MINUTES
CITY COUNCIL
REGULAR MEETING
January 25, 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 January 25, 2011, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

ROLL CALL

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

2. CONSENT CALENDAR

The Consent Calendar was considered immediately after Roll Call. The Consent Calendar consisted of Item Nos. 2.1 through 2.15.

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tem Krom, and unanimously carried to approve Consent Calendar Items 2.1 through 2.15, with the exception of Item No. 2.12, which was removed for separate discussion.

2.1 MINUTES

ACTION:

1) Approved the minutes of a special meeting of the Irvine City Council held on January 7, 2011.
2) Approved the minutes of an adjourned regular meeting of the Irvine City Council held on January 11, 2011.

2.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:
Adopted RESOLUTION NO. 11-07 - 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:
Adopted RESOLUTION NO. 11-08 - 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.

2.4 WARRANT AND WIRE TRANSFER RESOLUTION – BANK OF AMERICA

ACTION:
Adopted RESOLUTION NO. 11-09 - 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.

2.5 AFFORDABLE HOUSING IN-LIEU FEE ADJUSTMENT

ACTION:
Adopted RESOLUTION NO. 11-10 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING AN UPDATE TO THE AFFORDABLE HOUSING IN-LIEU FEE

2.6 RENEWED MEASURE M (M2) COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM GRANT APPLICATIONS

ACTION:
Adopted RESOLUTION NO. 11-11 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBMITTAL OF FUNDING APPLICATIONS FOR TRANSPORTATION IMPROVEMENT PROJECTS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM

2.7 AGREEMENT WITH CLEAN ENERGY FOR COMPRESSED NATURAL GAS STATION OPERATIONS

ACTION:
Authorized the City Manager to execute a new five-year Agreement with Clean Energy for the operation and maintenance of the existing compressed natural gas (CNG) station located at the City's Operations Support Facility.

2.8 REHABILITATION OF PLAYGROUND EQUIPMENT AT DEERFIELD COMMUNITY PARK – CIP 378040

ACTION:
Approved plans and specifications for rehabilitation of playground equipment at Deerfield Community Park

2.9 ACCEPTANCE OF ASSEMBLY BILL 912 GRANT FROM CALIFORNIA 9-1-1 EMERGENCY COMMUNICATIONS OFFICE

ACTION:
1) Accepted an Assembly Bill 912 grant award from the California 9-1-1 Emergency Communications Office in the amount of $22,770.40 as a subgrantee of the County of Orange.
2) Approved a budget adjustment request in the amount of $22,770.40, reflecting an increase in revenues and appropriations.

2.10 APPROVAL OF PLANS AND SPECIFICATIONS FOR FIRE ALARM LIFE SAFETY SYSTEM INSTALLATION AT THE IRVINE ANIMAL CARE SERVICES CENTER

ACTION:
Approved plans and specifications for fire alarm life safety system installation at the Irvine Animal Care Services Center.

2.11 GRANT FROM IRVINE COMMUNITY ALLIANCE FUND ON BEHALF OF VERIZON HOPELINE FOUNDATION

ACTION:
Approved a Budget Adjustment to accept a $10,000 grant from the Irvine Community Alliance Fund, on behalf of Verizon HopeLine Foundation, to fund language translation and printing of the City's Victim Resource Guide and language translation services for FOR Families clientele.

2.12 CITY OF IRVINE 2011 LEGISLATIVE PLATFORM, CITY OF IRVINE AND ORANGE COUNTY GREAT PARK CORPORATION'S 2012 LEGISLATIVE AGENDA AND CITY COUNCIL OPPOSITION TO THE ADMINISTRATION'S PROPOSAL TO ELIMINATE REDEVELOPMENT AGENCIES IN CALIFORNIA

This item was removed for separate discussion by Mayor Kang.

City Council discussion included: potential increase in taxes on businesses and residents; whether or not additional regulations will be imposed on businesses; if State dollars are being sought on behalf of the City and the Orange County Great Park in addition to Federal dollars; clarification on how the removal of redevelopment agencies violates both State and Federal Constitutions; inclusion of the prior year platform with the current platform for comparison; and a request that more frequent updates from the City's lobbyists at City Council meetings on accomplishments over the past year as well as priorities for the ensuing year.

