MINUTES

CITY COUNCIL
REGULAR MEETING
AND
REGULAR JOINT MEETING
WITH THE IRVINE
REDEVELOPMENT AGENCY
June 28, 2011

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

A Regular Meeting of the Irvine City Council, followed by a Regular Joint Meeting of the Irvine City Council and Redevelopment Agency, was called to order at 4:04 p.m. on June 28, 2011 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor/Chair Kang presiding.

ROLL CALL

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

ADDITIONS AND DELETIONS

City Attorney Kohn recommended that a Closed Session item be added to the agenda for purposes of discussing in joint session the initiation of litigation pursuant to Government Code 54956.9(c) in connection with the proposed state budget situation. It was determined by his office that facts and circumstances associated with the proposed state budget had arisen since the posting of the agenda.

ACTION: Moved by Mayor Pro Tempore/Vice-Chair Krom, seconded by Councilmember/Boardmember Lalloway, and unanimously carried to add the following Closed Session item to the agenda:

1.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code Section 54956.9 (c)): 1 case

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 Council Closed Session)**

1.2 CONFERENCE WITH LEGAL COUNSEL – CONSIDERATION WHETHER TO INITIATE LITIGATION (Pursuant to Government Code Section 54956.9(c)): 1 item.* **(Joint Closed Session)**

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

* Closed Session Item No. 1.2 was added to the agenda by a unanimous vote of the City Council and Redevelopment Agency Board. See Additions and Deletions.

RECONVENE– 5:14 p.m.

City Attorney Kohn, on behalf of the City Council, announced that no reportable action was taken in Closed Session on Item No. 1.1; and on behalf of the City Council and Redevelopment Agency Board, announced that no reportable action was taken in Closed Session on Item No. 1.2.

Mr. Kohn recommended advancing Item No. 5.1 as the next item of business.

CONVENE TO REGULAR JOINT MEETING OF THE IRVINE CITY COUNCIL AND REDEVELOPMENT AGENCY – 5:15 p.m.

5. JOINT BUSINESS

5.1 RECONSIDERATION OF ACTION TAKEN ON JUNE 23, 2011 AT A SPECIAL JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY MEETING RATIFYING THE REDUCTION OF AGENCY DEBT OBLIGATION UNDER PURCHASE, SALE AND FINANCING AGREEMENT

City Manager/Executive Director Joyce introduced Assistant City Manager/Assistant Executive Director Landers, who provided a brief update regarding on-going developments on pending legislation as it relates to the passage of the Governor's proposed state budget. Based on that information, staff made the recommendations below.

City Council discussion included: adjourning to a special joint meeting on June 29, 2011 at 8:00 a.m. to discuss further developments on the proposed state budget should they arise.

There were no public comments on the matter.

CITY COUNCIL ACTION: Moved by Councilmember Agran, Seconded by Mayor Pro Tempore Krom, and unanimously carried to:

1) Rescind the prior direction to apply the approximately $61 million value of the 35 acres, transferred by the Agency to the City, to the Purchase and Sale and Financing Agreement, and direct that the value be applied to the entirety of the February 8, 2011 Funding/Cooperation Agreement and a portion of the March 8, 2011 Funding/Cooperation Agreement.
2) Direct the City Manager and Redevelopment Agency Executive Director to change the application of the $61 million back to the Purchase and Sale and Financing Agreement if staff learns that the bills presented to the Governor do not include an "opt-in" option.

REDEVELOPMENT AGENCY ACTION: Moved by Boardmember Agran, Seconded by Vice Chair Krom, and unanimously carried to:

1) Rescind the prior direction to apply the approximately $61 million value of the 35 acres, transferred by the Agency to the City, to the Purchase and Sale and Financing Agreement, and direct that the value be applied to the entirety of the February 8, 2011 Funding/Cooperation Agreement and a portion of the March 8, 2011 Funding/Cooperation Agreement.
2) Direct the City Manager and Redevelopment Agency Executive Director to change the application of the $61 million back to the

Purchase and Sale and Financing Agreement if staff learns that the bills presented to the Governor do not include an "opt-in" option.

