

**MINUTES
CITY COUNCIL
ADJOURNED REGULAR MEETING
AND
ADJOURNED REGULAR
JOINT MEETING WITH THE
IRVINE REDEVELOPMENT AGENCY**

June 15, 2010
City Council Chamber
One Civic Center Plaza

CALL TO ORDER

An adjourned regular meeting of the Irvine City Council was called to order at 3:35 p.m. on June 15, 2010, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

ROLL CALL

Present:	5	Councilmember:	Steven Choi
		Councilmember:	Beth Krom*
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Larry Agran
		Mayor:	Sukhee Kang

*Councilmember Krom arrived at 3:37 p.m.

1. CLOSED SESSION

- 1.1 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) Agency Negotiators: Rick Paikoff, Director of Administrative Services; Jan Walden, Manager of Human Resources; and Jimmee Medina, Human Resources Administrator: Employee Organization: Irvine Police Association (IPA)**
- 1.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Pursuant to Government Code Section 54956.9 (c): 1 item**

Assistant City Attorney Jeff Melching announced the Closed Session items following which Mayor Kang convened to Closed Session at 3:37 p.m.

RECONVENE TO THE CITY COUNCIL MEETING 5:04 p.m.

Assistant City Attorney Jeff Melching, on behalf of the City Council, announced the City Council took unanimous action in Closed Session on Item 1.2 to initiate or intervene in an action, of which, the particulars of that action and of the adverse parties and all other matters will be available once the action is commenced.

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kang requested a moment of silence in memory of Private Jacqueline O'Day of the 478th Transportation Corp Company under the 419 Combat Sustainment Support Battalion, who died October 1, 2009, while on duty, traveling from San Diego to Camp Pendleton.

MUSICAL PRESENTATION

Mayor Kang introduced Christa Wandrie's fifth grade class from Springbrook Elementary School, who performed "This Land is Your Land" and "Proud To Be An American."

2. PRESENTATIONS

2.1 *Commend Don Dennis, Retired Irvine World News Editor*

Mayor Kang introduced Don Dennis, who retired after 30 years of dedicated and passionate service as editor to the Irvine World News.

2.2 *U.S. Army Reserve / 419th Combat Sustainment Support Battalion*

Mayor Kang introduced Lieutenant Colonel Kristan Hericks, of the 419th Combat Sustainment Support Battalion, who presented the Mayor with a gift for the City's support and dedication to the troops.

2.3 *Proclaim June 21-27, 2010 as "Amateur Radio Week"*

Mayor Kang introduced Irvine Disaster Emergency Communications members Bob Myers, Irvine Disaster Emergency Communications Vice President; Brian Walker, Team Leader; Candice Shier, Field Day Chairman; and Officer Dwayne Lipscomb, Advisor; and presented them with a commendation for their dedicated public service to the City of Irvine.

CONVENED TO THE REDEVELOPMENT AGENCY MEETING - 5:32 p.m.

RECONVENED TO THE CITY COUNCIL MEETING - 5:42 p.m.

INTRODUCTIONS

City Manager Joyce Introduced Jeff Melching, Assistant City Attorney, who was attending in the absence of City Attorney Phil Kohn.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Kang made the following announcements:

- On May 22, the Mayor had the honor of attending the Asian and Pacific Islander Heritage Month reception at the White House. President Obama's words about celebrating the diversity in our communities are an inspiration to us all.
- The City of Irvine has partnered with the U.S. Census Bureau to support the 2010 Census and to achieve a complete and accurate count of Irvine's growing population. Census workers will continue visiting households that did not return their questionnaire. For more information, visit cityofirvine.org or 2010census.gov.
- In the spirit of the City's environmental programs and ongoing efforts to "Reduce, Reuse, and Recycle," City Departments have begun distributing City Council, Orange County Great Park, Finance, Planning, and Community Services Commission agenda packets electronically. Hard copies will continue to be made available to the public for review in City offices.
- The Orange County Great Park Corporation in partnership with the Irvine Barclay Theatre recently released its Flights and Sounds of Summer 2010 schedule. Friday night dance parties and Saturday night concerts run every weekend in August and September. For more information visit OCGP.org.

ADDITIONS AND DELETIONS

There were none.

3. CONSENT CALENDAR

Consent Calendar Items consisted of Item Nos. 3.1 through 3.12.

