

BETH KROM  
Mayor

SUKHEE KANG  
Mayor Pro Tempore

LARRY AGRAN  
Councilmember

STEVEN CHOI  
Councilmember

CHRISTINA SHEA  
Councilmember



# AGENDA

## CITY COUNCIL REGULAR MEETING

October 24, 2006

4:00 P.M.

City Council Chamber  
One Civic Center Plaza

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**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 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 Council are recognized. Your name will be called at the time the matter is heard by the Council.

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### ROLL CALL

#### 1. CLOSED SESSION

**1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code § 54956.9(b); significant exposure to litigation (two cases)**

**1.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION; Government Code § 54956.9 (a):**  
**(1) Allergan, Inc., v. City of Irvine (Case No. 06 CC00172)**  
**(2) Deft, Inc., v. City of Irvine (Case No. 06 CC00171)**

#### 2. CONSENT CALENDAR

**2.1 MINUTES**

**ACTION:** Approve the minutes of a regular meeting of the City Council held on October 10, 2006.

**2.2 PROCLAMATION**

**ACTION:** Ratification of Proclamation declaring the month of October, 2006, as "U.S. FOOD AND DRUG ADMINISTRATION CENTENNIAL ANNIVERSARY COMMEMORATION."

**2.3 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

**2.4 MAPS, BONDS, AND AGREEMENTS, FOR TRACT MAP NOS. 16968, 16960, WOODBURY EAST (PLANNING AREA 9C), AND PARCEL MAP NO. 2005-110, IRVINE RESEARCH CENTER (PLANNING AREA 34)**

**ACTION:**

- 1) Approve Tract Map No. 16968 and Tract Map No. 16960.
- 2) Approve Final Parcel Map No. 2005-110.
- 3) Approve the agreements and accept the security from William Lyon Homes, Inc., guaranteeing street construction and survey monuments for Tract Map Nos. 16968, 16960, and approve the agreement and accept security from Bacchus Commercial, LLC, guaranteeing survey monuments for Parcel Map No. 2005-110.
- 4) Accept the dedication of easements for emergency access and public service vehicle ingress and egress purposes as shown on Tract Map Nos. 16968, 16960, and Final Parcel Map No. 2005-110.
- 5) Accept the dedication of easements for public street and public utility purposes: Bake Parkway and Irvine Center Drive, as shown on Parcel Map No. 2005-110.
- 6) Accept the dedication for the easement for traffic signal maintenance purposes as shown on Parcel Map No. 2005-110.
- 7) Accept the easement for sidewalk and access purposes as shown on Parcel Map No. 2005-110.

**2.5 APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS FOR WEST IRVINE HIKING AND RIDING TRAIL MODIFICATIONS, CIP 345020, AND ANDOVER COMMUNITY ASSOCIATION ACCESS PATH, CIP 346020**

**ACTION:** Approve the plans, specifications, and contract documents for the West Irvine Hiking and Riding Trail

Modifications, CIP 345020, and Andover Community Association Access Path, CIP 346020.

**2.6 DEFINED BENEFIT PENSION PLAN ACTUARIAL STUDY DATED JANUARY 1, 2006 AND THE DEFINED BENEFIT AND DEFINED CONTRIBUTION PENSION PLAN AUDITS FOR THE YEAR ENDED DECEMBER 31, 2005**

**ACTION:**

- 1) Receive and file the Defined Benefit and the Defined Contribution Pension Plan audits for the year ended December 31, 2005.
- 2) Receive and file the Defined Benefit Pension Plan Actuarial Study dated January 1, 2006.
- 3) The Irvine Investment Advisory Committee review the City of Irvine Defined Benefit Pension Plan's Investment performance on a quarterly basis.

**2.7 ORDINANCE NO. 06-18, ZONE CHANGE FOR HERITAGE FIELDS AND ORANGE COUNTY GREAT PARK CORPORATION FOR A REVISED OVERLAY PLAN, IN THE LIFELONG LEARNING DISTRICT, LOCATED IN PLANNING AREAS 30 AND 51**

**ACTION:** Read by title only and adopt ORDINANCE NO. 06-18 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING A CITY-INITIATED ZONE CHANGE 00416080-PZC TO ADD A NEW ZONING CATEGORY, 8.1/8.1A LIFELONG LEARNING DISTRICT, AND TO MODIFY TEXT IN THE ZONING CODE ALLOWING A REVISED OVERLAY PLAN, IN THE LIFELONG LEARNING DISTRICT, FOR HERITAGE FIELDS, LLC AND ORANGE COUNTY GREAT PARK CORPORATION; LOCATED IN PLANNING AREAS 30 AND 51

**END OF CONSENT CALENDAR**

**CITY MANAGER'S REPORT**

**PRELIMINARY GREAT PARK MASTER PLAN**

**RECESS**

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

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

## MUSICAL PRESENTATIONS

### 3. PRESENTATIONS

**3.1 *Institute of Transportation Engineers Achievement Award for Bicycles to the City of Irvine recognizing Jeffrey/I-405 Trail and Overcrossing***

**3.2 *Commendations to the Irvine Global Village Donors***

## INTRODUCTIONS

## ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

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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.

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## ADDITIONS AND DELETIONS

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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.

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## END OF CONSENT CALENDAR

### 4. PUBLIC HEARINGS

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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 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.

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#### **4.1 *AMENDMENT TO THE METROPOLITAN CONDOMINIUMS AFFORDABILITY COVENANT GRANT DEED***

**ACTION:**

- 1) Open public hearing, receive public input, City Council comments and questions.

- 2) Close public hearing.
- 3) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE RESCINDING CITY COUNCIL RESOLUTION NO. 93-55, TERMINATING AND RELEASING THE AFFORDABILITY COVENANTS ON FOUR CONDOMINIUM UNITS AT THE METROPOLITAN CONDOMINIUM OWNED BY JAMBOREE HOUSING CORPORATION, AND AUTHORIZING THE SALE OF FOUR CONDOMINIUM UNITS WITH THE PROCEEDS TO BE USED IN FURTHERANCE OF AFFORDABLE HOUSING PURPOSES IN THE CITY OF IRVINE

**5. COUNCIL BUSINESS**

**5.1 DISCUSSION AND DIRECTION REGARDING A NORTHWOOD SENIOR CENTER**

**5.2 PRESENTATION BY ARROYO ASSOCIATES, INC. ON THE LIBRARY NEEDS ASSESSMENT REPORT**

**ACTION:** Consider adoption of recommendations of the Ad Hoc Library Task Force 1 through 17 as listed in the report.

**5.3 DISCUSSION AND DIRECTION REGARDING MEASURE M - TRANSPORTATION IMPROVEMENTS (RESOLUTION NO. 06-57 ADOPTED JUNE 13, 2006)**

**END OF COUNCIL BUSINESS**

**PUBLIC COMMENTS (Limited to 3 minutes per speaker) - 6:00 P.M.**

**ADJOURNMENT**

Next Meeting: CITY COUNCIL REGULAR meeting, November 14, 2006, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

**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. 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.

**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.

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Pamyla Means, MMC  
City Clerk