



MINUTES

CITY COUNCIL SPECIAL MEETING April 9, 2013

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

A special meeting of the Irvine City Council was called to order at 3:01 p.m. on April 9, 2013 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

1. *CLOSED SESSION*

- 1.1 **CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) Agency Negotiators: Gary Burton, Director of Administrative Services; Paul Coble, Jones & Mayer; Jan Walden, Manager of Human Resources; Jimmee Medina, Human Resources Administrator; Employee Organizations: Associated Supervisory/Administrative Personnel (ASAP); Irvine City Employees Association (ICEA); Irvine Professional Employees Association (IPEA); Irvine Police Association (IPA); and Irvine Police Management Association (IPMA).**

Interim City Attorney Jones announced the Closed Session item, following which Mayor Choi convened to Closed Session at 3:03 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the City Council meeting at 5:04 p.m. Interim City Attorney Jones , on behalf of the City Council, announced no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Councilmember Shea led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Pastor Ed Salas from New Song Church in Irvine, to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced the Meadow Park Elementary sixth grade class, who performed the "Star Spangled Banner" and "America the Beautiful."

2. PRESENTATIONS

2.1 Proclaim April 14-20, 2013 as "Week of the Young Child."

Mayor Choi introduced Rebecca Hernandez, Manager, and Deanna Parga, Community Development Liaison, representing Help Me Grow Orange County and presented them with a proclamation.

2.2 Proclaim April 14-20, 2013 as "National Public Safety Telecommunicator's Week."

Mayor Choi introduced Chief Maggard and members of the Public Safety Department's Communications Center staff and presented them with a proclamation for their vital role in community safety.

2.3 Proclaim April 9, 2013 as "Mayors Day of Recognition for National Service."

Mayor Choi introduced representatives and volunteers from the Corporation for National & Community Service and presented them with a proclamation.

2.4 Orange County Transportation Authority Presentation (Funds received in 2012 & West County Connectors Project)

Mayor Pro Tem Lalloway provided an update on transportation in our City. Orange County Transportation Authority representatives also reported on upcoming transportation projects.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Krom reported on her attendance to the Local Government Commission Ahwahnee Conference in Yosemite dealing with building sustainable communities. She also attended the Community Services Policy Committee meeting and policy briefing from the League of California Cities in Pasadena.

Councilmember Shea reported that last weekend \$12,500 in revenue was received as a result of new fees for the balloon and carousel rides at the Orange County Great Park.

Mayor Choi made the following announcements:

- The City of Irvine, in partnership with the United Way of Orange County, is offering tax preparation services at no cost to taxpayers who earned less than \$58,000 in 2012. Qualifying taxpayers who live, work or attend school in Irvine are eligible to receive help completing and electronically filing their tax returns through April 15, 2013. For more information or to schedule an appointment, call 888-434-8248.
- The City of Irvine and the Irvine Ranch Conservancy invite residents to celebrate Earth Day at Bommer Canyon, during the April 20 Wilderness Access Day. Kids and adults alike can learn about growing native plants, bird watching, habitat restoration, hiking, open space safety and the Irvine Open Space Preserve. For more information about this free event, visit irlandmarks.org/activities.
- The "Safe Communities Meeting" will be held from 6-8 p.m. Wednesday, April 17, at the Lakeview Senior Center in Irvine. Topics will include early warning signs and prevention of violence, substance abuse and mental illness to create an overall safer community. Attendees should include parents, educators, community leaders, medical professionals and neighbors.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

Moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.10. Item 3.11 was removed from the Consent Calendar for separate discussion.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on March 26, 2013.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed April 7-13, 2013 as "Animal Control Officer Appreciation Week."
- 2) Proclaimed April 22, 2013 as "Earth Day."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 13-43 - 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. 13-44 - 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

Councilmember Krom abstained.