PUBLIC COMMENTS – REDEVELOPMENT AGENCY/CITY COUNCIL

There were no public comments.

ADJOURNMENT–REGULAR JOINT MEETING WITH THE REDEVELOPMENT AGENCY – 5:22 p.m.

Moved by Councilmember / Boardmember Lalloway, seconded by Councilmember / Boardmember Choi, and unanimously carried to adjourn the Regular Joint Meeting with the Redevelopment Agency to June 29, 2011 at 8:00 a.m.

CONVENE TO REGULAR MEETING OF THE IRVINE CITY COUNCIL – 5:23 p.m.

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MUSICAL PRESENTATION

Mayor Kang introduced Wan Yeung, a music major from UC Irvine, who performed "America the Beautiful" and "Spring on TianShan."

2. PRESENTATIONS

2.1 Commend Don Dressler, Chair of the Finance Commission

Mayor Kang introduced Don Dressler, Chair of the Finance Commission, and congratulated him on his retirement from the Finance Commission. Mayor Pro Tempore Krom presented Mr. Dressler with a City Tile and Commendation recognizing him for more than 18 years of outstanding service, and wished him well in his future endeavors.

Finance Commissioners William Bollard, Min Chai, and Omar Ezzeldine also presented Chair Dressler with a plaque, and thanked him for his many years of outstanding service.

2.2 Orange County Water District Update

Mayor Kang introduced Stephen Sheldon, Director, and Mike Markus, General Manager, from the Orange County Water District, who provided information about recent storm flow capture behind Prado Dam.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Kang made the following announcements:

- On July 4, the Irvine Police Association will hold its 27^{th} Annual "Concert on the Green and Fireworks Festival" at Irvine High School.
- The Orange County Great Park's "Growing the Park" event will take place on July 9 at the Great Park. For information, visit ocgp.org.
- In May, the City Council voted to waive permit and plan check fees for all residential and commercial solar panels, as well as solar hot water heating systems. Many rooftop mounted solar systems for single family dwellings can be approved over the counter, while more complex systems take approximately two weeks. For information, visit cityofirvine.org.

3. CONSENT CALENDAR

The Consent Calendar consisted of Item Nos. 3.1 through 3.16.

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Krom, and unanimously carried to approve Consent Calendar Items 3.1 through 3.16 with the exception of Item Nos. 3.7, 3.10, and 3.12, which were removed for separate discussion.

3.1 MINUTES

ACTION:

1) Approved the minutes of a regular meeting of the Irvine City Council and regular joint meeting with the Irvine Redevelopment Agency held on June 14, 2011.
2) Approved the minutes of a special meeting of the Irvine City Council held on June 16, 2011.

3.2 RESOLUTION COMMENDING FINANCE COMMISSIONER DON DRESSLER

ACTION:
Adopted RESOLUTION NO. 11-65 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE COMMENDING AND CONGRATULATING DON DRESSLER UPON HIS RETIREMENT FROM THE FINANCE COMMISSION AND DESIGNATING HIM AS CHAIR EMERITUS

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:
Adopted RESOLUTION NO. 11-66 - 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:
Adopt RESOLUTION NO. 11-67 - 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 Tempore Krom abstained.

3.5 WARRANT AND WIRE TRANSFER RESOLUTION – BANK OF AMERICA

ACTION:
Adopt RESOLUTION NO. 11-68 - 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 ANNUAL MEASURE M2 ELIGIBILITY SUBMITTAL

ACTION:

1) Approved the Renewed Measure M Seven-Year Capital Improvement Program (CIP) for Fiscal Years 2011-12 through 2017-18.
2) Adopted RESOLUTION NO. 11-69 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AFFIRMING CONSISTENCY OF THE CIRCULATION ELEMENT FOR THE CITY OF IRVINE WITH THE COUNTY MASTER PLAN OF ARTERIAL HIGHWAYS

3.7 CONSTRUCTION CONGESTION RELIEF AGREEMENT FOR THE JAMBOREE/I-5 PROJECT

This item was removed for separate discussion by Councilmember Choi.

