
CITY COUNCIL AGENDA

BETH KROM
Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember

CITY COUNCIL REGULAR MEETING

March 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

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**

March 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 March 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*******

Strategic Plan for Children and Families - Sid Gardner and Lisa Hensen

*****RECESS*****

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

The Irvine Chinese Chorus will perform, "The Star Spangled Banner" followed by, "Impatiens."

PRESENTATIONS

- 1) In Recognition of the Contributors and Volunteers of the "Irvine Cares: Music of Love" Fund Raising Event
- 2) Family Friendly Business Awards
- 3) Children First - Marshall Kaplan, Executive Director
- 4) Presentation to the Irvine Police Department Explorer Post from California State Lodge of the Fraternal Order of Police

INTRODUCTIONS

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

***ADDITIONS AND DELETIONS**

*******CONSENT CALENDAR (Item Nos. 1 through 6.3)*******

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

1.CITY COUNCIL MINUTES

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

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

2.PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS

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

2.1 COMMEND THE FOLLOWING:

- a) In Recognition of the Contributors and Volunteers of the "Irvine Cares: Music of Love" Fund Raising Event

2.2 PROCLAIM THE FOLLOWING:

- a) Donate Life Month - April 2005
- b) Week of the Young Child - April 3-9, 2005
- c) National Multiple Sclerosis Society 2005 MS Walk - April 10, 2005

2.3 RATIFY THE FOLLOWING:

- a) Congratulating The Wellness Community, 2nd Annual Gala, March 12, 2005
- b) Welcoming Orange County One-Stop Center - Grand Opening March 24, 2005

3.AGREEMENTS

3.1 AMENDMENT NO. 10 TO MASTER FUNDING AGREEMENT NO. C-95-976 FOR COMBINED TRANSPORTATION FUNDING PROGRAM (CTFP) FUNDED PROJECTS (Submitted by Public Works/Transportation Development)

ACTION: Approve Amendment No. 10 to Master Funding Agreement No. C-95-976 and authorize the Mayor to sign the Amendment and the City Clerk to attest the Amendment subject to City Attorney approval as to form.

4.REPORTS

4.1 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED JUNE 30, 2004 (Submitted by Administrative Services/Fiscal Services)

ACTION: Receive and file the City of Irvine's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2004

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

4.2 AIR QUALITY IMPROVEMENT SPECIAL REVENUE FUND AUDIT FOR THE FISCAL YEAR ENDED JUNE 30, 2004 (Submitted by Administrative Services/Fiscal Services)

ACTION: Receive and file the City of Irvine's Air Quality Improvement Special Revenue Fund Audit for the fiscal year ended June 30, 2004.

4.3 SINGLE AUDIT OF FEDERALLY ASSISTED GRANT PROGRAMS FOR THE FISCAL YEAR ENDED JUNE 30, 2004 (Submitted by Administrative Services/Fiscal Services)

ACTION: Receive and file the City of Irvine's Single Audit of Federally Assisted Grant Programs for the fiscal year ended June 30, 2004.

4.4 TREASURER'S REPORT FOR THE QUARTER ENDED DECEMBER 31, 2004 (Submitted by Administrative Services/Fiscal Services)

ACTION: Receive and file the Treasurer's Report for the Quarter Ended December 31, 2004.

4.5 TRANSPORTATION DEVELOPMENT ACT ARTICLE 4.5 FUNDS PARATRANSIT OPERATING AND CAPITAL PROGRAM AUDIT REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2004. (Submitted by Administrative Services/Fiscal Services)

ACTION: Receive and file the audit report conducted for the Orange County Transportation Authority on the City of Irvine's Transportation Development Act Article 4.5 Funds for the Paratransit Operating and Capital Program for the Fiscal Year Ended June 30, 2004.

4.6 BUDGET ADJUSTMENT FOR APPROVED AGREEMENT BY AND BETWEEN THE CITY OF IRVINE AND THE IRVINE RANCH LAND RESERVE TRUST (Submitted by Community Services/Business Services)

ACTION: Approve budget adjustment for \$127,625, as detailed in the Irvine Open Space Preserve - South Management Agreement between the City of Irvine and the Irvine Ranch Land Reserve Trust.

5.RESOLUTIONS

5.1 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

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

ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID.

5.2 APPROVE THE RESOLUTION OF INTENTION, CASH ADVANCE AGREEMENT, AND PRELIMINARY ENGINEER'S REPORT AND SET PUBLIC HEARING FOR ASSESSMENT DISTRICT NO. 04-20 (PORTOLA SPRINGS) PLANNING AREA 6 (Submitted by Public Works/Development Engineering)

ACTION:

- 1) Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO ORDER THE CONSTRUCTION AND ACQUISITION OF CERTAIN IMPROVEMENTS IN PROPOSED ASSESSMENT DISTRICT NO. 04-20.

- 2) Approve the Cash Advance Agreement for improvements in Assessment District No. 04-20 between the City of Irvine and The Irvine Company subject to approval as to form by the City Attorney.
- 3) Adopt a Resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE PRELIMINARILY ADOPTING, CONFIRMING, AND APPROVING ENGINEER'S REPORT FOR PROPOSED ASSESSMENT DISTRICT NO. 04-20 AND APPOINTING TIME AND PLACE FOR HEARING PROTEST TO PROPOSED IMPROVEMENTS.

