

BETH KROM
Mayor

SUKHEE KANG
Mayor Pro Tempore

LARRY AGRAN
Councilmember

STEVEN CHOI
Councilmember

CHRISTINA SHEA
Councilmember



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, 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 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](#)

RECESS

RECONVENE TO THE CITY COUNCIL MEETING

[PLEDGE OF ALLEGIANCE](#)

[MOMENT OF SILENCE](#)

[MUSICAL PRESENTATION](#)

1. PRESENTATIONS

1.1 [Orange County Vector Control "West Nile Virus"](#)

[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.

2. CONSENT CALENDAR

All matters listed under Consent Calendar are considered 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.

2.1 MINUTES

ACTION: Approve the minutes of a regular meeting of the City Council held on July 8, 2008.

2.2 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

2.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION: Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ALLOWING CERTAIN CLAIMS AND DEMANDS OF AT&T AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2.4 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

2.5 FINAL REPORT FOR ASSESSMENT DISTRICT NO. 95-12 NORTHWOOD, PLANNING AREA 5

ACTION: Receive and file Final Report for Assessment District No. 95-12, Northwood, Planning Area 5.

2.6 PRIORITY PROGRAM FEASIBILITY STUDIES: NEXT PHASE FEASIBILITY ANALYSES AUTHORIZATION FOR BUDGET ADJUSTMENT AND CHANGE ORDERS

ACTION:

- 1) Approve an adjustment to the FY 2008-2009 Budget in the amount of \$1,817,000 to complete the next phase feasibility studies for the Agriculture and Food, Art and Culture Exhibition Space, Aviation Museum, Cultural Terrace, Fire Museum, Sports Park and Visitor Center.
- 2) Direct staff to execute change orders to the Design Studio Contract in a not-to exceed amount of \$1,817,000 to undertake the next phase of feasibility analysis for Agriculture and Food, Sports Park, Art and Culture Exhibition Space, Aviation Museum, Fire Museum, Cultural Terrace and Visitor Center.

2.7 DESIGNATION OF VOTING DELEGATES FOR LEAGUE OF CALIFORNIA CITIES 2008 ANNUAL CONFERENCE

ACTION: Appoint Mayor Krom to serve as the voting delegate and Councilmember Choi to serve as the voting alternate for the Annual Business Meeting at the League of California Cities 2008 Annual Conference.

2.8 CITY'S RESPONSE TO JUNE 3, 2008, ORANGE COUNTY GRAND JURY REPORT - COUNTY SHELTER

ACTION: Recommend City Council approve the draft response to the June 3, 2008, Orange County Grand Jury Report, "Is Orange County Going to the Dogs?"

2.9 AGREEMENTS FOR THE DEVELOPER'S FAIR SHARE ALLOCATIONS FOR PLANNING AREAS 18, 33 (LOT 109), 34 AND 39

ACTION:

- 1) Authorize the Mayor to execute the Traffic Mitigation Agreement Fair Share Deferment between the City of Irvine and the California Department of Transportation (Caltrans) for Planning Areas 18, 33 (Lot 109), 34 and 39.
- 2) Authorize the Mayor to execute the Cooperative Agreement with the City of Laguna Woods, City of Irvine and The Irvine Company for Planning Areas 18, 33 (Lot 109), 34 and 39.
- 3) Authorize the Mayor to execute the Fair Share Agreement between the City of Irvine and The Irvine Company for Planning Areas 18, 33 (Lot 109), 34 and 39.
- 4) Adopt Resolution No. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE MODIFYING MITIGATION MEASURES 14-3 AND 14-4 OF ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2005081099) AND ACCOMPANYING MITIGATION MONITORING AND REPORTING PLAN

2.10 ORDINANCE NO. 08-07, ECONOMIC STIMULUS PROGRAM FOR NEW RESIDENTIAL DEVELOPMENT

ACTION: Read by title only and adopt ORDINANCE NO. 08-07 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE CREATING AN ECONOMIC STIMULUS PROGRAM FOR NEW RESIDENTIAL DEVELOPMENT BY TEMPORARILY SUPERSEDING CERTAIN CITY MUNICIPAL AND ZONING CODE PROVISIONS RELATING TO THE REQUIRED TIME OF PAYMENT OF SPECIFIC DEVELOPMENT IMPACT FEES

2.11 IRVINE MULTICULTURAL ASSOCIATION REQUEST FOR CITY SUPPORT OF ITS 60TH ANNIVERSARY CELEBRATION

ACTION: Approve City support in the form of facility room sponsorship for the Irvine Multicultural Associations 60th Anniversary Celebration event.

