



AGENDA

CITY COUNCIL REGULAR MEETING March 22, 2011 4:00 PM

Sukhee Kang
Mayor

Beth Krom
Mayor Pro Tempore

Larry Agran
Councilmember

Steven Choi
Councilmember

Jeffrey Lalloway
Councilmember

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

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 LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) Agency Negotiators: Gary Burton, Director of Administrative Services; Dave Larsen, Rutan & Tucker; Jan Walden, Manager of Human Resources; and Brian King, Human Resources Administrator; Employee Organizations: Associated Supervisory/ Administrative Personnel (ASAP); Irvine City Employees Association (ICEA); Irvine Professional Employees Association (IPEA); Management and Non-Represented Employees (EXEMPT); and Confidential Employees.**

**1.2 PERFORMANCE EVALUATION OF CITY MANAGER
Government Code Section 54957**

RECONVENE TO THE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE - GIRL SCOUT TROOP 293

MOMENT OF SILENCE

MUSICAL PRESENTATION

2. PRESENTATIONS

2.1 Mothers Against Drunk Driving "Deuce Awards"

2.2 Persian New Year Recognition

2.3 Inaugural Business/Organization Recognition - Irvine Ranch Water District

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:

- 1) Approve the minutes of a Special Joint Meeting with the Orange

- County Great Park and a Special Meeting of the Irvine City Council held on February 17, 2011.
- 2) Approve the minutes of a Regular Meeting of the Irvine City Council held on March 8, 2011.
 - 3) Approve the minutes of a Regular Joint Meeting of the Irvine City Council and Irvine Redevelopment Agency and Regular Meeting of the Redevelopment Agency held on March 8, 2011.
 - 4) Approve the minutes of a Special Joint Meeting of the Irvine City Council and Irvine Redevelopment Agency held on March 8, 2011.

3.2 PROCLAMATIONS / COMMENDATIONS

ACTION:

- 1) Proclaim March 20-26, 2011 as "National Surveyors Week."
- 2) Proclaim March 30, 2011 as "Welcome Home Vietnam Veterans Day."
- 3) Proclaim April 2011 as "DMV/Donate Life California Month."
- 4) Commendation recognizing American Association of University Women – California (AAUW-CA) 90th Anniversary.
- 5) Proclamation recognizing Claire Trevor.

3.3 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

3.4 RENEWED MEASURE M (M2) REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM

ACTION:

Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBMITTAL OF FUNDING APPLICATION FOR A SIGNAL SYNCHRONIZATION PROJECT TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY

3.5 ACCEPTANCE OF PROPOSITION 69 FUNDS RELATED TO THE PRESERVATION OF DNA EVIDENCE

ACTION:

- 1) Accept Proposition 69 Funds in the amount of \$57,065.
- 2) Approve a budget adjustment request, reflecting \$42,919 in revenues and appropriations for DNA equipment and installation

costs, and \$14,146 in revenues for reimbursement related to the cost of collecting DNA evidence.

3.6 ANNUAL SLURRY SEAL AND PAVEMENT REHABILITATION

ACTION:

- 1) Approve the specifications and contract documents for the Annual Slurry Seal and Pavement Rehabilitation project on file with the Public Works Department.
- 2) Approve a Budget Adjustment to exchange \$223,149 of Gas Tax and State Proposition 42 funds between Capital Improvement Program (CIP) projects to accommodate grant fund expenditure deadlines.
- 3) Approve a Budget Adjustment to reallocate \$489,675 from various projects to the Annual Slurry Seal and Pavement Rehabilitation Program to replace County Proposition 42 funds and to recognize \$205,650 of unanticipated funds from the Irvine Ranch Water District (IRWD).

3.7 AMENDMENT NO. 1 TO AGREEMENT D04-017 BETWEEN THE IRVINE COMPANY, ORANGE COUNTY FLOOD CONTROL DISTRICT, AND THE CITY OF IRVINE REGARDING THE MARSHBURN BASIN IMPROVEMENTS

ACTION:

Authorize the Mayor to execute Amendment No. 1 to Agreement D04-017 between the Orange County Flood Control District, Irvine Company, and the City of Irvine.

3.8 FISCAL YEAR 2011-12 BICYCLE TRANSPORTATION ACCOUNT PROGRAM APPLICATIONS

ACTION:

Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBMITTAL OF GRANT APPLICATIONS FOR THE FISCAL YEAR 2011-12 BICYCLE TRANSPORTATION ACCOUNT PROGRAM

3.9 AGREEMENT FOR THE IRVINE COMPANY'S FAIR SHARE FUNDING FOR THE LAGUNA CANYON ROAD AND I-405 OVERCROSSING PROJECT

ACTION:

Authorize the Mayor to sign the Fair Share Agreement between the City of Irvine and the Irvine Company for the construction of the Laguna Canyon/I-405 Overcrossing Project.

3.10 APPOINTMENT OF ALTERNATE REPRESENTATIVE IN THE GENERAL ASSEMBLY OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

ACTION:

Appoint Mayor Pro Tem Krom as the City of Irvine Alternate Representative in the General Assembly of the Southern California Association of Governments.

3.11 CONTRACT EXTENSION FOR CHORA, LLC

ACTION:

Approve an amendment to the contract with Chora, LLC, extending the term of the contract through June 2011 and increasing the contract amount by \$75,000.

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.

END CONSENT CALENDAR

4. SCOPING SESSION

4.1 SCOPING SESSION FOR A GENERAL PLAN AMENDMENT FOR A PORTION OF PLANNING AREA 6

ACTION:

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

PUBLIC COMMENTS (Limited to 3 minutes per speaker) - 6:30 P.M.

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-judicative 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-judicative 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, MMC
City Clerk