



CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:01 p.m., on May 22, 2007, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Krom presiding.

ROLL CALL

Present:	5	Councilmember:	Steven Choi
		Councilmember:	Sukhee Kang
		Councilmember:	Christina Shea
		Mayor Pro Tem:	Larry Agran
		Mayor:	Beth Krom

The City Council convened as follows:

1. CLOSED SESSION

- 1.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Pursuant to Subdivision Government Code Section 54956.9(a))
Newpath Networks, LLC v. City of Irvine, U.S. District Court Case No. SACV06-550-JVS

RECONVENE TO THE CITY COUNCIL MEETING

The City Council reconvened at 5:06 p.m.; no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Krom led the Pledge of Allegiance.

MOMENT OF SILENCE

The Mayor requested a moment of silence in remembrance of those who have given their lives in defense of our country.

MUSICAL PRESENTATION

A quartet from the California Promise Chorus performed "The Star Spangled Banner" and "God Bless America."

2. PRESENTATIONS

The following presentations were made:

- 2.1 *Presentation of Proclamation recognizing the week of May 20-26, 2007 as "National Public Works Week."***
- 2.2 *Presentation recognizing the Youth Action Team***
- 2.3 *Presentation of Plaque from the Orange County Tobacco Use Prevention Coalition***
- 2.4 *Presentation of Proclamation recognizing the week of May 20 - 26, 2007 as the "34th Annual Emergency Medical Services Week."***

INTRODUCTIONS

The following individual was introduced by Sean Joyce, City Manager:

- Emma Green, new Multicultural Affairs Coordinator.

CITY MANAGER'S REPORT

Sean Joyce, City Manager, reported on the following:

- The Department of Justice's five-year period trend report on violent and overall crime named the City of Irvine, who's crime rate has been pushed back to 1990 levels, the safest large city in California with a population of over 100,000. The city experienced a 17% decrease in violent crime and a 6% decrease in overall crime in 2006.
- The City of Irvine was recently awarded the "Outstanding Planning Award" by the Orange County Chapter of the American Planning Association for their outstanding housing strategies, implementation plans, and affordable housing opportunities.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

The following introduction was made:

- Councilmember Choi announced that Investment Advisory Committee Member, Jim Yu, will be resigning and introduced his new appointee, Jensen Chang.

The following announcements were made:

- Councilmember Choi and Mayor Krom attended an American Cancer Society's breakfast and received a plaque recognizing the passage of Irvine's No Smoking Ordinance; and
- Councilmember Choi attended the League of California Cities Legislative Action Conference in Sacramento and brought back a list of measures for the Council's review; and
- The Memorial Day Ceremony will be held at Colonel Bill Barber Park on Monday, May 28, from 10:00 a.m. to 11:30 a.m. to honor fallen service members and our newly adopted Marine Battalion will attend; and
- The Studio Arts Festival will be held on Saturday, June 2, from 9:00 a.m. to 5:00 p.m. at the Irvine Fine Arts Center in Heritage Park; and
- The "Quail Hill Trailhead Opening" will be held on Saturday, June 9 from 8:30 a.m. to 12:00 noon at Quail Hill Trailhead on Sand Canyon and Quail Hill Parkway.

The following report was made:

- Councilmember Kang, Irvine's representative for the South Orange County Major Investment Study Committee and in conjunction with the OCTA Board, provided a comprehensive update on purposes, needs, and alternative options approved for the first phase of top priority transportation improvements, and commended the Public Works staff for their attentiveness to the Major Investment Study.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Choi, seconded by Councilmember Kang, and unanimously carried to approve Consent Calendar items 3.1 through 3.18.

3.1 MINUTES

ACTION: Approved the minutes of a regular City Council meeting held on May 8, 2007.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed the month of June, as "National Safety Month."
- 2) Ratified the following: Proclaim May 18, 2007, as "Orange County Great Park Conservancy 'Jewel of Orange County' Day."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted RESOLUTION NO. 07-63 - 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 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION: Adopted RESOLUTION NO. 07-64 - 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.