ACTION: Moved by Councilmember Shea, seconded by Councilmember Krom, and carried unanimously to approve Consent Calendar Items 3.1 through 3.11, with the exception of Item No. 3.5 and Item 3.12, which were removed for separate discussion.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on May 25, 2010.

3.2 COMMENDATION

ACTION:

- 1) Commended Waste Management for receiving California Occupational Safety and Health Administration's (Cal/OSHA) Highest Safety Certification.
- 2) Commended Dr. Spencer C. Olin for his devotion to the Great Park public history program.
- 3) Commended Dr. Keith L. Nelson for his devotion to the Great Park public history program.

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 10-49 - 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. 10-50 - 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 FISCAL YEAR 2010-2011 LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENTS

Councilmember Shea removed this item from the consent calendar for clarification on the proposed assessments.

ACTION: Motion by Councilmember Krom, seconded by Mayor Kang, to:

ACTION:

Adopt RESOLUTION NO.10-51 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS, APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE IRVINE LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENT, FISCAL YEAR 2010-2011

The motion carried as follows:

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

3.6 SAND CANYON GRADE SEPARATION UTILITY RELOCATION AND CONSTRUCTION AND MAINTENANCE AGREEMENTS - CAPITAL IMPROVEMENT PROJECT 321180

ACTION:

Authorized the Mayor to execute, in substantial final form, a Reimbursement Agreement with Irvine Ranch Water District (IRWD), and a Construction and Maintenance Agreement with Southern California Regional Rail Authority (SCRRA) for the Sand Canyon Grade Separation Project, Capital Improvement Project (CIP) 321180.

3.7 DRAINAGE CHANNEL MODIFICATIONS AT YALE/INTERSTATE 405

ACTION:

Approved the plans, specifications, and contract documents for Drainage Channel Modifications at Yale/Interstate 405, on file with the Public Works Department.

3.8 SET PUBLIC HEARING FOR CHANGES AND MODIFICATIONS FOR ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST)

ACTION:

Adopted RESOLUTION NO. 10-52 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING A PUBLIC HEARING FOR CHANGES AND MODIFICATIONS FOR ASSESSMENT DISTRICT NO. 07-22

3.9 2010 TRANSPORTATION ENHANCEMENT GRANT PROGRAM

ACTION:

Adopted RESOLUTION NO. 10-53 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FUNDS FOR THE TRANSPORTATION ENHANCEMENT (TE) PROGRAM UNDER THE 2005 SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT, TRANSPORTATION EQUITY ACT - A LEGACY FOR USERS

3.10 COMMUNITY PARTNERSHIP GRANT NOMINATIONS

ACTION:

- 1) Approved respective City Councilmembers' community partnership grant award nominations to University of California, Irvine Medical School; Exchange Club of Irvine; Girls Incorporated of Orange County; Young Ladies with Potential; Illumination Foundation; One-Stop Center Foundation; Boys and Girls Club; and Friends of Outreach.
- 2) Authorized the City Manager to prepare and sign Funding Agreements.

3.11 REALLOCATION OF FEDERAL ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) FUNDS

ACTION:

- 1) Approved reallocation of funds within Federal Energy Efficiency and Conservation Block Grant program.
- 2) Approved plans and specifications for the replacement of heating, ventilation and air conditioning system at Lakeview Senior Center.
- 3) Approved plans and specifications for the replacement of chillers and energy management system at Irvine Civic Center.

3.12 CENTRAL PARK WEST HOLDINGS, LLC CONSENT TO ASSIGNMENT OF DEVELOPMENT AGREEMENT FOR SECURITY PURPOSES TO BARCLAYS CAPITAL REAL ESTATE, INCORPORATED FOR THE APPROVED CENTRAL PARK WEST DEVELOPMENT AGREEMENT 00330616-DA (PLANNING AREA 36)

Councilmember Shea removed this item from the consent calendar for further discussion regarding the proposed assignment agreement.

City Council discussion included: clarification of the integrity of the development agreement with respect to the amended assignment agreement and contractual obligations contained within the development agreement.

