



MINUTES

CITY COUNCIL REGULAR MEETING April 26, 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 April 26, 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

1. CLOSED SESSION

- 1.1 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) Agency Negotiators: Gary Burton, Director of Administrative Services; 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**

RECONVENE TO THE CITY COUNCIL MEETING – 5:22 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.

PLEDGE OF ALLEGIANCE – IRVINE POLICE HONOR GUARD

Mayor Kang turned to Police Chief Maggard, who introduced the Irvine Police Honor Guard and led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kang requested a moment of silence in memory of Ann Cunningham, longtime Irvine resident and volunteer, who passed away at the age of 103.

MUSICAL PRESENTATION

Mayor Kang introduced Officer Barry Miller, who sang the National Anthem.

2. PRESENTATIONS

2.1 Inaugural Business/Organization Recognition - McKinley Equipment Corporation

Mayor Kang introduced Mike McKinley, Owner of McKinley Equipment Corporation and his associates, and presented them with a Certificate of Recognition as one of Irvine's inaugural businesses.

2.2 Proclaim May 15-21, 2011 as "National Police Week"

Mayor Kang presented a proclamation to Police Chief Maggard and the following individuals in recognition of National Police Week:

Honor Guard Leadership Team

- Lieutenant Henry Boggs
- Officer Karen Reece
- Officer Charles Shaver
- Officer Ray Velarde

Irvine Police Honor Guard

- Officer Scott Grange
- Officer Paul Gooder
- Officer Daniel Hall

- Officer Gavin Hudson
- Officer Craig Huffmire
- Officer Jay Indelicato
- Officer Shaheen Jahangard-Mahboob
- Officer Scott Larson
- Officer Matthew McLaughlin
- Officer Steve Meyer
- Officer Dave Monarek
- Officer Michael Moore
- Officer Jameson Roberts
- Officer Patrick Ryan
- Officer Kyle Turner
- Officer Kayla Wiebe

2.3 *Young Masters Art Show "2011 Cover Artist"*

Mayor Kang introduced Mary Ann Gankema and Meg Lloyd, Co-Chairs of the Young Masters Art Show; and Mimi Zinchevsky, President of Assistance League of Irvine. He also introduced Zachary Labus, fifth grade student at Brywood Elementary School, and congratulated him as this year's "2011 Cover Artist."

2.4 *Proclaim April 2011 as "National Alcohol Awareness Month"*

Mayor Kang introduced Debbie Bianchi, Executive Director of Irvine Prevention Coalition and other representatives from the Irvine Prevention Coalition, the Underage Drinking Prevention Task Force, and Parent Education Committee; and presented a proclamation in recognition of "National Alcohol Awareness Month."

2.5 *Harvard Avenue Railroad Crossing Safety Enhancements by OCTA*

Mayor Kang introduced Jim Beil, Executive Director of Capital Programs at Orange County Transportation Authority (OCTA), who provided a brief presentation on safety enhancements at the Harvard Avenue railroad crossing.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Agran introduced the following individuals, who serve as his Council Executive Assistants and representatives to various City commissions/committees:

Anila Ali, Irvine Children, Youth and Families Advisory Committee
Philip Ball, Council Executive Assistant
Omar Ezzeldine, Finance Commission
Cal Hibrawi, Community Services Commission
Cheryl Honig, Council Executive Assistant
Carolyn Inmon, Irvine Child Care Committee

Nancy Neudorf, Planning Commission
Najma Quader, Senior Citizens Council
Lucy Walthers, Irvine Advisory Committee

Councilmember Agran also introduced former Commissioner Mariam Khosovrani and presented a Certificate of Recognition for her many years of dedicated service as his appointee to the Community Services Commission.

Councilmember Choi introduced William Bollard, his appointee to the Finance Commission.

Mayor Kang announced that both Police Chief Maggard and Irvine's first City Manager William Woollett will be receiving medals from the Irvine Valley College Foundation for their service and dedication to the community. He also made the following announcements:

- On Saturday, April 30 from 1-4 p.m., the Orange County Great Park will host "Art & Movement" in participation with the 2011 Imagination Celebration. Admission and parking are free. For information, visit ocgp.org.
- Sponsorship opportunities are now available for the 2011 Irvine Global Village Festival, scheduled for October 1. This year marks the 10th Anniversary for the Festival. For information, visit irvinefestival.org.