3.5 TURTLE ROCK DRIVE REHABILITATION FROM CAMPUS DRIVE TO SOUTHERNWOOD - CIP 316160

ACTION: Approved the plans, specifications, and contract documents for Turtle Rock Drive Rehabilitation from Campus Drive to Southernwood, CIP 316160, on file with the Public Works Department.

3.6 ANNUAL LOCAL STREET REHABILITATION AND SLURRY SEAL - CIP 317210 AND 317290

ACTION: Approved the specifications and contract documents for the Annual Local Street Rehabilitation and Slurry Seal, Capital Improvement Projects (CIP) 317210 and 317290, on file with the Public Works Department.

3.7 CONSULTANT TEAM APPROVAL

ACTION: Approved the City's Consultant Team selection for professional and technical consultant services for the three year period ending June 30, 2010, as set forth in the "Consultant Team Recommendations."

3.8 COUNTY OF ORANGE, OFFICE ON AGING REQUEST FOR APPROVAL OF GRANT FUND AGREEMENT FOR NUTRITION PROGRAM

ACTION: Authorized the Director of Community Services, or his designee, to enter into an agreement with the County of Orange, Office on Aging to receive the nutrition grant for the Senior Services nutrition program. **(Contract No. 5530)**

3.9 MAP, BOND, AND AGREEMENTS FOR TRACT MAP NO. 17004, ORCHARD HILLS (PLANNING AREA 1)

ACTION:

- 1) Approved Tract Map No. 17004 on file with the Public Works Department.
- 2) Authorized the Mayor to execute the agreements and accept the security from The Irvine Community Development Company, LLC, guaranteeing street construction, landscaping, and survey monumentation.
- 3) Accepted the easements, fee parcels, and vehicular access rights, as dedicated on the tract map.

3.10 MAP, BONDS, AND AGREEMENTS FOR TRACT MAP NO. 17086, WOODBURY (PLANNING AREA 9B)

ACTION:

- 1) Approved Tract Map No. 17086 on file with the Public Works Department.
- 2) Authorized the Mayor to execute the agreements and accept the security from the Irvine Community Development Company, LLC, guaranteeing street construction and survey monumentation.
- 3) Accepted the easements and vehicular access rights as dedicated on the tract map.

3.11 MAP, BONDS, AND AGREEMENT FOR TRACT MAP NO. 17143, PORTOLA SPRINGS (PLANNING AREA 6)

ACTION:

- 1) Approved Tract Map No. 17143 on file with the Public Works Department.
- 2) Authorized the Mayor to execute the agreement and accept the security from Irvine Community Development Company, LLC, guaranteeing survey monumentation.
- 3) Accepted the easements as dedicated on the tract map.

3.12 MEMORANDUM OF UNDERSTANDING BETWEEN SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS AND THE CITY OF IRVINE REGARDING PARTICIPATION IN THE CLEAN CITIES PROGRAM

ACTION:

- 1) Authorized the Mayor to execute the Memorandum of Understanding (MOU) between the Southern California Association of Governments (SCAG) and the City of Irvine regarding participation in the Clean Cities Program. **(Contract No. 5531)**
- 2) Authorized the City Manager to execute, on behalf of the City, future renewals of the MOU.

3.13 BAKE PARKWAY REHABILITATION FROM THE I-5 FREEWAY TO THE LAKE FOREST CITY LIMIT - CIP 317170

ACTION: Approved the plans, specifications, and contract documents for Bake Parkway Rehabilitation from the I-5 Freeway to the Lake Forest City Limit, CIP 317170, on file with the Public Works Department.

3.14 HOUSING STRATEGY AND IMPLEMENTATION PLAN ANNUAL UPDATE

ACTION: Received and filed.

3.15 BUDGET ADJUSTMENT FOR THE TELEPHONE, MAIL, AND DUPLICATING FUND

ACTION: Approved the submitted Budget Adjustment increasing Mail Postage revenues and corresponding expenditures in the amount of \$85,000.

