



AGENDA

CITY COUNCIL REGULAR MEETING

Donald P. Wagner
Mayor

Lynn Schott
Mayor Pro Tempore

Melissa Fox
Councilmember

Jeffrey Lalloway
Councilmember

Christina Shea
Councilmember

March 14, 2017

4:00 PM

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 – including a Consent Calendar item, a Regular Council Business item, a Public Hearing item, or Public Comments – 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. It also ensures the accurate identification of meeting participants in the City Council minutes. Your name will be called at the time the matter is heard by the City Council. City policy is to limit public testimony to up to three minutes per speaker depending on relevant circumstances (unless the time limit is extended by the Mayor), which includes the presentation of electronic or audio visual information. Speakers may not yield their time to other persons.

Please take notice that the order of scheduled agenda items below and/or the time they are actually heard, considered and decided may be modified by the Mayor or the City Council during the course of the meeting, so please stay alert.

CALL TO ORDER

ROLL CALL

1. SCOPING SESSION

1.1 [SCOPING SESSION FOR A GENERAL PLAN AMENDMENT REQUEST REPRESENTING AN EXCHANGE OF NON-RESIDENTIAL BUILDING](#)

**SQUARE FOOTAGE FOR NEW RESIDENTIAL UNITS WITHIN
PLANNING AREA 12 (OAK CREEK) AND PLANNING AREA 40
(CYPRESS VILLAGE)**

ACTION:

- 1) Reopen the discussion and receive public input.
- 2) Provide direction to staff to: process the subject application, delay processing the application, or discontinue processing the application.

2. CLOSED SESSION

2.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

a. Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 potential case

b. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.1: 1 potential case

RECONVENE TO THE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

3. PRESENTATIONS

3.1 Proclaim March as “National Nutrition Month”

3.2 Employee Recognition - 25 and 30 Years of Service

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. 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. See information for Speaker's Card/Request to Speak on first page.

4.1 MINUTES

ACTION:

Approve the minutes of a regular meeting of the Irvine City Council held on February 28, 2017.

4.2 PROCLAMATIONS

ACTION:

Proclaim March 20, 2017 as commencement of "Nowruz - Persian New Year."

4.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

4.4 APPROVAL OF SPECIFICATIONS AND CONTRACT DOCUMENTS FOR HARVARD AVENUE STREETScape REHABILITATION

ACTION:

- 1) Approve construction specifications and contract documents for the Harvard Avenue Streetscape Rehabilitation, Capital Improvement Project 311612.
- 2) Approve the Engineer's Estimate, Construction Contingency and Project Funding Summary.
- 3) Authorize staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder, in accordance with the City's purchasing policies and procedures, within the approved project budget.

4.5 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR ALTON PARKWAY TREE INSTALLATION PROJECT

ACTION:

- 1) Approve the construction plans, specifications and contract documents for the landscape enhancement of Alton Parkway between Irvine Boulevard and the City limits south of Commercentre

- Drive, Capital Improvement Project 311501.
- 2) Approve the Engineer's Estimate, Construction Contingency and Project Funding Summary.
 - 3) Authorize staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder, in accordance with the City's purchasing policies and procedures, within the approved project budget.

4.6 REQUEST FOR EXTENSION OF MEASURE M2 GRANT FUNDS FOR JAMBOREE ROAD AND BARRANCA PARKWAY INTERSECTION IMPROVEMENT PROJECT

ACTION:

Authorize the Director of Public Works to submit a request to the Orange County Transportation Authority to extend the expenditure deadline for Measure M2 grant funds in the amount of \$381,566 to Fiscal Year 2018-19 for the construction phase of the Jamboree Road/Barranca Parkway Intersection Improvement Project.

4.7 SECOND READING AND ADOPTION OF ORDINANCE NO. 17-01 ADDING TITLE 6, DIVISION 3, CHAPTER 9, OF THE IRVINE MUNICIPAL CODE RELATING TO THE CREATION AND DUTIES OF THE CITY OF IRVINE TRANSPORTATION COMMISSION

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 17-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING TITLE 6, DIVISION 3, CHAPTER 9, OF THE IRVINE MUNICIPAL CODE RELATING TO THE CREATION AND DUTIES OF THE CITY OF IRVINE TRANSPORTATION COMMISSION

(Unless otherwise directed by a Member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

4.8 SECOND READING AND ADOPTION OF ORDINANCE NO. 17-02 AMENDING TITLE 1, DIVISION 2, CHAPTER 2, SECTION 1-2-213 OF THE MUNICIPAL CODE RELATING TO THE ORDER OF SUCCESSION FOR THE OFFICE OF MAYOR

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO.

