



MINUTES

CITY COUNCIL REGULAR MEETING August 23, 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 4:04 p.m. on August 23, 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

CONVENE – The City Council convened to the Irvine Redevelopment Agency Meeting at 4:05 p.m.

RECONVENE – The City Council reconvened at 4:06 p.m.

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Government Code § 54956.9(c) (one case): Consideration of whether to initiate litigation concerning State of California rejection of City claim for computer-software supplier sales tax revenues.

City Attorney Kohn announced the Closed Session items to be discussed, following which Mayor Kang convened to Closed Session at 4:07 p.m.

RECONVENE – 5:05 p.m.

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

PLEDGE OF ALLEGIANCE - IRVINE BOY SCOUT TROOP 691

Irvine Boy Scout Troop 691 led the Pledge of Allegiance.

MUSICAL PRESENTATION

Mayor Kang introduced the Irvine Boy Scout Troop 691, who performed “America the Beautiful.”

CITY MANAGER'S REPORT

There were none.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Kang made the following announcements:

- On Sunday, July 31st, 2011, the City of Irvine lost a very dear and longtime friend, volunteer and leader within our senior community – Homer Guimond. Homer's extinguished service includes: Chair of the Senior Citizens Council, Board of Directors for AARP's local chapter, Friends of Outreach and many popular programs at Lakeview Senior Center, including the Geriactor's Radio Theater, Friendship Corner and An Hour in Your Day. In October 2009, the City Council formally recognized Homer for his outstanding service to the senior community with the dedication of the “Homer W. Guimond Studio” at Lakeview Senior Center.
- The City of Irvine will observe the 10th Anniversary of September 11 on Sunday, September 11 at 4 p.m. at Northwood Community Park at the site of the Northwood Gratitude and Honor Memorial. For information, visit cityofirvine.org.
- The Orange County Great Park's 2011 Flights & Sounds Summer Festival will salute the City of Irvine's 40th Anniversary from August through the first weekend in September.

Mayor Pro Tem Krom announced the upcoming and final performances of the Flights & Sounds Summer Festival.

ADDITIONS AND DELETIONS

There were none.

1. CONSENT CALENDAR

The Consent Calendar consisted of Item Nos. 1.1 through 1.18.

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Krom, and unanimously carried to approve Consent Calendar Items 1.1 through 1.18, with the exception of Item Nos. 1.9 and 1.11, which were removed for separate discussion.

1.1 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 July 26, 2011.
- 2) Approved the minutes of a special joint meeting with the Irvine Redevelopment Agency held on August 9, 2011.
- 3) Approved the minutes of a regular meeting of the Irvine City Council held on August 9, 2011.

1.2 PROCLAMATION

ACTION:

Proclaimed September 17-23, 2011 as "Constitution Week."

1.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 11-89 - 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

1.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopted RESOLUTION NO. 11-90 - 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.

1.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 11-91 - 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.

1.6 ACCEPTANCE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY SPECIFIC TRAFFIC ENFORCEMENT PROGRAM GRANT

ACTION:

Authorized the Director of Public Safety to accept a Specific Traffic Enforcement Program grant award from the State of California, Office of Traffic Safety, and to allocate the grant expenditures.

1.7 DESIGNATION OF VOTING DELEGATES FOR LEAGUE OF CALIFORNIA CITIES 2011 ANNUAL CONFERENCE

ACTION:

Appointed Mayor Pro Tempore Krom to serve as the voting delegate and Councilmember Choi to serve as the voting alternate for the Annual Business Meeting at the League of California Cities 2011 Annual Conference.

1.8 CELL TOWER LEASE AGREEMENT WITH VERIZON WIRELESS

ACTION:

Authorized the Mayor to execute a Land Lease Agreement for wireless communication facilities with Los Angeles SMSA Limited Partnership/Verizon Wireless.

1.9 AUTHORIZATION FOR THE IRVINE COMMUNITY ALLIANCE FUND TO COLLECT AND RETAIN FUNDS FOR NEW ANIMAL CARE FACILITY

This item was removed at the request of Dinny Frasier, who spoke in support of a new animal care facility.

