



Steven Choi
Mayor

Jeffrey Lalloway
Mayor Pro Tempore

Larry Agran
Councilmember

Beth Krom
Councilmember

Christina Shea
Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

June 24, 2014

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 4:11 p.m. on June 24, 2014 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Choi presiding.

ROLL CALL

Present:	4	Councilmember:	Larry Agran
		Councilmember:	Beth Krom
		Councilmember:	Christina Shea
		Mayor:	Steven Choi
Absent:	1	Mayor Pro Tempore:	Jeffrey Lalloway (excused)

1. CLOSED SESSION

1.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – ORANGE COUNTY FIRE AUTHORITY AND THE CITY OF IRVINE V. ALL PERSONS INTERESTED [IN SECOND AMENDMENT TO AMENDED JOINT POWERS AUTHORITY AGREEMENT], ORANGE COUNTY SUPERIOR COURT, CASE NO. 30-2013-00694527 (Pursuant to Government Code Section 54956.9(d)(1))

City Attorney Litfin announced the Closed Session item, following which Mayor Choi convened to Closed Session at 4:12 p.m. There were no public comments related to the Closed Session item.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the City Council meeting at 5:20 p.m. City Attorney Litfin, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Choi led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Pastor Whitlock from Christ Our Redeemer AME Church in Irvine to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced Katherine Cash, who performed “America the Beautiful” followed by “My Way.”

2. PRESENTATIONS

2.1 Exchange Club of Irvine Donations to The Child Abuse Center, The RAISE Foundation and The Joyful Child Foundation

Mayor Choi introduced Carlos Carney from the Exchange Club of Irvine, who presented donation checks to representatives from The Child Abuse Center, The RAISE Foundation and The Joyful Child Foundation for continued efforts in preventing child abuse.

CITY MANAGER'S REPORT

City Manager Joyce announced that for the 35th consecutive year, the Government Finance Officers Association awarded a Certificate of Achievement for Excellence in Financial Reporting for the City's Comprehensive Annual Financial Report (CAFR), which is the highest form of recognition in governmental accounting and financial reporting.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Choi provided a brief report on his recent attendance at the 82nd annual U.S. Conference of Mayors, where issues impacting cities were discussed; and attended sessions relating to education excellence, early childhood education programs, metro economics, and a mayors' campaign to end bullying.

He also made the following announcements:

- The City of Irvine was recently recognized by three organizations for its outstanding quality of life, which includes: Third Best City for Young Adults in California by *PublicCEO.com*; Number Three Best City in the Nation to Raise Children by *MyLife.com*; and Fifth Best City in the Nation for Families by *WalletHub.com*.
- The National Association of Government Communicators award was presented to Stratacomm, earning first place in the "Special Event" category for its communications support for the Solar Decathlon 2013 and XPO event. The Urban Land Institute's national magazine was also awarded first place in the "Best Trade Magazine Report" category by the National Association of Real Estate Editors for Journalism for its story about the event. The Solar Decathlon will be held at the Orange County Great Park on October 8-11 and October 15-18, 2015.
- The Irvine Police Association will host the 30th annual Concert on the Green and Fireworks Festival on Friday, July 4 at Irvine High School Football Stadium. For information, call 949-724-0488.
- Marine Way, the main entrance into the Orange County Great Park, is closed due to a storm drain project and will reopen on Sunday, July 27. Trabuco Road at Sand Canyon will be open to the public daily. For detour maps, visit *ocgp.org* or *cityofirvine.org*.

ADDITIONS AND DELETIONS

1. City Manager Joyce asked that Item No. 4.3 (Friendship Cities Policy) be deferred to a future meeting date as the authors of the report were unavailable to provide the report and respond to questions.

City Council discussion included: concerns over continuing the item; opportunity for public testimony if the item was continued; and whether the item was time-sensitive.

ACTION: Moved by Mayor Choi, seconded by Councilmember Shea, to continue Item No. 4.3 to a future City Council meeting.

The motion failed as follows:

AYES:	2	COUNCILMEMBERS:	Shea and Choi
NOES:	2	COUNCILMEMBERS:	Agran and Krom
ABSENT:	1	COUNCILMEMBERS:	Lalloway

City Attorney Litfin explained that the motion failed, and therefore, the item would stay on the agenda.

- 2. Councilmember Shea requested that Item No. 4.5 (Consideration of a Budget Adjustment for the Orange County Great Park Audit) be continued for two weeks.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried by those members present (Mayor Pro Tempore Lalloway absent) to approve Consent Calendar Item Nos. 3.1 through 3.9.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on June 10, 2014.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 14-70 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA 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. 14-71 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS OF AT&T AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

Councilmember Krom abstained.

