



Steven Choi
Mayor/Chairman

Jeffrey Lalloway
Mayor Pro Tempore/Vice Chairman

Larry Agran
Councilmember/Boardmember

Beth Krom
Councilmember/Boardmember

Christina Shea
Councilmember/Boardmember

MINUTES

**CITY COUNCIL
REGULAR MEETING
AND
REGULAR JOINT MEETING
OF THE CITY OF IRVINE AS
SUCCESSOR AGENCY TO THE
DISSOLVED IRVINE
REDEVELOPMENT AGENCY**

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

CALL TO ORDER – REGULAR JOINT MEETING

A regular meeting of the Irvine City Council and regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency was called to order at 4:08 p.m. on January 28, 2014 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California, Mayor/Chairman Choi presiding.

ROLL CALL

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

**CONVENE TO THE REGULAR JOINT MEETING WITH THE CITY OF IRVINE AS
SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY**

Mayor/Chairman Choi convened to the regular meeting of the Irvine City Council and the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 4:20 p.m.

2. CONSENT CALENDAR - CITY COUNCIL

ACTION: Moved by Councilmember/Boardmember Shea, seconded by Mayor Pro Tempore/Vice Chairman Lalloway, and unanimously carried to approve City Council Consent Calendar Item Nos. 2.1 through 2.6, and Successor Agency Consent Calendar Item Nos. 3.1 through 3.3.

2.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on January 14, 2014.

2.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 14-10 - 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

2.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopted RESOLUTION NO. 14-11 - 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.

2.4 CITY OF IRVINE 2014 STATE AND FEDERAL LEGISLATIVE PLATFORM

ACTION:

Reviewed and adopted the City of Irvine 2014 State and Federal Legislative Platform.

2.5 NOTICE OF REVIEW FOR TRACT MAPS IN ORCHARD HILLS AND CYPRESS VILLAGE

ACTION:

Received and filed.

Mayor Pro Tempore Lalloway abstained.

2.6 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

1. Approved Councilmember Shea's request for Community Partnership Fund Grant nomination to Girls Incorporated of Orange County (Girls Inc.) in support of program costs.
2. Approved Mayor Choi's request for Community Partnership Fund Grant nominations to the Orange County Korean Cultural Center in support of the 5th annual Irvine Korean Cultural Festival and University High School Aquatics Booster Club to support program costs associated with the girl's water polo program.
3. Authorized the City Manager to prepare and sign Funding Agreements for each organization listed in Actions 1 and 2.

3. CONSENT CALENDAR - SUCCESSOR AGENCY

3.1 MINUTES

ACTION:

Approved the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency and the Irvine City Council held on November 12, 2013.

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

ACTION:

Adopted RESOLUTION NO. 14-01 – 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

3.3 ADOPTION OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE FORMER IRVINE REDEVELOPMENT AGENCY AND THE ADMINISTRATIVE BUDGET FOR THE SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY, FOR JULY 1, 2014 THROUGH DECEMBER 31, 2014

ACTION:

1. Adopted the Recognized Obligation Payment Schedule of the former Irvine Redevelopment Agency for July 1, 2014 through December 31, 2014, and authorize revisions to the reporting format, if needed to comply with potential form changes by the State of California Department of Finance.

2. Adopted the administrative budget for the Successor Agency for July 1, 2014 through December 31, 2014.

PUBLIC COMMENT - SUCCESSOR AGENCY

There were no public comments.

ADJOURNMENT - REGULAR JOINT MEETING

Moved by Mayor Pro Tempore/Vice Chairman Lalloway, seconded by Mayor/Chairman Choi, and unanimously carried to adjourn the Regular Joint meeting at 4:12 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the regular City Council meeting at 4:13 p.m.

4. PUBLIC HEARINGS

4.1 APPEAL OF THE PLANNING COMMISSION ACTION APPROVING VESTING TENTATIVE TRACT MAP 17612 (00571145-PTT), MASTER PLAN (00571142-PMP) AND PARK PLAN MODIFICATION (00571147-PPK) CYPRESS VILLAGE (PLANNING AREA 40 EAST)

Mayor Choi noted a potential conflict of interest due to the proximity of his resider and abstained from discussion. He left the dais at 4:14 p.m., and deferred to May Tempore Lalloway to preside over the meeting.

City Manager Joyce introduced Tim Gehrich, Deputy Director of Community Development, and Steve Weiss, Principal Planner, who presented the staff report and responded to questions.

Mayor Pro Tempore Lalloway reopened the public hearing at 4:26 p.m.

