



MINUTES

CITY COUNCIL REGULAR MEETING AND REGULAR JOINT MEETING WITH THE IRVINE REDEVELOPMENT AGENCY June 14, 2011

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:06 p.m. on June 14, 2011 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

ROLL CALL

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|----------|---|--------------------|------------------|
| Present: | 5 | Councilmember: | Larry Agran |
| | | Councilmember: | Steven Choi |
| | | Councilmember: | Jeffrey Lalloway |
| | | Mayor Pro Tempore: | Beth Krom |
| | | Mayor: | Sukhee Kang |

CONVENED TO REDEVELOPMENT AGENCY MEETING – 4:07 p.m.

RECONVENED TO CITY COUNCIL MEETING - 4:09 p.m.

1. CLOSED SESSION

1.1 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) Agency Negotiators: Gary Burton,

Director of Administrative Services; Dave Larsen, Rutan & Tucker; Jan Walden, Manager of Human Resources; and Jimmee Medina, Human Resources Administrator; Employee Organizations: Associated Supervisory/ Administrative Personnel (ASAP); Irvine City Employees Association (ICEA); Irvine Professional Employees Association (IPEA); Management and Non-Represented Employees (EXEMPT); and Confidential Employees

City Attorney Kohn announced the Closed Session item to be discussed, following which Mayor Kang convened to Closed Session at 4:09 p.m.

RECONVENE TO THE CITY COUNCIL MEETING – 5:17 p.m.

City Attorney Kohn, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kang requested a moment of silence in honor of Northwood High School student Ashton Sweet.

MUSICAL PRESENTATION

Mayor Kang introduced Lindsey Morrison, Administrative Secretary in the Public Works Department, who sang the National Anthem.

2. PRESENTATIONS

2.1 Proclaim June 20-26, 2011 as "Amateur Radio Week."

Mayor Kang introduced the Irvine Disaster Emergency Communications members and Irvine Police Advisors; and presented a commendation for their dedicated public service to the City.

2.2 Presentation by Families Forward

Mayor Kang introduced Margie Wakeham, Executive Director of Families Forward who provided an update on the Rapid Re-Housing Program.

CITY MANAGER'S REPORT

City Manager Joyce announced the appointment of our new Community Development Director, Eric Tolles.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Lalloway announced the Child Safety Fair hosted by the Joyful Child Foundation on June 25, 2011 at Canyon View Elementary School.

Councilmember Choi provided an update of the recent actions taken by the Orange County Public Library Advisory Board regarding funding allocations for cities. City Manager Joyce noted that a memorandum of understanding would be agendized for future City Council consideration.

Mayor Kang made the following announcements:

- "Growing the Park," the Orange County Great Park's annual summer anniversary event, will take place on July 9 from 3-9:30 p.m. at the Great Park. The festival will include aerial performances, arts and culture exhibits, sports activities, military vehicle displays, a petting zoo, and fireworks spectacular. Admission and parking are free. For more information, visit ocgp.org.
- This summer, free City concerts are planned at Woodbridge Community Park and the Orange County Great Park Flights and Sounds Summer Festival from July 23 through the first weekend in September. Gourmet food trucks will be on hand with a portion of the proceeds benefiting the Irvine Public Schools Foundation and the Irvine 2/11 Marine Adoption Committee. For more information about these free concerts, visit cityofirvine.org or ocgp.org.

ADDITIONS AND DELETIONS

There were none.

3. CONSENT CALENDAR

The Consent Calendar consisted of Item Nos. 3.1 through 3.14.

ACTION: Moved by Mayor Pro Tem Krom, seconded by Councilmember Choi, and unanimously carried to approve Consent Calendar Items 3.1 through 3.14 with the exception of Item Nos. 3.7, 3.9, 3.12 and 3.14; which were removed from the agenda.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a regular meeting of the Irvine City Council held on May 24, 2011.
- 2) Approved the minutes of a special meeting of the Irvine City Council held on June 2, 2011.

3.2 COMMENDATIONS

ACTION:

- 1) Commended Tustin Unified School District Superintendent Richard Bray on his upcoming retirement.
- 2) Commended the Irvine Senior Scholar Athletes of the Year.

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 11-54 - 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. 11-55 - 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 Pro Tem Krom abstained.

3.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 11-56 - 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

Councilmember Agran abstained.

3.6 TREASURER'S REPORT FOR THE QUARTER ENDED MARCH 31, 2011

ACTION:

Received and filed.

3.7 FISCAL YEAR 2011-2012 LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENTS

Councilmember Choi removed this item for further clarification of the annual Landscape, Lighting and Park Maintenance assessments.

City Council discussion included: the cost saving measures used in city parks and application of new technologies.