3.4 ANNUAL MEASURE M2 ELIGIBILITY SUBMITTAL AND SAFE TRANSIT STOPS GRANT APPLICATION

ACTION:

- 1) Approved the Measure M2 Seven-Year Capital Improvement Program (CIP) for Fiscal Years 2014-15 through 2020-21 for inclusion in the City's Annual Measure M2 Eligibility submittal.
- 2) Adopted RESOLUTION NO. 14-72 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA APPROVING THE SUBMITTAL OF A FUNDING APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER PROJECT W SAFE TRANSIT STOPS

3.5 AMENDMENT TO FINANCING AND COOPERATION AGREEMENT BETWEEN THE CITY OF IRVINE AND THE CITY OF IRVINE IN ITS CAPACITY AS THE HOUSING SUCCESSOR AGENCY TO THE FORMER IRVINE REDEVELOPMENT AGENCY

ACTION:

Approved an Amendment to Financing and Cooperation Agreement between the City of Irvine and the City of Irvine, in its capacity as the Housing Successor Agency to the former Irvine Redevelopment Agency.

3.6 ALTON LEFT TURN LANE AT THE CIVIC CENTER

ACTION:

- 1) Approved the plans, specifications, and contract documents for Alton Left Turn Lane at the Civic Center, Capital Improvement Project (CIP) 311415.
- 2) Approved the Engineer's Estimate, Construction Contingency, and Funding Summary (Attachment 1 to the staff report), and authorized staff to solicit competitive bids for construction in accordance with the City's purchasing policies and procedures.

3.7 NOTICE OF REVIEW FOR TRACT MAPS IN ORCHARD HILLS, IRVINE BUSINESS COMPLEX, AND GREAT PARK NEIGHBORHOODS

ACTION:

Received and filed.

3.8 JOINT COMMUNITY FACILITIES AGREEMENT FOR GREAT PARK COMMUNITY FACILITIES DISTRICT 2013-3

ACTION:

Adopted RESOLUTION NO. 14-73 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA AUTHORIZING THE EXECUTION OF A JOINT COMMUNITY FACILITIES AGREEMENT

3.9 AMENDMENT TO THE AD HOC VETERANS CEMETERY COMMITTEE MEMBERSHIP

ACTION:

Amended the membership of the Ad Hoc State Veterans Cemetery Committee to remove State and County elected officials as ex-officio members and directed staff to provide such individuals notice and information pertaining to all Ad Hoc Committee meetings and seek their input, recommendations and opinions on the work performed by the Ad Hoc Committee.

4. COUNCIL BUSINESS

4.1 RESOLUTIONS AFFECTING TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED AND NON-REPRESENTED EMPLOYEES AND INTRODUCTION OF AN ORDINANCE AMENDING SECTION 1-2-108 OF THE IRVINE MUNICIPAL CODE RELATING TO THE CITY COUNCIL COMPENSATION SCHEDULE IN ACCORDANCE WITH SECTION 36516 OF THE CALIFORNIA GOVERNMENT CODE

Jan Walden, Manager of Human Resources, provided the staff report and responded to questions.

City Council discussion included: current City Council compensation and concerns related to the proposed ordinance to increase City Council compensation; whether the monthly stipend included compensation adjustment for Great Park Boardmembers; approximate dollar amount of the City's payment of 2.552% contribution toward City Councilmember pensions based on current Council compensation; and employee share of pension premiums.

ACTION: Moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried to not approve Recommended Action No. 4 (Ordinance relating to the City Council compensation schedule) and adopt Recommended Action Nos. 1,2,3, and 5 as follows:

ACTION:

- 1) Adopt RESOLUTION NO. 14-74 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR PART-TIME EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING RESOLUTION NO. 13-100 EFFECTIVE THE PAY PERIOD THAT INCLUDES JUNE 24, 2014
- 2) Adopt RESOLUTION NO. 14-75 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR THE 2014-15 FISCAL YEAR, AND SUPERSEDING RESOLUTION NO. 13-101, WHICH IS INCONSISTENT THEREWITH
- 3) Adopt RESOLUTION NO. 14-76 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING RESOLUTION NO. 13-102, WHICH IS INCONSISTENT THEREWITH
- 5) Eliminate the City payment of 2.552% toward the City Councilmembers' employee/member contribution to the California Public Employees' Retirement System effective January 1, 2015.

