



**CALL TO ORDER**

City Clerk, Sharie Apodaca called a regular meeting of the Irvine City Council to order at 4:00 p.m., on June 26, 2007, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; she noted no Councilmembers were present and promptly called a recess until 5:00 p.m.

**RECESS – 4:01 p.m.**

**RECONVENE – 5:05 p.m.**

**ROLL CALL**

Present:	4	Councilmember:	Steven Choi
		Councilmember:	Christina Shea
		Mayor Pro Tem:	Larry Agran
		Mayor:	Beth Krom
Absent:	1	Councilmember:	Sukhee Kang

The Closed Session was moved to the end of the meeting. The City Council convened in Closed Session at 8:04 p.m., as follows:

**1. CLOSED SESSION**

- 1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code § 54956.9(c); significant exposure to litigation (one case) (Decision whether to initiate litigation)**
- 1.2 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6)  
Agency Negotiators: Rick Paikoff, Director of Administrative**

**Services; Jan Walden, Manager of Human Resources; and Brian King, Senior Management Analyst and Dave Larsen, Attorney, Rutan and Tucker.  
Employee Organizations: Irvine Police Association (IPA); and Irvine Police Management Association (IPMA)**

- 1.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION;  
Government Code § 54956.9(a) (6 Cases):  
Allergan Inc. v. City of Irvine; Orange County Superior Court Case No. 06CC11295;  
City of Newport Beach and Tustin v. City of Irvine; Orange County Superior Court Case No. 07CC01264;  
City of Newport Beach and Tustin v. City of Irvine; Orange County Superior Court Case No. 07CC01265;  
Allergan Inc. v. City of Irvine; Orange County Superior Court Case No. 07CC01267;  
Allergan Inc. v. City of Irvine; Orange County Superior Court Case No. 07CC01268; and  
Allergan Inc. v. City of Irvine; Orange County Superior Court Case No. 07CC01282.**

The City Council reconvened at 9:35 p.m. at which time City Attorney, Phil Kohn reported that the City Council voted 4-0, (Councilmember Kang absent), to:

**ACTION:** Authorize the initiation of certain litigation and that the particulars of that litigation will be disclosed at such time as that litigation is formally commenced.

#### **PLEDGE OF ALLEGIANCE**

Mayor Krom led the Pledge of Allegiance.

#### **MOMENT OF SILENCE**

Mayor Krom requested a moment of silence in remembrance of Lena Friedman, Mother-in-Law of Mayor Pro Tempore Agran.

#### **MUSICAL PRESENTATION**

Mayor Krom introduced Girl Scout Troop 1045, along with leaders Marianella Alvarado and Judi Chimits, who performed, "This Land is Your Land."

## **2. PRESENTATIONS**

The following presentations were made.

- 2.1 *Presentation of Cox Communications Public Education and Government Grant Payment***
- 2.2 *Commendation to the Beckman High School Girl's Softball Team - California Interscholastic Federation (CIF) Championship***
- 2.3 *Commendation to the University High School Boy's Tennis Team - 2007 California Interscholastic Federation (CIF) Championship***

## **INTRODUCTIONS**

City Manager, Sean Joyce introduced Brian Fisk, Manager of Redevelopment, who was attending the meeting in the absence of Tina Christiansen, Director of Redevelopment.

## **CITY MANAGER'S REPORT**

There was no City Manager's report.

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

The following announcements were made:

- Report on a ceremony held at Kia Motor America; the company donated a vehicle described as the safest mini-van in America to the Irvine Police Department; and
- Waste Management of Orange County and the City have partnered to provide new and expanded programs for Irvine residents beginning July 1. The new program includes discounts for using the smallest cart size for collection of trash, senior discounts on waste bill, additional recycling carts or green waste carts at no charge, and curbside recycling service will now accept plastic bags in the recycling carts; and
- The 23<sup>rd</sup> Annual 4<sup>th</sup> of July Firework Celebration and Concert on the Green will be held at Irvine High School on Wednesday, July 4; gates open at 3:00 p.m.; and
- "The Great Park Takes Flight" inaugural launch of the Great Park Balloon will commence on Saturday, July 14, 2007 from 9:00 a.m. – 3:00 p.m. at the Orange County Great Park site; and
- Shakespeare in the Park series will be held at Turtle Rock Community Park on July 15 and 22, 2007; the series will feature Shakespeare by the Sea, a Southern California-based organization who will perform "Taming of the Shrew" on July 15; and "Merchant of Venice" on July 22; the performance will begin at 7:00 p.m.; and
- Report on the 75<sup>th</sup> Annual Meeting of the Conference of Mayors which met June 22 – 26 in Los Angeles; Mayor Pro Tempore Agran requested a committee report from the Irvine Liaison and Coordinating Committee (IUSD) regarding an article citing a

significant number of potential lay offs at IUSD in the category of clerks and assistant counselors; in addition, Councilmember Shea requested that the committee provide an update on discussions currently taking place between Lennar Corporation and IUSD.

