



## MINUTES

### CITY COUNCIL ADJOURNED REGULAR MEETING

Steven Choi  
Mayor

Jeffrey Lalloway  
Mayor Pro Tem

Larry Agran  
Councilmember

Beth Krom  
Councilmember

Christina Shea  
Councilmember

October 28, 2014  
City Council Chamber  
One Civic Center Plaza  
Irvine, CA 92606

#### CALL TO ORDER

The adjourned regular meeting of the Irvine City Council was called to order at 5:05 p.m. on October 28, 2014 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Choi presiding.

#### ROLL CALL

Present:	5	Councilmember:	Larry Agran
		Councilmember:	Beth Krom
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Jeffrey Lalloway
		Mayor:	Steven Choi

#### PLEDGE OF ALLEGIANCE

Councilmember Agran led the Pledge of Allegiance.

## INVOCATION

Mayor Choi invited Pastor Shelley Juskiewicz from Mariners Church in Irvine to provide the invocation.

## MUSICAL PRESENTATION

Mayor Choi introduced students from A Little Dynasty Chinese School, who performed "Yankee Doodle" and "This Land is Your Land."

### 1. PRESENTATIONS

#### **1.1 *Proclaim November 2014 as "Native American Heritage Month."***

Mayor Choi introduced Monica Clifton and Frank Banda, Board Directors from Four Directions Education, and presented a proclamation recognizing November 2014 as "Native American Heritage Month."

#### **1.2 *Receive a Presentation from Orange County Water District Regarding the Statewide Drought and its Impact on Irvine's Water Supply***

Mayor Choi introduced Director Steve Sheldon from the Orange County Water District, who provided a brief presentation regarding the Statewide Drought and its impact on Irvine's water supply.

#### **1.3 *Proclaim October 23, 2014 as Commencement of Diwali - India's New Year and Festival of Lights***

Mayor Choi introduced Dr. Seema Choudhary and presented a proclamation recognizing October 23, 2014 as the commencement of Diwali, India's New Year and Festival of Lights. Dr. Chowdhary also provided a brief presentation on the history and significance of Diwali.

#### **1.4 *Receive a Presentation from the "Be Aware Foundation"***

Representatives from the "Be Aware Foundation" were unable to attend and asked that their presentation be postponed to a future meeting date.

## CITY MANAGER'S REPORT

City Manager Joyce turned to Mayor Pro Tempore Lalloway as the City's representative to the Orange County Fire Authority (OCFA), who introduced OCFA Interim Fire Chief Jeff Bowman.

## ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Choi made the following announcements:

- The Irvine Fine Arts Center is hosting the 32<sup>nd</sup> annual Holiday Faire on Friday, November 7 from 5-9 p.m. and Saturday, November 8 from 9 a.m. to 4 p.m. For information, visit [irvinefinearts.org](http://irvinefinearts.org).
- The City of Irvine is hosting two Veterans Day events. The Northwood Memorial Candle Lighting Ceremony will be held on Sunday, November 9 at 3 p.m. at the Northwood Gratitude and Honor Memorial, and the City's annual Veterans Day Ceremony will be held on Tuesday, November 11 from 11 a.m. to 12:30 p.m. at Colonel Bill Barber Marine Corps Memorial Park. In addition to saluting our nation's military, community members can preorder dedication flags to honor a current or past service member through the Irvine Chamber Education Foundation Field of Flags fundraiser. Flags purchased will be displayed in a Field of Flags with the service member's photo and dedication card at the Veterans Day Ceremony. For information about both City events, visit [cityofirvine.org](http://cityofirvine.org). For information about the Field of Flags fundraiser, visit [irvinechamber.com](http://irvinechamber.com).
- The General Election will be held on November 4 to elect candidates to various City, County, State and Federal offices. In an ongoing effort to promote voter participation, the City Clerk's office encourages all eligible residents to vote in the upcoming General Election. Polls will be open from 7 a.m. to 8 p.m. For information about polling locations, how to volunteer as a poll worker, or for language assistance in Chinese, Korean, Spanish, Vietnamese, Tagalog or Japanese, visit [ocvote.com/volunteer](http://ocvote.com/volunteer).

## ADDITIONS AND DELETIONS

City Manager Joyce noted an addendum to the staff report and an amended contract related to Item No. 2.5 (Approval of Agreement with Snell & Wilmer for Appellate Legal Services Pertaining to Second Amendment to Orange County Fire Authority Joint Powers Authority Agreement), which revised the structure from a flat fee to an hourly rate. He also recommended that the City Council strike Recommended Action No. 2 under Item No. 2.9 (Partial Assignment and Assumption of Development Agreement and Site Specific Approvals for Business Campus in Planning Area 51).

