

BETH KROM
Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember

AGENDA

CITY COUNCIL SPECIAL MEETING

September 12, 2006
3:00 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 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 Request to Speak Form 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.

ROLL CALL

1. CLOSED SESSION

1.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION; Government Code Section 54956.9 (a):

- a) *Cox Com, Inc. v. City of Irvine (Case No. SACV 05-1240-JVS)*
- b) *Allergan, Inc. vs. City of Irvine (Case No. 06 CC00172)*
- c) *Deft, Inc. vs. City of Irvine (Case No. 06 CC00171)*

1.2 WORKERS' COMPENSATION; Government Code Section 54956.95, Case Nos. RIV0075396 and RIV0075391

PUBLIC COMMENTS (Limited to 3 minutes per speaker)

ADJOURNMENT

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Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember

AGENDA

CITY COUNCIL REGULAR MEETING

September 12, 2006

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 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 Request to Speak Form 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.

ROLL CALL

1. CONSENT CALENDAR

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 Speakers Form and give it to the City Clerk. Please see information in Request to Speak section.

1.1 MINUTES

ACTION:

- 1) Approve the minutes of a special meeting of the City Council held on August 22, 2006.
- 2) Approve the minutes of a regular meeting of the City Council held on August 22, 2006

1.2 PROCLAMATIONS

ACTION:

- 1) Proclaim SEPTEMBER 25-30, 2006 AS "DOLLAR WISE WEEK"
- 2) Proclaim SEPTEMBER 17-23, 2006 AS "CONSTITUTION WEEK"
- 3) Proclaim SEPTEMBER 25, 2006 AS "FAMILY DAY-A DAY TO EAT DINNER WITH YOUR CHILDREN"
- 4) Proclaim SUPPORT OF THE ORANGE COUNTY HOUSING TRUST
- 5) Proclaim SEPTEMBER 18-24, 2006 AS "POLLUTION PREVENTION WEEK"

1.3 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

1.4 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

1.5 ASSESSMENT DISTRICT NO. 04-20, PORTOLA SPRINGS (PLANNING AREA 6)

ACTION:

- 1) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO ORDER THE LEVY OF SUPPLEMENTAL ASSESSMENT IN ASSESSMENT DISTRICT NO. 04-20
- 2) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE PRELIMINARILY ADOPTING, CONFIRMING, AND APPROVING THE ENGINEER'S REPORT FOR PROPOSED SUPPLEMENTAL SPECIAL ASSESSMENT FOR ASSESSMENT DISTRICT NO. 04-20 AND APPOINTING TIME AND PLACE FOR HEARING PROTESTS THERETO

1.6 QUITCLAIM OF IRREVOCABLE OFFER OF DEDICATION FOR FLOOD CONTROL, ACCESS, AND WATER CONSERVATION, SPECTRUM (PLANNING AREA 35)

ACTION: Authorize the Mayor to execute a Quitclaim of Irrevocable Offer of Dedication to the Irvine Community Development Company.

1.7 BILLS OF SALE FOR SEWER AND WATER FACILITIES WITHIN BILL BARBER PARK, WESTPARK (PLANNING AREA 14)

ACTION: Authorize the Mayor to execute the Bills of Sale for sewer and water facilities located within Bill Barber Park.

1.8 CALIFORNIA ENERGY COALITION MOU

ACTION:

- 1) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE CITY TO RENEW A MEMORANDUM OF UNDERSTANDING WITH THE ENERGY COALITION, A CALIFORNIA NON-PROFIT ORGANIZATION, SOUTHERN CALIFORNIA EDISON COMPANY AND SOUTHERN CALIFORNIA GAS COMPANY, TO PARTICIPATE IN AN ENERGY EFFICIENCY PROGRAM KNOWN AS THE "COMMUNITY ENERGY PARTNERSHIP"
- 2) Approve the Memorandum of Understanding with The Energy Coalition, Southern California Edison Company and Southern California Gas Company to enter into the Community Energy Partnership program.
- 3) Authorize the City Manager to execute the Memorandum of Understanding on behalf of the City.

