

BETH KROM
Mayor

LARRY AGRAN
Mayor Pro Tempore

STEVEN CHOI
Councilmember

SUKHEE KANG
Councilmember

CHRISTINA SHEA
Councilmember



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 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) - Agency Negotiators: Dave Larsen, Assistant City Attorney - Rutan & Tucker; Rick Paikoff, Director of Administrative Services; Jan Walden, Manager of Human Resources; and Brian King, Senior Management Analyst. Employee Organizations: Irvine Police Association (IPA) and Irvine Police Management Association (IPMA).

**1.2 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**

[RECONVENE TO THE CITY COUNCIL MEETING - 5:00 P.M.](#)

PLEDGE OF ALLEGIANCE/COLOR GUARD

MOMENT OF SILENCE

MUSICAL PRESENTATION

2. PRESENTATIONS

- 2.1 ***University of California Irvine's Vice Chancellor Wendell Brase to present information about UC Irvine's sustainability and green energy effort.***
- 2.2 ***Recognition of the dedication of the Donald Bren Hall at the University of California, Irvine.***
- 2.3 ***Irvine Unified School District and City of Irvine "Cans for Cash" recycling contest promotion.***
- 2.4 ***October 3, 2007 as "International Walk-to-School Day."***

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:

- 1) Approve the minutes of a regular meeting of the Irvine City Council held on August 14, 2007.
- 2) Approve the minutes of an adjourned regular meeting of the Irvine City Council held on September 4, 2007.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclamation honoring the commitment and sacrifice of the United States Armed Forces.
- 2) Proclamation in recognition of the dedication of "Donald Bren Hall."
- 3) Proclamation celebrating the 50th Anniversary of California State University, Fullerton.
- 4) Proclaim September 17-23, 2007 as "Constitution Week."
- 5) Proclaim September 17-23, 2007 as "Pollution Prevention Week."
- 6) Proclaim September 24, 2007 as "Family Day – A Day to Eat Dinner with Your Children."
- 7) Proclaim October 3, 2007 as "Walk to School Day."

3.3 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

3.4 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

3.5 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

3.6 IRVINE ANIMAL CARE CENTER SHELTERING SERVICES TO CITY OF COSTA MESA AND AMENDMENTS TO THE POSITION CONTROL RESOLUTION, THE MANAGEMENT RESOLUTION AND THE SALARY GRADE RESOLUTION TO ADD FULL-TIME VETERINARIAN TO STAFF

ACTION:

- 1) Approve contract to provide sheltering services to the City of Costa Mesa.
- 2) Adopt 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 2007-2008 FISCAL YEAR AND REPEALING RESOLUTION NO. 07-83 AUTHORIZING FULL-TIME POSITIONS.
- 3) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR MANAGEMENT AND NON-REPRESENTED EMPLOYEES (EXEMPT) OF THE CITY OF IRVINE, AND REPEALING RESOLUTION NO. 06-78, EFFECTIVE THE PAY PERIOD THAT INCLUDES AUGUST 14, 2007.
- 4) Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING RESOLUTION NO. 07-82 WHICH IS INCONSISTENT THEREWITH, EFFECTIVE THE PAY PERIOD THAT INCLUDES AUGUST 14, 2007 UNLESS OTHERWISE NOTED.
- 5) Approve Budget Adjustment to FY 07-08 Budget Section 346 to increase the revenue projections for the Animal Care Center by \$120,000 and the staffing expenditures by \$98,000.

3.7 AUTHORIZE AN APPLICATION FOR STATE BUILDING EQUITY AND GROWTH IN NEIGHBORHOODS PROGRAM FUNDS

ACTION: Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE STATE OF CALIFORNIA, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE BUILDING EQUITY AND GROWTH IN NEIGHBORHOODS PROGRAM FOR A FIRST-TIME HOMEBUYER, DOWN PAYMENT ASSISTANCE PROGRAM AT THE 62-UNIT AFFORDABLE HOUSING

COMMUNITY KNOWN AS TRIBECA FLATS IN THE CENTRAL PARK DEVELOPMENT OF THE IRVINE BUSINESS COMPLEX

3.8 TARGET GRANT DONATION

ACTION:

- 1) Accept a \$2,000 grant donation from Target.
- 2) Approve a budget adjustment request form in the amount of \$2,000, reflecting an increase in revenues and appropriations.

3.9 401A DEFERRED COMPENSATION PLAN

ACTION: Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING THE 401A PLAN AND TRUST FOR EMPLOYEES COVERED BY THE CITY OF IRVINE'S CLASSIFICATION AND COMPENSATION POLICY FOR MANAGEMENT AND NON-REPRESENTED PERSONNEL

END OF 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 APPEAL OF PLANNING COMMISSION ACTION TO DENY CONDITIONAL USE PERMITS FOR TEN WIRELESS COMMUNICATIONS FACILITIES LOCATED IN THE PUBLIC RIGHTS-OF-WAY AND/OR PUBLIC UTILITY EASEMENTS IN TURTLE ROCK (PLANNING AREA 21)

ACTION:

- 1) Reopen the public hearing.
- 2) Continue the public hearing to November 27, 2007 at 4:00 p.m.

5. COUNCIL BUSINESS

5.1 AMEND THE BYLAWS OF THE SENIOR CITIZENS COUNCIL

ACTION: Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CITY COUNCIL RESOLUTION NO. 87-97 OUTLINING THE DUTIES,

RESPONSIBILITIES AND BYLAWS OF THE IRVINE SENIOR CITIZENS COUNCIL TO INCREASE THE SENIOR CITIZENS COUNCIL TO NINE MEMBERS, AND REPLACE THE TWO ELECTED POSITIONS WITH FOUR APPOINTMENTS FROM SENIOR-SERVING ORGANIZATIONS AND IMPLEMENT AN EMERITUS AND AMBASSADOR PROGRAM

5.2 CONSIDERATION OF SPONSORSHIP FOR NATIONAL TAE KWON DO "ATU HEALTH KICK" FUNDRAISER EVENT

ACTION: City Council discussion and direction.

END OF COUNCIL BUSINESS

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

ADJOURNMENT

Next Meeting: CITY COUNCIL REGULAR meeting, September 25, 2007, 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. 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.

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