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# CITY COUNCIL AGENDA

BETH KROM

Mayor

SUKHEE KANG  
Mayor Pro Tempore

LARRY AGRAN  
Councilmember

STEVEN CHOI  
Councilmember

CHRISTINA SHEA  
Councilmember

## CITY COUNCIL REGULAR MEETING

September 27, 2005

4:00 P.M.

City Council Chamber  
One Civic Center Plaza

### NOTICE TO THE PUBLIC

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.

**ADDITIONS AND DELETIONS TO THE AGENDA:** 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.

**ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL COMMENTS:** 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.

**CONSENT CALENDAR ITEMS:** All matters listed under Consent Calendar are considered to be routine and all will be 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 Speaker's Form and give it to the City Clerk. (Please see information in "Request to Speak" section.

**PUBLIC COMMENT:** Any member of the public may address the City Council on items within the 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. Public comments are scheduled for 30 minutes and are limited to three minutes per person. If you wish to speak, please complete a Speaker's Form and submit to the City Clerk.

CITY COUNCIL – NOTICE TO THE PUBLIC

**SPEAKER’S CARD/REQUEST TO SPEAK:** If you would like to address the City Council on a scheduled agenda item, please complete the speaker’s card. 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 speaker’s card 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.

**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. 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.

**PUBLIC HEARINGS:** Public Hearings are scheduled for a time certain of 4:00 p.m. (unless noticed otherwise) or as soon thereafter as possible. City Council, when considering the matter scheduled for hearing, will take the following actions: 1) Open the Public Hearing. 2) Receive staff report. 3) Accept public testimony. 4) City Council comments and questions. 5) Take appropriate action. Those wishing to address the City Council during the Public Hearing must complete a “Request to Speak” form and provide it to the City Clerk prior to the hearing. If, in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing. Any person seeking to challenge a City Council decision made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that action 90 days following the date on which the decision becomes final as provided in Code of Civil Procedure Section 1094.6. Please refer to Code of Civil Procedure 1094.6 to determine how to calculate when a decision becomes “final.” **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.

**AMERICANS WITH DISABILITIES ACT:** 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 Jeri L. Stately, City Clerk, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at the time if you will need accommodations to attend or participate in meetings on a regular basis.

This agenda was prepared by the City Clerk. Regular meetings of the City Council are held on the second and fourth Tuesdays of each month at 4:00 p.m. However, study sessions and/or closed sessions are periodically held prior to the start of the regular meeting. The City Council Agenda is posted in the Police Department and available at your local library. It is also available through our FAX LIBRARY system. Simply dial (949) 724-6210 and request document number 100 anytime after 5:00 p.m. on the Friday prior to a City Council meeting. The Agenda may also be accessed through the City’s web page at [www.ci.irvine.ca.us](http://www.ci.irvine.ca.us)

STATE OF CALIFORNIA            )  
CITY OF IRVINE                    ) SS  
COUNTY OF ORANGE            )

I DECLARE UNDER PENALTY OF PERJURY that I am employed by the City of Irvine, in the City Clerk’s Department; and that I posted this agenda in the posting book located in the Public Safety Lobby of City Hall, One Civic Center Plaza.

Dated/Signed: \_\_\_\_\_

# FINAL AGENDA

## **IRVINE CITY COUNCIL REGULAR MEETING**

**September 27, 2005**

### **CALL TO ORDER**

**4:00 P.M.**

A regular meeting of the Irvine City Council will be called to order on September 27, 2005 at 4:00 p.m., in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California, by Mayor Krom, presiding officer.