City Council discussion included the gratitude to the 500 volunteers who donate their time to serving at the Animal Care Center.

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

ACTION:

- 1) Adopt RESOLUTION NO. 11-92 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE TO AUTHORIZE THE IRVINE COMMUNITY ALLIANCE FUND TO ACCEPT AND RETAIN CONTRIBUTIONS FOR BUILDING OF A FUTURE ANIMAL CARE FACILITY FOR A FIVE-YEAR TERM
- 2) Require a fundraising report to be submitted annually on or before August 30 from the Secretary of the Irvine Community Alliance Fund.

1.10 AMENDMENT TO FARMING LEASE AGREEMENT BETWEEN CITY OF IRVINE AND EL TORO FARMS, LLC

ACTION:

Approved a one-year extension of the Farming Lease with El Toro Farms, LLC commencing July 1, 2011, including three separate options to renew the lease for one additional year each.

1.11 ESTABLISH CAPITAL IMPROVEMENT PROJECT FOR BACKSTOPS AT HARVARD COMMUNITY PARK

This item was removed at the request of Councilmember Lalloway, who spoke in support of the Harvard Community Park project and thanked the Irvine Pony Baseball for their donation.

Mike Filia, Irvine Pony Baseball, spoke in support of the Harvard Community Park backstops.

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

ACTION:

- 1) Establish a Capital Improvement Project to remove and replace six backstops at Harvard Community Park.
- 2) Accept a \$130,000 donation from Irvine Pony Baseball and approve a transfer of \$70,000 from Community Services Fund account 11-321-323-36-2001 to the newly established Capital Improvement Project.

1.12 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND

ACTION:

Authorized the Director of Public Safety to apply for and accept a Supplemental Law Enforcement Services Fund award from the State

of California, County of Orange, and Orange County Supplemental Law Enforcement Oversight Committee, and to allocate the expenditures listed in the application's Expenditure Intent Form.

1.13 MUNICIPAL CODE AMENDMENT AND ZONING ORDINANCE TECHNICAL UPDATE

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 11-07 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CHAPTER 10, DEDICATIONS; RESERVATIONS, OF DIVISION 5, SUBDIVISIONS, OF TITLE 5, PLANNING, OF THE CITY'S MUNICIPAL CODE, TO ALLOW DEVELOPERS OF NEW UNITS AFFORDABLE TO INCOME LEVEL 1 HOUSEHOLDS (LESS THAN 30 PERCENT OF AREA MEDIAN INCOME) TO HAVE THE OPTION OF REDUCING THE PARK DEDICATION REQUIREMENT, AS ALLOWED BY THE QUIMBY ACT

Read by title only, second reading and adoption of ORDINANCE NO. 11-08 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00522439-PZC TO AMEND THE ZONING ORDINANCE TO INCORPORATE NEW GREEN BUILDING REGULATIONS, PROVIDE CLARIFICATIONS TO ALTERNATIVE HEALTH CARE PROVIDER AND COMMERCIAL AND PRIVATE SCHOOL PROVISIONS, REMOVE THE REQUIREMENT FOR POSTING A BOND FOR AGRICULTURE SALES PERMITS AND MANUFACTURED STRUCTURE PERMITS, AND ADD A CLARIFYING REFERENCE TO BUILDING HEIGHT REGULATIONS

1.14 ZONING CODE AMENDMENT REGARDING SIGN TYPE #45 "COMMUNITY BANNERS FOR NONPROFIT ORGANIZATIONS", INCLUDING RE-TITLING OF SAME

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 11-09 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00518738-PZC TO REVISE ZONING CODE 7-3-2 – SIGN TYPE #45 "COMMUNITY BANNERS FOR NONPROFIT ORGANIZATIONS" AND RE-TITLE AS SIGN TYPE #45 "TEMPORARY STREETLIGHT BANNER SIGNS"

1.15 ORDINANCE COMPLYING WITH PROVISIONS OF ASSEMBLY BILL X1 27, ELECTING TO IMPLEMENT PARTICIPATION BY THE CITY OF IRVINE AND IRVINE REDEVELOPMENT AGENCY IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 11-11 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE TO PERMIT THE CONTINUED EXISTENCE AND OPERATION OF THE IRVINE REDEVELOPMENT AGENCY

1.16 ESTABLISHMENT OF WILDLIFE CORRIDOR TECHNICAL AD HOC WORKING GROUP

ACTION:

Approved the establishment of a consultative technical working group consisting of eight individuals, led by the Mayor and City Manager, to work with federal agencies to ensure wildlife corridor linkage between the Coastal Reserve and the Cleveland National Forest before returning with associated recommendations to the City Council.