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

ACTION:

1) Adopt and approved the 2011 State and Federal Legislative Platform.
2) Adopt and approve the 2012 Legislative Agenda for the City of Irvine and the Orange County Great Park Corporation.
3) Approve City Council position to oppose Governor Brown's 2011-12 State Budget proposal permanently eliminating redevelopment agencies in California, by adopting RESOLUTION NO. 11-12 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE IN OPPOSITION TO THE ADMINISTRATION'S PROPOSAL TO ELIMINATE REDEVELOPMENT AGENCIES IN CALIFORNIA.

4) Appoint Councilmembers Agran and Lalloway to a subcommittee to develop and implement a strategy to protect the City of Irvine interests with regard to Governor Brown's 2011-12 State Budget proposal permanently eliminating redevelopment agencies in California.

2.13 ACCEPTANCE OF SHADY CANYON TURTLE POND MITIGATION SITE

ACTION:

1) Approved Management Agreement and Amendment to Deed Covenant: Shady Canyon Turtle Pond Mitigation Site.
2) Accepted $100,000 donation.
3) Approved third amendment to Management Agreement with the Irvine Ranch Conservancy.

2.14 BUDGET ADJUSTMENT FOR PLAN CHECK SERVICES

ACTION:

Approved a Budget Adjustment in the amount of $936,000 in unanticipated revenue increasing the budget and expenditure allocations for the Public Works Development Engineering Fund by $800,000 and General Fund by $136,000.

2.15 APPOINTMENT TO THE BOARD OF DIRECTORS OF THE IRVINE BARCLAY THEATRE OPERATING COMPANY

ACTION:

Appointed Gary Burton, Director of Administrative Services, to the Irvine Barclay Theatre Operating Company Board of Directors.

END CONSENT CALENDAR

RECESS

Mayor Kang called a recess at 4:30 p.m.

RECONVENE

Mayor Kang reconvened the City Council meeting at 5:10 p.m.

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kang requested a moment of silence in honor of the men and women who have honorably served and continue to serve in the Armed Forces.

MUSICAL PRESENTATION

Mayor Kang introduced Irvine Classical Players Chambers Orchestra, featuring 12 year old soloist Bradley Bascon, who performed "Winter" by Vivaldi.

1. PRESENTATIONS

1.1 Recognition of Northwood Gratitude and Honor Committee and Volunteers

Mayor Kang recognized members of the Northwood Gratitude and Honor Committee, as well as the volunteers and businesses who contributed to the design, construction, and dedication of the Northwood Memorial at Northwood Community Park; and thanked them for support.

1.2 Recognition of Vietnamese-American Federation of Southern California

Mayor Kang introduced Neil Nguyen, President; Ken Nguyen, Vice President/External Affairs; Bruce Tran, Vice President/Internal Affairs; and Minh Tran, Secretary General from the Vietnamese-American Federation of Southern California and presented them with a commendation.

Nguyen Hung on behalf of the TFT Parade; and Vinh Truone on behalf of the Vietnamese community, expressed their appreciation to the City Council for the recognition of the Vietnamese-American Federation and the commendation that was presented.

1.3 Presentation of "Earned Income Tax Credit Program"

Mayor Kang introduced Jeanette Valencia, Director of I-CAN E-File Outreach; and Hoda Hessaramiri, Volunteer Income Tax Assistance Coordinator from Legal Aid Society of Orange County, who provided an overview of the Irvine 2009 Earned Income Tax Credit Program. The Mayor also recognized and thanked community partners for their support in making the program possible.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Lalloway introduced newly-appointed Community Services Commissioner Kevin Trussell; and Planning Commissioner Jeffrey Pierson.

Mayor Kang made the following announcements:

- The public is invited to attend the annual State of the City on Tuesday, February 8 at 6 p.m. in the Council Chamber. A reception will take place beforehand at 5 p.m. For information, visit cityofirvine.org.

- The City of Irvine, in partnership with the Legal Aid Society of Orange County, the IRS, Orange County One-Stop Center and the Orange County United Way, is offering tax preparation services at no cost to taxpayers who earned less than $58,000 in 2010. Assistance is available Monday through Thursday from 4-7 p.m. at the Orange County One-Stop Center in Irvine beginning February 1. For information or to schedule an appointment, call 888-434-8248.

- The City of Irvine, together with the Irvine Child Care Committee and Irvine Children, Youth and Families Advisory Committee, will host a special screening of "Race to Nowhere" at 6 p.m. on February 24 at the Irvine Civic Center, which questions how success is defined in American education. Tickets are $10 per person and payment assistance is available for qualified applicants. For information, visit racetonowhere.com or call 949-724-6680.

ADDITIONS AND DELETIONS

There were none.

