



AGENDA

Steven Choi
Mayor

Jeffrey Lalloway
Mayor Pro Tempore

Larry Agran
Councilmember

Beth Krom
Councilmember

Christina Shea
Councilmember

CITY COUNCIL REGULAR MEETING

**November 26, 2013
4:00 PM**

**City Council Chamber
One Civic Center Plaza
Irvine, CA 92606**

Speaker's Card/Request to Speak: If you would like to address the City Council on a scheduled agenda item – including a Consent Calendar item, a Regular Council Business item, a Public Hearing item, or Public Comments – 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 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. It also ensures the accurate identification of meeting participants in the City Council minutes. Your name will be called at the time the matter is heard by the City Council. City policy is to limit public testimony to up to three minutes per speaker depending on relevant circumstances (unless the time limit is extended by the Mayor), which includes the presentation of electronic or audio visual information. Speakers may not yield their time to other persons.

Please take notice that the order of scheduled agenda items below and/or the time they are actually heard, considered and decided may be modified by the Mayor or the City Council during the course of the meeting, so please stay alert.

[CALL TO ORDER](#)

[ROLL CALL](#)

[PLEDGE OF ALLEGIANCE](#)

[INVOCATION](#)

MUSICAL PRESENTATION (NONE SCHEDULED)

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.

1. CONSENT CALENDAR

All matters listed under Consent Calendar are considered by the City Manager 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. See information for Speaker's Card/Request to Speak on first page.

1.1 MINUTES

ACTION:

Approve the minutes of an adjourned regular meeting of the Irvine City Council and adjourned regular joint with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency held on November 12, 2013.

1.2 PROCLAMATION

ACTION:

Proclaim November 22, 2013 as "A Day of Solemn Remembrance and Reflection on the Life of President John Fitzgerald Kennedy."

1.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopt - 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

1.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopt - 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

1.5 [ANNUAL ASSEMBLY BILL 1600 DEVELOPMENT FEE REPORT FOR FISCAL YEAR 2012-13](#)

ACTION:

Receive and file.

1.6 [FISCAL YEAR 2012-13 MEASURE M2 EXPENDITURE REPORT](#)

ACTION:

Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE FISCAL YEAR 2012-13 MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF IRVINE

1.7 [GRANT OF EASEMENT AND MAINTENANCE AGREEMENT FOR IRVINE COMMUNITY LAND TRUST AFFORDABLE HOUSING SITE](#)

ACTION:

Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING A GRANT OF EASEMENT AND MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF IRVINE AND THE IRVINE COMMUNITY LAND TRUST

1.8 [AMENDMENT TO CONSTRUCTION AND MAINTENANCE AGREEMENT WITH THE SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY FOR THE SAND CANYON GRADE SEPARATION PROJECT AND BUDGET ADJUSTMENT](#)

ACTION:

- 1) Authorize the Mayor to execute the amendment to construction and maintenance agreement with Southern California Regional Rail Authority for the Sand Canyon Grade Separation Project.
- 2) Approve a Budget Adjustment in the amount of \$766,840 to increase the expenditure amount in accordance with the contract amendment and related reimbursement to the City.

1.9 [NOTICE OF REVIEW FOR TRACT MAP NOS. 16708 IN ORCHARD HILLS, 17659 AND 17660 IN CYPRESS VILLAGE AND PENDING APPROVAL FOR TRACT MAP NOS. 16705, 16741 AND 17015 IN ORCHARD HILLS, 17613, 17620 AND 17621 IN CYPRESS VILLAGE, 17249 IN IRVINE BUSINESS COMPLEX AND 17523 IN PLANNING](#)

AREA 5B

ACTION:

Receive and file.

1.10 FISCAL YEAR 2013-14 COMMUNITY DEVELOPMENT AND PUBLIC WORKS MID YEAR BUDGET ADJUSTMENT

ACTION:

- 1) Approve a Budget Adjustment to increase Developer Deposit Fund (005) revenues by \$300,000 and Developer Deposit expenditures by \$259,500.
- 2) Approve a Budget Adjustment to increase Building and Safety Fund (024) revenues by \$1,155,000 and Building and Safety expenditures by \$1,000,000.
- 3) Approve a Budget Adjustment to increase Development Engineering Fund (027) revenues by \$312,300 and Development Engineering expenditures by \$249,840.
- 4) Approve a Budget Adjustment to increase General Fund revenues and expenditures by \$40,000 and transfers to the General Fund of \$257,960 from the Developer Deposit, Building and Safety and Development Engineering Funds.

