

SUKHEE KANG
Mayor

LARRY AGRAN
Mayor Pro Tempore

STEVEN CHOI
Councilmember

BETH KROM
Councilmember

CHRISTINA SHEA
Councilmember



AGENDA

CITY COUNCIL ADJOURNED REGULAR MEETING

June 29, 2010
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 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. [CLOSED SESSION](#)

1.1 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** **(Pursuant to Government Code section 54956.9 subdivision (a)): *City of Tustin v. City of Irvine***

CASE NAME AND NUMBER:

City of Tustin v. City of Irvine, Fourth Appellate District Court of
Appeal Case No. G040749

City of Tustin v. City of Irvine, Fourth Appellate District Court of
Appeal Case No. G040758

City of Tustin v. City of Irvine, Fourth Appellate District Court of
Appeal Case No. G041113

City of Tustin v. City of Irvine, Fourth Appellate District Court of
Appeal Case No. G040757

City of Tustin v. City of Irvine, Fourth Appellate District Court of Appeal Case No. G040759
City of Tustin v. City of Irvine, Fourth Appellate District Court of Appeal Case No. G041107
City of Tustin v. City of Irvine, Orange County Superior Court Case No. 30-2009-00264696
City of Tustin v. City of Irvine, Orange County Superior Court Case No. 30-2008-00228855

- 1.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code section 54956.8). Property: 3150 Barranca Parkway (Irvine Roller Hockey Facility). Agency Negotiators: Sean Joyce, City Manager; Sharon Landers, Assistant City Manager and Brian Fisk, Director of Community Services. Under Negotiation: Price and terms**

RECONVENE TO THE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATION

2. PRESENTATIONS

- 2.1 Commend "Irvine Senior Travelers" for 25 Years of Service**
- 2.2 Recognition of Irvine Pony Baseball's 2010 Bronco Division American Championship Winners**
- 2.3 Proclaim June 25, 2010 as "The Commemoration of the 60th Anniversary of the Korean War."**

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 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.

3.1 MINUTES

ACTION:

Approve the minutes of an adjourned regular meeting of the Irvine City Council held on June 15, 2010.

3.2 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

3.3 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 TREASURER'S REPORT FOR THE QUARTER ENDED MARCH 31, 2010

ACTION:

Receive and file.

3.6 FINAL TRACT MAP NOS. 17348, 17357, 17360, 17361, 17367, 17374

AND 17375 NOTICE OF REVIEW AND PENDING APPROVAL FOR RESIDENTIAL CONDOMINIUMS IN WOODBURY, STONEGATE EAST, AND PORTOLA SPRINGS

ACTION:

Receive and file.

3.7 FISCAL YEAR 2010-11 ANNUAL MEASURE M ELIGIBILITY

ACTION:

- 1) Approve the Measure M Seven-Year Capital Improvement Program (CIP) for Fiscal Years 2010-11 through 2016-17.
- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AFFIRMING CONSISTENCY OF THE CIRCULATION ELEMENT FOR THE CITY OF IRVINE WITH THE MASTER PLAN OF ARTERIAL HIGHWAYS

3.8 CONTRACT FOR LEGAL ADVERTISING - FISCAL YEAR 2010-11

ACTION:

Award the contract for publication of legal notices for the City of Irvine for Fiscal Year 2010-11 to the Irvine World News and the Orange County Register; and authorize the Mayor to execute the necessary agreements.

3.9 ASSESSMENT DISTRICTS LETTER OF CREDIT SUBSTITUTIONS

ACTION:

- 1) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE ASSESSMENT DISTRICT NO. 89-10 UPDATES™ IMPROVEMENT BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A FIRST AMENDMENT TO REMARKETING AGREEMENT, A FIRST AMENDMENT TO PROTOCOL AGREEMENT AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS
- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE ASSESSMENT DISTRICT NO. 94-15 LIMITED OBLIGATION ADJUSTABLE RATE BONDS, APPROVING THE FORM OF AND AUTHORIZING THE

EXECUTION AND DELIVERY OF A REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A FIRST AMENDMENT TO REMARKETING AGREEMENT, A FIRST AMENDMENT TO PROTOCOL AGREEMENT AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

- 3) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE ASSESSMENT DISTRICT NO. 97-17 LIMITED OBLIGATION ADJUSTABLE RATE BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A FIRST AMENDMENT TO REMARKETING AGREEMENT, A FIRST AMENDMENT TO PROTOCOL AGREEMENT AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

3.10 RESOLUTIONS CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 2, 2010; REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION; AND ESTABLISHING REGULATIONS FOR CANDIDATES FOR MAYOR AND TWO MEMBERS OF THE CITY COUNCIL PERTAINING TO CANDIDATE STATEMENTS OF QUALIFICATIONS AND THE COST THEREOF

ACTION:

- 1) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 2, 2010 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY PROVISIONS OF THE CITY CHARTER
- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON TUESDAY, NOVEMBER 2, 2010 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE
- 3) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2010

3.11 AGREEMENT FOR SECURITY SERVICES BETWEEN THE CITY OF IRVINE AND HERITAGE FIELDS EL TORO, LLC, A DELAWARE LIMITED LIABILITY COMPANY

ACTION:

Authorize the City Manager to approve and execute and the City Clerk to attest to an extension of Agreement No. 5115 between the City of Irvine and Heritage Fields El Toro, LLC, a Delaware Limited Liability Company, the successor-in-interest to Heritage Fields El Toro, LLC, for security services at the former Marine Corps Air Station, El Toro commencing July 1, 2010.