ACTION: Moved by Mayor Kang, seconded by Mayor Pro Tem Krom, and carried to:

Adopt RESOLUTION NO. 11-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS, APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE IRVINE LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENT, FISCAL YEAR 2011- 2012

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Agran, Krom, Lalloway and Kang

NOES: 1 COUNCILMEMBERS: Choi

3.8 RESOLUTION OF INTENTION, PRELIMINARY ENGINEER'S REPORT AND SET PUBLIC HEARING FOR ASSESSMENT DISTRICT NO. 11-24 (PLANNING AREA 40)

ACTION:

- 1) Adopted RESOLUTION NO.11-58 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO ORDER THE CONSTRUCTION AND ACQUISITION OF CERTAIN IMPROVEMENTS FOR PROPOSED ASSESSMENT DISTRICT NO. 11-24
- 2) Adopted RESOLUTION NO. 11-59 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE PRELIMINARILY ADOPTING, CONFIRMING, AND APPROVING THE ENGINEER'S REPORT, AND SETTING A PUBLIC HEARING FOR PROPOSED

ASSESSMENT DISTRICT NO. 11-24

3.9 CONTRACT FOR LEGAL ADVERTISING - FISCAL YEAR 2011-12

This item was removed by Councilmember Agran for separate discussion and clarification of possible cost saving measures for legal advertising.

ACTION: Moved by Councilmember Agran, seconded by Mayor Pro Tem Krom, and unanimously carried to:

Award the contract for publication of legal notices for the City of Irvine for Fiscal Year 2011-12 to Irvine World News and the Orange County Register; and authorize the Mayor to execute the agreements and, furthermore, direct the City Manager, City Clerk and City Attorney to research and deploy ways and means by which public notices can be published in abbreviated form at substantial savings for the City.

3.10 FINAL TRACT MAP NOS. 16999, 17403, AND 17420 NOTICE OF REVIEW AND PENDING APPROVAL FOR RESIDENTIAL CONDOMINIUMS IN IRVINE BUSINESS COMPLEX, STONEGATE, AND PLANNING AREA 40

ACTION:
Received and filed.

3.11 AVALONBAY COMMUNITIES DENSITY BONUS HOUSING AGREEMENT

ACTION:

- 1) Approved a Density Bonus Housing Agreement substantially in the form attached to the staff report with AvalonBay Communities, Inc., a Maryland corporation.
- 2) Authorized the City Manager to execute the Density Bonus Agreement by and between the City of Irvine and AvalonBay Communities, Inc. a Maryland corporation.

3.12 ORDINANCE NO. 11-03, ORDINANCE EXTENDING THE DEVELOPMENT FEE DEFERRAL PROGRAM FOR NEW RESIDENTIAL DEVELOPMENT AND EXPANDING THE SCOPE

This item was removed for separate discussion at the request of Councilmember Lalloway, in order to read a letter into the record from the Building Industry Association of Southern California Orange County Chapter in support of the ordinance.

ACTION: Moved by Councilmember Lalloway, seconded by Mayor Pro Tem Krom, and unanimously carried to:

Read by title only, second reading and adoption of ORDINANCE NO. 11-03 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE EXTENDING THE DEVELOPMENT FEE DEFERRAL PROGRAM FOR NEW RESIDENTIAL DEVELOPMENT AND EXPANDING THE SCOPE TO INCLUDE NEW COMMERCIAL DEVELOPMENT BY TEMPORARILY SUPERSEDING CERTAIN CITY MUNICIPAL AND ZONING CODE PROVISIONS RELATING TO THE REQUIRED TIME OF PAYMENT OF SPECIFIC DEVELOPMENT IMPACT FEES

3.13 ORDINANCE NO. 11-04, ORDINANCE AMENDING TITLE I, DIVISION 5 OF THE IRVINE MUNICIPAL CODE REGARDING THE CITY SEAL AND THE CITY LOGO

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 11-04 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING TITLE I, DIVISION 5 OF THE IRVINE MUNICIPAL CODE REGARDING THE CITY SEAL AND THE CITY LOGO

3.14 ROLLER HOCKEY FACILITY GROUND LEASE AND SALE OF BUILDING AND IMPROVEMENTS AND LEASE EXTENSION

This item was removed by Councilmember Choi for separate discussion and further clarification of the contract terms and conditions of the facility.