3.16 REQUEST FOR APPROVAL TO RENEW SENIOR MOBILITY PROGRAM FUNDING AGREEMENT WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA)

ACTION: Authorized the Director of Community Services to execute and the City Clerk to attest to an Amendment to the Senior Mobility Grant from OCTA for continued Senior Mobility Program funds to support transportation services. **(Contract No. 4323A)**

3.17 ORDINANCE NO. 07-13, CONFORM TO THE REQUIREMENTS OF SENATE BILL 53, TO DESCRIBE THE IRVINE REDEVELOPMENT AGENCY PROVISIONS AND LIMITATIONS FOR EMINENT DOMAIN

ACTION: Read by title and adopted ORDINANCE NO. 07-13 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE CONFORMING TO THE REQUIREMENTS OF SENATE BILL 53, CHAPTER 591 OF STATUTES OF 2006, AS CODIFIED IN CALIFORNIA HEALTH AND SAFETY CODE SECTION 33342.7, TO DESCRIBE THE IRVINE REDEVELOPMENT AGENCY'S PROVISIONS AND LIMITATIONS FOR REAL PROPERTY ACQUISITION BY EMINENT DOMAIN

3.18 ORDINANCE NO. 07-14, RELATING TO STATE AND LOCAL FRANCHISES FOR CABLE COMMUNICATIONS AND FRANCHISE AGREEMENT WITH COX COMMUNICATIONS

ACTION: Read by title and adopted ORDINANCE NO. 07-14 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE RELATING TO STATE AND LOCAL FRANCHISES FOR CABLE COMMUNICATIONS SYSTEMS AND GRANTING A FRANCHISE TO COXCOM, INC. DBA COX COMMUNICATIONS **(Contract No. 5532)**

END OF CONSENT CALENDAR

(The City Council heard Item 5.2 prior to Item 4.1.)

4. PUBLIC HEARINGS

4.1 ASSESSMENT DISTRICT NO. 07-22, STONEGATE AND STONEGATE EAST (PLANNING AREAS 9B AND 9C-2)

Mayor Krom declared the public hearing open at 7:40 p.m.

Sean Joyce, City Manager, introduced Mark Carroll, City Engineer, who presented the staff report with two representatives from MuniFinancial.

ACTION: At 7:48 p.m., moved by Councilmember Shea, seconded by Councilmember Kang, and unanimously carried to close the public hearing.

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

ACTION: Moved by Councilmember Shea, seconded by Councilmember Kang, and unanimously carried to:

- 2) Adopt RESOLUTION NO. 07-65- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CONFIRMING THE ASSESSMENTS IN ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST) PLANNING AREAS 9B AND 9C-2, ORDERING THE IMPROVEMENTS AND ACQUISITIONS TO BE MADE, AUTHORIZING ENTRY INTO CERTAIN AGREEMENTS, AND DESIGNATING THE CITY TREASURER TO COLLECT AND RECEIVE MONEY
- 3) Adopt RESOLUTION NO.07-66 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, DETERMINING UNPAID ASSESSMENTS IN ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST) PLANNING AREAS 9B AND 9C-2 AND THE MANNER OF PAYMENT THEREOF AND LISTING BONDS ISSUED ON THE SECURITY THEREOF
- 4) Adopt RESOLUTION NO. 07-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE OF IRVINE ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST) PLANNING AREAS 9B AND 9C-2 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A REIMBURSEMENT AGREEMENT, A BOND PURCHASE AGREEMENT, A REMARKETING AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO

4.2 ASSESSMENT DISTRICT NO. 85-7, SPECTRUM 1, 3 & 4 (PLANNING AREA 12) BOND REFUNDING

Mayor Krom declared the public hearing open at 7:49 p.m.

ACTION: Moved by Councilmember Shea, seconded by Councilmember Choi, and unanimously carried to:

Continue the public hearing to June 26, 2007 at 4:00 p.m.