3.12 APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE ORANGE COUNTY GREAT PARK CORPORATION FOR THE NATURE EDUCATION GARDEN AND LEARNING CENTER IN SUPPORT OF NATURE EDUCATION FACILITIES PROGRAM GRANT FUNDS

ACTION:

- 1) Approve in substantial final form the Memorandum of Understanding between the City of Irvine and the Orange County Great Park Corporation for submittal in support of the application for Nature Education Facilities Program Grant Funds.
- 2) Authorize the Chief Executive Officer to negotiate, and the City Manager to sign, an agreement with the Discovery Science Center for the lease of approximately 10.87 acres of land within the Great Park, including the former Officers' Club, for development, operation and maintenance of the grant funded Nature Education Garden and Learning Center facilities, provided the terms of the agreement are substantially consistent with those outlined in the staff report and in furtherance of the application for Nature Education Facilities Program Grant Funds.
- 3) Recommend the City Council commit \$2,500,000 of fund balance from Great Park Special Funds towards the capital costs of the project.
- 4) Approve formalizing the name of the site building, the former Officers' Club, to the O Club.

(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.)

3.13 MASTER AGREEMENT WITH THE GREAT PARK CONSERVANCY

ACTION:

Approve the Master Agreement, in substantial final form, and authorize the Mayor to execute the Master Agreement.

(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.)

3.14 ORANGE COUNTY GREAT PARK WESTERN SECTOR PARK DEVELOPMENT PLAN (PHASE 1) – NORTH LAWN PROJECT APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS – CIP 379090

ACTION:

Approve the plans, specifications, and contract documents for the Orange County Great Park Western Sector Park Development Plan (Phase 1) - North Lawn Project on file with the Orange County Great Park Corporation.

3.15 AMENDED LEGAL SERVICES AGREEMENTS

ACTION:

- 1) Authorize the Mayor to execute the amended legal services agreement with Rutan & Tucker, LLP.
- 2) Authorize the Mayor to execute the amended legal services agreement with Nossaman, LLP.

3.16 APPROVE EXTENSION AND AMENDMENT OF AGRICULTURAL LEASE WITH MANASSERO FARMS, OAKCREEK (PLANNING AREA 12)

ACTION:

Approve an Extension and Amendment of the Agricultural Lease between the City of Irvine and Manassero Farms (a Delaware corporation) and authorize the Mayor to execute the necessary documents.

3.17 PURCHASE OF A TABLE FOR THE JULY 31, 2010 JEWEL OF ORANGE COUNTY FUNDRAISING EVENT

ACTION:

Approve the purchase of a table for the July 31, 2010 Jewel of Orange County fundraising event at a total cost of \$5,000.

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 WATER QUALITY ORDINANCE AMENDMENTS

ACTION:

- 1) Receive staff report.
- 2) Open the public hearing; receive public input.
- 3) Close the public hearing.
- 4) City Council comments and questions.
- 5) Introduce for first reading and read by title only ORDINANCE NO. – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE CODE OF ORDINANCES OF THE CITY OF IRVINE BY AMENDING CHAPTER 3 OF DIVISION 8 "STORMWATER AND URBAN RUNOFF" TO TITLE 6 "PUBLIC WORKS" TO FURTHER IMPROVE WATER QUALITY AND COMPLY WITH STATE AND FEDERAL REQUIREMENTS ON THE CONTROL OF POLLUTANTS IN STORMWATER AND URBAN RUNOFF

4.2 CHANGES AND MODIFICATIONS FOR ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST)

ACTION:

- 1) Receive staff report.
- 2) Open the public hearing; receive public input.
- 3) Close the public hearing.
- 4) City Council comments and questions.
- 5) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ORDERING CHANGES AND MODIFICATIONS FOR ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST)

5. COUNCIL BUSINESS

5.1 CONSIDERATION OF POLICY INITIATIVES TO PROVIDE CONTINUING SUPPORT FOR EDUCATION AND A GREENER ENVIRONMENT

ACTION:

City Council discussion and direction.

END COUNCIL BUSINESS

PUBLIC COMMENTS (Limited to 3 minutes per speaker)

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
- 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 Adjourned 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