Michael LeBlanc, on behalf of the Irvine Company (applicant), provided a brief history of the proposed project and spoke in support of it. He noted that the Irvine Company was agreeable to changing its position with respect to child care and the park plan; however, remained firm on its position with respect to the requirement of a new park appraisal.

ACTION: Moved by Councilmember Shea, second by Mayor Pro Tempore Lalloway, and unanimously carried by those members present (Choi abstained) to close the public hearing at 5:01 p.m.

City Council discussion included: use of the 2010 land appraisal for the purpose of calculating in-lieu fees; 1.3 acre child care site; requirement for an age separated tot lot; locations of other child care facilities in proximity to the proposed project; Irvine Company's in-lieu fees toward Great Park funding; and City policy and past practice regarding land appraisals.

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

Grant the appeal thereby overturning the Planning Commission's decision, and

A) Adopt RESOLUTION NO. 14-12 — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE GRANTING AN APPEAL SUBJECT TO ADDITIONAL CONDITIONS THEREBY OVERTURNING THE PLANNING COMMISSION'S DECISION TO APPROVE VESTING TENTATIVE TRACT MAP 17612 (00571145-PTT) TO SUBDIVIDE 56.7 NET ACRES INTO EIGHT NUMBERED LOTS AND SIX LETTERED LOTS FOR THE DEVELOPMENT OF UP TO 485 RESIDENTIAL DWELLING UNITS, TWO PRIVATE NEIGHBORHOOD PARKS AND APPROVING PARK PLAN MODIFICATION 00571147-PPK LOCATED NORTH OF NIGHTMIST, SOUTH OF TRABUCO ROAD BETWEEN STATE ROUTE 133 TO THE EAST AND SAND CANYON AVENUE TO THE WEST IN PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE APARTMENT COMMUNITIES

As amended to delete the requirement for an updated land appraisal (Conditions 3.39 and 3.40) and require community park in-lieu fees in the amount of \$5,862,120.90 based on a land appraisal approved by the Planning Commission (Condition 3.35).

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Agran, Krom, Lalloway, and Shea

NOES: 0 COUNCILMEMBERS: None

ABSTAIN: 1 COUNCILMEMBERS: Choi

B) Adopt RESOLUTION NO. 14-13 — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE GRANTING AN APPEAL SUBJECT TO ADDITIONAL CONDITIONS THEREBY OVERTURNING THE PLANNING COMMISSION’S DECISION TO APPROVE MASTER PLAN 00571142-PMP FOR THE DEVELOPMENT OF 485 APARTMENT UNITS AND TWO PRIVATE NEIGHBORHOOD PARKS LOCATED WITHIN LOTS 5 AND 6 OF VESTING TENTATIVE TRACT MAP 17612 IN PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE APARTMENT COMMUNITIES

As amended to delete the requirement for an updated land appraisal (Conditions 3.39 and 3.40) and require community park in-lieu fees in the amount of \$5,862,120.90 based on a land appraisal approved by the Planning Commission (Condition 3.35).

The motion carried as follows:

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

Mayor Choi returned to the dais at 5:04 p.m.

PLEDGE OF ALLEGIANCE

Mayor Choi led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Pastor Justin Herman from Mariner’s Church in Irvine to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced the Concordia Men’s Chorus who performed the National Anthem followed by “What’ll I Do.”

1. PRESENTATIONS

1.1 Irvine 2/11 Marine Adoption Committee Update

Mayor Choi introduced Tina Anderson, Wendy Wifler, Bill Sandlin, and Lieutenant Colonel Christian Ellinger, who provided an update on the Committee’s activities and accomplishments over the past year.

1.2 Waste Management Recycling Champion Recognitions

Mayor Choi introduced Elmer Heap, Public Sector Manager for Waste Management, who recognized this year's "Irvine Recycling Champions."

1.3 Commend South County Outreach on its 25th Anniversary

Mayor Choi introduced Lara Fisher, South County Outreach Executive Director, and presented a commendation recognizing the organization's 25th Anniversary.

