
CITY COUNCIL AGENDA

BETH KROM

Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember

CITY COUNCIL SPECIAL MEETING

April 26, 2005

3:00 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

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: _____

A G E N D A

IRVINE CITY COUNCIL SPECIAL MEETING

April 26, 2005

NOTICE TO THE PUBLIC

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CALL TO ORDER

3:00 P.M.

A special meeting of the Irvine City Council will be called to order on April 26, 2005 at 3:00 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

*****RECESS*****

*****CLOSED SESSION*****

1. PUBLIC EMPLOYMENT (Pursuant to Government Code Section 54957)

1.1 CITY MANAGER RECRUITMENT

2. CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6)

2.1 Agency Negotiators: Rick Paikoff, Director of Administrative Services; Jan Walden, Manager of Human Resources; Dave Larsen, Rutan & Tucker Employee Organizations: Irvine Police Association (IPA); Irvine Police Management Association (IPMA)

*****RECONVENE TO THE CITY COUNCIL MEETING - 4:00 P.M.*****

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

PLANNING AREAS 18, 33, 34, AND 39 GENERAL PLAN AMENDMENT SCOPING SESSION AND PROJECT OVERVIEW (Submitted by Community Development/ Planning Services)

*****RECESS*****

*****CONVENE TO THE IRVINE REDEVELOPMENT AGENCY MEETING *****

Please see Irvine Redevelopment Agency Agenda.

*****RECESS*****

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

PLEDGE OF ALLEGIANCE

The Irvine Police Department Color Guard will be leading the Pledge of Allegiance. (Submitted by Public Safety)

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

MOMENT OF SILENCE

MUSICAL PRESENTATION

Stonecreek Elementary School Second Graders will perform "Hard Knock Life."

PRESENTATIONS

- 1) Commending Lars-Ake Skager, former Lord Mayor of Gothenburg and Chairman of the Aspen Accord
- 2) Assistance League of Irvine Presents the Young Masters Art Exhibit
- 3) National Police Week - May 15-21, 2005
- 4) Irvine Community Drug Prevention (ICDP) - Pizza Night Check Presentation

INTRODUCTIONS

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

***ADDITIONS AND DELETIONS**

*******CONSENT CALENDAR (Item Nos. 3 through 8.1)*******

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

3. CITY COUNCIL MINUTES

3.1 APPROVAL OF CITY COUNCIL MINUTES (Submitted by City Clerk)

ACTION: Approve the minutes of a regular meeting of the City Council held on April 12, 2005.

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

4. PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS

4.1 PROCLAIM THE FOLLOWING:

- a) ALS Awareness Month - May 2005
- b) Cure Children's Cancer Month - May 2005 and 7th Annual "Reaching for the Cure" 10K Run/5K Walk - May 15, 2005
- c) National Mental Health Month - May 2005
- d) National Police Week - May 15-May 21, 2005 and Peace Officers' Memorial Day - May 15, 2005

4.2 RATIFY THE FOLLOWING:

- a) National Youth Service Days - April 15-17, 2005

5. AGREEMENTS

5.1 APPROVAL OF MAP, BONDS, AND AGREEMENTS FOR TRACT MAP NO. 16580 (ALL OF TENTATIVE TRACT MAP NO. 16580, PLANNING AREA 38, WESTPARK II) (Submitted by Public Works/Development Engineering)

ACTION:

- 1) Approve Tract Map No. 16580.
- 2) Approve the agreements and accept the security from Tustin Vistas Partners, LLC, guaranteeing improvements for Tract Map No. 16580.
- 3) Authorize the Mayor to sign the agreements and the City Clerk to attest to the agreements subject to City Attorney approval as to form.
- 4) Accept the dedication of an easement for public street and public utility purposes within Tract Map No. 16580 for the following street right-of-way: Sweet Shade.
- 5) Accept the dedication of an easement for emergency and public service vehicular ingress-egress as shown on the map.
- 6) Accept the dedication of storm drain easements as shown on the map.

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

- 7) Adopt a resolution entitled: **RESOLUTION NO. -A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE STREET NAMED SWEET SHADE, WITHIN TRACT MAP NO. 16580 INTO THE SYSTEM OF CITY STREETS**

5.2 APPROVAL OF BOND AND AGREEMENT FOR CONDITIONAL USE PERMIT NO. 352083-PCPU FOR THE MODIFICATION OF PHASE TWO OF THE KAISER PERMANENTE MEDICAL CENTER (PLANNING AREA 13, IRVINE SPECTRUM 4) (Submitted by Public Works/Development Engineering)

ACTION:

- 1) Approve the site improvement agreement to allow the construction of private streets and storm drain lines and accept the security from Kaiser Foundation Health Plans guaranteeing improvements for Conditional Use Permit No. 352083-PCPU.
- 2) Authorize the Mayor to sign the agreement and the City Clerk to attest to the agreement subject to City Attorney approval as to form.