City Council discussion included: public outreach efforts about closure dates, detours, and free toll road usage; anticipated closure dates; whether or not construction will take place on a 24-hour basis; funding source for the project; and total financial impact of the entire project.

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

Authorize the Mayor to execute the Construction Congestion Relief Agreement with the Foothill/Eastern Transportation Corridor Agency to implement traffic management strategies during construction of the Jamboree/I-5 Project.

3.8 CONSULTANT SERVICES AGREEMENT FOR LEGISLATIVE ADVOCACY SERVICES

ACTION:
Authorized the City Manager to enter into a one-year consultant service agreement with Townsend Public Affairs, Inc. (TPA) with three one-year options to renew at the discretion of the City Manager.

3.9 QUITCLAIM REMNANT PORTIONS OF BISON AVENUE, MACARTHUR BOULEVARD, BONITA CANYON DRIVE, AND BAYSWATER LOCATED WITHIN THE CITY OF NEWPORT BEACH

ACTION:
Authorized the Mayor to execute Quitclaim Deeds for remnant portions of roadways located within the City of Newport Beach

3.10 WALMART FOUNDATION GRANT TO IRVINE MEALS ON WHEELS

This item was removed at the request of Councilmember Choi, who expressed his appreciation to Walmart Foundation for their generosity and support of the Irvine Meals on Wheels program.

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

Approve a Budget Adjustment to accept a $15,305 grant from the Walmart Foundation to fund equipment improvements for the Irvine Meals on Wheels Program.

The motion carried as follows:

AYES:	4	COUNCILMEMBERS:	Agran, Choi, Krom and Kang
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Lalloway (not present during vote)

3.11 RESOLUTION ADOPTING THE REVISED ADMINISTRATIVE SERVICES DEPARTMENT RECORDS RETENTION SCHEDULE

ACTION:
Adopt RESOLUTION NO. 11-70 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING AN AMENDMENT TO CITY COUNCIL RESOLUTION NO. 01-25, TO REVISE THE ADMINISTRATIVE SERVICES DEPARTMENT RECORDS RETENTION SCHEDULE

3.12 ORDINANCE NO. 11-05, ORDINANCE TO ADD CHAPTER 8 TO DIVISION 14 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE RELATING TO CHILD SAFETY ZONES IN CITY PARKS

This item was removed for separate discussion at the request of Kelly Hagins, who asked that the City Council reconsider or table its decision to only ban offenders who have committed crimes against children.

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

Read by title only, second reading and adoption of 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

3.13 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE ORANGE COUNTY GREAT PARK CORPORATION IN SUPPORT OF THE STATEWIDE PARK PROGRAM GRANT APPLICATION

ACTION:
Approved in substantial final form the Memorandum of Understanding between the City and the Orange County Great Park Corporation in Support of the Application for Statewide Park Program Grant Funds.

Passed 5-0.

3.14 ORANGE COUNTY GREAT PARK ARTIST-IN-RESIDENCE ALTERNATE ARTIST RECOMMENDATIONS

ACTION:
Approved grant agreements with one or more recommended alternate artists for the Artist-in-Residence Program at the Palm Court Arts Complex, and authorize the Chief Executive Officer to execute the grant agreement or agreements.

Passed 5-0.

3.15 ORANGE COUNTY GREAT PARK CONTRACT EXTENSION FOR ARTS ORANGE COUNTY

ACTION:
Approved an amendment to the sole source contract with Arts Orange County adding additional scope of work, extending the term of the contract, through June 2012, and increasing the contract amount by $50,000.

Passed 5-0.

3.16 AGREEMENT FOR EMPLOYMENT OF THE CHIEF EXECUTIVE OFFICER, ORANGE COUNTY GREAT PARK CORPORATION

ACTION:
Approved an Agreement for Employment of Chief Executive Officer of the Orange County Great Park Corporation, and authorized the Mayor to execute the agreement.