1.11 COMMUNITY PARTNERSHIP FUND GRANT NOMINATION

ACTION:

Approve Councilmember Shea's Community Partnership Fund Grant nomination to Warrior Foundation - Freedom Station in support of program costs and authorize the City Manager to prepare and execute a Funding Agreement.

1.12 ORANGE COUNTY GREAT PARK TRANSFER THE LEASE AGREEMENT FOR THE RV STORAGE OPERATION FROM ALL STAR SERVICES, INC. TO GUARDIAN TECHNICAL SERVICES, INC. AND AMEND THE TERMS AND CONDITIONS OF THE LEASE AGREEMENT

ACTION:

- 1) Authorize the consent to transfer the lease from All Star Services, Inc. to Guardian Technical Services, Inc., and to approve and authorize the City Manager to execute, in substantial final form, the attached amended lease agreement.
- 2) Approve a budget adjustment modifying RV storage revenues for Fiscal Year 2013-14.

2. 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 are requested to 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.

2.1 HERITAGE FIELDS PROJECT 2012 SECOND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR GENERAL PLAN AMENDMENT AND ZONE CHANGE IN PLANNING AREAS 30 AND 51

ACTION:

- 1) Receive staff report.
- 2) Reopen the public hearing; receive public input.
- 3) Close the public hearing.
- 4) City Council comments and questions.
- 5) Adopt Planning Commission recommendation:

Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CERTIFYING THE SECOND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2022101020, 00538162-PCLE) AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE HERITAGE FIELDS PROJECT 2012 GENERAL PLAN AMENDMENT AND ZONE CHANGE, FILED BY FIVE POINT COMMUNITIES ON BEHALF OF HERITAGE FIELDS EL TORO, LLC; LOCATED IN PLANNING AREAS 30 AND 51

3. COUNCIL BUSINESS

3.1 SECOND ADJACENT LANDOWNER AGREEMENT BETWEEN CITY OF IRVINE AND HERITAGE FIELDS EL TORO, LLC

ACTION:

- 1) It is recommended that the City Council consider the details of the proposal before it and determine whether the City will enter into the Second Agreement with City of Irvine as Adjacent Landowner (ALA II) proposed by Five Point Communities, together with the associated Ground Leases and Maintenance Agreements.
- 2) If the City Council elects to enter into the ALA II, Ground Leases, and Maintenance Agreements, it is recommended that the City Council withdraw its prior approval of the Western Sector Phase II Capital Improvement Program (CIP #371404) and re-allocate funds to one or more Capital Improvement Programs designed to improve the Western Sector of the Orange County Great Park and fund capital projects associated with expedited development of the Orange County Great Park under the ALA II.
- 3) If the City Council elects to enter into the ALA II, Ground Leases, and

Maintenance Agreements, it is recommended that the City determine whether the “Design Package” proposed by Heritage Fields is substantially in conformance with the Orange County Great Park Master Plan.

- 4) If the City Council finds that the Design Package is substantially in conformance with the Orange County Great Park Master Plan, then it is recommended that the City Council approve the Design Package as a “Park Design” in accordance with Irvine Zoning Code Section 2-22-5.
- 5) If the City Council finds that the Design Package is not substantially in conformance with the Orange County Great Park Master Plan, then it is recommended that the City Council direct staff to commence processing of an amendment to the Great Park Master Plan, so that such amendment will be completed in accordance with City procedures and the requirements of the ALA II.

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4. PUBLIC HEARINGS (CONT)

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 are requested to 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 GENERAL PLAN AMENDMENT AND ZONE CHANGE IN PLANNING AREAS 30 AND 51 (GREAT PARK NEIGHBORHOODS)

ACTION:

- 1) Receive staff report.
- 2) Reopen the public hearing, receive public input.
- 3) Close the public hearing.
- 4) City Council comments and questions.
- 5) Adopt Planning Commission recommendations:

A) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT (00537028-PGA) TO COMBINE PLANNING AREA 30 AND AN 11-ACRE PARCEL LOCATED IN PLANNING AREA 9 INTO PLANNING AREA 51; DELETE REFERENCES TO PLANNING AREA 30 THROUGHOUT THE GENERAL PLAN; AMEND THE LAND USE DESIGNATION FOR THE 11-ACRE PARCEL TO BE ORANGE COUNTY GREAT PARK; AMEND GENERAL PLAN TABLES A-1 AND A-2 TO REFLECT SHIFTS OF INTENSITY