5.3 REIMBURSEMENT AGREEMENT WITH TUSTIN VISTAS PARTNERS, LLC FOR PROPOSED COMMUNITY FACILITIES DISTRICT NO. 2005-2 (COLUMBUS GROVE) (Submitted by Administrative Services/Fiscal Services)

ACTION:

- 1) Authorize the City Manager to execute a Reimbursement Agreement and the City Clerk to attest to the agreement subject to City Attorney approval as to form with Tustin Vistas Partners, LLC for costs associated with proposed Community Facilities District No. 2005-2 (Columbus Grove).
- 2) Approve a budget adjustment in the amount of \$50,000 pursuant to the Reimbursement Agreement between the City of Irvine and Tustin Vistas Partners, LLC.

5.4 800 MHZ COUNTYWIDE COORDINATED COMMUNICATIONS SYSTEM JOINT AGREEMENT (Submitted by Public Safety/Administration)

ACTION: Approve the terms of the Joint Agreement for the Operation, Maintenance, and Financial Management of the Orange County 800 MHz Countywide Coordinated Communications System and authorize the Mayor to execute and the City Clerk to attest the Joint Agreement, subject to the City Attorney approval as to form.

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

5.5 APPROVE GRANT OF EASEMENT TO THE COUNTY OF ORANGE FOR RIDING AND HIKING TRAIL PURPOSES ALONG THE EASTERN TRANSPORTATION CORRIDOR (SR 261) BETWEEN IRVINE BOULEVARD AND BRYAN AVENUE (PLANNING AREA 4, LOWER PETERS CANYON) (Submitted by Public Works/Development Engineering)

ACTION: Authorize the Mayor to execute and the City Clerk to attest an Easement Deed to the County of Orange for riding and hiking trail purposes, subject to approval of the City Attorney as to form.

5.6 APPROVE CONVEYANCE OF VARIOUS EASEMENTS AND A JOINT USE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY, SOUTHERN CALIFORNIA GAS COMPANY, AND KINDER-MORGAN (SFPP, L.P.), TO ACCOMMODATE RELOCATION OF UTILITY LINES FOR THE JEFFREY ROAD GRADE SEPARATION AND ROADWAY WIDENING PROJECT (Submitted by Public Works/Development Engineering)

ACTION:

- 1) Approve Southern California Edison Company Joint Use Agreement No. 66097A, and authorize the Mayor to execute and the City Clerk to attest the agreement, subject to the City Attorney approval as to form.
- 2) Approve Southern California Edison Company Anchor Easement No. 65946A, and authorize the Mayor to execute and the City Clerk to attest the easement, subject to the City Attorney approval as to form.
- 3) Approve Assignment and Assumption of Easements to Southern California Gas Company, and authorize the Mayor to execute and the City Clerk to attest the easement, subject to the City Attorney approval as to form.
- 4) Approve Assignment and Assumption of Easement to SFPP, L.P., and authorize the Mayor to execute and the City Clerk to attest the easement, subject to the City Attorney approval as to form.

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

5.7 ACCEPT AN EASEMENT AND APPROVE A RESOLUTION FOR A PUBLIC STREET AND PUBLIC UTILITY PURPOSES WITHIN TRACT MAP NO. 16676 (PLANNING AREA 9A, WOODBURY) (Submitted by Public Works/Development Engineering)

ACTION:

- 1) Accept the dedication of an easement for public street and public utility purposes within Tract Map No. 16676 for the following street right-of-way: Pink Sage.
- 2) Adopt a Resolution entitled: **RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE STREET NAMED PINK SAGE, WITHIN TRACT MAP NO. 16676 INTO THE SYSTEM OF CITY STREETS**

6. ALLOCATION OF FUNDS

6.1 JUSTICE ASSISTANCE GRANT (Submitted by Public Safety/Administration)

ACTION:

- 1) Accept a Justice Assistance Grant award in the amount of \$11,341.
- 2) Approve a budget adjustment request in the amount of \$14,065, authorizing appropriation of grant funds and related City matching funds in the amount of \$2,724.