5. COUNCIL BUSINESS

5.1 ISSUANCE OF FIXED RATE CONVERSION BONDS FOR ASSESSMENT DISTRICT NO. 93-14 (GROUP FIVE), ASSESSMENT DISTRICT NO. 03-19 (GROUP FIVE) AND ASSESSMENT DISTRICT NO. 04-20 (GROUP ONE)

Councilmember Choi left the dais at 7:50 p.m. and abstained from voting on the basis of living within 500 feet of the boundaries of the proposed district.

Sean Joyce, City Manager, introduced Donna Mullally, Finance Administrator who presented the staff report.

ACTION: Moved by Councilmember Kang, seconded by Councilmember Shea, and unanimously carried to:

- 1) Adopt RESOLUTION NO. 07-68 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,335,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 93-14 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP FIVE, APPROVING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT AND A GROUP FIVE CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO
- 2) Adopt RESOLUTION NO. 07-69 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$19,275,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 03-19 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP FIVE, APPROVING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT AND A GROUP FIVE CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO
- 3) Adopt RESOLUTION NO. 07-70 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$42,530,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 04-20 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP ONE, APPROVING THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL

INDENTURE, A BOND PURCHASE AGREEMENT AND A GROUP ONE CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO

5.2 FIRST READING OF ORDINANCE: LIVING WAGE REQUIREMENTS

(Item 5.2 was heard following the Consent Calendar.)

Phil Kohn, City Attorney, gave an overview of the Living Wage draft ordinance.

Rick Paikoff, Administrative Services Director, and Sherry Harton, Manager of Fiscal Services, presented the staff report.

The following individuals spoke in support of this item: Dennis Ruvolo, ICEA; Kevin Moynihan, ICEA; Rick Eiden, Orange County Central Labor Council; Frank Simkins, Irvine resident; Teferi Gebre, Orange County Labor Council; Eric Altman, Orange County Communities Organized for Responsible Development; John Getz, Huntington Beach resident; Laura Archuleta, Jamboree Housing; Edward Ripley, Irvine resident; Baldwin Keenan, Irvine resident; and Sharaf Moujood, CAIR.

Mayor Krom read a letter into the record in support of the ordinance from Elaine Booth, President of "Women for Orange County."

Council discussion included: promoting higher standards and best labor practices for employees under contract performing landscaping, janitorial and building maintenance services; recognizing value of work force in Irvine; extending Living Wage to future contract services at Orange County Great Park; setting standard wage above poverty level for Orange County; improving quality of life, including medical and vacation benefits; difficulty in estimating financial impact of ordinance; fiduciary duty of saving taxpayer funds; phase implementation over four years; concerns about approving the ordinance outside the normal budget process; clarification of the Statement of Issue; rationale for \$100,000 cut off point; revisiting \$100,000 cut off point after six months to potentially include other contracts; need for more comprehensive report before acting on ordinance; consistency and equity for city employee and contractors; implementation and enforcement of ordinance; compliance through safeguards, posting requirements, and annual reviews; and giving people who work here the opportunity to live in and enjoy benefits of Irvine.

ACTION: Moved by Mayor Pro Tempore Agran, seconded by Councilmember Kang, to:

Introduce for first reading and read by title only ORDINANCE NO. 07-15 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADDING DIVISION 6 TO TITLE 2 OF THE IRVINE MUNICIPAL CODE RELATING TO LIVING WAGE REQUIREMENTS

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Kang and Krom
NOES: 2 COUNCILMEMBERS: Choi and Shea

As amended.

(The City Council then continued with the remainder of the agenda beginning with Item 4.1.)

END OF COUNCIL BUSINESS

PUBLIC COMMENTS

Jacqueline Klein, Irvine resident, spoke on contrails over Irvine.
Philip Benguhe, Irvine resident, spoke on support services for homeowner associations.
Andy Zelinko, Irvine resident, spoke on the Northwood Park Memorial.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Councilmember Kang and carried by those members present (Councilmember Choi had left the dais) to adjourn at 7:52 p.m. to a Regular Meeting to be held on June 12, 2007, at 4:00 p.m. at the Irvine Civic Center, One Civic Center Plaza, Irvine, California.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

June 12, 2007