### **ROLL CALL**

COUNCILMEMBER:	LARRY AGRAN
COUNCILMEMBER:	STEVEN CHOI
COUNCILMEMBER:	CHRISTINA SHEA
MAYOR PRO TEMPORE:	SUKHEE KANG
MAYOR:	BETH KROM

### **STUDY SESSION/WORKSHOPS/SCOPING SESSIONS**

**City Contracts Procurement and Management**

### **RECESS**

### **CLOSED SESSION**

- 1. LIABILITY CLAIMS (Pursuant to Government Code Section 54956.95)**
  - 1.1 Workers' Compensation: Case POM 0284024, Jeromy Birket**
- 2. PUBLIC EMPLOYMENT**

**2.1 City Manager and Assistant City Manager Recruitment**

**RECONVENE TO THE CITY COUNCIL MEETING - 5:00 P.M.**

**RECESS TO THE IRVINE REDEVELOPMENT AGENCY**

Please refer to the Irvine Redevelopment Agency Agenda

**RECONVENE TO THE CITY COUNCIL MEETING**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MUSICAL PRESENTATION**

**PRESENTATIONS**

- 1) Presentation by representative of Crime Survivors, Inc.
- 2) Community Services update on the Northern Sphere Hiking Trail plans for October 9, 2005 opening.

**INTRODUCTIONS**

**\*ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

**CITY MANAGERS REPORT**

**\*ADDITIONS AND DELETIONS**

**CONSENT CALENDAR (Item Nos. 3 through 8.2)**

\*Please refer to Notice to the Public, Pages i & ii

**\*PUBLIC COMMENTS (Limited to 3 minutes per speaker)**

**3. CITY COUNCIL MINUTES**

**3.1 APPROVAL OF CITY COUNCIL MINUTES**

**ACTION:** Approve the minutes of a special meeting of the Irvine City Council held on September 13, 2005.

**4. PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS**

**4.1 PROCLAIM THE FOLLOWING:**

**ACTION:** Southern California Association of Governments (SCAG) 40th Anniversary, October 28, 2005.

**5. AGREEMENTS**

**5.1 APPROVAL OF QUITCLAIM OF AN UNDERGROUND STORM WATER FACILITY EASEMENT ADJACENT TO TRABUCO ROAD, EAST OF JEFFREY ROAD (PLANNING AREA 9A, WOODBURY)**

**ACTION:** Approve the Easement Quitclaim Deed and authorize the Mayor to execute and the City Clerk to attest the Easement Quitclaim Deed to the Irvine Community Development Company LLC, subject to the City Attorney as to form.

**5.2 APPROVAL OF LICENSE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON FOR PARKS AND PUBLIC RECREATION PURPOSES ON THE NORTH SIDE OF BARRANCA PARKWAY BETWEEN VALLEY OAK AND SAND CANYON AVENUE (PLANNING AREA 12, OAKCREEK)**

**ACTION:** Approve License Agreement Account Number 3309 between the City of Irvine and Southern California Edison, and authorize the Mayor to execute and the City Clerk to attest said agreement, subject to the City Attorney approval as to form.

**5.3 EXECUTIVE MANAGEMENT CONSULTING SERVICES CONTRACT**

**ACTION:** Authorize the Acting City Manager to execute an agreement with the Rosenow Spevacek Group, Inc. for executive management consulting services.

\*Please refer to Notice to the Public, Pages i & ii

**6. ALLOCATION OF FUNDS**

**6.1 USE OF CITY FUNDS FOR AN AFFORDABLE HOUSING PROJECT WITHIN THE IRVINE BUSINESS COMPLEX**

**ACTION:** Adopt a Resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE REPEALING RESOLUTION 05-37 AND AUTHORIZING AN AFFORDABLE HOUSING DEVELOPMENT LOAN NOT TO EXCEED \$6,040,000 IN CITY FUNDS TO JAMBOREE HOUSING CORPORATION FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHWEST CORNER OF KELVIN AND MURPHY WITHIN THE IRVINE BUSINESS COMPLEX (PA 36)

**7. REPORTS**

**7.1 AFFORDABLE HOUSING STATUS REPORT**

**ACTION:** Receive and file.

**8. RESOLUTIONS**

**8.1 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA**

**ACTION:** Adopt a Resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ALLOWING CERTAIN CLAIMS AND DEMANDS TO BANK OF AMERICA AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID.

**8.2 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:** Adopt a Resolution entitled: 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.