### **ADDITIONS AND DELETIONS**

There were no additions or deletions to the agenda.

### **3. CONSENT CALENDAR**

**ACTION: Moved by Councilmember Shea, seconded by Councilmember Choi, and unanimously carried by those members present to approve Consent Calendar items 3.1 through 3.11 with the exception of item noted below which was removed for separate discussion.**

3.9 Agreement for Security Services between the City of Irvine and Heritage Fields El Toro, LLC, A Delaware Limited Liability Company

#### **3.1 MINUTES**

**ACTION:** Approved the minutes of a regular City Council meeting held on June 12, 2007, as amended.

#### **3.2 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T**

**ACTION:** Adopted RESOLUTION NO. 07-86 - 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

Mayor Krom abstained.

#### **3.3 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA**

**ACTION:** Adopted RESOLUTION NO. 07-87 - 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

Mayor Pro Tempore Agran abstained.

**3.4 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:** Adopted RESOLUTION NO. 07-88 - 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

**3.5 TREASURER'S REPORT FOR THE QUARTER ENDED MARCH 31, 2007**

**ACTION:** Received and filed the Treasurer's Report for the Quarter Ended March 31, 2007.

**3.6 CONTRACT FOR LEGAL ADVERTISING – FY 2007-08**

**ACTION:** Awarded the contract for publication of legal notices for the City of Irvine for Fiscal Year 2007-2008 to the Irvine World News and the Orange County Register and authorize the Mayor to sign the agreements. (Contract Nos. 5543 and 5544)

**3.7 JOINT USE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY FOR THE RELOCATION OF EXISTING 66KV ELECTRICAL LINES WITHIN A CITY OWNED EASEMENT, IRVINE CENTER (PLANNING AREA 33)**

**ACTION:** Authorized the Mayor to execute Joint Use Agreement No. 67170A between Southern California Edison Company and the City of Irvine. (Contract No. 5246)

**3.8 ORANGE COUNTY GREAT PARK FISCAL YEAR 2006-07 BUDGET ADJUSTMENT INCREASING RV STORAGE REVENUES AND RECLASSIFYING A PORTION OF THE CONTRACT SERVICES BUDGET TO POSTAGE**

**ACTION:** Approved an Orange County Great Park budget adjustment increasing RV storage revenues by \$425,000, and reclassifying \$58,408 of the Contract Services budget to postage.

**3.9 AGREEMENT FOR SECURITY SERVICES BETWEEN THE CITY OF IRVINE AND HERITAGE FIELDS EL TORO, LLC, A DELAWARE LIMITED LIABILITY COMPANY**

This item was removed from the Consent Calendar at the request of Councilmember Choi who requested clarification of posting of guards at the various entrances to the former El Toro Marine Corps Air Station to

which Chief Maggard and Robert Santos – Lennar Heritage Fields responded.

**ACTION: Moved by Councilmember Choi, seconded by Councilmember Shea and unanimously carried by those members present to:**

Authorize the City Manager to approve and execute and the City Clerk to attest to an extension of Agreement No. 5115 between the City of Irvine and Heritage Fields El Toro, LLC, a Delaware Limited Liability Company, the successor-in-interest to Heritage Fields, LLC, for security services at the former El Toro Marine Corps Air Station commencing July 1, 2007. **(Contract No. 5115B)**

**3.10 TEMPORARY RV STORAGE LEASE EXTENSION**

**ACTION:** Approved a 90-day extension of the RV Storage Lease with All Star Services through September 30, 2007. **(Contract No. 5063C)**

**3.11 CONSIDERATION OF ADOPTION OF A RESOLUTION SUPPORTING SB 286 AND \$1 BILLION STATE BUDGET ALLOCATION OF PROPOSITION 1B FUNDS TO CITIES IN 2007-2008**

**ACTION:** Adopted RESOLUTION NO. 07-89 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SUPPORTING SB 286 AND \$1 BILLION STATE BUDGET ALLOCATION OF PROPOSITION 1B FUNDS TO CITIES IN 2007-2008

**END OF CONSENT CALENDAR**

**4. PUBLIC HEARINGS**

**4.1 ASSESSMENT DISTRICT NO. 85-7 (SPECTRUM 1,3 & 4) BOND REFUNDING**

Mayor Krom declared the public hearing open at 5:56 p.m.

