



AGENDA

CITY COUNCIL REGULAR MEETING October 25, 2011 4:00 PM

Sukhee Kang
Mayor

Beth Krom
Mayor Pro Tempore

Larry Agran
Councilmember

Steven Choi
Councilmember

Jeffrey Lalloway
Councilmember

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, 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. 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. SCOPING SESSION

1.1 [SCOPING SESSION FOR A GENERAL PLAN AMENDMENT FOR NEW RESIDENTIAL IN IRVINE SPECTRUM PLANNING AREA 33](#)

ACTION:

- 1) Receive staff report.
- 2) Provide direction regarding scope of proposed amendments.

2. [CLOSED SESSION](#)

- 2.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Government Code § 54956.9(c) (two items): Consideration of whether to initiate litigation concerning (1) expansion and operations plans of County of Orange for Musick Jail, and (2) California Department of Finance denial of City appeal relating to Redevelopment Agency opt-in payment.**

RECONVENE TO THE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

3. PRESENTATIONS

- 3.1 Proclaim October 22-30, 2011 as "Red Ribbon Week."**

- 3.2 Employee Recognition - 25 Years of Service**

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.

4. 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. 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.

4.1 MINUTES

ACTION:

Approve the minutes of a regular meeting of the Irvine City Council

held on October 11, 2011.

4.2 PROCLAMATIONS/COMMENDATIONS

ACTION:

- 1) Proclaim November, 2011 as "National American Indian Heritage Month."
- 2) Commend William R. Watt, President of the Orange County Chapter of the Building Industry Association of Southern California.
- 3) Commend Change a Life Foundation for 10 years of Philanthropy.
- 4) Proclaim November 9, 2011 "Claire Trevor School of the Arts Day."

4.3 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

4.4 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

4.5 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

4.6 REVISED PROCEDURES FOR WALL OF RECOGNITION PROGRAM

ACTION:

Approve revised procedures for Wall of Recognition Program.

4.7 LEASE WITH SOUTHERN CALIFORNIA EDISON FOR CONSTRUCTION OF A ZERO NET ENERGY HOME

ACTION:

Approve a lease, in substantial conformity to the form attached to the

staff report, with Southern California Edison for the construction of a Zero Net Energy Home at the Orange County Great Park.

Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.

4.8 AMENDMENT TO GREEN RIBBON ENVIRONMENTAL COMMITTEE BYLAWS

ACTION:

Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE OUTLINING THE POWERS, DUTIES AND BYLAWS OF THE IRVINE GREEN RIBBON ENVIRONMENTAL COMMITTEE

4.9 ACCEPTANCE OF 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

ACTION:

- 1) Accept a 2011 Edward Byrne Memorial Justice Assistance Grant award in the amount of \$12,855 as a subgrantee of the County of Orange.
- 2) Authorize the City Manager to approve and execute, and the City Clerk to attest to, an Agreement to Transfer Funds associated with the 2011 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program between the County of Orange and the City of Irvine.
- 3) Authorize \$2,442 of the Edward Byrne Memorial Justice Assistance Grant to be utilized by the County of Orange to provide partial funding of the Pro-Active Methamphetamine Laboratory Investigative Team and to administer the grant.
- 4) Approve a budget adjustment request in the amount of \$12,855, reflecting an increase in revenues and appropriations.

4.10 ORDINANCE NO. 11-14 , APPROVAL OF ANIMAL WELFARE ORDINANCE TO PROHIBIT RETAIL SALES OF DOGS AND CATS, CIRCUSES FEATURING WILD OR EXOTIC ANIMAL ACTS, AND RODEOS IN THE CITY OF IRVINE

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 11-14 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING SECTION 4-5-506, 4-5-1111, AND

4-5-1112 TO THE IRVINE MUNICIPAL CODE, AND AMENDING SECTIONS 4-5-101, 4-5-501 AND 4-5-515 OF THE IRVINE MUNICIPAL CODE RELATING TO THE PROHIBITION OF RETAIL SALE OF DOGS AND CATS IN COMMERCIAL ESTABLISHMENTS, AND THE PROHIBITION OF CIRCUSES DISPLAYING OR EXHIBITING WILD OR EXOTIC ANIMAL ACTS AND RODEOS

Unless otherwise directed by a member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.

4.11 APPOINTMENT TO THE BOARD OF DIRECTORS OF THE IRVINE BARCLAY THEATRE OPERATING COMPANY

ACTION:

Appoint Michelle Grettenberg, Assistant to the City Manager, to the Irvine Barclay Theatre Operating Company Board of Directors.

4.12 HARVARD AVENUE RAILROAD CROSSING QUIET ZONE

ACTION:

- 1) Direct Staff to File Notice of Intent to Create New Quiet Zone at Harvard Avenue Railroad Crossing.
- 2) Direct Staff to File Notice of Establishment to Create New Quiet Zone at Harvard Avenue Railroad Crossing.

4.13 COMMUNITY PARTNERSHIP FUND GRANT NOMINATION - IRVINE GIRLS SOFTBALL ASSOCIATION (IGSA)

ACTION:

- 1) Approve community partnership grant award to the Irvine Girls Softball Association (IGSA).
- 2) Authorize the City Manager to prepare and sign Funding Agreements.

END CONSENT CALENDAR

5. COUNCIL BUSINESS

5.1 REVIEW OF ADDRESSES FOR EXISTING NON-RESIDENTIAL BUILDINGS

ACTION:

- 1) Existing buildings where address numerals are missing:

- As part of enforcing current Security Code requirements for address numerals on buildings, work with the property owner to provide visibility for the replaced address numerals through landscape management and monument signs at site entries where warranted.
- 2) Existing sites being renovated or reimaged:
Review and improve the visibility of street address numerals through landscape management, providing monument signs at site entries and providing on-site wayfinding signage as warranted.
 - 3) Existing sites where a building is accessed from a street other than the one from which it is addressed:
Work with the property owner to provide a combination of directional and monument signage on a voluntary basis if it does not currently exist.
 - 4) Location of address numerals on buildings:
Recommend that address numerals be placed near the top of the 30 foot maximum height range prescribed by the Security Code where feasible. Additional address numerals may be voluntarily placed above 30 feet at the top of buildings to provide additional visibility and will not reduce the sign area allowed by the Zoning Code.

5.2 HEALTHY CITY HEALTHY PLANET INITIATIVE

ACTION:

Approve the Healthy City Healthy Planet Initiative.

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

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

ADJOURNMENT

NOTICE TO THE PUBLIC

LIVE BROADCASTING

Regular 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.

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.

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 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 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
- 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, MMC
City Clerk