\*Please refer to [Notice to the Public](#), Pages i & ii

**END OF CONSENT CALENDAR**

**COUNCIL BUSINESS**

**ORDINANCES**

**9. SECOND READING OF ORDINANCES**

**9.1 SECOND READING OF ORDINANCE: ZONE CHANGE 00356837-PZC AT 2801 KELVIN IN PLANNING AREA 36**

**ACTION:** Adopt and read by title only an ordinance entitled: ORDINANCE NO. 05-18 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00356837-PZC TO REVISE TEXT IN THE ZONING CODE AND CHANGE THE ZONING ON PARCEL 2, AS SHOWN ON A PARCEL MAP FILED IN BOOK 78, PAGES 12 AND 13, FROM 5.1 IBC MULTI-USE TO 5.3C IBC RESIDENTIAL; LOCATED AT THE NORTHEAST CORNER OF JAMBOREE ROAD AND KELVIN AVENUE; PLANNING AREA 36; FILED BY STARPOINTE VENTURES

**9.2 SECOND READING OF ORDINANCE: ZONE CHANGE 00350802-PZC APPLICATION TO TRANSFER SQUARE FOOTAGE FROM PLANNING AREAS 13 (SPECTRUM 4) TO 31 (SPECTRUM 6)**

**ACTION:** Adopt and read by title only an ordinance entitled: ORDINANCE NO. 05-19 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING A NEGATIVE DECLARATION AND APPROVING ZONE CHANGE 00350802-PZC, FOR THE TRANSFER OF 1,713,862 GROSS SQUARE FEET OF DEVELOPMENT INTENSITY FROM PLANNING AREA 13 (SPECTRUM 4) TO PLANNING AREA 31 (SPECTRUM 6)

**9.3 SECOND READING OF ORDINANCE: ZONE CHANGE 00376674-PZC TO RECONCILE INTENSITY CAPS WITH EXISTING BUILDING DEVELOPMENT, PLANNING AREA 35 (SPECTRUM)**

**ACTION:** Adopt and read by title only an Ordinance entitled: ORDINANCE NO. 05-20 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00376674-PZC TO AMEND ZONING CODE SECTION 9-35-3 TO RECONCILE ZONING CODE INTENSITY CAPS WITH EXISTING BUILDING DEVELOPMENT

\*Please refer to [Notice to the Public](#), Pages i & ii

IN THE COMMUNITY COMMERCIAL, VEHICLE-RELATED COMMERCIAL, AND PUBLIC INSTITUTIONAL ZONES; AND, TO AMEND ZONING CODE SECTION 9-35-5 TO MODIFY THE PLANNING AREA 35 ZONING MAP; AND, TO AMEND ZONING CODE SECTION 1-2-1 TO CLARIFY LAND USE DEFINITIONS RELATED TO VEHICLE LEASING; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

## **10. REPORTS**

### **10.1 CITYWIDE RESTRICTIONS ON COMMERCIAL GAMBLING**

**ACTION:**

- 1) Receive staff report.
- 2) Adopt a resolution entitled: RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS OPPOSITION TO CASINO GAMBLING OPERATIONS WITHIN THE CITY OF IRVINE

### **10.2 ESTABLISHMENT OF AN AD HOC LIBRARY TASK FORCE**

**ACTION:**

- 1) Appoint up to two members of the City Council to participate on the Ad Hoc Library Task Force.
- 2) Appoint a Chairperson from among City Council delegates to the Ad Hoc Library Task Force.
- 3) Authorize the City Council to each select a member at-large to participate on the Ad Hoc Library Task Force.
- 4) Approve a budget adjustment allocating \$75,000 to retain a consultant to provide technical expertise and research.

### **10.3 DELEGATION TO XUHUI DISTRICT, SHANGHAI, CHINA FOR THE PURPOSE OF ESTABLISHING A SISTER CITY RELATIONSHIP**

**ACTION:**

- 1) Designate up to two members of the Irvine City Council to participate as delegates in a fact-finding mission to the Xuhui District of the City of Shanghai, China for the purpose of establishing a Sister City relationship.

\*Please refer to Notice to the Public, Pages i & ii

- 2) Approve a budget adjustment to allocate \$8,000 to the City Manager's operating budget from the City's Fiscal Year 2005-2006 Strategic Surplus Fund to cover costs associated with this effort.