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tem Krom, and unanimously carried to:

- 1) Authorize the City Manager to execute and sign all necessary documents for a Ground Lease Agreement between the City of Irvine and Anaheim Ducks Hockey Club, LLC for the Irvine Roller Hockey Facility located at 3150 Barranca Parkway, Irvine, California.
- 2) Authorize the City Manager to execute and sign all necessary documents for a Purchase and Sale Agreement between the City of Irvine and Anaheim Ducks Hockey Club, LLC of the building and improvements for the Irvine Roller Hockey Facility located at 3150 Barranca Parkway, Irvine, California.
- 3) Authorize the City Manager to execute and sign all necessary documents for a First Amendment to the Roller Hockey Center Lease Agreement between the City of Irvine and 949 Roller Hockey Center (Eddie Limbaga, individual operator) for the Irvine Roller

Hockey Facility located at 3150 Barranca Parkway, Irvine, California.

END CONSENT CALENDAR

4. PUBLIC HEARINGS

4.1 PUBLIC HEARING FOR CHANGES AND MODIFICATIONS IN THE IMPROVEMENTS FOR ASSESSMENT DISTRICT NO. 89-9

Mayor Kang opened the public hearing at 6:25 p.m.

ACTION: Moved by Mayor Pro Tempore Krom, seconded by Councilmember Agran, and unanimously carried to:

Continue the public hearing to a date uncertain.

4.2 COMMUNITY SERVICES DEPARTMENT FISCAL YEAR 2011-12 PROPOSED FEE CHANGES

City Manager Joyce introduced Mike Cribbin, Senior Management Analyst, who provided the staff report.

Mayor Kang opened the public hearing at 6:32 p.m.

There were no public comments.

ACTION: Moved by Mayor Pro Tempore Krom, seconded by Councilmember Choi, and unanimously carried to close the public hearing at 6:32 p.m.

City Council discussion included: clarification of the Meals on Wheels costs and non-compliance fees to license pets within the required time limits, and clarification of the six month provision of pet license fees.

ACTION: Moved by Councilmember Lalloway, seconded by Mayor Pro Tempore Krom, and unanimously carried to:

Adopt RESOLUTION NO. 11-60 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING FEES FOR VARIOUS COMMUNITY SERVICES DEPARTMENT ACTIVITIES FOR THE FISCAL YEAR 2011-12

CALL TO ORDER - JOINT MEETING OF THE IRVINE REDEVELOPMENT AGENCY AND IRVINE CITY COUNCIL – 6:40 p.m.

5. BUSINESS

5.1 CITY OF IRVINE AND IRVINE REDEVELOPMENT AGENCY FISCAL YEAR 2011-12 BUDGET

Mayor Kang provided a brief statement before the staff report was presented.

City Manager Joyce introduced Ken Brown, Manager of Budget; Lori DiFiore, Senior Management Analyst; and Kalesha Kennedy, Budget Officer; following which he presented the Fiscal Year 2011-12 Budget staff report.

Gary Burton, Director of Administrative Services, provided a report on cost reduction strategies.

The following individuals spoke in support of the proposed budget and the valuable services provided by the Legal Aid Society of Orange County:

Bob Cohen, Legal Aid Society of Orange County
Sara Lee, Legal Aid Society Attorney
Renato Izquieta, Legal Aid Society of Orange County

Don Dressler, Finance Commissioner, spoke in support of the proposed budget.

City Council discussion included: clarification of sales tax revenue forecasts, Orange County Public Library proposed funding agreement, costs per capita of City services, support of Legal-Aid Society and other non-profit organizations, Joyful Jingles and Banner Program funding, clarification of the decrease in property tax revenues, clarification of the Orange County Great Park budget and sole source contracts.

ACTION: Moved by Mayor Kang, Seconded by Councilmember Agran to approve the Irvine Redevelopment Agency Budget and recommended actions 1-8 pertaining to the approval of the City Budget for Fiscal Year 2011-12.

ACTION*: Substitute Motion by Councilmember Lalloway to divide the question by bifurcating recommendation number 5 pertaining to the Orange County Great Park Budget from the original motion, and to include a \$10,000 allocation in the City Budget for a Joyful Jingles Concert. Motion was seconded by Councilmember Choi and unanimously carried.

*The substitute motion carried and takes precedence over the main motion; therefore, a vote was not taken on the main motion.