1.9 GRANT OF EASEMENT TO THE COUNTY OF ORANGE FOR RIDING AND HIKING TRAIL PURPOSES WITHIN HICKS CANYON COMMUNITY PARK, LOWER PETERS CANYON (PLANNING AREA 4)

ACTION: Authorize the Mayor to execute an Easement Deed and Maintenance Agreement with the County of Orange for riding and hiking trail at Hicks Canyon Community Park.

1.10 RENEW LICENSE AGREEMENTS WITH SOUTHERN CALIFORNIA EDISON FOR PARK, PUBLIC RECREATION, AND LANDSCAPE PURPOSES, WOODBRIDGE AND WESTPARK (PLANNING AREAS 15 AND 38)

ACTION: Authorize the Mayor to execute License Agreement Number 2202 and 2507, between the City of Irvine and Southern California Edison.

1.11 STATUS REPORT ON CONDITIONAL USE PERMITS FOR TEN WIRELESS COMMUNICATIONS FACILITIES LOCATED IN THE PUBLIC RIGHTS-OF-WAY AND/OR PUBLIC UTILITY EASEMENTS IN TURTLE ROCK (PLANNING AREA 21)

ACTION: Receive staff report.

1.12 MAP, BONDS, AND AGREEMENTS, FOR TRACT MAP NO. 16965, WOODBURY EAST (PLANNING AREA 9C)

ACTION:

- 1) Approve Tract Map No. 16965.
- 2) Authorize the Mayor to execute the agreements and accept the security from WL Homes, a Delaware limited liability company, dba John Lang Homes, guaranteeing improvements and survey monumentation for Tract Map No. 16965.
- 3) Accept the dedication of easement for emergency access, public service vehicle ingress and egress, and sidewalk purposes as shown on the map.

1.13 BUDGET ADJUSTMENT - BARRANCA PARKWAY REHABILITATION FROM CULVER TO JEFFREY - CIP 314050

ACTION: Approve a budget adjustment to appropriate \$570,284 to the Barranca Parkway Rehabilitation project, CIP 314050.

1.14 ORDINANCE NO. 06-15, DEVELOPMENT AGREEMENT FOR PLANNING AREA 39 WITH THE IRVINE COMPANY, LLC AND IRVINE COMMUNITY DEVELOPMENT COMPANY, LLC

ACTION: Read by title only and adopt ORDINANCE NO. 06-15 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING DEVELOPMENT AGREEMENT 00424384-PDA FOR THE PLANNING AREA 39 DEVELOPMENT WITH THE IRVINE COMPANY, LLC AND THE IRVINE COMMUNITY DEVELOPMENT COMPANY, LLC

1.15 AMENDMENT TO THE CITY OF IRVINE PERSONNEL RULES AND PROCEDURES RELATED TO CATASTROPHIC LEAVE

ACTION: Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE CITY OF IRVINE PERSONNEL RULES AND PROCEDURES

1.16 IRVINE VOTE 2006

ACTION:

- 1) Approve Option 1 for implementing Irvine's 2006 "Get out the Vote" Program at a cost not to exceed \$50,000.
- 2) Appropriate \$50,000 from the City's Strategic Surplus Fund for program implementation. Unexpended funds would be retained by the Strategic Surplus Fund.

END OF CONSENT CALENDAR

2. COUNCIL BUSINESS

2.1 AN ORDINANCE AMENDING SECTION 2-9-704 OF THE IRVINE MUNICIPAL CODE RELATING TO THE CITY'S UTILITY USER'S TAX

ACTION: Introduce for first reading and read by title only ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING SECTION 2-9-704 OF THE IRVINE MUNICIPAL CODE RELATING TO THE CITY'S UTILITY USER'S TAX

RECESS

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MUSICAL PRESENTATIONS

3. PRESENTATIONS

3.1 Families Forward-Recognition of Supporters to Hurricane Katrina families.

3.2 Commendation to David Sparks for his service on the Finance Commission.

3.3 Tapestry of Cultures - Presentation by Harish Murthy.

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.