END CONSENT CALENDAR

3. 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 form and provide it to the City Clerk prior to 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.

3.1 GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR THE DEVELOPMENT OF MEDICAL OFFICE AND RETAIL USES AT THE NORTHWEST CORNER OF ALTON PARKWAY AND SAND CANYON AVENUE IN PLANNING AREA 12 (OAK CREEK)

ACTION:

- 1) Open the public hearing; receive public input; Commission comments and questions.
- 2) Close the public hearing.
- 3) Adopt RESOLUTION NO. — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CERTIFYING ENVIRONMENTAL IMPACT REPORT (SCH #2007011088) FOR THE SHADY CREEK MEDICAL CENTER LOCATED AT THE NORTHWEST CORNER OF ALTON PARKWAY AND SAND CANYON AVENUE IN PLANNING AREA 12 (OAK CREEK); PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THE CITY OF IRVINE CEQA GUIDELINES
- 4) Adopt RESOLUTION NO. — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00401064-PGA TO CHANGE THE PROPERTY'S LAND USE DESIGNATION FROM RECREATION TO RESEARCH AND INDUSTRIAL AND TO AMEND VARIOUS TEXTS, TABLES, AND EXHIBITS OF THE CITY'S GENERAL PLAN IN SUPPORT OF THE PROPOSED PROJECT LOCATED AT THE NORTHWEST CORNER OF ALTON PARKWAY AND SAND CANYON AVENUE IN PLANNING AREA 12 (OAK CREEK); FILED BY CENTRA REALTY CORPORATION
- 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 00401065-PZC TO ESTABLISH A NEW LETTER DESIGNATION ("H") TO THE 5.5, MEDICAL AND SCIENCE, ZONE WITHIN PLANNING AREA 12; TO REZONE THE SUBJECT PROPERTY FROM 1.5, RECREATION, TO 5.5H, MEDICAL AND SCIENCE; AND, AS NECESSARY, TO AMEND THE VARIOUS TEXTS, TABLES, AND EXHIBITS OF THE CITY'S ZONING ORDINANCE IN SUPPORT

OF THE PROPOSED PROJECT LOCATED AT THE NORTHWEST CORNER OF ALTON PARKWAY AND SAND CANYON AVENUE IN PLANNING AREA 12 (OAK CREEK); FILED BY CENTRA REALTY CORPORATION

3.2 **CITY-INITIATED GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR THE RELOCATION OF THE PLANNED INTERSECTION AT BAKE PARKWAY AND MARINE WAY LOCATED IN PLANNING AREA 30**

ACTION:

- 1) Open the public hearing; receive public input, Council comments, and questions.
- 2) Close the public hearing.
- 3) Adopt RESOLUTION NO. - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING CITY-INITIATED GENERAL PLAN AMENDMENT 00468566-PGA TO AMEND APPROPRIATE GENERAL PLAN FIGURES TO REFLECT THE RELOCATION OF THE PLANNED INTERSECTION AT BAKE PARKWAY AND MARINE WAY; LOCATED IN PLANNING AREA 30
- 4) Introduce for first reading and read by title only ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING CITY-INITIATED ZONE CHANGE 00468567-PZC TO REVISE THE ZONING MAP, PLANNING AREA 30 BASE PLAN AND PLANNING AREA 30 OVERLAY PLAN TO REFLECT THE RELOCATION OF THE PLANNED INTERSECTION AT BAKE PARKWAY AND MARINE WAY; LOCATED IN PLANNING AREA 30

3.3 **GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR PLANNING AREAS 12 AND 40**

ACTION:

- 1) Re-open the public hearing.
- 2) Continue the public hearing to August 12, 2008 at 4:00 p.m.