BETWEEN RESIDENTIAL AND NON-RESIDENTIAL CATEGORIES AND ADD THE 11-ACRE PARCEL IN TABLE A-2; AMEND THE APPROPRIATE GENERAL PLAN FIGURES TO ELIMINATE ROCKFIELD BOULEVARD FROM THE EASTERN PROJECT BOUNDARY TO MARINE WAY CONTINGENT UPON APPROVAL BY THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA); MODIFY GENERAL PLAN OBJECTIVE B-1, TO IDENTIFY WHERE LEVEL OF SERVICE "E" IS CONSIDERED ACCEPTABLE; AMEND GENERAL PLAN FIGURE G-1 TO DEPICT THE LOCATION OF A FUTURE HIGH SCHOOL; AND REVISE GENERAL PLAN FIGURE L-2 TO DEPICT THE RELOCATED WILDLIFE CORRIDOR FEATURE; FILED BY FIVE POINT COMMUNITIES, ON BEHALF OF HERITAGE FIELDS EL TORO, LLC FOR THE GREAT PARK NEIGHBORHOODS DEVELOPMENT; LOCATED IN PLANNING AREAS 30 AND 51

B) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SECOND AMENDMENT TO DENSITY BONUS AGREEMENT BY AND BETWEEN THE CITY OF IRVINE, A CALIFORNIA MUNICIPAL CORPORATION, AND HERITAGE FIELDS EL TORO, LLC, A DELAWARE LIMITED LIABILITY COMPANY

C) Introduce for first reading and by title only – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE (00537029-PZC) TO REZONE AN 11-ACRE PARCEL AND THE ENTIRE PLANNING AREA 30 TO 8.1/8.1B TRAILS AND TRANSIT ORIENTED DEVELOPMENT DISTRICT AND COMBINE THESE PROPERTIES INTO PLANNING AREA 51; REZONE PROPERTY TO 1.4 PRESERVATION TO ACCOMMODATE THE RELOCATED WILDLIFE CORRIDOR FEATURE FOR SEGMENTS 2 AND 3, AND REZONE THE FORMER LOCATION OF THE WILDLIFE CORRIDOR FEATURE TO 8.1 TRAILS AND TRANSIT ORIENTED DEVELOPMENT DISTRICT; MODIFY THE RESIDENTIAL AND NON-RESIDENTIAL INTENSITY FOR A MAXIMUM 9,500 RESIDENTIAL UNITS AND 6,135,200 SQUARE FEET OF NON-RESIDENTIAL INTENSITY IN PLANNING AREA 51; AND OTHER MINOR AMENDMENTS TO THE ZONING ORDINANCE TO IMPLEMENT THE PROJECT; FILED BY FIVE POINT COMMUNITIES ON BEHALF OF HERITAGE FIELDS EL TORO, LLC FOR THE GREAT PARK NEIGHBORHOODS DEVELOPMENT; LOCATED IN PLANNING AREAS 30 AND 51

4.2 [ZONE CHANGE TO PROHIBIT BATTING CAGE\(S\) ON RESIDENTIAL LOTS CITYWIDE AND REVISIONS TO CERTAIN DEVELOPMENT](#)

STANDARDS IN PLANNING AREA 4 (LOWER PETERS CANYON)

ACTION:

- 1) Open the public hearing.
- 2) Continue the public hearing to the meeting of December 10, 2013 at 4 p.m.

PUBLIC COMMENTS - Public comments will be heard at approximately 6:30 p.m. or prior to adjournment, whichever occurs earlier.

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 Comments; however, no action may be taken on matters that are not part of the posted agenda. See information for Speaker's Card/Request to Speak on the first page.

ADJOURNMENT

NOTICE TO THE PUBLIC

LIVE BROADCASTING AND REBROADCASTING

Regular City Council meetings are broadcast live every 2nd and 4th Tuesday of the month at 4 p.m. and are replayed on Tuesdays at 4 p.m. (in weeks in which there is not a live City Council meeting), Sundays at 11 a.m., Wednesdays at 7 p.m., and Thursdays at 7 p.m. until the next City Council meeting. All broadcasts can be viewed on Cox Communications Local Access Channel 30 and U-Verse Channel 99. City Council meetings are also available via live webcast and at any time for replaying through the City's ICTV webpage at cityofirvine.org/ictv. 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 cityofirvine.org 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 cityofirvine.org/ictv.

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)724-6253 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 that is not filed within this 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 AND ELECTRONIC DEVICES

To minimize distractions, please be sure all personal communication and electronic 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 at the following locations:

- City Clerk’s Office
- Police Department
- 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 accordance with law in the posting book located in the Public Safety Lobby of City Hall, One Civic Center Plaza, Irvine, California on _____ by _____ as well as on the City’s web page.

/s/ Marie Macias
Marie Macias, MMC
Interim City Clerk