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 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.

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 GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR THE LAMBERT RANCH LOCATED IN PLANNING AREA 6

ACTION:

- 1) Reopen public hearing; receive staff report, receive public input; City Council comments and questions.
- 2) Close public hearing.
- 3) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH NO. 2005091175) AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR A GENERAL PLAN AMENDMENT 00387430-PGA AND ZONE CHANGE 00387433-PZC FOR THE LAMBERT RANCH RESIDENTIAL PROJECT; LOCATED NORTHEAST OF PORTOLA PARKWAY AND RIDGE VALLEY IN PLANNING AREA 6; FILED BY THE SAPETTO GROUP, INC. ON

BEHALF OF 11851 LAMBERT, LLC AND FOR BARBARA TUCKER AND LUCILLE LAMBERT

- 4) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00387430-PGA TO AMEND GENERAL PLAN TABLE A-1, TABLE A-2, FIGURE A-3, AND FIGURE L-2 FOR THE LAMBERT RANCH RESIDENTIAL PROJECT; LOCATED NORTHEAST OF PORTOLA PARKWAY AND RIDGE VALLEY IN PLANNING AREA 6; FILED BY THE SAPETTO GROUP, INC. ON BEHALF OF 11851 LAMBERT, LLC AND FOR BARBARA TUCKER AND LUCILLE LAMBERT
- 5) Introduce for first reading and read by title only ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00387433-PZC TO ADD TEXT TO CHAPTER 9-6 OF THE ZONING CODE AND CHANGE THE ZONING FROM 1.3 CONSERVATION OPEN SPACE TO 2.3M MEDIUM DENSITY RESIDENTIAL FOR THE LAMBERT RANCH PROPERTY; LOCATED NORTHEAST OF PORTOLA PARKWAY AND RIDGE VALLEY IN PLANNING AREA 6; FILED BY THE SAPETTO GROUP, INC. ON BEHALF OF 11851 LAMBERT, LLC AND FOR BARBARA TUCKER AND LUCILLE LAMBERT

5. COUNCIL BUSINESS (Continued)

5.1 RESPONSE TO ORANGE COUNTY GRAND JURY REPORT

ACTION: Review the draft reply to the Orange County Grand Jury, revise as deemed appropriate, and authorize the Mayor's signature for submittal to the Presiding Judge of the Superior Court of California by the statutory deadline of September 18, 2006.

5.2 PROPOSED AMENDMENT TO DEVELOPMENT AGREEMENT FOR THE ORANGE COUNTY GREAT PARK BY AND AMONG THE CITY OF IRVINE AND HERITAGE FIELDS, LLC

THIS ITEM IS SCHEDULED TO CONVENE AT 7:00 P.M.

ACTION:

- 1) Receive staff report, presentation from Heritage Fields, public input, and City Council comments and questions.
- 2) Approve the Principles of Agreement in concept.
- 3) Direct the City Manager to initiate a General Plan Amendment, zone change and preparation of amendments to the Development Agreement for City Council consideration which comply with the Principles of Agreement as stated in this report.

- 4) Direct the City Manager to provide an environmental analysis of the proposal in accordance with the California Environmental Quality Act, and provide a fiscal analysis of the projected benefits to the City.

END OF COUNCIL BUSINESS

PUBLIC COMMENTS (Limited to 3 minutes per speaker) - 6:00 P.M.

ADJOURNMENT

Next Meeting: CITY COUNCIL REGULAR meeting, September 26, 2006, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

NOTICE TO THE PUBLIC

LIVE MEDIA BROADCASTING ADVISEMENT

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 now 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. 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.

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 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 September 7, 2006 by 12:00 p.m. as well as on the City's web page.



Pamyia Means, MMC
City Clerk