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

ACTION:

Adopt RESOLUTION NO. 10-54 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ASSIGNMENT OF DEVELOPMENT AGREEMENT FOR SECURITY PURPOSES TO BARCLAYS CAPITAL REAL ESTATE, INCORPORATED FOR THE EXISTING DEVELOPMENT AGREEMENT (00330616-DA) BY AND BETWEEN THE CITY OF IRVINE AND CENTRAL PARK WEST HOLDINGS, LLC FOR THE CENTRAL PARK DEVELOPMENT LOCATED AT THE NORTHWEST CORNER OF JAMBOREE ROAD AND MICHELSON DRIVE

END CONSENT CALENDAR

4. PUBLIC HEARINGS

4.1 ORANGE COUNTY GREAT PARK AMENDMENT 3 TO THE CITY OF IRVINE NON-DISPOSAL FACILITY ELEMENT

City Manager Joyce introduced Barry Curtis, Manager of Planning; Rod Cooper, Manager of Operations; and Kim Mahon, Management Analyst; who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 6:01 p.m. There were no public comments.

ACTION: Moved by Councilmember Shea, seconded by Councilmember Choi, and unanimously carried to close the public hearing at 6:02 p.m.

City Council discussion included: clarification of the positive financial impacts of the proposed amendment and anticipated revenues over term of lease, availability of cost saving composting materials for Great Park development, explanation of traffic impacts and California Environmental Quality Act (CEQA) analysis with the increased disposal capacity, current location of the facility and the ability of the non-disposal facility to accommodate future park construction.

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

ACTION:

Adopt RESOLUTION NO. 10-55 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE NON-DISPOSAL FACILITY ELEMENT

4.2 COMMUNITY SERVICES DEPARTMENT FISCAL YEAR 2010-2011 PROPOSED FEES

City Manager Joyce introduced Mike Cribbin, Senior Management Analyst, who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 6:26 p.m. There were no public comments.

ACTION: Moved by Councilmember Krom, seconded by Councilmember Choi, and unanimously carried to close the public hearing at 6:26 p.m.

City Council discussion included: clarification of the wide variety of programs available to the public and associated fees, cost recovery report and structure of programs, clarification of advertising rates and approval process, and utilizing a community service points system for facility and program fee discounts.

Public comments included:

Don Dressler, Finance Commission Chair, who commented on the votes taken at the Finance Commission Meeting.

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

ACTION:

Adopt RESOLUTION NO.10-56 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING FEES FOR

VARIOUS COMMUNITY SERVICES DEPARTMENT ACTIVITIES
FOR THE FISCAL YEAR 2010-11

CALL TO ORDER

An Adjourned Regular Joint Meeting of the Irvine City Council and the Irvine Redevelopment Agency was called to order at 6:52 p.m., on June 15, 2010, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Chair Kang presiding.

5. BUSINESS

5.1 ADOPTION OF CITY OF IRVINE FISCAL YEAR 2010-2011 BUDGET

City Manager Sean Joyce; Dave Tungate, Manager of Budget & Business Planning and Ken Brown, Budget Officer; presented the staff report and responded to questions from the City Council.

City Council discussion included: clarification of use and role of the reserve funds in the 3-Year Bridge Plan; long term economic environment and impacts of the State budget deficit; clarification of the allocation and reorganization of City resources, staff and contract services; consolidating staff and reducing contract costs; Redevelopment Agency revenues and expenditures clarification and debt repayment obligations; clarification of the Asset Management Plan and Policy; review of budgetary cost saving measures and economic outlook of sales tax and development revenue recovery; and identify core services.

Public comments included:

Robert Cohen, Legal Aid Society of Orange County, spoke in support of the City's support and financial contributions to the organization.

Greg Smith, resident, spoke in support of preserving the current Asset Management Plan Policy and Procedures.

Don Dressler, Finance Commissioner, spoke in support of the Fiscal Year 2010-2011 Budget.

Rick Stein, Arts of Orange County, spoke in support of preserving the City's commitment of support to the Irvine Barclay Theatre.

Trudy Selleck, Irvine Barclay Theatre, spoke in support of the Theatre's programs and the economic support of the City.

Garry Brooks, Irvine Barclay Theatre representative, spoke of the mission and programming of the theatre, requested the City maintain its current level of funding and proposed a \$75,000 challenge match grant to the City Council.

Doug Rankin, Irvine Barclay Theatre representative, spoke in support of maintaining current funding to the Theatre and a challenge match grant.