3. PUBLIC HEARINGS

3.1 IRVINE BUSINESS COMPLEX FEE PROGRAMS FOR TRANSPORTATION AND NEIGHBORHOOD INFRASTRUCTURE

Assistant City Manager Landers introduced Tim Gehrich, Manager of Planning and Development Services; Barry Curtis, Community Development Project Administrator; Bill Jacobs, Principal Planner; and Sun-Sun Murillo, Supervising Transportation Analyst, who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 6:36 p.m.

Kristine Thalman, CEO, Building Industry Association of Orange County, spoke in support of the reduced transportation fee in the Irvine Business Complex.

Bryan Starr, Building Industry Association of Orange County; and Tim Strader Jr, Starpoint Ventures, spoke in support of the reduced transportation fee. They also spoke in opposition to the increase in the Neighborhood Infrastructure Fee and the calculating formula used to determine the fee.

Pamela Sapetto, Sapetto Group, Inc. spoke in support of the reduced transportation fee; and suggested that the City prioritize infrastructure projects underway and evaluate whether the current fee structure is necessary at its current level.

ACTION: Moved by Mayor Pro Tem Krom, seconded by Councilmember Lalloway, and unanimously carried to close the public hearing at 6:45 p.m.

City Council discussion included: methodology/calculations used to determine construction costs and the current Neighborhood Infrastructure Fee; adoption of the Neighborhood Infrastructure Fee at 2006 levels and how the City and future projects could be impacted at such levels; whether a reduced Neighborhood Infrastructure Fee will stimulate development; reevaluation of the fee in 6-12 months; deferment of a fee increase to provide adequate notice to developers; and anticipated projects within the next 12 months.

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

ACTION:

1) Adopt RESOLUTION NO. 11-13 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE UPDATED IRVINE BUSINESS COMPLEX (PA 36) TRANSPORTATION IMPROVEMENT FUNDING PLAN, INCLUDING THE ESTABLISHMENT OF A DEVELOPMENT FEE PROGRAM IN THE IRVINE BUSINESS COMPLEX, BASED ON SECTION 9-36-14 OF THE ZONING ORDINANCE
2) Adopt RESOLUTION NO.11-14 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AN UPDATED FUNDING PROGRAM FOR IRVINE BUSINESS COMPLEX (PA 36) NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENTS, INCLUDING THE ESTABLISHMENT OF A DEVELOPMENT FEE PROGRAM IN THE IRVINE BUSINESS COMPLEX, BASED ON SECTION 9-36-15 OF THE ZONING ORDINANCE

As amended to approve the Neighborhood Infrastructure Improvements fee at the 2006 Level for a period of six months, after which time the fee will automatically adjust by 14 percent in keeping with adopted index.

3) Authorize the Mayor to sign the Amended Agreement with the City of Santa Ana for Irvine Business Complex (IBC) transportation improvements. Further, authorize the City Manager to sign future amendments, if any, involving technical revisions or technical updates to the Agreement.
4) Authorize the Mayor to sign the Traffic Mitigation Agreement (TMA) with Caltrans for IBC transportation improvements. Further, authorize the City Manager to sign future amendments, if any, involving technical revisions or technical updates to the Agreement.

4. COUNCIL BUSINESS

4.1 CONSIDERATION OF BUSINESS FRIENDLY INITIATIVES

Assistant City Manager Landers introduced Gina Park, Assistant to the City Manager, who presented the staff report and responded to questions.

City Council discussion included: potential fiscal impacts of proposed initiatives; process of establishing a business improvement district and in comparison to a hotel improvement district; further exploration of each proposed initiative; cosmetic and marketing improvements at the Irvine Auto Center; easing sign restrictions; and marketing strategies to promote business-friendly initiatives.

ACTION*: Moved by Mayor Kang, seconded by Councilmember Lalloway, to:

ACTION:
Adopt all proposed business-friendly initiatives and direct staff to return to the City Council with a report within 30-45 days with an implementation plan.

ACTION: A substitute motion was made by Mayor Pro Tem Krom, seconded by Councilmember Lalloway, and unanimously carried to:

ACTION:
Direct staff to further develop and refine the list of recommended initiatives, including the cost benefit of each and the time involvement of each, and return to the City Council with a report in 30 to 45 days.

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

PUBLIC COMMENTS

There were none.

ADJOURNMENT

Moved by Mayor Pro Tem Krom, seconded by Councilmember Choi, and unanimously carried to adjourn the meeting at 8:31 p.m.

MAYOR OF THE CITY OF IRVINE

CITY CLERK OF THE CITY OF IRVINE

February 8, 2011