ADDITIONS AND DELETIONS

There were none.

3. CONSENT CALENDAR

The Consent Calendar consisted of Item Nos. 3.1 through 3.13.

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Krom, and unanimously carried to approve Consent Calendar Items 3.1 through 3.13, with the exception of Item Nos. 3.10 and 3.13, which were removed for separate discussion.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on April 12, 2011.

3.2 PROCLAMATIONS / COMMENDATIONS

ACTION:

- 1) Proclaimed April 28, 2011 as "Arbor Day."
- 2) Proclaimed May 2011 as "Preeclampsia Awareness Month."
- 3) Proclaimed May 2011 as "Cure Children's Cancer Month."
- 4) Commended Bristol Park Medical Group for 50 Years in Business.

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 11-37 - 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. 11-38 - 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:

Adopted RESOLUTION NO. 11-39 - 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 APPROVAL OF PLANS AND SPECIFICATIONS FOR REPLACEMENT OF POOL HEATERS AT THE WILLIAM WOOLLETT JR. AQUATICS CENTER

ACTION:

Approved plans and specifications for replacement of pool heaters at the William Woollett Jr. Aquatics Center

3.7 DECLARATION OF SURPLUS IN ASSESSMENT DISTRICT 94-13 AND ASSESSMENT DISTRICT 03-19

ACTION:

- 1) Adopted RESOLUTION NO. 11-40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING A SURPLUS IN THE IMPROVEMENT FUND FOR THE CITY OF IRVINE ASSESSMENT DISTRICT NO. 94-13
- 2) Adopted RESOLUTION NO. 11-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING A SURPLUS IN THE IMPROVEMENT FUND FOR THE CITY OF IRVINE ASSESSMENT DISTRICT NO. 03-19

Councilmember Choi abstained.

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

ACTION:

Adopted RESOLUTION NO. 11-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE PRELIMINARILY ADOPTING, CONFIRMING, AND APPROVING THE AMENDED ENGINEER'S REPORT, AND SETTING A PUBLIC HEARING FOR CHANGES AND MODIFICATIONS IN THE IMPROVEMENTS ORDERED FOR ASSESSMENT DISTRICT NO. 89-9 (WESTPARK II)

3.9 COMPUTER AIDED DISPATCH/RECORDS MANAGEMENT SYSTEM UPGRADE

ACTION:

Authorized the City Manager to enter into a sole source agreement with Intergraph Corporation in the amount of \$245,464.

3.10 ACCEPTANCE OF MARUCHAN, INCORPORATED DONATION

This item was removed by Councilmember Choi for separate discussion, who expressed gratitude to Maruchan Inc. for their generous donation on behalf of the City. Mayor Kang also acknowledged Maruchan Inc.'s generosity as well.

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

ACTION:

- 1) Accept a \$100,000 donation from Maruchan, Incorporated.

- 2) Approve a budget adjustment request in the amount of \$100,000, reflecting an increase in revenues and appropriations.

3.11 BUDGET ADJUSTMENT FOR DEVELOPING PROCESSING ACTIVITIES

ACTION:

Approved a Budget Adjustment in the amount of \$1,000,000, to increase revenues and expenditures in the Building and Safety fund by \$700,000, and by \$300,000 in the Developer Deposit fund.

3.12 ORDINANCE NO. 11-01, ORDINANCE DIRECTING AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS"

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 11-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE DIRECTING AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE CITY TRAFFIC ENGINEER AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

(Unless otherwise directed by a member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

3.13 AMENDMENT TO THE FOUNDATION FOR THE GREAT PARK CHARITABLE GIFT AGREEMENT FOR THE PURPOSE OF DONATING CITRUS TREES

This item was removed for separate discussion at the request of Councilmember Lalloway, who requested clarification on why the donation of citrus trees is necessary and the approximate number being donated. Tom Larson, Orange County Great Park Manager, responded to questions.

City Council discussion included: lifespan of trees in current containers; number of trees originally donated to the Great Park; and amount of surplus.

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

ACTION:

- 1) Approve an amendment to the Charitable Gift Agreement with the Foundation for the Great Park to allow the further donation of surplus citrus trees.
- 2) Approve the donation of surplus citrus trees to qualified not-for-profit organizations.