5.3 PLANNING AREAS 1, 2, AND 9 - ADOPTION OF A RESOLUTION NOTIFYING THE AIRPORT LAND USE COMMISSION OF AN INTENTION TO OVERRIDE AIRPORT LAND USE COMMISSION INCONSISTENCY DETERMINATION (Submitted by Community Development/Planning Services)

ACTION: Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE NOTIFYING THE AIRPORT LAND USE COMMISSION OF THE CITY'S INTENTION TO ADOPT PROPOSED FINDINGS AND ACTION TO OVERRIDE THE AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE PROPOSED GENERAL PLAN AMENDMENT FOR PLANNING AREA 1 (FORMERLY PLANNING AREAS 1 & 2) AND A PORTION OF PLANNING AREA 9 IS INCONSISTENT WITH THE 1995 MARINE CORPS AIR STATION AT EL TORO AIRPORT ENVIRONS LAND USE PLAN

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

5.4 AMENDMENTS TO THE SALARY GRADE ORDER STRUCTURE, MANAGEMENT CLASSIFICATION AND COMPENSATION, AND FULL-TIME POSITION CONTROL RESOLUTIONS (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 AMENDING 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 MARCH 22, 2005 UNLESS OTHERWISE NOTED.
- 2) Adopt a Resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING A CLASSIFICATION AND COMPENSATION POLICY FOR MANAGEMENT AND NON-REPRESENTED EMPLOYEES (EXEMPT) OF THE CITY OF IRVINE, AND REPEALING ALL PREVIOUS MANAGEMENT AND NON-REPRESENTED EMPLOYEE COMPENSATION RESOLUTIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES MARCH 22, 2005.
- 3) Adopt a Resolution entitled: RESOLUTION NO. - 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 2004-2005 FISCAL YEAR, AND REPEALING ALL PREVIOUS RESOLUTIONS AUTHORIZING FULL-TIME POSITIONS.

5.5 ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2005 (Submitted by Administrative Services/Fiscal Services)

ACTION: Adopt a Resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE CITY'S ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2005.

END OF CONSENT CALENDAR

*****ORDINANCES*****

6.FIRST READING OF ORDINANCES

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

6.1 REVISION TO THE TRANSIENT OCCUPANCY TAX CODE (Submitted by Administrative Services/Fiscal Services)

ACTION: Introduce for first reading and read by title only an ordinance entitled: ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING CHAPTER 4 OF DIVISION 9 OF TITLE 2 OF THE IRVINE MUNICIPAL CODE RELATING TO TRANSIENT OCCUPANCY TAXES.

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

7.PUBLIC HEARING: IRVINE BUSINESS COMPLEX GENERAL PLAN LAND USE TABLE REVISIONS (Submitted by Community Development/Planning Services)

ACTION:

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00383612-PGA, GENERAL PLAN AMENDMENT CYCLE 05-1A, TO AMEND TABLE A-1 OF THE LAND USE ELEMENT OF THE IRVINE GENERAL PLAN TO REFLECT THE ASSIGNMENT OF PREVIOUSLY APPROVED RESIDENTIAL INTENSITY TO SPECIFIC PARCELS WITHIN THE IRVINE BUSINESS COMPLEX (IBC)

8.PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE TO RECONCILE INTENSITY CAPS WITH EXISTING BUILDING DEVELOPMENT, PLANNING AREA 35 (SPECTRUM) (Submitted by Community Development/Development Services)

ACTION:

- 1) Open public hearing.

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

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00376676-PGA, GENERAL PLAN AMENDMENT CYCLE 05-1B, TO AMEND GENERAL PLAN LAND USE TABLES A-1 AND A-2 TO RECONCILE INTENSITY CAPS WITH EXISTING BUILDING DEVELOPMENT IN THE COMMUNITY COMMERCIAL AND RESEARCH & INDUSTRIAL LAND USE CATEGORIES; PLANNING AREA 35; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

- 7) Introduce for first reading and read by title only an ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00376674-PZC TO AMEND ZONING CODE SECTION 9-35-3 TO RECONCILE ZONING CODE INTENSITY CAPS WITH EXISTING BUILDING DEVELOPMENT IN THE COMMUNITY COMMERCIAL, VEHICLE-RELATED COMMERCIAL, GENERAL INDUSTRIAL AND PUBLIC INSTITUTIONAL ZONES; AND TO AMEND ZONING CODE SECTION 9-35-5 TO MODIFY THE PLANNING AREA 35 ZONING MAP; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

*******COUNCIL BUSINESS*******

9.REPORTS

9.1 CASH ADVANCE TO THE ORANGE COUNTY GREAT PARK CORPORATION (Submitted by Administrative Services)

ACTION: 1) Authorize the City to extend to the Orange County Great Park Corporation a cash advance of \$2,122,250 subject to reimbursement upon execution of the Great Park Development Agreement.

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

2) Provide direction on the action taken at the November 9, 2004 City Council meeting that the City would not exceed the \$250,000 amount of monies allotted to the Great Park Board to be used for doing business with the Great Park Conservancy without an audited financial statement, and that the City would not do any business with the Great Park Conservancy without receiving an audited financial statement.

9.2 APPOINTMENTS TO THE BOARD OF DIRECTORS OF THE IRVINE BARCLAY THEATRE OPERATING COMPANY (Submitted by Administrative Services)

ACTION: Appoint Sean Joyce, Rick Paikoff, and an at-large appointee of the City Council to the Irvine Barclay Theatre Board, and extend gratitude to Barbara Weiner for her service on the Board.

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

*****RECESS*****

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

10. LIABILITY CLAIMS (Pursuant to Government Code Section 54956.95)

10.1 Two Cases: Kim vs. City of Irvine;
Tony Fausto vs. City of Irvine

11. PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code Section 54957)

11.1 Position Title: Acting City Manager

ADJOURNMENT

Adjourn to a CITY COUNCIL REGULAR meeting, April 12, 2005, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

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

NOTICE TO THE PUBLIC

The foregoing does constitute the final agenda.

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