1.4 Commend Irving Gelman, Founder of Tarbut V'Torah Community Day School – 90th Birthday

Mayor Choi introduced Irving Gelman, Founder of Tarbut V'Torah Community Day School, and presented him with a commendation in recognition of his 90th birthday.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Choi made the following announcements:

- The City of Irvine, in partnership with Catholic Charities of Orange County and the Children's Health Initiative of Orange County, will host a free community forum on the Affordable Care Act on Wednesday, January 29, 2014, from 6-7:15 p.m. at the Irvine Civic Center. For more information and to register online, visit cityofirvine.org.
- The Orange County Great Park's Children's Gardening Workshops take place every second Sunday of the month from 11 a.m.-1 p.m. at the Farm + Food Lab. The next workshop is Sunday, February 9, 2014. The workshops, in cooperation with the University of California Cooperative Extension Master Gardeners of Orange County, are free and open to children ages 3 to 9. For more information, visit ocgp.org.
- The Irvine Unified School District will host a free presentation for parents with questions about kindergarten programs, including transitional kindergarten, on Wednesday, February 12, 2014, from 7-8:30 p.m. at the Irvine Civic Center. For more information, visit cityofirvine.org.

- The City of Irvine has enhanced the City’s business licensing process. Prospective business owners will experience a simplified process when submitting business license applications online. Although the webpage will have a familiar look, behind the scenes, new software will increase internal efficiency and allow the public 24/7 access to apply for, renew or search existing business licenses. The fee for a business license remains the same \$51. Applications may be accessed at *cityofirvine.org*.

Mayor Pro Tem Lalloway announced that the groundbreaking ceremony for the Orange County Transit Authority’s I-5 Project to add HOV Lanes would take place on January 29, 2014 at the Capistrano Unified School District offices.

ADDITIONS AND DELETIONS

Councilmember Agran requested to add an urgency item to waive attorney/client privilege and release Special Counsel Rob Thornton’s memo regarding remaining toxic contamination at the El Toro Property and potential liability associated with it, including the closed landfill near High School #5 “Site A,” and remedial clean-up actions to be taken.

ACTION: Following brief discussion, moved by Councilmember Agran, seconded by Councilmember Krom, to:

Add an urgency item to waive attorney/client privilege and release Special Counsel Rob Thornton’s memo regarding remaining toxic contamination at the El Toro Property and potential liability associated with it, including the closed landfill near High Schol #5 “Site A,” and remedial clean-up actions to be taken.

The motion failed as follows:

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

5. COUNCIL BUSINESS

5.1 CONSIDERATION OF RENAMING LOWER PETERS CANYON PARK IN HONOR OF FORMER MAYOR AND CITY COUNCILMEMBER DAVID SILLS

This item was agendized by Mayor Choi, who requested that Lower Peters Canyon Park be renamed to David Sills Lower Peters Canyon Park in honor of former Mayor and Councilmember David Sills.

The following individuals spoke in support of renaming the park in honor of former Mayor and Councilmember David Sills:

Bill Wollett
Heiko Peschel
Bill Vardoulis
Jacki Brown

ACTION: Following brief discussion, moved by Councilmember Shea, second by Mayor Pro Tempore Lalloway, and unanimously carried to:

Approve Mayor Choi's request to rename Lower Peters Canyon Community Park to David Sills Lower Peters Canyon Park.

5.2 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING AN INVESTIGATION INTO THE FINANCIAL MANAGEMENT OF THE ORANGE COUNTY GREAT PARK, APPROVING A SCOPE OF WORK FOR A FORENSIC INVESTIGATION, AND AUTHORIZING THE CITY COUNCIL SUBCOMMITTEE AND RETAINED SPECIAL COUNSEL TO FACILITATE THE INVESTIGATION AND ISSUE SUBPOENAS

Kimberly Barlow, Special Counsel with Jones and Mayor, provided the staff report and responded to questions.

Harvey Liss spoke in opposition to the investigation and noted that nothing significant had been found in the audit to warrant the further expenditure of funds on the matter.

Allan Bartlett and Tyler Holcomb spoke in support of further investigation into the issues raised by the Great Park audit.

City Council discussion included: qualifications of the auditors; responsibility and authority of the audit subcommittee; access to information by the City Council as a whole; scope of work being proposed; cooperation by staff and contractors; subpoena power, how it works, and the process; whether or not subpoenas were necessary for all City Council and City Manager interviews; costs for the investigation; whether or not contract is new, a change order, or sole source; and Special Counsel's role in the investigation.

