

SUKHEE KANG  
Mayor

LARRY AGRAN  
Mayor Pro Tempore

STEVEN CHOI  
Councilmember

BETH KROM  
Councilmember

CHRISTINA SHEA  
Councilmember



---

**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 City 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 City Council are recognized. Your name will be called at the time the matter is heard by the City Council. City policy is to limit public testimony to three minutes per speaker (unless extended by the Mayor) which includes the presentation of electronic or audio visual information.

---

## **CALL TO ORDER**

### **[ROLL CALL](#)**

#### **1. [CLOSED SESSION](#)**

- 1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code § 54956.9(b); significant exposure to litigation (one potential case)**
- 1.2 PERFORMANCE EVALUATION OF CITY MANAGER Government Code Section 54957**

### **[RECONVENE TO THE CITY COUNCIL MEETING](#)**

### **[PLEDGE OF ALLEGIANCE](#)**

### **MOMENT OF SILENCE**

**MUSICAL PRESENTATION**

**2. PRESENTATIONS**

**2.1 Irvine Chamber of Commerce - 2009 "Shop Irvine"**

**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 special meeting of the Irvine City Council held on January 13, 2009.

**3.2 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

**3.3 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

**3.4 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

**3.5 AGREEMENTS BETWEEN THE COUNTY OF ORANGE AND THE CITY OF IRVINE FOR THE EXTENSION OF ALTON PARKWAY, IRVINE INDUSTRIAL COMPLEX-EAST (PLANNING AREA 35)**

**ACTION:**

- 1) Authorize the Mayor to execute a Sublease Agreement with the County of Orange to transfer the Agricultural/Habitat Mitigation and Alton Parkway extension parcels in accordance with the Property Tax Transfer and Pre-Annexation Agreement.
- 2) Authorize the Mayor to execute a Cooperative Agreement with the County of Orange transferring ownership and maintenance responsibilities for the Alton Parkway extension within City limits.
- 3) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING A PORTION OF ALTON PARKWAY FROM IRVINE BOULEVARD TO THE CITY OF IRVINE / CITY OF LAKE FOREST BOUNDARY AND A PORTION OF IRVINE BOULEVARD FROM ALTON PARKWAY TO +/- 1,200 FEET NORTH OF ALTON PARKWAY, A COUNTY HIGHWAY FOR PURPOSES OF CONSTRUCTION

**3.6 IRVINE CENTER DRIVE REHABILITATION FROM CULVER TO JEFFREY - CIP 318170**

**ACTION:** Approve the plans, specifications, and contract documents for Irvine Center Drive Rehabilitation from Culver to Jeffrey, Capital Improvement Project (CIP) 318170, on file with the Public Works Department.

**3.7 PEDESTRIAN IMPROVEMENTS - TRABUCO AT REMINGTON AND TREVINO AT CONGRESS PLACE - CIP 318330**

**ACTION:** Approve the specifications and contract documents for Safe Routes to School Program Project on Trabuco at

Remington and Trevino at Congress Place, Capital Improvement Project (CIP) 318330, on file with the Public Works Department.

**3.8 ORANGE COUNTY GREAT PARK FISCAL YEAR 2008-09 MID-YEAR BUDGET ADJUSTMENT**

**ACTION:**

- 1) Approve the Orange County Great Park Mid-Year Budget Adjustment for Funds 180, 280, and 286 with a net revenue decrease of \$631,991 a net expenditure decrease of \$4,118,302 and corresponding transfers necessary to complete the authorized adjustments.
- 2) Approve the allocation of funding from the Mid-Year Budget Adjustment noted in Recommended Action 1 above and authorize the Chief Executive Officer of the Orange County Great Park to execute the following sole source contracts:
  - a) Townsend Public Affairs - \$45,000 to continue public funding consulting services that are currently a part of the Design Studio contract. This contract is expiring with the Design Studio on January 31, 2009.
  - b) Empower Excel, Inc. – \$38,000 to continue the development of an educational partnership program for the Preview Park. Empower Excel is currently a sub-consultant to the Design Studio.
  - c) Dudek – \$205,000 to continue agricultural and tree relocation services. The Schematic Design Contract will be reduced to fund this contract.
  - d) Aircraft Museum Contracts in the total amount of \$200,000 – includes individual contracts for Tom O’Hara, David Koning, and Michael Sherlock as the aircraft restoration mechanics. The Schematic Design Contract will be reduced to fund these contracts.
  - e) Henry Korn - \$100,000 to provide management, oversight and coordination for the proposed 2009 Programs as well as to provide oversight to the Design Studio for the art and culture aspects of the Schematic Design and Priority Program Feasibility Studies.
  - f) Kevin O’Leary and Dan Carlsson - not to exceed a total of \$75,000 to provide for Public Information Officer services for a period not to exceed six months.
  - g) Great Park Design Studio for services of Duke Dunn - \$75,000 to provide construction and operation support services for Great Park Operations.
  - h) WRNS Studio - \$400,000, \$250,000 of which is to provide architectural peer review for plans, specifications and other documents and \$150,000 of which is a transfer of both the scope of work and funding from the Design Studio to provide the analysis for the Structured Parking Feasibility Study.
  - i) Great Park Design Studio – \$347,765 contract increase to fund

change orders related to engineering and analysis of the backbone infrastructure from the Joint Backbone Infrastructure Fund 280.

j) Great Park Design Studio - \$700,000 contract increase to fund the extension of the Strategy and Communications portion of the contract (Scope D) from January 1, 2009 through June 30, 2009 including \$100,000 of reimbursable expenses.