## 11. PUBLIC HEARINGS

### 11.1 PUBLIC HEARING: ZONE CHANGE APPLICATION TO AMEND PORTIONS OF THE CITY'S ZONING ORDINANCE TO ALLOW AUTOMATIC UPDATES OF THE IRVINE BUSINESS COMPLEX DEVELOPER FEES TO OCCUR ANNUALLY

**ACTION:**

- 1) Open public hearing
- 2) Receive staff report
- 3) Receive public input
- 4) City Council comments and questions
- 5) Close public hearing
- 6) Introduce for the first reading and read by title only and ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00391805-PZC TO ALLOW AUTOMATIC ANNUAL UPDATES OF THE IRVINE BUSINESS COMPLEX (IBC) DEVELOPMENT FEES

### 11.2 PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR CAMPUS CENTER APARTMENTS EXPANSION IN PLANNING AREA 36 (Continued from the meeting of September 13, 2005.)

**ACTION:**

- 1) Reopen public hearing.
- 2) Receive staff report.
- 3) Receive public input.
- 4) Council comments and questions.

\*Please refer to [Notice to the Public](#), Pages i & ii

- 5) Close public hearing.
- 6) Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE ENVIRONMENTAL ADDENDUM AND APPROVING GENERAL PLAN AMENDMENT 00367059-PGA FOR CAMPUS CENTER APARTMENTS EXPANSION LOCATED AT THE SOUTHEAST CORNER OF SCHOLARSHIP ROAD AND DIPLOMA; PLANNING AREA 36; FILED BY STARPOINTE VENTURES

- 7) Introduce for first reading and read by title only an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00367058-PZC TO CHANGE THE ZONING ON LOT 4 OF TRACT 16843 FROM 5.1 IBC MULTI-USE TO 5.3C IBC RESIDENTIAL; AND REVISE THE PLANNING AREA INTENSITY LIMITS LOCATED AT THE SOUTHEAST CORNER OF SCHOLARSHIP AND DIPLOMA; PLANNING AREA 36; FILED BY STARPOINTE VENTURES

**11.3 PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE IN PLANNING AREA 36, 2201 MARTIN; FILED BY KB HOME COASTAL (Continued from the meeting of September 13, 2005)**

**ACTION:**

- 1) Reopen public hearing.
- 2) Receive staff report.
- 3) Receive public comments.
- 4) Council comments and questions.
- 5) Close public hearing.
- 6) Adopt a resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AN ADDENDUM TO THE IBC ENVIRONMENTAL IMPACT REPORT AND APPROVING GENERAL PLAN AMENDMENT 00377768-PGA TO AMEND LAND USE TABLE A-1 OF THE GENERAL PLAN FOR THE 2201 MARTIN RESIDENTIAL PROJECT; LOCATED AT THE NORTHWEST CORNER OF MARTIN AND DOUGLAS; PLANNING AREA 36; FILED BY KB HOME COASTAL

\*Please refer to Notice to the Public, Pages i & ii

- 7) Introduce for first reading and read by title only an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00377769-PZC TO REVISE TEXT IN THE ZONING CODE AND CHANGE THE ZONING ON LOT 2 OF TRACT 8299, AS SHOWN ON MAP FILED IN BOOK 340, PAGES 44 TO 47, FROM 5.1 IBC MULTI-USE TO 5.3A IBC RESIDENTIAL; LOCATED AT THE NORTHWEST CORNER OF MARTIN AND DOUGLAS; PLANNING AREA 36; FILED BY KB HOME COASTAL

**END COUNCIL BUSINESS**

**\*PUBLIC COMMENTS (Limited to 3 minutes per speaker)**

**ADJOURNMENT**

Adjourn to a CITY COUNCIL REGULAR meeting, October 11, 2005, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

**NOTICE TO THE PUBLIC**

The foregoing does constitute the final agenda.

The agenda is available through our FAX LIBRARY system. Simply dial (949)724-6210 and request document number 100 anytime after 5:00 p.m., on the Friday prior to a City Council meeting. The agenda may also be accessed through the City's Web page at [www.ci.irvine.ca.us](http://www.ci.irvine.ca.us)

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