CITY COUNCIL ACTION: Motion by Councilmember Krom, seconded by Mayor Pro Tem Agran, to:

- 1) Adopt the Fiscal Year 2010-11 budget as amended to include the following allocations from the unallocated general fund balance: \$100,000 to Legal Aid Society; \$100,000 to the Barclay Theatre; an additional \$75,000 to the Barclay Theatre as a challenge match grant; and \$15,000 for at least one concert in the park.
- 2) Adopt RESOLUTION NO. 10-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AND APPROVING THE BUDGET AND FINANCIAL POLICIES FOR THE CITY OF IRVINE FOR FISCAL YEAR 2010-11
- 3) Adopt RESOLUTION NO. 10-58 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR FISCAL YEAR 2010-11 AND REPEALING ALL PREVIOUS RESOLUTIONS AUTHORIZING FULL-TIME POSITIONS
- 4) Adopt RESOLUTION NO. 10-59 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING ALL PREVIOUS RESOLUTIONS WHICH ARE INCONSISTENT THEREWITH, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2010
- 5) Adopt RESOLUTION NO. 10-60 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11
- 6) Approve the reallocation of \$650,000 surplus Proposition 1B funding from Capital Improvement Project (CIP) 318170 (Irvine Center Drive Rehabilitation Project) to a new CIP – IBC Local Street Rehabilitation.
- 7) Approve the Orange County Great Park Fiscal Year 2010-11 Proposed Budget in the amount of \$82.6 million and authorize the execution of the sole source contracts and Great Park grants as approved by the Orange County Great Park Board of Directors at its meeting of April 22, 2010, and revised by the Orange County Great Park Board of Directors at its meeting on May 20, 2010.
- 8) Receive and filed the Strategic Technology Plan.
- 9) Approve the Sixth Amendment to the Affiliated Computer Services (ACS) Agreement for implementation of the Strategic Technology Plan 2010--2015, duplicating, convenience copiers, and telecommunication services, as included in the proposed budget.

The motion carried as follows:

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

CITY COUNCIL ACTION – SUBSTITUTE MOTION: Prior to roll call on the main motion a substitute motion was made by Councilmember Choi, seconded by Councilmember Shea to:

RECOMMENDED CITY COUNCIL ACTION:

- 1) Defer adoption of the 2010-2011 Budget and direct the City Manager to identify an additional \$5 million dollars in budget cuts and present the revised budget at the next City Council meeting.
- 2) Adopt a budgetary requirement of maintaining a minimum 5% reserve in the budget.
- 3) Direct staff to implement the following budget adjustments in a revised budget to be considered in two weeks: stop processing no-bid contracts at the Great Park; consolidate staff and resources at the Redevelopment Agency, Great Park and City Departments; reduce funding to the Global Village Festival; cancel on-going free concerts in the park; reduce the Forde and Mollrich Great Park public relations contract by fifty percent; cancel the i-Shuttle transportation system; and reverse the prevailing wage provision for Great Park construction projects.

The motion failed as follows:

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

REDEVELOPMENT AGENCY ACTION: Motion by Boardmember Krom, seconded by Chair Kang, to:

Adopt RESOLUTION NO.10-02 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRVINE REDEVELOPMENT AGENCY APPROVING THE IRVINE REDEVELOPMENT AGENCY BUDGET AND WORK PROGRAM FOR FISCAL YEAR 2010-11

The motion carried as follows:

AYES:	5	BOARDMEMBERS:	Agran, Choi, Krom, Shea and Kang
NOES:	0	BOARDMEMBERS:	None
ABSENT:	0	BOARDMEMBERS:	None


RECONVENE TO AN ADJOURNED REGULAR MEETING OF THE IRVINE CITY COUNCIL - 10:36 p.m.

PUBLIC COMMENTS

Sara Lee, Legal Aid Society, provided an update to the City Council on the accomplishments of the Legal Aid Society of Orange County and community members being served.

ADJOURNMENT

Moved by Councilmember Krom, seconded by Councilmember Agran, and unanimously carried to adjourn the meeting at 10:38 p.m. to June 17, 2010 at 10:00 a.m. for an Adjourned Regular Joint Meeting with the Orange County Great Park Corporation Board.



 MAYOR OF THE CITY OF IRVINE



 CITY CLERK OF THE CITY OF IRVINE

June 29, 2010