3.4 **GENERAL PLAN, ZONING CODE, AND DEVELOPMENT AGREEMENT AMENDMENT FOR THE HERITAGE FIELDS EL TORO LLC DEVELOPMENT AGREEMENT IN PLANNING AREAS 30 AND 51**

ACTION:

- 1) Open the public hearing.
- 2) Continue the public hearing to August 12, 2008 at 4:00 p.m.

4. COUNCIL BUSINESS

4.1 APPOINTMENTS TO THE GREEN RIBBON ENVIRONMENTAL COMMITTEE

ACTION:

- 1) Announce the five City Councilmember's respective individual appointments to the Green Ribbon Environmental Committee.
- 2) Select and appoint two applicants as the at-large members of the Green Ribbon Environmental Committee, for two-year terms.
- 3) Appoint two City Councilmembers as non-voting members of the Green Ribbon Environmental Committee.

4.2 IMPLEMENTATION RESOLUTION FOR THE PURPOSE OF PLACING A MEASURE ON THE NOVEMBER 4, 2008 BALLOT REGARDING EMAIL ADDRESSES AND OTHER PERSONAL INFORMATION

ACTION:

- 1) Adopt RESOLUTION NO. 08-__ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SUBMITTING TO THE QUALIFIED VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2008 A PROPOSAL TO ADOPT AN ORDINANCE GUIDING THE CITY IN ITS DETERMINATIONS ON A CASE-BY-CASE BASIS WHETHER TO DISCLOSE OR TO WITHHOLD INDIVIDUALS' PERSONAL INFORMATION UPON A PUBLIC REQUEST FOR SUCH INFORMATION; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND AUTHORIZING AND SETTING DEADLINES FOR THE FILING OF ARGUMENTS FOR OR AGAINST THE BALLOT MEASURE
- 2) Allocate \$10,000 from the Unallocated Year-End Surplus Fund to cover unanticipated costs for services provided by the Orange County Registrar of Voters related to the translating and publishing of the ballot measure, impartial analysis and related arguments in the sample voter pamphlet.

4.3 IMPLEMENTATION RESOLUTION FOR THE PURPOSE OF PLACING A MEASURE ON THE NOVEMBER 4, 2008 BALLOT REGARDING RATIFICATION AND IMPLEMENTATION OF ORANGE COUNTY GREAT PARK POLICIES

ACTION:

- 1) Adopt RESOLUTION NO. 08-__ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SUBMITTING TO THE QUALIFIED VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2008 A PROPOSAL TO ADOPT AN ORDINANCE RATIFYING AND IMPLEMENTING POLICIES RELATING TO THE ORANGE COUNTY GREAT PARK PROJECT; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND AUTHORIZING AND SETTING DEADLINES FOR THE FILING OF ARGUMENTS FOR OR AGAINST THE BALLOT MEASURE
- 2) Allocate \$10,000 from the Unallocated Year-End Surplus Fund to cover unanticipated costs for services provided by the Orange County Registrar of Voters related to the translating and publishing of the ballot measure, impartial analysis and related arguments in the sample voter pamphlet.

4.4 ORDINANCES RELATING TO (1) CITY DETERMINATIONS OF CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT; AND (2) PREVAILING WAGES AND BENEFITS

ACTION:

- 1) Introduce for first reading and read by title only ORDINANCE NO. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING DIVISION 12 TO TITLE 2 OF THE IRVINE MUNICIPAL CODE RELATING TO CITY DETERMINATIONS OF CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT, AND AMENDING SECTION 6-10-214 OF THE IRVINE MUNICIPAL CODE RELATING TO PREQUALIFICATION OF BIDDERS
- 2) Review and discuss; and upon City Council direction: 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 6-10-216 OF THE IRVINE MUNICIPAL CODE RELATING TO PREVAILING WAGES AND BENEFITS

END COUNCIL BUSINESS

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

ADJOURNMENT

NOTICE TO THE PUBLIC

LIVE BROADCASTING

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)724-6248 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, *address, and *phone number (*optional), 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-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 _____ by _____ p.m. as well as on the City's web page.

Sharie Apodaca, CMC
City Clerk