END CONSENT CALENDAR

4. PUBLIC HEARINGS

4.1 APPROVAL OF THE 2011-12 ACTION PLAN AND AN AMENDMENT TO THE 2010-14 CONSOLIDATED PLAN FOR FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP ENTITLEMENT GRANT PROGRAMS

City Manager Joyce introduced Mark Asturias, Housing Manager; Steve Holtz, Housing Administrator; and Tamara Campbell, Senior Planner/Grants Coordinator, who provided the staff report and responded to City Council questions.

Mayor Kang opened the public hearing at 6:57 p.m. The following individuals spoke on behalf of their respective organizations about the services they offer:

Margie Wakeham, Families Forward
Kimberly Beeson, Irvine Adult Day Health Services
Ellen Bell, National Charity League (Meals on Wheels)

ACTION: Moved by Mayor Pro Tempore Krom, seconded by Councilmember Choi, and unanimously carried to close the public hearing at 7:06 p.m.

City Council discussion included: anticipated allocation reduction proposed by HUD; allocating Public Service Program funding for Jewish Family Services and Laura's House; clarification as to whether funding for Jamboree Housing Corporation is a grant or a loan and reduction of Capital Project funding for Irvine Unified School District's (IUSD) pool rehabilitation project to increase funding to Jamboree Housing Corporation; eliminating funding for the Irvine Community Land Trust to increase loan amount to Jamboree Housing for its Stonegate project; whether disabled students are currently able to access the existing pool at University High School; and whether or not IUSD could move forward with the project if CDBG funding is reduced.

Lori Ruiz, Assistant Director of Planning with IUSD, responded to questions regarding the pool rehabilitation project at University High School and available funding.

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

ACTION:

Adopt RESOLUTION NO. 11-43 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE 2011-12 ACTION PLAN AND AN AMENDMENT TO THE 2010-14 CONSOLIDATED PLAN FOR FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP ENTITLEMENT GRANT PROGRAMS

As amended to reflect the following funding allocations:

CDBG Public Service Programs

Organization/Program	Total Funding
AIDS Services Foundation <i>(HIV/AIDS case management services)</i>	12,753
Assistance League of Irvine <i>(Clothing and other necessities for IUSD children)</i>	22,975
Fair Housing Council of Orange County <i>(Federally mandated fair housing counseling, education,</i>	21,912
Families Forward <i>(Homelessness prevention services)</i>	21,862
HOMES, Inc. <i>(Transitional housing for at risk emancipated foster youth)</i>	12,778
Human Options <i>(Domestic violence emergency shelter)</i>	12,753
Irvine Adult Day Health Services <i>(Daytime services for at risk seniors and disabled adults))</i>	12,550
Irvine Children's Fund <i>(Before and after school child care)</i>	30,179
Irvine Unified School District <i>(Family case management and counseling services)</i>	0
Jewish Family Services <i>(Multicultural senior wellness program)</i>	7,698
Laura's House <i>(Domestic violence emergency shelter)</i>	7,000
National Charity League <i>(Meals on Wheels program)</i>	19,635

South County Outreach <i>(Homelessness prevention services)</i>	12,905
TOTAL	\$195,000

CDBG Capital Projects

Organization/Program	Total Funding
City of Irvine <i>(Rancho Senior Center Rehabilitation)</i>	327,574
City of Irvine <i>(Residential Rehabilitation Program)</i>	239,875
Families Forward <i>(Transitional Housing Rehabilitation)</i>	60,480
Irvine Unified School District <i>(Pool rehabilitation for ADA access)</i>	117,071
Jamboree Housing Corporation <i>(Stonegate Apartments Phase 2 construction)</i>	100,000
TOTAL	\$845,000

HOME Capital & CHDO Projects

Organization/Program	Total Funding
Irvine Community Land Trust <i>(Affordable Housing Development)</i>	0
Jamboree Housing Corporation <i>(Stonegate Apartments Phase 2 construction)</i>	517,500
TOTAL	\$517,500

5. COUNCIL BUSINESS

5.1 ISSUANCE OF FIXED RATE BONDS FOR ASSESSMENT DISTRICT NO. 10-23 (SERIES A), AND ISSUANCE OF FIXED RATE CONVERSION BONDS FOR ASSESSMENT DISTRICT NO. 07-22 (GROUP TWO)

City Manager Joyce introduced Valaya Chitchakkol, Finance Administrator, who provided the staff report and responded to questions.

