THE COMPENSATION SCHEDULE FOR THE ZONING ADMINISTRATOR
- 2) Introduce for first reading and read by title only an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING SECTION 5 – DIVISION 4, ZONING ADMINISTRATOR, IDENTIFYING THE ZONING ADMINISTRATOR AS AN OFFICE APPOINTED BY THE CITY COUNCIL

*****PUBLIC HEARINGS*****

9. PUBLIC HEARING: COST OF DEVELOPMENT FEE SERVICES STUDY AND PROPOSED FEE CHANGES (Submitted by City Manager's Office - Budget)

ACTION:

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

- 1) Open the public hearing.
- 2) Receive staff report.
- 3) Receive public input
- 4) Council comments and questions.
- 5) Close the public hearing.
- 6) Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE REPLACING RESOLUTION 02-29 AND ESTABLISHING DEVELOPMENT PROCESSING AND INSPECTION FEES

10. PUBLIC HEARING: APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A CONDITIONAL USE PERMIT FOR A GAS STATION, CONVENIENCE STORE AND CAR WASH, AND A FINDING OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 20 OFF-SITE BEER AND WINE LICENSE IN PLANNING AREA 17 (Submitted by Community Development/Development Services)

ACTION:

- 1) Reopen public hearing.
- 2) Receive staff report.
- 3) Receive public input.
- 4) Council comments and questions.
- 5) Close public hearing.
- 6) Adopt a resolution entitled:

RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DENYING AN APPEAL, THEREBY UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE CONDITIONAL USE PERMIT 00372750-PCPU FOR A GAS STATION, CONVENIENCE STORE AND CAR WASH, AND A FINDING OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 20 OFF-SITE BEER AND WINE LICENSE IN PLANNING AREA 17

-OR-

RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE

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

CITY OF IRVINE DENYING AN APPEAL, THEREBY UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE CONDITIONAL USE PERMIT 00372750-PCPU FOR A GAS STATION, CONVENIENCE STORE AND CAR WASH, AND DENYING A FINDING OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 20 OFF-SITE BEER AND WINE LICENSE IN PLANNING AREA 17

-OR-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE GRANTING AN APPEAL, THEREBY REVERSING THE PLANNING COMMISSION'S DECISION AND DENYING CONDITIONAL USE PERMIT 00372750-PCPU TO PERMIT A GAS STATION, CONVENIENCE STORE AND CAR WASH, AND A FINDING OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 20 OFF-SITE BEER AND WINE LICENSE IN PLANNING AREA 17

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

IN MEMORIAM

Adjourn in memory of Denny Harris

ADJOURNMENT

Adjourn to a CITY COUNCIL REGULAR meeting, September 13, 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.

The agenda is 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

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