



MINUTES

CITY COUNCIL REGULAR MEETING March 27, 2012

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 March 27, 2012 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

The City Council considered the Consent Calendar and the Consent Calendar acting as the Successor Agency to the dissolved Redevelopment Agency prior to the convening of Closed Session (Item Nos. 3.1 through 3.11 and Item No. 4.1 through 4.3). See page 3.

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 Organization: Associated Supervisory/ Administrative Personnel (ASAP)**

City Attorney Kohn announced Closed Session Item No. 1.1, following which Mayor Kang convened to Closed Session at 4:05 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Kang reconvened the City Council meeting at 5:12 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 memory of Beckham High School Coach Bob Day, who passed away at the age of 67.

MUSICAL PRESENTATION

Mayor Kang introduced Concordia University's "Exalt," who performed "God Bless America" and "Rock My Soul."

2. PRESENTATIONS

2.1 Commendation to Irvine Children's Fund

Mayor Kang introduced Richard Knowland, President; and Sharon Wellikson, Boardmember and Executive Director of Irvine Children's Fund (ICF), and presented a commendation recognizing ICF's fundraising efforts to assist in providing before-and-after school child care to income-eligible families over the last 25 years.

2.2 Persian New Year Recognition

Mayor Kang introduced members of the Persian New Year Committee and presented a proclamation celebrating "Nowruz."

CITY MANAGER'S REPORT

City Manager Joyce announced that the Government Finance Officers Association awarded the City of Irvine a Certificate of Achievement for Excellence in Financial Reporting for its Comprehensive Annual Financial Report (CAFR). The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Kang made the following announcements:

- The Irvine Animal Care Center (IACC) is participating in the American Society for the Prevention of Cruelty to Animals' national adoption event from Friday, March 30 through Sunday, April 1. Adoption fees for dogs, cats and rabbits will be reduced by 50 percent and all animals will be spayed or neutered, vaccinated and microchipped. For information, visit irvineshelter.org or call (949) 724-7740.
- The City of Irvine is hosting several community forums to gather input to update the City's five-year Strategic Plan for Children, Youth and Families. The next meeting will be held on April 2 from 6-8 p.m. at the Irvine Civic Center. For information, visit cityofirvine.org or call (949) 724-6685.

ADDITIONS AND DELETIONS

There were none.

3. CONSENT CALENDAR

The City Council considered the Consent Calendar and the Consent Calendar acting as the Successor Agency to the dissolved Redevelopment Agency.

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Krom, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.11 and Consent Calendar Item Nos. 4.1 through 4.3 as the Successor Agency to the Dissolved Redevelopment Agency.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on March 13, 2012.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 12-36 - 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

3.3 *WARRANT AND WIRE TRANSFER RESOLUTION - AT&T*

ACTION:

Adopted RESOLUTION NO. 12-37 - 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.

3.4 *WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA*

ACTION:

Adopted RESOLUTION NO. 12-38 - 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.

3.5 *ORANGE COUNTY GREAT PARK FISCAL YEAR 2011-12 MID-YEAR BUDGET ADJUSTMENT*

ACTION:

Approved the Orange County Great Park Mid-Year Budget Adjustment for Funds 180 and 286 with a \$1,411,865 revenue decrease and a net \$350,000 expenditure increase and corresponding transfers necessary to complete the authorized adjustments.

(Approved 5-0 vote)

3.6 *ANNUAL SLURRY SEAL AND PAVEMENT REHABILITATION*

ACTION:

Approved the specifications and contract documents for the Annual Slurry Seal and Pavement Rehabilitation Project, on file with the Public Works Department.

3.7 ACCEPTANCE OF CALIFORNIA HIGHWAY PATROL GRANT FOR THE EVERY 15 MINUTES PROGRAM

ACTION:

- 1) Accepted a California Highway Patrol grant award for the Every 15 Minutes program in the amount of \$9,999.99.
- 2) Approved a budget adjustment request in the amount of \$9,999.99, reflecting \$9,999.99 in revenues and appropriations.

3.8 ORDINANCE NO. 12-05, ESTABLISHING CHANGES TO POSTED SPEED LIMITS

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 12-05 - 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 ENGINEER AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

(Approved 5-0 vote)

3.9 ORDINANCE NO. 12-06, ORDINANCE EXTENDING THE DEVELOPMENT FEE DEFERRAL PROGRAM FOR NEW RESIDENTIAL AND COMMERCIAL DEVELOPMENT

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 12-06 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE EXTENDING THE DEVELOPMENT FEE DEFERRAL PROGRAM FOR NEW RESIDENTIAL AND COMMERCIAL DEVELOPMENT BY TEMPORARILY SUPERSEDING CERTAIN CITY MUNICIPAL AND ZONING CODE PROVISIONS RELATING TO THE REQUIRED TIME OF PAYMENT OF SPECIFIC DEVELOPMENT IMPACT FEES

(Approved 5-0 vote)

3.10 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE COUNTY OF ORANGE DESCRIBING A YEARLY APPROPRIATION OF FUNDS TO SERVICE IRVINE BRANCH LIBRARIES WITHIN THE ORANGE COUNTY PUBLIC LIBRARY SYSTEM

ACTION:

Authorized the Mayor to execute a Memorandum of Understanding between the City of Irvine and the County of Orange describing a yearly appropriation of funds to service Irvine branch libraries within the Orange County Public Library System

3.11 APPROVAL OF REIMBURSEMENT AND OPERATING AGREEMENT BETWEEN THE CITY OF IRVINE AND THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

Approved the Reimbursement and Operating Agreement to reimburse the City of Irvine for the Successor Agency's costs of operation to implement the Successor Agency's duties under Assembly Bill x1 26 as codified in Part 1.85 of the California Health and Safety Code.