Passed 5-0.

END CONSENT CALENDAR

4. COUNCIL BUSINESS

4.1 iSHUTTLE EXPANSION TO IRVINE SPECTRUM AREA

City Manager Joyce introduced Shohreh Dupuis, who provided the staff report and responded to questions.

David Weinrick and Alec Kimmel, Transit Advocates at UC Irvine, spoke about additional student transportation needs.

City Council discussion included: future operating routes, days and times; connecting UCI's Anteater Express shuttle with the iShuttle; cost analysis to expand weekend service with UCI; seeking additional private partnership opportunities, similar to the Capital Group, with Irvine Company and Diamond Jamboree to establish a pilot program for potential additional routes; and benchmark reports to assess effectiveness of shuttle routes.

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

1) Approve the initiation of service for two new *i*Shuttle routes in the Irvine Spectrum area effective October 10, 2011, or as soon thereafter as possible.
2) Approve the purchase of five (5) new shuttle vehicles from Creative Bus Sales and authorize the City Manager to execute an amendment to the contract with MV Transportation, Inc. for the operation and maintenance of the new routes.
3) Authorize the Mayor to execute Cooperative Agreement No. C-1-2741 with the Orange County Transportation Authority (OCTA) to receive federal funds and designate OCTA as the *i*Shuttle paratransit provider.

4) Authorize the Mayor to execute funding agreements with Capital Group Companies, Inc. and Irvine Spectrum Transportation Management Association (Spectrumotion) to support capital and operating expenditures.
5) Determine that the new *i*Shuttle routes are exempt from environmental analysis under the California Environment Quality Act (CEQA) and direct staff to file a Notice of Exemption.
6) Direct staff to determine additional specialized routes, services and institutional relationships potentially available for implementation of a "pilot project" basis in the 2012-13 Fiscal Year.

4.2 CONSIDERATION OF LOCAL VENDOR PREFERENCE

City Manager Joyce introduced Veronica Dolleshel, Senior Management Analyst, who provided the staff report and responded to questions.

City Council discussion included: potential sales tax revenue; expanding the program to service providers; how providers are evaluated and what other considerations are made in addition to being a local-based company; and whether or not chain stores are excluded if their principal place of business is not in Irvine.

City Attorney Kohn noted that a typographical error was made in the draft ordinance in Paragraph C-1 of Section 2-8-111, which should reference three (3) months rather than one (1) month.

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

Introduce for first reading, and read by title only ORDINANCE NO. 11-06 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING SECTION 2-8-111 TO THE IRVINE MUNICIPAL CODE RELATING TO ESTABLISHMENT OF A LOCAL VENDOR PREFERENCE FOR THE PROCUREMENT OF SUPPLIES AND EQUIPMENT

As amended to include the revision noted by City Attorney Kohn and remove the word "principal" from Paragraph C-1 of Section 2-8-111.

4.3 FEASIBILITY OF CONDUCTING AN IRVINE PRESIDENTIAL PREFERENCE BALLOT

This item was agendized at the request of Councilmember Agran to discuss the idea of a non-binding presidential preference ballot for Irvine residents.

City Council discussion included: approximate cost of a special consolidated election in the event that a special statewide November election is called; financial support from political parties and non-profit groups to offset costs of a preference ballot; how a preferential ballot would benefit Irvine residents; importance of promoting civic participation; whether or not general fund monies could be used; and whether or not this should be considered a municipal matter.

No formal action was taken. Staff was directed to research the feasibility of an Irvine presidential preference ballot and report back by memo.

PUBLIC COMMENTS – CITY COUNCIL

There were no public comments.

ADJOURNMENT

Moved by Mayor Kang, seconded by Mayor Pro Tempore Krom, and unanimously carried to adjourn the meeting at 8:12 p.m.

MAYOR OF THE CITY OF IRVINE

CITY CLERK OF THE CITY OF IRVINE

July 12, 2011