



# AGENDA

Steven Choi  
Mayor

Jeffrey Lalloway  
Mayor Pro Tempore

Larry Agran  
Councilmember

Beth Krom  
Councilmember

Christina Shea  
Councilmember

## CITY COUNCIL REGULAR MEETING

October 22, 2013  
4:00 PM

City Council Chamber  
One Civic Center Plaza  
Irvine, CA 92606

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**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.

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### CALL TO ORDER

### ROLL CALL

#### 1. SCOPING SESSION

##### 1.1 GENERAL PLAN AMENDMENT FOR A COMMERCIAL BUILDING INTENSITY TRANSFER FROM IRVINE SPECTRUM CENTER

**(PLANNING AREA 33) TO UNDEVELOPED LAND IN QUAIL HILL  
(PLANNING AREA 17)**

**ACTION:**

- 1) Receive staff report.
- 2) City Council comments and questions.

**2. CLOSED SESSION**

- 2.1 **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION – Pursuant to Government Code Section 54956.9(c): Consideration of whether to initiate litigation concerning Musick Jail expansion.**
- 2.2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(a) (two cases) (1) City of Irvine v. County of Orange, et al. (Orange County Superior Court Case No. 30-2013-00622921), (2) City of Irvine v. County of Orange, et al. (Court of Appeal, Fourth Appellate District, Division Three, Case No. GO47895).**

**RECONVENE TO THE CITY COUNCIL MEETING**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**MUSICAL PRESENTATION**

**3. PRESENTATIONS**

- 3.1 **Presentation of "HEAL - Active City" Certificate by Kaiser Permanente**
- 3.2 **Presentation by Transportation Corridor Agency (TCA) Regarding All-Electronic Toll Collection in 2014**

**CITY MANAGER'S REPORT**

**ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

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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.

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**ADDITIONS AND DELETIONS**

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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

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City Council meeting.

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**4. CONSENT CALENDAR**

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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.

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**4.1 MINUTES**

**ACTION:**

Approve the minutes of an adjourned regular meeting of the Irvine City Council held on October 8, 2013.

**4.2 PROCLAMATIONS**

**ACTION:**

- 1) Proclaim October 29, 2013 as the "90th Anniversary of The Republic of Turkey."
- 2) Proclaim November 2013 as "National American Indian Heritage Month."

**4.3 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

**4.4 RENEWED MEASURE M GRANT APPLICATIONS AND MASTER FUNDING AGREEMENT**

**ACTION:**

- 1) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBMITTAL OF FUNDING APPLICATIONS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM
- 2) Authorize the Mayor to sign Amendment No. 5 Master Funding Agreement No. C-1-2766 with the Orange County Transportation Authority for M2 Comprehensive Transportation Funding Programs.

**4.5 ORANGE COUNTY GREAT PARK ESTABLISHMENT OF THE WESTERN SECTOR PHASE II CAPITAL IMPROVEMENT PROGRAM**

**ACTION:**

- 1) Approve the Western Sector Phase II Capital Improvement Program, and establish a corresponding Capital Improvement Project.
- 2) Approve budget adjustments necessary to transfer up to \$28.9 million received for Planning Areas 33, 6, and 40 East, from Park In-Lieu Fees Fund 112 to Great Park Development Fund 286, as funds are received.
- 3) Approve an expenditure of \$16 million from Great Park funds for the first year of a three-year Western Sector Phase II Capital Improvement Program.

(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).

**4.6 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS**

**ACTION:**

- 1) Approve Councilmember Shea's Community Partnership Fund Grant nomination to The Children's Education Foundation in support of costs associated with Orange County's Gift of History Program.
- 2) Approve Councilmember Krom's Community Partnership Fund Grant nomination to the Silent River Film Festival in support of program costs.
- 3) Approve Councilmember Agran's Community Partnership Fund Grant nomination to Amyotrophic Lateral Sclerosis Association of Orange County in support of program costs.
- 4) Authorize the City Manager to prepare and sign Funding Agreements for each organization listed in Actions 1 through 3.

**4.7 DESIGNATION OF VOTING DELEGATES FOR NATIONAL LEAGUE OF CITIES 2013 ANNUAL BUSINESS MEETING**

**ACTION:**

Appoint Mayor Choi to serve as the voting delegate for the Annual Business Meeting following the National League of Cities 2013 Congress of Cities and Exposition.

**5. PUBLIC HEARINGS**

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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.

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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.

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**5.1 REQUEST TO RENAME FORTUNE DRIVE TO SPECTRUM CENTER DRIVE; SPECTRUM STREET TO QUASAR DRIVE; AND ENTERPRISE DRIVE TO ENTERTAINMENT WAY IN THE IRVINE SPECTRUM CENTER**

**ACTION:**

- 1) Receive staff report.
- 2) Open public hearing; receive public input.
- 3) City Council comments and questions.
- 4) Close public hearing.
- 5) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING STREET NAME CHANGE 00557781-PPA TO RENAME FORTUNE DRIVE TO SPECTRUM CENTER DRIVE; SPECTRUM STREET TO QUASAR DRIVE; AND ENTERPRISE DRIVE TO ENTERTAINMENT WAY IN THE IRVINE SPECTRUM CENTER; FILED BY PIRZADEH & ASSOCIATES, ON BEHALF OF IRVINE COMPANY RETAIL PROPERTIES

**5.2 BUILDING AND FIRE CODE ADOPTION**

**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 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS THAT REQUIRE CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA BUILDING STANDARDS CODE REASONABLY NECESSARY FOR BUILDING OCCUPANCIES IN THE CITY OF IRVINE
- 6) Introduce for first reading and read by title only – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING CHAPTERS 1, 2, 3 AND 4 OF DIVISION 9 OF SECTION 5 AND CHAPTER 9 OF DIVISION 7 OF SECTION 6 OF THE IRVINE MUNICIPAL CODE PERTAINING TO BUILDING AND FIRE CODE REGULATIONS

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

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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

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Speak on the first page.

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**ADJOURNMENT**

**NOTICE TO THE PUBLIC**

**LIVE BROADCASTING AND REBROADCASTING**

Regular City Council meetings are broadcast live every 2<sup>nd</sup> and 4<sup>th</sup> 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](http://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](http://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](http://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](mailto: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 90<sup>th</sup> 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](http://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