## 2. CONSENT CALENDAR

**ACTION:** Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to approve City Council Consent Calendar Item Nos. 2.1 through 2.10.

**2.1 MINUTES**

**ACTION:**

Approved the minutes of an adjourned regular meeting of the Irvine City Council and adjourned regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency held on October 14, 2014.

**2.2 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 14-121 - 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

**2.3 WARRANT AND WIRE TRANSFER RESOLUTION – AT&T**

**ACTION:**

Adopted RESOLUTION NO. 14-122 - 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.

**2.4 NOTICE OF PENDING APPROVAL FOR TRACT MAPS IN IRVINE BUSINESS COMPLEX, PORTOLA SPRINGS, AND ORCHARD HILLS**

**ACTION:**

Received and filed.

**2.5 APPROVAL OF AGREEMENT WITH SNELL & WILMER FOR APPELLATE LEGAL SERVICES PERTAINING TO SECOND AMENDMENT TO ORANGE COUNTY FIRE AUTHORITY JOINT POWERS AUTHORITY AGREEMENT**

**ACTION:**

Approved Legal Services Agreement with Snell & Wilmer for Appellate Legal Services for Orange County Fire Authority Appeal.

As amended per the addendum to the staff report and amended contract to revise the structure from a flat fee to an hourly rate. See Additions and Deletions.

**2.6 AUTHORIZE THE DEMOLITION OF OFFICERS' CLUB BUILDING**

**ACTION:**

- 1) Approved the demolition of the Officers' Club Building.
- 2) Authorized staff to solicit bids for the demolition of the Officers' Club Building, in accordance with the City's Financial Policies and Procedures, and present the findings and bid results for City Council review and approval.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 4-1 (Councilmember Krom opposed)

**2.7 INTERIM INFRASTRUCTURE CAPITAL IMPROVEMENT PROJECT**

**ACTION:**

- 1) Rejected all bids received on October 8, 2014 for the Interim Infrastructure Capital Improvement Project, (CIP) 371405.
- 2) Approved revisions to the scope of work for the Interim Infrastructure Capital Improvement Project to delete the contract items for the temporary storm drain system.
- 3) Approved the revised Plans, Specifications, Contract Documents, Engineer's Estimate, Construction Contingency, and Funding Summary for the project and authorized staff to solicit new competitive bids for construction in accordance with the City's purchasing policies and procedures.
- 4) Approved a budget adjustment reducing the allocation for all components of the construction phase of the project for a total amount of \$480,000.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 5-0

**2.8 BUDGET ADJUSTMENT AND CONTRACT AWARD FOR GREAT PARK CAROUSEL REPAIR**

**ACTION:**

- 1) Approved a \$55,028 Budget Adjustment to fund the disassembly, diagnostic evaluation and preparation of repair specifications for the Great Park Carousel.
- 2) Authorized the Director of Public Works to award and execute a contract with Burton Construction Inc. for an amount not-to-exceed \$55,028 for disassembly, diagnostic evaluation, and preparation of repair specifications for the Great Park Carousel.
- 3) Directed staff to solicit bids for the necessary repairs, in accordance with the City's Financial Policies and Procedures, and present the findings and bid results for City Council review and approval following the completion of the diagnostic work.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 5-0

**2.9 PARTIAL ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT AGREEMENT AND SITE SPECIFIC APPROVALS FOR BUSINESS CAMPUS IN PLANNING AREA 51**

**ACTION\*:**

- 1) Authorized the City Manager to execute Partial Assignment and Assumption of Development Agreement and site specific approvals between Heritage Fields El Toro, LLC and O.C. Property Company, LLC (Partial Assignment).

\* The following Action Item was not approved at the recommendation of the City Manager (See Additions and Deletions):

- 2) Authorize the City Manager to sign future Partial Assignments without seeking further City Council approval so long as they are substantially consistent with the Partial Assignment in the staff report.

**2.10 SECOND READING AND ADOPTION OF ORDINANCE NO. 14-02  
LEVYING SPECIAL TAXES IN IMPROVEMENT AREA 4, COMMUNITY  
FACILITIES DISTRICT NO. 2013-3**

**ACTION:**

Read by title only, second reading and adoption of ORDINANCE NO. 14-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 4 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

(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 was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

Approved 5-0

**3. PUBLIC HEARINGS**

**3.1 COMMUNITY FACILITIES DISTRICT NO. 2013-3 — ADOPT  
RESOLUTIONS OF CHANGE AND FORMATION FOR IMPROVEMENT  
AREA NO. 5 — CONDUCT ELECTION —FIRST READING OF  
ORDINANCE OF LEVY OF SPECIAL TAX**

Valaya Chitchakkol, Finance Administrator, presented the staff report. Paul Pender, Fieldman & Rolap, was also present.