7. RESOLUTIONS

7.1 WARRANT AND WIRE TRANSFER RESOLUTION (Submitted by Administrative Services/Fiscal Services)

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.**

7.2 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA (Submitted by Administrative Services/Fiscal Services)

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.**

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

8. LEGISLATIVE ISSUES

8.1 LETTER OF SUPPORT FOR SENATE BILL 1 (Submitted by City Manager's Office/Legislative Program)

ACTION: Authorize the Mayor to send a letter supporting Senate Bill 1 (Campbell/Murray)

END OF CONSENT CALENDAR

*******ORDINANCES*******

9. FIRST READING OF ORDINANCES

9.1 FIRST READING OF ORDINANCE: ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CREATING SECTION 5-9-601 THROUGH 5-9-606 OF THE IRVINE MUNICIPAL CODE, REGARDING PUBLIC SAFETY RADIO SYSTEM COVERAGE (Submitted by Public Safety/Administration)

ACTION: Introduce for first reading and read by title only an ordinance entitled: **ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CREATING SECTION 5-9-601 THROUGH 5-9-606 OF THE IRVINE MUNICIPAL CODE, REGARDING PUBLIC SAFETY RADIO SYSTEM COVERAGE**

10. SECOND READING OF ORDINANCES

10.1 SECOND READING OF ORDINANCE: REVISION TO THE FREE SPEECH RIGHTS CODE (Submitted by the City Clerk's Department)

ACTION: Adopt and read by title only, an ordinance entitled: **ORDINANCE NO. 05-08 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CHAPTER 6 OF DIVISION 14 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE RELATING TO FREE SPEECH RIGHTS**

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

*****PUBLIC HEARINGS*****

11. PUBLIC HEARING: ASSESSMENT DISTRICT NO. 04-20 (PORTOLA SPRINGS), PLANNING AREA 6 (Submitted by Public Works / Development Engineering)

ACTION:

- 1) Open the public hearing.
- 2) Receive staff report.
- 3) Receive public comments.
- 4) Council comments and questions.
- 5) Close the public hearing.
- 6) Announce ballot results.
- 7) If the assessments are approved, adopt a Resolution entitled: **RESOLUTION NO. -A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CONFIRMING THE ASSESSMENTS IN ASSESSMENT DISTRICT NO. 04-20 (PORTOLA SPRINGS), PLANNING AREA 6, ORDERING THE PROPOSED IMPROVEMENTS AND ACQUISITIONS TO BE MADE, AND DESIGNATING THE CITY TREASURER TO COLLECT AND RECEIVE MONEY**
- 8) Receive and file:
 - a. City Clerk's declaration of mailing notice and ballot.
 - b. Property owners' waivers of the cash collection period.
 - c. The Treasurer's list of unpaid assessments.
- 9) Adopt a Resolution entitled: **RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DETERMINING UNPAID ASSESSMENTS IN ASSESSMENT DISTRICT NO. 04-20 (PORTOLA SPRINGS), PLANNING AREA 6, AND THE MANNER OF PAYMENT THEREOF AND LISTING BONDS ISSUED ON THE SECURITY THEREOF**
- 10) Adopt a Resolution entitled: **RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, AUTHORIZING THE ISSUANCE OF IRVINE ASSESSMENT DISTRICT NO. 04-20 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A REIMBURSEMENT AGREEMENT, A BOND PURCHASE AGREEMENT, A REMARKETING AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO**

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

**12. PUBLIC HEARING: IRVINE BUSINESS COMPLEX FEE UPDATE REPORT
(Submitted by Public Works/Transportation Development)**

ACTION:

- 1) Open public hearing.
- 2) Receive staff report.
- 3) Receive public input.
- 4) City Council comments and questions.
- 5) Close public hearing.
- 6) Adopt a resolution entitled: **RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING ADJUSTMENTS TO THE IRVINE BUSINESS COMPLEX (IBC) DEVELOPMENT FEE PROGRAM**
- 7) Recommend staff return to the City Council with zone change to facilitate automatic, annual updates of the IBC fees within 120 days.

**13. PUBLIC HEARING: CONSIDERATION OF HUD-REQUIRED CONSOLIDATED PLAN FOR THE USE OF HUD FUNDS FOR FISCAL YEARS 2005-2009
(Submitted by Community Development/Planning Services)**

ACTION:

- 1) Open public hearing.
- 2) Receive staff report.
- 3) Receive public input.
- 4) Council discussion and questions.
- 5) Continue the public hearing to the City Council meeting of May 10, 2005.

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

*****COUNCIL BUSINESS*****

14. REPORTS

14.1 CITIZEN SATISFACTION SURVEY PROGRAM (Submitted by City Manager's Office/Public Information Office)

ACTION: Approve contract with True North Research, Inc., to design and conduct annual resident survey and dynamic web survey program.

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

ADJOURNMENT

Adjourn to a CITY COUNCIL REGULAR meeting, May 10, 2005, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

NOTICE TO THE PUBLIC

The foregoing does not constitute the final agenda. The final agenda will be posted no later than 72 hours prior to the meeting date.

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