ACTION: Moved by Chair Kang, seconded by Vice Chair Krom, and unanimously carried to:

REDEVELOPMENT AGENCY ACTION:

Adopt RESOLUTION NO. 11-05 – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRVINE REDEVELOPMENT AGENCY APPROVING THE IRVINE REDEVELOPMENT AGENCY BUDGET AND WORK PROGRAM FOR FISCAL YEAR 2011-2012

ACTION: Moved by Mayor Kang, seconded by Mayor Pro Tem Krom, and unanimously carried to:

CITY COUNCIL ACTION:

- 1) Adopt the FY 2011-12 Budget, amended to include an additional \$10,000 for a Joyful Jingles Concert.
- 2) Adopt RESOLUTION NO. 11-61– A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET AND FINANCIAL POLICIES FOR THE CITY OF IRVINE FOR THE FISCAL YEAR 2011-2012
- 3) Adopt RESOLUTION NO. 11-62– A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR THE 2011-2012 FISCAL YEAR, AND SUPERSEDING RESOLUTION NO. 11-22 WHICH IS INCONSISTENT THEREWITH
- 4) Adopt RESOLUTION NO. 11-63– A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2011-2012
- 6) Receive the informational report regarding the City’s contract cost containment and reduction strategies and provide direction as appropriate.
- 7) Receive and file the Strategic Technology Plan, and adopt corresponding Resolution No. 11-64 – A Resolution of the City Council of the City of Irvine, California, rescinding resolution No. 02-69 and amending and restating the citywide records retention schedule relating to electronic-mail (e-mail) records.
- 8) Approve the Sixth Amendment to the Affiliated Computer Services (ACS) Agreement for implementation of the Strategic Technology Plan 2011-2016, duplicating, convenience copiers and telecommunications services and extend the term of the agreement through June 30, 2016, as included in the proposed budget.

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

- 5) Approve the Orange County Great Park Fiscal Year 2011-12 Budget as amended in the amount of \$64.8 million and authorize the

execution of the sole source contracts and grants approved by the Orange County Great Park Board of Directors at its meeting on May 19, 2011.

The motion carried as follows:

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

ADJOURNMENT - JOINT MEETING

Moved by Mayor Pro Tem/Vice Chair Krom, seconded by Councilmember/Director Choi, and unanimously carried to adjourn the Joint Meeting and the Regular Meeting of the Redevelopment Agency at 8:27 p.m.

RECONVENE - CITY COUNCIL REGULAR MEETING – 8:27 p.m.

6. COUNCIL BUSINESS

6.1 ORDINANCE TO ADD CHAPTER 8 TO DIVISION 14 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE RELATING TO CHILD SAFETY ZONES IN CITY PARKS

City Manager Joyce introduced Chief Maggard, Director of Public Safety and Susan Davis, Police Lieutenant; who presented the staff report.

Public comments in support of a Child Safety Zone Ordinance included:

Dawn Foor, CSP Sexual Assault Victim Services
Erin Rynnion, Surviving Parents Coalition
Elaina Kroll, Innocence Mission
Tony Rackauckas, Orange County District Attorney
Kelly Hagins.
Shawn Nelson, Orange County Supervisor
Eric Turkful

Two letters sent by e-mail from Michael R. Sumners and Jacquie Martinez were read into the record.

City Council discussion included: clarification of current registered sexual offender status and issues, needs assessment of additional law enforcement tools, implications of the varying Child Safety Zone ordinances, clarification of individual

rights of access to parks for employment or voting, clarification of child safety zone locations and ordinance enforcement.

ACTION*: Moved by Councilmember Lalloway, seconded by Councilmember Choi, to:

- 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 CHAPTER 8 TO DIVISION 14 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE PROHIBITING REGISTERED SEX OFFENDERS FROM ENTERING CITY PARKS AND RECREATIONAL FACILITIES

ACTION: Substitute Motion by Councilmember Agran, seconded by Mayor Pro Tem Krom, and unanimously carried to:

- 2) Introduce for first reading and read by title only ORDINANCE NO.11-05 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING CHAPTER 8 TO DIVISION 14 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE PROHIBITING REGISTERED SEX OFFENDERS CONVICTED OF A CRIME AGAINST A MINOR FROM ENTERING CITY PARKS AND RECREATIONAL FACILITIES as amended such that Section 4-14-803 shall read as follows:

Any person who is required to register pursuant to California Penal Code section 290 *et seq.*, where such registration is required by reason of an offense for which the person was convicted and in which a minor was the victim, and who enters upon or into any City park and recreational facility where children regularly gather without written permission from the Chief of Police or his designee, is guilty of a misdemeanor. Each entry into any such area, regardless of the time period between entries, shall constitute a separate offense under this chapter.

*The substitute motion carried and takes precedence over the main motion; therefore, a vote was not taken on the main motion.

PUBLIC COMMENTS – REDEVELOPMENT AGENCY

There were no public comments.

PUBLIC COMMENTS – CITY COUNCIL

There were no public comments.

ADJOURNMENT IN MEMORY OF ASHTON SWEET

**Moved by Mayor Pro Tem Krom, seconded by Councilmember Choi, and
unanimously carried to adjourn the meeting at 10:09 p.m. in memory of Ashton
Sweet.**



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

June 28, 2011