Mayor Choi opened the public hearing at 5:49 p.m. There were no public comments.

**ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to close the public hearing at 5:50 p.m.**

There was no City Council discussion.

Prior to Mayor Choi calling for a motion, City Clerk McLaughlin explained the procedural process for consideration of the recommended actions before the City Council related to this item.

**ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to approve Recommended Action Item Nos. 5, 6 and 7 as follows:**

**ACTION:**

- 5) Adopted RESOLUTION NO. 14-123 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS THE LEGISLATIVE BODY OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), DESIGNATING IMPROVEMENT AREA NO. 5 OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SAID IMPROVEMENT AREA
- 6) Adopted RESOLUTION NO. 14-124 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS THE LEGISLATIVE BODY OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS WITHIN IMPROVEMENT AREA NO. 5 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND SUBMITTING A PROPOSITION TO THE QUALIFIED ELECTORS THEREOF
- 7) Adopted RESOLUTION NO. 14-125 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS THE LEGISLATIVE BODY OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), CALLING A SPECIAL ELECTION FOR THE PURPOSE OF APPROVING A SPECIAL TAX IN IMPROVEMENT AREA NO. 5 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), THE ISSUANCE OF BONDS BY SAID IMPROVEMENT AREA OF THE DISTRICT AND ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

Following approval of Recommended Action Item Nos. 5, 6, and 7 above, City Clerk McLaughlin opened the ballot and read allowed the election results from property owner Heritage Fields representing Improvement Area No. 5, which reflected 79 votes attributed to the ballot and a vote cast in the affirmative.

**ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to approve Recommended Action Item No. 9 as follows:**

- 9) Adopted RESOLUTION NO. 14-126 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS THE LEGISLATIVE BODY OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), DECLARING THE RESULTS OF A SPECIAL ELECTION HELD IN IMPROVEMENT AREA NO. 5 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND DIRECTING RECORDING OF A NOTICE OF SPECIAL TAX LIEN

Following approval of Recommended Action No. 9 above, City Clerk McLaughlin read into the record for first reading the title of the proposed Ordinance reflected in Recommended Action Item No. 10.

**ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to approve Recommended Action Item No. 10 as follows:**

- 10) Introduced for first reading and read by title only ORDINANCE NO. 14-03 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 5 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

## **PUBLIC COMMENTS**

Jane Olinger expressed her support for candidates dedicated to Irvine's Master Plan and a 90-day moratorium on permits for new development.

Tyler Holcomb provided a brief PowerPoint presentation, noting comparisons in costs to build and operate the Orange County Great Park Balloon vs. Central Park on a cost-per-visitor basis.

Ed Pope expressed concern to statements made by certain candidates in political advertisements with respect to a Veterans Cemetery at the Orange County Great Park.

Russell Niewaroski spoke about past commitments to construct and develop the Orange County Great Park, and the proposed Measures V and W on the November 4, 2014 ballot.

Alan Meyerson spoke in opposition to statements made in certain political advertisements and suggested a review of the Brown Act be agendaized for the next meeting to address the passing of notes and text messaging at the dais. He also expressed his opposition to Five Point Communities Management, Inc. and its development of 688 acres of the

Orange County Great Park, and expressed his support for a Veterans Cemetery and Measure BB passed in 2012.

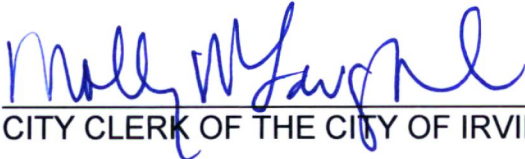
Charles Griffin expressed his support for maintaining the existing runways at the Orange County Great Park for aviation use.

Betty Jo Woollett and Gladys Rojas, Irvine Chamber Education Foundation representatives, provided information to the Community about the "Field of Flags" fundraiser, noting that proceeds will benefit the Lt. Col. Thomas Wall Scholarship Fund and other educational scholarships for service men and women.

Ken Wyant spoke in support of the public's ability to review all materials related to the Orange County Great Park Audit.

**ADJOURNMENT**

Moved by Councilmember Shea, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to adjourn the meeting at 6:21 p.m.

  
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CITY CLERK OF THE CITY OF IRVINE

  
\_\_\_\_\_  
MAYOR OF THE CITY OF IRVINE

\_\_\_\_\_  
November 12, 2014