

BETH KROM
Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember



AGENDA
CITY COUNCIL
REGULAR MEETING
May 27, 2008
4:00 P.M.
City Council Chamber
One Civic Center Plaza

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.

CALL TO ORDER

[ROLL CALL](#)

1. [CLOSED SESSION](#)

**1.1 GENERAL LIABILITY CLAIM: CASE NO. 07CC07579; Government Code Section 56956.9(a)
Title: Ellis v. City of Irvine**

**1.2 GENERAL LIABILITY CLAIM: CASE NO: 07CC04803; Government Code Section 56956.9(a)
Title: Perez v. City of Irvine**

**1.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Pursuant to Government Code Section 54956.9(a))
Newpath Networks, LLC v. City of Irvine, U.S. District Court Case No. SACV06-550-JVS**

**1.4 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Pursuant to Government Code Section 54956.9(a)): City of Irvine v.
Orange County Superior Court Case No. 30-2008-00062617 (James A.
Musick Jail)**

RECESS

RECONVENE TO THE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

2. PRESENTATIONS

2.1 Youth Action Team Recognition

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 City Council held on May 13, 2008.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclaim May 27, 2008 as "Arbor Day"
- 2) Proclaim May 31, 2008 as "World No Tobacco Day"

3.3 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

3.4 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

3.5 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

3.6 GRANT OF EASEMENT TO IRVINE RANCH WATER DISTRICT FOR WATER AND SEWER FACILITIES, WESTPARK II (PLANNING AREA 38)

ACTION: Authorize the Mayor to execute the Grant of Easement to Irvine Ranch Water District (IRWD).

3.7 SINGLE AUDIT OF FEDERALLY ASSISTED GRANT PROGRAMS FOR THE FISCAL YEAR ENDED JUNE 30, 2007

ACTION: Receive and file the City of Irvine's Single Audit of Federally Assisted Grant Programs for the fiscal year ended June 30, 2007.

3.8 IRVINE STATION PARKING STRUCTURE - COOPERATIVE AGREEMENT AMENDMENT NO. 5, BUDGET ADJUSTMENT, AND APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS FOR THE IRVINE STATION VIDEO SURVEILLANCE SYSTEM PROJECT - CIP 363000

ACTION:

- 1) Authorize the Mayor to execute Amendment No. 5 to Cooperative Agreement No. C-3-0628 between the City of Irvine and the Orange County Transportation Authority (OCTA).
- 2) Approve a Budget Adjustment to appropriate \$1,029,039 from OCTA for the Irvine Station Parking Structure project, Capital Improvement Project (CIP) 363000.
- 3) Approve the plans, specifications, and contract documents for the Irvine Station Video Surveillance System project, CIP 363000, on file with the Public Works Department.

3.9 TURTLE RIDGE RUNOFF - CIP 327060

ACTION: Approve the plans, specifications, and contract documents for the Turtle Ridge Runoff Project, Capital Improvement Project (CIP) 327060, on file with the Public Works Department.

3.10 SAND CANYON TRAFFIC SIGNAL SYSTEMS UPGRADE, ALTON TO I-5 N/B RAMP, CIP 337030

ACTION: Approve the plans, specifications, and contract documents for Sand Canyon Traffic Signal Systems Upgrade, Capital Improvement Project (CIP) 337030, on file with the Public Works Department.

3.11 BARRANCA TRAFFIC SIGNAL SYSTEMS UPGRADE, CULVER TO RED HILL, CIP 337050

ACTION: Approve the plans, specifications, and contract documents for Barranca Traffic Signal Systems Upgrade, Capital Improvement Project (CIP) 337050, on file with the Public Works Department.

3.12 ORANGE COUNTY GREAT PARK BUDGET MODIFICATION

ACTION: Approve the Orange County Great Park Budget modification recognizing \$480,000 in golf course revenues, appropriating \$400,000 for Summer 2008 programming at the Great Park, and reallocating \$50,000 from the Operations budget to Engineering.

3.13 MEMORANDUM OF UNDERSTANDING BETWEEN ORANGE COUNTY GREAT PARK CORPORATION AND IRVINE BARCLAY THEATRE OPERATING COMPANY

ACTION: Approve the Memorandum of Understanding between the Orange County Great Park Corporation and the Irvine Barclay Theatre Operating Company.

3.14 FINAL TRACT MAP NO. 17220, ORCHARD HILLS (PLANNING AREA 1) -- NOTICE OF PENDING APPROVAL

ACTION: Receive and file.