Sean Joyce, City Manager, introduced Donna Mullally, Finance Administrator, who presented the staff report. Jim Stephens, Munifinancial, and Stan Wolcott, Bond Counsel - Rutan and Tucker, were also available to answer questions.

**ACTION: At 5:58 p.m., moved by Councilmember Shea, seconded by Mayor Pro Tempore Agran, and unanimously carried by those members present to close the public hearing.**

- 1) City Clerk, Sharie Apodaca, announced the ballot results in the affirmative.

**ACTION: Moved by Councilmember Choi, seconded by Mayor Krom, and unanimously carried by those members present, to:**

- 2) Adopt RESOLUTION NO. 07-90 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DETERMINING UNPAID REASSESSMENTS IN REASSESSMENT DISTRICT NO. 85-7 AND THE MANNER OF PAYMENT THEREOF AND LISTING BONDS ISSUED ON THE SECURITY THEREOF
- 3) Adopt RESOLUTION NO. 07-91 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CONFIRMING THE REASSESSMENTS IN REASSESSMENT DISTRICT NO. 85-7 AND DESIGNATING THE CITY TREASURER TO COLLECT AND RECEIVE MONEY
- 4) Adopt RESOLUTION NO. 07-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE OF IRVINE REASSESSMENT DISTRICT NO. 85-7 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A STANDBY BOND PURCHASE AGREEMENT, A BOND PURCHASE AGREEMENT, A REMARKETING AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO

## 5. COUNCIL BUSINESS

### 5.1 *ALTERNATIVE COST RECOVERY ANALYSIS FOR THE GREAT PARK BALLOON*

Rod Cooper, Great Park Operations Manager presented the staff report.

City Council discussion included: Clarification of projected operating costs of the balloon; clarification of expected percentage of return on cost of operation; cost savings if amount of time the balloon is in service is decreased; clarification of difference in cost originally projected to operate the balloon; clarification of projected revenues derived from interests or from the land that the City owns in the Great Park vicinity; exclusive group use; direction to create a template for sponsorship; and clarification of exploration of fees for exclusive group use.

**ACTION: Moved by Mayor Pro Tempore Agran, seconded by Mayor Krom, to:**

- 1) Direct staff to return in 30-60 days to provide further exploration of fees for exclusive group use.
- 2) Commence exploration of sponsorship and advertising options with the Lennar Corporation with the intention of forming a template for future opportunities.

An amendment to the original motion was requested by Councilmember Shea to add the following, the maker and second to the original motion accepted the amendment:

- 3) Direct staff to return in 60-90 days to Orange County Great Park Board and the City Council with an update on report of progress at balloon site and recommendations relative to expansion of revenue generating opportunities.

**Mayor Pro Tempore Agran and Mayor Krom accepted the amendment and the motion carried unanimously by those members present.**

**5.2 CONSIDERATION OF POLICE SUB-STATIONS AND POLICE HOUSING OPPORTUNITIES**

Wally Kreutzen, Assistant City Manager and Mark Asturias, Housing Manager presented the staff report.

Jeff Vandersluysveer, Irvine Police Association, spoke in support of this item.

City Council discussion included: Emergency response process for public safety officers; clarification that public safety officers are sworn in as disaster response officers and can assist in other cities if unable to report to the City where employed; housing opportunities for public safety officers; and equity sharing programs to assist with home purchases.

**ACTION: Moved by Councilmember Shea, seconded by Councilmember Choi, and unanimously carried by those members present, to:**

Direct staff to work with CivicStone Housing Consultants to review and make recommendations on possibly expanding the First Time Home Buyer program, and identify all potential opportunities and incentive programs we might adopt to encourage our public safety officers and City staff to live within the City of Irvine, if they choose to do so.

**END OF COUNCIL BUSINESS**

**RECESS TO CLOSED SESSION – 7:59 p.m.**

See Closed Session schedule on Page 1 of the Minutes.

**RECONVENE – 9:35 p.m. (See reportable action on Page 2 of the Minutes)**

**PUBLIC COMMENTS**

Norm Ewers, Irvine resident spoke on Senate Bill 840, to reform health care.

**IN MEMORIAM**

Mayor Krom adjourned the meeting in memory of Lena Friedman, Mother-in-Law to Mayor Pro Tempore Agran.

**ADJOURNMENT**

**Moved by Councilmember Shea, seconded by Mayor Pro Tempore Agran and unanimously carried by those members present to adjourn at 9:36 p.m. to a Regular Meeting to be held on July 10, 2007, at 4:00 p.m. at the Irvine Civic Center, One Civic Center Plaza, Irvine, California.**

  
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MAYOR OF THE CITY OF IRVINE

  
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CITY CLERK OF THE CITY OF IRVINE

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July 10, 2007