1.17 AMENDMENT TO THE SALARY GRADE ORDER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 11-93 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING RESOLUTION NO. 11-87 WHICH IS INCONSISTENT THEREWITH

1.18 CONSIDERATION AND ADOPTION OF THE IRVINE REDEVELOPMENT AGENCY'S ENFORCEABLE OBLIGATION PAYMENT SCHEDULE TO CONFORM WITH HEALTH & SAFETY CODE SECTIONS 34167(h) AND 34169(g) AND AUTHORIZATION TO FILE AMICUS CURIAE

ACTION:

- 1) Adopted the Irvine Redevelopment Agency's Enforceable Obligation Payment Schedule to conform with Health and Safety Code Sections 34167(h) and 34169(g).
- 2) Authorized the City Attorney's office to file an application to participate as amicus curiae, and to file an amicus curiae brief, in the

case *California Redevelopment Association et al. v. Matosantos*, Cal. Supreme Court Case No. S194861.

END CONSENT CALENDAR

2. PUBLIC HEARINGS

2.1 ASSESSMENT DISTRICT NO. 11-24 (PLANNING AREA 40)

City Manager Joyce introduced Ken Quon, Senior Civil Engineer and Mark Carroll, City Engineer, who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 5:29 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 5:29 p.m.

City Council discussion included: clarification of the village level planning and identification of cell antenna and tower locations.

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

ACTION:

- 1) Adopt RESOLUTION NO. 11-94 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA CONFIRMING THE ASSESSMENTS IN ASSESSMENT DISTRICT NO. 11-24 (PLANNING AREA 40), ORDERING THE IMPROVEMENTS AND ACQUISITIONS TO BE MADE, AUTHORIZING ENTRY INTO CERTAIN AGREEMENTS, AND DESIGNATING THE CITY TREASURER TO COLLECT AND RECEIVE MONEY
- 2) Adopt RESOLUTION NO. 11-95 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, DETERMINING UNPAID ASSESSMENTS IN ASSESSMENT DISTRICT NO. 11-24 (PLANNING AREA 40) AND THE MANNER OF PAYMENT THEREOF AND LISTING BONDS ISSUED ON THE SECURITY THEREOF

2.2 PUBLIC FACILITIES RESERVATION POLICY AND FEE REVIEW - RESERVATION YEAR 2012

City Manager Joyce introduced Mya Sanders, Community Services Superintendent; Jana Ransom, Community Services Manager; and

Lauren Montanchez, Facilities Reservations Coordinator; who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 5:43 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 5:43 p.m.

City Council discussion included: clarification of the different facility reservation fee categories, public facility usage requirements and docent required areas and associated fees.

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

ACTION:

- 1) Approve revisions to the Public Facilities Reservation and Fee Policy.
- 2) Adopt RESOLUTION NO. 11-96 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADJUSTING FEES CHARGED FOR FACILITY USE

2.3 GENERAL PLAN AMENDMENT AND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT IN PLANNING AREAS 30 & 51 (GREAT PARK NEIGHBORHOODS)

City Manager Joyce announced that this item was being continued to the August 30, 2011 meeting. There was no City Council discussion.

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

ACTION:

Continue the public hearing to August 30, 2011 at 4:00 P.M.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Moved by Councilmember Choi, seconded by Mayor Pro Tempore Krom, and unanimously carried to adjourn the meeting at 6:01 p.m. to August 30, 2011 at 4:00 p.m. in the Council Chamber.



MAYOR OF THE CITY OF IRVINE

 DEPT

CITY CLERK OF THE CITY OF IRVINE

September 13, 2011