END CONSENT CALENDAR

4. CONSENT CALENDAR - SUCCESSOR AGENCY TO DISSOLVED IRVINE REDEVELOPMENT AGENCY

4.1 APPROVAL OF REIMBURSEMENT AND OPERATING AGREEMENT BETWEEN THE CITY OF IRVINE AND THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

Approved the Reimbursement and Operating Agreement to reimburse the City of Irvine for the Successor Agency's costs of operation to implement the Successor Agency's duties under Assembly Bill x1 26 as codified in Part 1.85 of the California Health and Safety Code.

4.2 *WARRANT AND WIRE TRANSFER RESOLUTION – CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY*

ACTION:

Adopted RESOLUTION NO. 12-39 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ALLOWING CERTAIN CLAIMS AND DEMANDS OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

4.3 *ADOPTION BY THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY OF (1) A RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND (2) THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET, FOR JULY 1 THROUGH DECEMBER 31, 2012*

ACTION:

- 1) Adopted the Recognized Obligation Payment Schedule of the dissolved Irvine Redevelopment Agency for July 1, 2012 through December 31, 2012.
- 2) Adopted the Administrative Budget for the Successor Agency for July 1, 2012 through December 31, 2012.

END CONSENT CALENDAR

5. PUBLIC HEARINGS

5.1 *REVISION OF THE MASSAGE ORDINANCE AND AMENDMENT TO THE BUSINESS LICENSE ORDINANCE OF THE CITY OF IRVINE MUNICIPAL CODE*

Mayor Kang opened the public hearing at 5:55 p.m.

ACTION: Moved by Councilmember Choi, seconded by Councilmember Agran, and unanimously carried to continue the public hearing to April 10, 2012 at 4:00 p.m.

6. COUNCIL BUSINESS

6.1 PUBLIC SAFETY AND THE SAN ONOFRE NUCLEAR GENERATING STATION

Councilmember Agran, who brought the matter forward, read aloud a statement regarding public safety and public policy concerns for Irvine and Orange County related to the San Onofre Nuclear Generating Station (SONGS). Councilmember Agran also posed specific questions to staff and requested they return with responses at the April 24 meeting.

The following individuals spoke in opposition to the continued operation of SONGS due to health, safety and/or environmental concerns:

Dr. Nelson Mar, who provided a PowerPoint presentation.
Donna Gilmore, who provided a PowerPoint presentation.
Gary Hendrick, San Clemente Green, who provided a video and PowerPoint presentation.
Ron Rodarte, San Clemente Green
Marion Pack
Burton Moldocs
Roger Johnson
Sandy Stiassni, Irvine Resident
Susan Sayre
Swedina Hurt, San Clemente Green
Dr. David Keulen
Jake Jacobs
Patti Davis, San Clemente Green
Melissa Fox
Bethann Chambers
Dr. Bill Honigman
Hali Cespedes-Chorin
Tefere Gebre, O.C. Labor Federation
Ron Varasten
Dan Ferrell, San Clemente Green

Bob Stiens, Business Affairs Manager with Southern California Edison, thanked the City Council and the community for bringing forth their concerns, and indicated that SCE would be compiling responses to those concerns and Councilmember Agran's questions.

City Council discussion included*: expiration of Southern California Edison's (SCE) current nuclear reactor license by 2022 and the potential for a 20-year renewal; seismic and retrofitting concerns; number of nuclear power plants operating in the United States and worldwide and failure of certain reactors in past years; recent shutdown of SONGS due to leaking steam-generator tubes; disposal of radioactive waste generated by SONGS; emergency preparedness and evacuation plans; alternative energy sources such as solar power and natural gas; and supporting the concerns of San Clemente and Laguna Beach.

***Mayor Pro Tempore Krom left the meeting at 7:52 p.m. Councilmember Lalloway left the meeting at 8:06 p.m.**

Motion made by Councilmember Choi, seconded by Councilmember Agran, to:

Direct staff to draft letters to Senators Feinstein and Boxer, Congressmen Issa, Campbell and Calvert, and the U.S. Nuclear Regulatory Commission supporting the City of San Clemente in its efforts to safely and permanently remove spent nuclear fuel from the San Onofre Nuclear Generating Station as well as a letter to the California Public Utilities Commission and the California Energy Commission supporting an enhanced seismic study of the region as soon as possible.

Following discussion, the City Council took action to:

- 1) Direct staff to return on April 24, 2012 with recommended appropriate communications to local, state and federal representatives and the U.S. Nuclear Regulatory Commission, California Public Utilities Commission, and other concerned agencies regarding the San Onofre Nuclear Generating Station. Councilmembers Agran and Choi were appointed as a subcommittee to assist with preparation of recommended communications.
- 2) Direct staff to return on April 24, 2012 with responses to Councilmember Agran's questions posed during the meeting and on file with the City Clerk.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Choi and Kang

NOES: 0 COUNCILMEMBERS: None

ABSENT: 2 COUNCILMEMBERS: Krom and Lalloway

PUBLIC COMMENTS

Steve Lin spoke in opposition to Irvine Police professional performance standards.

ADJOURNMENT

Moved by Councilmember Agran, seconded by Councilmember Choi, and unanimously carried to adjourn the meeting at 8:09 p.m. in memory of Beckman High School Coach Bob Day.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

April 10, 2012