3.15 EXTENSION OF COLLECTIVE BARGAINING AGREEMENTS WITH THE IRVINE CITY EMPLOYEES ASSOCIATION (ICEA), IRVINE PROFESSIONAL EMPLOYEES ASSOCIATION (IPEA) AND ASSOCIATED SUPERVISORY/ADMINISTRATIVE PERSONNEL (ASAP)

ACTION:

- 1) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE CITY EMPLOYEES ASSOCIATION (ICEA), ADOPTED JUNE 27, 2006
- 2) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF

- IRVINE AND THE IRVINE PROFESSIONAL EMPLOYEES ASSOCIATION (IPEA), ADOPTED JUNE 27, 2006
- 3) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE ASSOCIATED SUPERVISORY/ADMINISTRATIVE PERSONNEL (ASAP), ADOPTED JUNE 27, 2006

3.16 BUDGET ADJUSTMENT TO TRANSFER FUNDS FROM INFRASTRUCTURE AND REHABILITATION FUND AND ESTABLISH TWO NEW CIP PROJECTS

ACTION:

- 1) Approve transfer of \$700,000 from the Infrastructure and Rehabilitation Fund, and establish a new Capital Improvement Project for Major ADA Upgrades and Painting Improvements at the Irvine Station (formerly Irvine Transportation Center).
- 2) Approve transfer of \$350,000 from the Infrastructure and Rehabilitation Fund, and establish a new Capital Improvement Project for the Animal Care Center Roof Structure.

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 APPROVAL OF CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FIXED RATE TAX EXEMPT REVENUE BONDS

ACTION:

- 1) Open the public hearing; receive public input; City Council comments and questions.
- 2) Close the public hearing.
- 3) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, APPROVING THE ISSUANCE OF TAX-EXEMPT REVENUE BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR THE PURPOSE OF FINANCING STUDENT

HOUSING FACILITIES ON THE CAMPUS OF THE UNIVERSITY OF CALIFORNIA, IRVINE

5. COUNCIL BUSINESS

5.1 ORDINANCE RELATING TO CITY DETERMINATIONS OF CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT

ACTION: Introduce for first reading and read by title only ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADDING DIVISION 12 TO TITLE 2 OF THE IRVINE MUNICIPAL CODE RELATING TO CITY DETERMINATIONS OF CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT

5.2 RESOLUTION IMPLEMENTING A STANDARDIZED CONTRACTOR PREQUALIFICATION PROCEDURE

ACTION: Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE IMPLEMENTATION OF A STANDARDIZED PREQUALIFICATION PROCEDURE AND ESTABLISHING AN ADMINISTRATIVE HEARING PROCESS FOR PREQUALIFICATION APPEALS AS REQUIRED BY CURRENT LAW

5.3 STRATEGIC PLAN FOR CHILDREN, YOUTH AND FAMILIES

ACTION:

- 1) Receive staff report; receive public input, City Council comments and questions.
- 2) Receive the 2008-2013 Strategic Plan for Children, Youth, and Families document as prepared by Gibson and Associates.
- 3) Receive the Child Care Study document as prepared by the Children and Family Futures.
- 4) Approve Strategic Plan for Children, Youth and Families -- Implementation Matrix.
- 5) Approve the establishment of a Strategic Plan for Children, Youth, and Families Advisory Committee of the Community Services Commission, and direct staff to take necessary steps to hold the initial meeting of the Committee before the end of September 2008.

5.4 PUBLIC FACILITIES PLANNING PROCESS

ACTION:

- 1) Direct staff to proceed with the design phase for Scenario One of the new Public Safety Facility, Operations Support Facility expansion and Civic Center renovation.
- 2) Authorize \$7.1 million for the design phase including a ten percent contingency at the discretion of the City Manager to be funded from the initial Bowerman Landfill payment (\$5.8 million) and System Development Charge-Non Circulation (\$1.3 million) Fees.
- 3) Authorize the issuance of Request for Proposals for a Program Management at Risk (PMAR) firm for the design and construction of the new Public Safety Facility and Operations Support Facility expansion.
- 4) Authorize the City Manager to award the contract to the selected PMAR firms for the design and construction of the new Public Safety Facility and Operations Support Facility expansion.
- 5) Direct staff to proceed with analysis, development of project definitions, and cost estimates for any new community facilities or projects determined by the City Council and to return to the City Council with a list of potential projects for consideration and prioritization at a later date.
- 6) Direct staff, after future determination and prioritization by the City Council of any additional projects and facilities, to develop a funding and financing plan and supporting financial policies.

5.5 SHORT-TERM LIBRARY IMPROVEMENTS FOR UNIVERSITY AND HERITAGE PARK LIBRARIES

ACTION:

- 1) Offer \$100,000 City contribution toward unfunded maintenance improvements for University and Heritage Park libraries under the condition that the County of Orange fund the remaining balance of \$110,600.
- 2) Extend for another 30 days the follow up report to City Council regarding the Library Services Advisory Committee recommendations and funding options for short-term improvements at existing libraries.
- 3) Authorize the City Manager to execute the Memorandum of Understanding (MOU) with the County of Orange pending the County's budget appropriation of matching funds for library maintenance improvements.

5.6 PROTECTION OF EMAIL ADDRESSES AND OTHER PERSONAL INFORMATION

ACTION: City Council discussion and direction.
END COUNCIL BUSINESS

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

ADJOURNMENT

Next Meeting: CITY COUNCIL REGULAR meeting, June 10, 2008, 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 2nd and 4th 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. 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 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.

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.

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 legislative body. 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 legislative body 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 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. 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.

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 90th 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

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