The motion carried as follows:

AYES:	4	COUNCILMEMBERS:	Agran, Krom, Shea and Choi
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Lalloway

4.2 TASK FORCE TO REVIEW HOUSING NEEDS OF DEVELOPMENTALLY DISABLED RECOMMENDATIONS

Mark Asturias, Manager of Housing, provided the staff report and responded to questions. Councilmember Shea, as Chair of the Task Force, provided a brief overview, history and goals of the Task Force. Councilmember Krom, as Vice Chair of the Task Force, also provided brief introductory remarks.

The following individuals spoke in support of adopting the recommendations made by the Task Force:

Fran Gustin, Task Force Member
Paul Harvey, Task Force Member
Carol Clayman, Task Force Member
Michael LeBlanc, Task Force Member
Nancy Donnelly, Task Force Member
Lionel D'Luna
Stephanie Aho
Scott Tempel
Janet Fell
Dan Stone
Cheryl S. Cohen

City Clerk McLaughlin read into the record a letter submitted by Mr. James Shin in support of recommendations made by the Task Force.

Mr. James McQueen submitted a speaker slip but did not speak.

City Council discussion included: content of the proposed ordinance submitted by Mr. James Shin and analysis of the ordinance by staff, legal counsel, and the City's legislative advocate; existing or proposed legislation in Sacramento and/or Washington D.C. supporting rental or homeownership opportunities for developmentally disabled individuals; Irvine's affordable housing goals and the development of affordable housing in perpetuity; accomplishments made by the Irvine Community Land Trust; and recognition of the Task Force for its accomplishments.

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

- 1) Approve Task Force to Review Housing Needs of Developmentally Disabled recommendations as follows:
 - a) Task Force shall be converted to ad hoc status to meet a minimum of semi-annually for up to one year to ascertain the status of the recommended actions and allow for updates and continued public comment on the housing needs of the developmentally disabled.
 - b) Housing for the developmentally disabled should be considered among the priority needs for housing when allocating a portion of eligible resources such as in-lieu affordable housing funds received through the Inclusionary Housing Ordinance, as well as federal entitlement programs such as Community Development Block Grant, HOME Investment Partnerships Act, and other eligible resources to address housing for developmentally disabled, to the extent financially feasible.
 - c) Identify a demonstration project, working with the Irvine Community Land Trust or other nonprofit organizations or private developers, and the Regional Center, to create or set aside units and identify service providers for affordable housing and services for the developmentally disabled, to the extent economically feasible.
 - d) Establish a priority for the City to work with the Irvine Community Land Trust (for future sites received by the City for affordable housing) to create a set-aside of units for the developmentally disabled, to the extent economically feasible.
 - e) Recognizing that supportive services are an essential component of housing for special needs populations, the City will work with the broader community, including families, nonprofit organizations and developers, to identify educational opportunities, advocacy and referral to local services. In addition, and to the extent feasible, the City will strive to ensure funds and other municipal resources for services will be made available through local social services such as Community Services and FOR Families to developmentally disabled individuals residing in homes developed and managed by nonprofit organizations.

- f) Explore opportunities with the private sector to facilitate initiatives for individuals to donate privately owned homes that include services for the developmentally disabled and request the Irvine Community Land Trust, or other nonprofit organization engaged in owning permanently affordable housing, accept the property(ies) for the benefit and occupancy by developmentally disabled individuals.
- g) Support State and Federal legislation for:
 - 1. funding development of affordable housing and ongoing services of developmentally disabled residents;
 - 2. federal and state tax incentives that could be accessed by nonprofit and for-profit agencies providing housing for the developmentally disabled;
 - 3. support amendments to fair housing law allowing special needs populations, including the developmentally disabled to be considered a protected class; and
 - 4. support development of federal and state legislation to establish special "savings" accounts for the developmentally disabled to create housing opportunities including affordable ownership and rental choices.

ACTION: A friendly amendment was made by Councilmember Krom, and accepted by Councilmember Shea as the maker of the motion, seconded by Mayor Choi, to add the following action item:

- 2) Direct staff to review the proposed Ordinance submitted by James Shin and return to the City Council at a future meeting with an analysis and recommendations.

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Agran, Krom, Shea, and Choi
 NOES: 0 COUNCILMEMBERS: None
 ABSENT: 1 COUNCILMEMBERS: Lalloway

4.3 FRIENDSHIP CITIES POLICY

Pamela Baird, Council Services Manager, and Joe Angeles, Administrative Aide, presented the staff report and responded to questions.