17-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING TITLE 1, DIVISION 2, CHAPTER 2, SECTION 1-2-213 OF THE IRVINE MUNICIPAL CODE RELATING TO THE ORDER OF SUCCESSION FOR THE OFFICE OF MAYOR

(Unless otherwise directed by a Member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

4.9 **SECOND READING AND ADOPTION OF ORDINANCE NO. 17-03 READOPTING AND AMENDING TITLE 2, DIVISION 11, CHAPTER 2, SECTION 2-11-101 OF THE IRVINE MUNICIPAL CODE RELATING TO STATE FRANCHISES FOR CABLE COMMUNICATIONS; AND REAUTHORIZING A FEE TO SUPPORT PUBLIC, EDUCATIONAL AND GOVERNMENTAL CHANNEL FACILITIES**

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 17-03 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, READOPTING AND AMENDING TITLE 2, DIVISION 11, CHAPTER 2, SECTION 2-11-101 OF THE IRVINE MUNICIPAL CODE RELATING TO STATE FRANCHISES FOR CABLE COMMUNICATIONS; AND REAUTHORIZING A FEE TO SUPPORT PUBLIC, EDUCATIONAL AND GOVERNMENTAL ("PEG") CHANNEL FACILITIES WITHIN THE CITY'S JURISDICTION

(Unless otherwise directed by a Member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

4.10 **COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS**

ACTION:

- 1) Approve Mayor Pro Tem Schott's request for Community Partnership Fund Grant nomination to Special Olympics Orange County in the amount of \$1,000 in support of the Irvine Eagles.
- 2) Authorize the City Manager to prepare and sign the funding agreement listed in Action 1.

5. COUNCIL BUSINESS

5.1 INTERIM USE PERMIT TO ALLOW OPERATION OF A TEMPORARY AMPHITHEATER FACILITY FOR A TERM OF UP TO THREE YEARS TO BE LOCATED IN DEVELOPMENT DISTRICT 6 OF THE GREAT PARK NEIGHBORHOODS (PLANNING AREA 51)

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING AN INTERIM USE PERMIT (00686703-PPA) TO ALLOW THE OPERATION OF A TEMPORARY AMPHITHEATER FACILITY FOR A TERM OF UP TO THREE YEARS TO BE LOCATED IN DEVELOPMENT DISTRICT 6 OF THE GREAT PARK NEIGHBORHOODS IN PLANNING AREA 51; FILED BY FIVE POINT COMMUNITIES MANAGEMENT, INC. ON BEHALF OF HERITAGE FIELDS EL TORO, LLC

5.2 CONSIDERATION OF MAYOR WAGNER'S REQUEST FOR SUPPORT OF THE 5TH MARINES VIETNAM MEMORIAL

ACTION:

City Council discussion and direction.

5.3 CONSIDERATION OF COUNCILMEMBER FOX'S REQUEST TO HOST A COMMUNITY MEETING

ACTION:

City Council discussion and direction.

5.4 CONSIDERATION OF COUNCILMEMBER FOX'S REQUEST FOR APPOINTMENT OF IN-HOUSE CHIEF LEGAL COUNSEL

ACTION:

City Council discussion and direction.

5.5 CONSIDERATION OF MAYOR WAGNER'S REQUEST FOR CITY MEMBERSHIP IN THE ASSOCIATION OF CALIFORNIA CITIES – ORANGE COUNTY

ACTION:

City Council discussion and direction.

5.6 CONSIDERATION OF COUNCILMEMBER FOX'S REQUEST FOR RECOGNITION OF DAYS OF REMEMBRANCE

ACTION:

City Council discussion and direction.

PUBLIC COMMENTS - Public comments will be heard at approximately 6:30 p.m. or prior to adjournment, whichever occurs earlier.

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 Comments; however, no action may be taken on matters that are not part of the posted agenda. See information for Speaker's Card/Request to Speak on the first page.

ADJOURNMENT**NOTICE TO THE PUBLIC****LIVE BROADCASTING AND REBROADCASTING**

Regular City Council meetings are broadcast live every 2nd and 4th Tuesday of the month at 4 p.m. and are replayed on Tuesdays at 4 p.m. (in weeks in which there is not a live City Council meeting), Sundays at 11 a.m., Wednesdays at 7 p.m., and Thursdays at 10 a.m. until the next City Council meeting. All broadcasts can be viewed on Cox Communications Local Access Channel 30 and U-Verse Channel 99. City Council meetings are also available via live webcast and at any time for replaying through the City's ICTV webpage at cityofirvine.org/ictv. 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 cityofirvine.org 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 cityofirvine.org/ictv.

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.

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 that is not filed within this 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 AND ELECTRONIC DEVICES

To minimize distractions, please be sure all personal communication and electronic 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 at the following locations:

- City Clerk's Office
- Police Department
- 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 accordance with law in the posting book located in the Public Safety Lobby of City Hall, One Civic Center Plaza, Irvine, California on _____ by _____ as well as on the City's web page.

Molly McLaughlin, CMC
City Clerk