3.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 13-45 - 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 SECOND READING AND ADOPTION OF ORDINANCE NO. 13-02 LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 1 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

ACTION:

ORDINANCE NO. 13-02 - 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. 1 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

NOTE: Subsequent to City Council action, it was determined that the second reading and adoption of this ordinance must be re-gendized for City Council action on April 23, 2013 to comply with Government Code Section 36934 which requires that ordinances, other than urgency ordinances, shall be adopted at a regular or adjourned regular meeting.

3.7 SECOND READING AND ADOPTION OF ORDINANCE 13-03 LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 2 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

ACTION:

ORDINANCE NO. 13-03 - 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. 2 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

NOTE: Subsequent to City Council action, it was determined that

the second reading and adoption of this ordinance must be re-agendized for City Council action on April 23, 2013 to comply with Government Code Section 36934 which requires that ordinances, other than urgency ordinances, shall be adopted at a regular or adjourned regular meeting.

**3.8 SECOND READING AND ADOPTION OF ORDINANCE NO. 13-04
LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 3 OF
THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3
(GREAT PARK)**

ACTION:

ORDINANCE NO. 13-04 - 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. 3 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

NOTE: Subsequent to City Council action, it was determined that the second reading and adoption of this ordinance must be re-agendized for City Council action on April 23, 2013 to comply with Government Code Section 36934 which requires that ordinances, other than urgency ordinances, shall be adopted at a regular or adjourned regular meeting.

3.9 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

Approved community partnership grant award to Irvine Girls Softball Association to assist with program support.

**3.10 APPOINTMENTS OF IRVINE SENIOR CITIZENS COUNCIL TO
EMERITUS STATUS**

ACTION:

Approved Senior Citizens Council recommendation to appoint the following past Senior Citizens Council members to Emeritus Status: Alireza Jazayeri, Sam Castelo and Nancy Cheng.

3.11 LOCATION OF MARY ANN GAIDO RECOGNITION PLAQUE

Councilmember Shea removed the item for further discussion and clarification about recognition plaques located at community facilities and costs of the proposed recommended action.

Brian Fisk, Director of Community Services and Mya Sanders, Community Services Superintendent, responded to questions.

City Council comments included: the cost and location of the recognition plaque, clarification of the Open Space Initiative and 25th anniversary event, and recognition past practices of the City.

***ACTION:** Moved by Councilmember Shea, seconded by Mayor Pro Tem Lalloway, to approve a plaque in honor of Mary Ann Gaido for the Wall of Recognition at Bill Barber Park; and, to direct staff to identify all individuals who participated on the Open Space Initiative and available recognition options at Bommer Canyon.

ACTION: Moved by Councilmember Shea, seconded by Councilmember Agran, to:

Direct staff to evaluate other options for a recognition plaque in honor of Mary Ann Gaido in Bommer Canyon.

The motion carried as follows:

AYES: 4 DIRECTORS: Agran, Krom, Shea and Choi

NOES: 1 DIRECTORS: Lalloway

*Original motion was withdrawn by the mover Councilmember Shea.

4. COUNCIL BUSINESS

4.1 BUDGET ADJUSTMENT TO CAPITAL IMPROVEMENT PROJECT 369030 FOR REHABILITATION AND EXPANSION OF THE COMMUNITY CENTER AT NORTHWOOD COMMUNITY PARK

Sean Joyce, City Manager; Brian Fisk, Director of Community Services; and Ruben Tolentino, Psomas Construction Manager; provided the staff report and responded to questions.

Public Comments included:

Alan Bartlett, Finance Commissioner, stated the project's inconsistencies warrant improvements in project management and budget tracking procedures.

Lynn Schott, Planning Commissioner, questioned the inclusion of the Tai Chi element within the Northwood Community Center project, adding that the Commission did not take action on the design element.

City Council discussion included: clarification of the project budget, public recommendations on project elements, bid and change order processes, inconsistencies of project and change order costs, standard size for community centers, and costs of new comparable facilities.