**3.9 SINGLE AUDIT OF FEDERALLY ASSISTED GRANT PROGRAMS FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

**ACTION:** Receive and file.

**3.10 AIR QUALITY IMPROVEMENT SPECIAL REVENUE FUND AUDIT FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

**ACTION:** Receive and file.

**3.11 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED JUNE 30, 2008 AND AUDITORS' COMMUNICATION**

**ACTION:**

- 1) Receive and file the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2008.
- 2) Receive and file the Diehl, Evans & Company, LLP Audit Committee correspondence.

**3.12 FISCAL YEAR 2008-09 PROPOSITION 1B LOCAL STREETS AND ROADS IMPROVEMENT, CONGESTION RELIEF, AND TRAFFIC SAFETY ACCOUNT FUNDING PLAN**

**ACTION:**

- 1) Approve use of Fiscal Year 2008-09 Proposition 1B funds and establish a new Capital Improvement Project for the Irvine Business Complex (IBC) Local Street Rehabilitation project (CIP 319160) and for the University Drive Pavement Rehabilitation project (CIP 319170).
- 2) Approve a Budget Adjustment in the total amount of \$3,004,176 to receive \$1,200,000 of Proposition 1B funds into the IBC Local Street Rehabilitation project (CIP 319160) and \$1,804,176 of proposition 1B funds into the University Drive Pavement Rehabilitation project (CIP 319170).

**3.13 CITY OF IRVINE 2009 STATE AND FEDERAL LEGISLATIVE PLATFORM AND 2010 FEDERAL AGENDA**

**ACTION:**

- 1) Adopt and approve the 2009 State and Federal Legislative Platform.
- 2) Adopt and approve the 2010 Federal Agenda.

**3.14 ORDINANCE NO. 09-01, ORDINANCE TO EFFECT CHANGES AND ADDITIONS TO POSTED SPEED LIMITS**

**ACTION:** Read by title only, second reading and adoption of ORDINANCE NO. 09-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE TO DETERMINE AND DECLARE PRIMA FACIE SPEED LIMITS ON VARIOUS STREETS WITHIN THE CITY OF IRVINE, AND OFFICIALLY ESTABLISH THESE DECLARATIONS THROUGH AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE CITY TRAFFIC ENGINEER AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

**3.15 PEDIATRIC CANCER RESEARCH FOUNDATION REQUEST FOR NON-ECONOMIC CITY SUPPORT OF ITS REACHING FOR A CURE HALF-MARATHON EVENT**

**ACTION:** Approve non-economic City support to allow the use of the City logo and name on event promotional materials.

**END CONSENT CALENDAR**

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

---

**4.1 CITY-INITIATED GENERAL PLAN AMENDMENT, ZONE CHANGE, DEVELOPMENT AGREEMENT AMENDMENT, MASTER IMPLEMENTATION AGREEMENT AMENDMENT (INCLUDING RATE AND METHOD OF APPORTIONMENT), AND TRI-PARTY AGREEMENT AMENDMENT, FOR THE CITY OF IRVINE AND HERITAGE FIELDS EL TORO LLC, LOCATED IN PLANNING AREAS 30 AND 51**

**ACTION:**

- 1) Reopen the public hearing.

- 2) Continue the public hearing to a date uncertain.

**5. COUNCIL BUSINESS**

**5.1 HERITAGE FIELDS DENSITY BONUS AGREEMENT**

**ACTION:** Continue to a date uncertain.

**5.2 CITY OF IRVINE EDUCATIONAL PARTNERSHIP FUND FUNDING LEVELS**

**ACTION:** Approve the Educational Partnership Fund Advisory Committee recommendations for program selection and \$516,863 appropriation for the 2009-2010 Educational Partnership Fund Program.

**5.3 RATIFICATION OF PROGRAM MANAGER FOR NEW PUBLIC SAFETY FACILITY - PHASE I**

**ACTION:**

- 1) Ratify the Program Manager at Risk for Phase I of the new Public Safety Facility.
- 2) Authorize the Mayor to execute the Program Manager at Risk (PMAR) Professional Services Contract for a new Public Safety Facility with Highland Partnership, Inc. in the amount of \$1,889,000 plus a 10% project contingency.
- 3) Close Project # 399020 - Operational Support Facility (OSF) Expansion and approve a budget adjustment to reallocate the \$1,760,000 to Project # 399010 - Public Safety Construction.

**5.4 EFFECTS OF ORANGE COUNTY SOCIAL SERVICES AGENCY LAYOFFS TO RESIDENTS IN THE CITY OF IRVINE**

**ACTION:** City Council discussion and direction.

**END COUNCIL BUSINESS**

**PUBLIC COMMENTS (Limited to 3 minutes per speaker) - 6:30 P.M.**

**ADJOURNMENT**

**NOTICE TO THE PUBLIC**

**LIVE BROADCASTING**

City Council meetings are broadcasted live every 2<sup>nd</sup> and 4<sup>th</sup> 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](http://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 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 [http://www.ci.irvine.ca.us/council/agenda/agenda\\_archive.asp](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](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.

**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)724-6248 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](mailto: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.

### **PUBLIC COMMENT**

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 Comment; however, no action may be taken on matters that are not part of the posted agenda. If you would like to address the City Council during the Public Comment portion of the Agenda, please complete the Request to Speak Form. The card is at the table at the entrance to the City Council Chamber. Please complete the card with your name, \*address, and \*phone number (\*optional), 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. Your name will be called at the time Public Comment is taken by the City Council. City policy is to limit public testimony to three minutes per speaker (unless extended by the Mayor) which includes the presentation of electronic or audio visual information.

### **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 90<sup>th</sup> 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](http://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