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

ACTION:

1. Adopt RESOLUTION NO. 14 -14 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING AN INVESTIGATION INTO THE FINANCIAL MANAGEMENT OF THE ORANGE COUNTY GREAT PARK, APPROVING A SCOPE OF WORK FOR A FORENSIC INVESTIGATION, AND AUTHORIZING THE CITY COUNCIL SUBCOMMITTEE AND RETAINED SPECIAL COUNSEL TO FACILITATE THE INVESTIGATION AND ISSUE SUBPOENAS
2. Authorize the City Manager to execute Agreement on behalf of the City of Irvine with Hagen, Streiff, Newton & Oshiro Accountants, PC (HSNO) to perform the Great Park Performance Review Investigation – Phase 2.
3. Authorize a budget adjustment appropriating \$400,000 from the Great Park Fund (180) for the Orange County Great Park Contract Performance Review – Phase 2 and related costs.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Lalloway, Shea and Choi

NOES: 2 COUNCILMEMBERS: Agran and Krom

ABSENT: 0 COUNCILMEMBERS: None

5.3 FISCAL YEAR 2012-13 GENERAL FUND YEAR-END REPORT

City Manager Joyce and Acting Administrative Services Director Ken Brown provided the staff report and responded to questions.

P.K. Wong, Greta Jacobs, and Carolyn Inmon, Senior Citizens Councilmembers, urged the City Council to provide funding for facility improvements at Lakeview Senior Center.

City Council discussion included: vacancy rate in Public Safety; Senior Center, park restroom, and animal shelter improvement upgrades; rehabilitation and infrastructure needs; prioritization of CIP projects; and the Asset Management Plan; and asking staff to return with a list of Capital Improvement Projects for prioritization by the City Council.

ACTION: Moved by Councilmember Agran, seconded by Councilmember Krom, to approve staff recommendations 1-4, and add actions 5 and 6 as follows:

1. Receive and filed the Budget Update Report for the Fiscal Year Ended June 30, 2013 reflecting the outperformance of budget estimates resulting in the \$12,520,422 General Fund year-end balance.
2. Approve a Budget Adjustment for Prior City Council Actions/Direction allocating \$24,750 in expenditures for specific projects/programs previously approved by the City Council in Fiscal Year 2012-13 that were not completed by the end of the fiscal year.
3. Approve a Budget Adjustment allocating \$370,249 of year-end General Fund balance for outstanding encumbrances and purchase orders.
4. Approve a Budget Adjustment increasing allocations and transfers by \$4,761,463 for other programs and projects recommended by the City Manager.
5. Direct staff to identify funding within the rehabilitation and infrastructure allocations to expedite Senior Center and park restroom improvement plans.
6. Allocate up to \$400,000 to re-establish the Productivity Compensation Adjustment Program for employees.

ACTION: Following further discussion, a substitute motion was made by Mayor Pro Tempore Lalloway, seconded by Council Shea, to*:

1. Receive and filed the Budget Update Report for the Fiscal Year Ended June 30, 2013 reflecting the outperformance of budget estimates resulting in the \$12,520,422 General Fund year-end balance.
2. Approve a Budget Adjustment for Prior City Council Actions/Direction allocating \$24,750 in expenditures for specific projects/programs previously approved by the City Council in Fiscal Year 2012-13 that were not completed by the end of the fiscal year.
3. Approve a Budget Adjustment allocating \$370,249 of year-end General Fund balance for outstanding encumbrances and purchase orders.
4. Approve a Budget Adjustment increasing allocations and transfers by \$4,761,463 for other programs and projects recommended by the City Manager.

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Krom, Lalloway, Shea and Choi

NOES: 1 COUNCILMEMBERS: Agran

ABSENT: 0 COUNCILMEMBERS: None

*The substitute motion carried and takes precedence over the main motion; therefore, a vote was not taken on the main motion.

5.4 DISCUSSION OF THE DEVELOPMENT AND ISSUANCE OF A REQUEST FOR PROPOSAL FOR THE RV STORAGE OPERATION AT THE ORANGE COUNTY GREAT PARK

Mike Ellzey, Great Park Corporation CEO, and Rod Cooper, Great Park Manager of Operations, provided the staff report and responded to questions.

City Council discussion included: compatibility of RV storage with future park development; revenue from storage fees; and viability of long-term RV storage.

ACTION: Motion by Councilmember Krom, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to:

Direct staff to prepare and issue a Request for Proposal for the RV Storage Operation at the Great Park, which identifies an entity to (1) oversee day-to-day operations of the RV storage enterprise; and (2) develop and implement a plan to suspend the storage operation from its current location at the Great Park and assist with identifying and implementing a relocation plan, if feasible.

PUBLIC COMMENT-CITY COUNCIL

The following individuals spoke regarding recent activities and practices of the Orange County Regional Center:

Michael Klubnikin
Ilya Tseglin
Robert Tseglin

ADJOURNMENT

Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Krom, and unanimously carried to adjourn the meeting at 10:11 p.m.


MAYOR OF THE CITY OF IRVINE


INTERIM CITY CLERK OF THE CITY OF IRVINE

February 11, 2014