***ACTION:** Moved by Mayor Pro Tem Lalloway, seconded by Mayor Choi, to:

Direct the Interim City Attorney to conduct an investigation into the Northwood Community Park Capital Improvement Project and return to the City Council within 30 days with a report.

ACTION: A substitute motion was moved by Councilmember Krom, seconded by Councilmember Agran to:

1. Approve a budget adjustment in the amount of \$500,000 for the Northwood Community Park (CIP 369030) rehabilitation and expansion project.
2. Direct the City Manager to conduct a comprehensive report identifying the project's shortcomings and necessary protocols to improve project management procedures, and return within 30 days with a report.

The motion failed as follows:

AYES: 2 **COUNCILMEMBERS:** Agran and Krom

NOES: 3 **COUNCILMEMBERS:** Lalloway, Shea and Choi

***ACTION:** The original motion by Mayor Pro Tem Lalloway, seconded by Mayor Choi, carried to:

Direct the Interim City Attorney to conduct an investigation into the Northwood Community Park Capital Improvement Project and return to the City Council within 30 days with a report.

The motion carried as follows:

AYES: 3 **COUNCILMEMBERS:** Lalloway, Shea and Choi

NOES: 2 **COUNCILMEMBERS:** Agran and Krom

**4.2 PLANNING AND DEVELOPMENT OF IRVINE'S NEXT HIGH SCHOOL;
MEASURE BB AND JOINT USE ATHLETIC FACILITIES AT THE
ORANGE COUNTY GREAT PARK**

Councilmember Agran agendized this item for further discussion on the planning and development of Irvine's next high school. Councilmember Agran noted opposition to Site A, and support of Site B1 or B2 for a new high school for the reasons cited in his memo dated April 2, 2013.

Public comments included:

Terry Walker, IUSD Superintendent, spoke against any new high school location proposal.

Peter Vahid, resident, spoke against a high school proximate to the Musick Jail.

City Council discussion included: new high school review process, alternate high school locations, concerns of location proximity to Musick Jail, joint use opportunities with the Great Park, review of the feasible current location, potential traffic impacts, planning and development of educational facilities jurisdictions, project timelines and future student enrollment needs.

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

Receive and file.

**4.3 FORMATION OF AD HOC COMMITTEE FOR PERMANENT CITY
ATTORNEY SELECTION**

Mayor Pro Tem Lalloway agendized this item for discussion on the formation of an Ad Hoc Selection Committee for a permanent-city attorney.

City Council discussion included: role and responsibility of the subcommittee, Request For Proposal process, attorney fee structures, selection and interview processes of top firms and creating the search parameters of the needed attorney service.

***ACTION: Moved by Mayor Pro Tem Lalloway, seconded by Councilmember Shea, to:**

Form an Ad Hoc Committee consisting of Mayor Choi and Mayor Pro Tem Lalloway empowered to:

1. Engage in a review process for RFP responses to include:
 - a. Staff to rate respondents as either "qualified" or "unqualified", and present a comparative matrix of key data points, such as

- rate structures to the committee.
 - b. Committee shall review all proposals from potential city attorneys.
 - 2. Make recommendations to the City Council on which applicants should be given interviews.
- The Ad Hoc Committee is to sunset at the end of the fiscal year, June 30, 2013.

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Agran, Lalloway, Shea and Choi
 NOES: 1 COUNCILMEMBERS: Krom

PUBLIC COMMENTS

Clifford Kenny, resident, spoke against the dismissal process of the city attorney.

Susan Sayre, resident, spoke against the Orange County Great Park contamination and proper decontamination processes.

ADJOURNMENT

Moved by Councilmember Krom, seconded by Mayor Pro Tem Lalloway, and unanimously carried to adjourn the meeting at 9:35 p.m.


 MAYOR OF THE CITY OF IRVINE


 CITY CLERK OF THE CITY OF IRVINE

April 23, 2013