City Council discussion included: planning and funding for future cell tower development within the assessment district.

Michael LeBlanc, Senior Vice President of Irvine Company, responded to questions about planning for the development of cell towers within the project area.

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

ACTION:

- 1) Adopt RESOLUTION NO. 11-44 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 10-23 LIMITED OBLIGATION IMPROVEMENT BONDS, SERIES A, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND OTHER MATTERS RELATED THERETO
- 2) Adopt RESOLUTION NO. 11-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$3,095,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 07-22 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP TWO, APPROVING THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL INDENTURE, A THIRD SUPPLEMENTAL INDENTURE, AND A BOND PURCHASE AGREEMENT

5.2 RECOMMENDATION TO APPOINT TWO GREEN RIBBON ENVIRONMENTAL COMMITTEE MEMBERS-AT-LARGE

City Manager Joyce provided the staff report.

City Council discussion included the nomination of Councilmember Agran to replace Mayor Kang as one of two City Council appointees to the Committee.

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

ACTION:

- 1) Approve Green Ribbon Environmental Committee appointee recommendations for Edward Rogan and Cyril Yu to serve as At-Large members on the Green Ribbon Environmental Committee from April 28, 2011 through December 31, 2012.
- 2) Confirm City Council appointee Mayor Pro Tem Krom to the Committee.

- 3) Appoint Councilmember Agran as City Council appointee to the Committee to replace Mayor Kang.

5.3 AN ORDINANCE RELATING TO PREVAILING WAGES AND BENEFITS

City Manager Joyce introduced Gary Burton, Director of Administrative Services; and Tracy Hamilton, Purchasing Agent, who provided the staff report and responded to questions.

The following individuals spoke in support of prevailing wages:

Nick Dopudja, S3H Mechanical
Robert Rowe, Fire Advisory Board of Southern California
Mark Fowler, Western Wall and Ceiling Contractors Association
Keith Kenner, Kinetics
Bill Fogarty, Irvine resident
Greg McClelland, Western Steel Council
Robbie Hunter, Los Angeles/Orange Counties Building Trades
Jim Adams, Los Angeles/Orange Counties Building and Construction Trades Council

City Council discussion included: benefits of prevailing wages; cost analysis per year; how compliance will be monitored; potential unidentified costs; how the City's Living Wage ordinance compares to prevailing wage; prevailing wage requirement for any project funded with state and federal monies; whether all future land development agreements fall under an exemption if the agreement was enacted prior to adoption of an ordinance requiring prevailing wage; and whether or not the Overlay Plan for the Orange County Great Park would be exempt from prevailing wage.

Councilmember Choi read into the record a letter submitted by the Irvine Chamber of Commerce dated April 22, 2011 in opposition to the adoption of a prevailing wage ordinance.

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

ACTION:

Introduce for first reading and read by title only ORDINANCE NO. 11-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING SECTION 6-10-216 OF THE IRVINE MUNICIPAL CODE RELATING TO PREVAILING WAGES AND BENEFITS

The motion carried as follows:

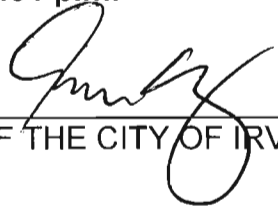
AYES:	3	COUNCILMEMBERS:	Agran, Krom and Kang
NOES:	2	COUNCILMEMBERS:	Choi and Lalloway
ABSENT:	0	COUNCILMEMBERS:	None

PUBLIC COMMENTS

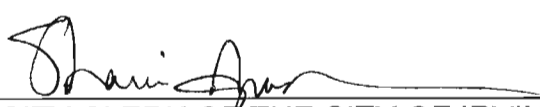
Peter Chart, Irvine resident, addressed recent reports about private sector v. public sector wages.

ADJOURNMENT

Moved by Councilmember Agran, seconded by Mayor Pro Tempore Krom, and unanimously carried to adjourn the meeting at 8:51 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

May 10, 2011