The following individuals spoke in opposition to the proposed amendments to the Friendship Cities Policy:

Dinah Frieden
Farhan Aziz
Darakshan Malik
Nishant Patel
Tahir Yasin

Steve Greenberg spoke in support of the proposed amendments to the Friendship City Policy.

Mr. Karim Ali submitted a speaker slip but did not speak.

City Council discussion included: the City's cultural diversity; existing Sister City relationships; concerns related to using current U.S. travel warnings; history of sister / friendship city programs; human rights violation concerns in certain countries; being inclusive of many types of cities to promote democracy worldwide; finding commonality with sister cities; exchange of cultural activities and promoting further understanding; Hometown Hero Mark Daily and his desire to establish a sister city / friendship city relationship with a city in Iraq; and returning to a future meeting with a modified form of the amendments proposed.

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

Adopt the proposed amendments to the City's Friendship Cities Policy to include the following provisions:

1. Cities located in countries that sponsor or participate in human rights violations, and cities that do not support values of freedom and democracy, are precluded from inclusion in the Friendship Cities Program.
2. Criteria for selection of proposed friendship cities that foster activities of peace and human rights shall include, but not be limited to, review of the following resources:
 - a. United Nations Universal Human Rights Index
 - b. Amnesty International Annual Report on Human Rights
 - c. Freedom House Annual Freedom in the World Report

- d. Human Rights Watch Annual Report
- e. World Audit Annual Report on Democracy in the World
- f. U.S. Department of State Travel Warnings

- 3. Friendship City proposals submitted to the City Council for consideration shall include a comprehensive summary from the peace and human rights organizations identified in the above recommended Action Item 2.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Shea and Choi

NOES: 2 COUNCILMEMBERS: Agran and Krom

ABSENT: 1 COUNCILMEMBERS: Lalloway

City Manager Joyce noted that the item would be scheduled for a future City Council meeting at a date and time when staff was available, and would continue to follow the specific direction provided by the City Council at its April 8, 2014 meeting.

4.4 ORANGE COUNTY GREAT PARK AUDIT SUBCOMMITTEE UPDATE

This item was agendized at the request of Councilmember Krom, who expressed concern about comments made at the June 10, 2014 City Council meeting regarding the change in special legal counsel for the Orange County Great Park audit; and requested an update by the subcommittee to allow questions and discussion by the City Council and members of the community.

City Attorney Litfin noted a conflict of interest and left the dais. Anthony Taylor, special counsel from Aleshire and Wynder joined the City Council at the dais.

Ed Pope expressed concern about transparency, amount spent to date on the audit, bidding process, and change in law firms related to the audit.

Diane Gale spoke in opposition to the comparisons made between the City of Irvine and City of Bell by Mr. Taylor; and suggested money used in conducting the audit be spent instead on housing needs for the developmentally disabled.

Taylor Holcomb spoke in support of the vision for the Great Park and the current audit process; and in opposition to past comments made by Councilmember Agran.

Allan Bartlett, Finance Commissioner, spoke in support of the Great Park audit.

City Council discussion included: reasons for the change in legal counsel; background and history on audit implementation; closed session versus open meeting process; expenditures related to the audit to date; background and experience of Aleshire and Wynder; role and responsibilities of the subcommittee; request for regular subcommittee updates; confidentiality concerns with disclosing certain findings thus far until the audit process is completed; approximate timeline for audit completion; overview of Great Park design, programming, capital improvements and construction expenditures to date; points of order and whether certain topics were within the scope of the agenda item; loss of redevelopment funding; City Manager's role in the audit process; and whether all appropriations made to date were approved by the City Council.

No City Council action was taken.

4.5 CONSIDERATION OF A BUDGET ADJUSTMENT FOR THE ORANGE COUNTY GREAT PARK AUDIT

This item was continued for two weeks at the request of Councilmember Shea. See Additions and Deletions.

PUBLIC COMMENTS

Barbra Cunningham-Skurnik expressed concerns relating to the political atmosphere in the City.

Ilya Tseglin spoke about a recent domestic issue concerning his autistic son and continued legal issues.

Michael Klubnikin commended the City Council for its leadership in the community, and spoke on behalf of his friend, Ilya Tseglin, who was seeking legal assistance for a continuing domestic issue related to his autistic son.

ADJOURNMENT

By consensus of the members present (Mayor Pro Tempore Lalloway absent), the meeting was adjourned at 9:43 p.m.


MAYOR OF THE CITY OF IRVINE


CITY CLERK OF THE CITY OF IRVINE

June 24, 2014