



**MINUTES  
CITY COUNCIL  
REGULAR MEETING  
December 11, 2007  
City Council Chamber  
One Civic Center Plaza**

**CALL TO ORDER**

A regular meeting of the Irvine City Council was called to order at 4:05 p.m., on December 11, 2007, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Krom presiding.

**ROLL CALL**

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

The Consent Calendar and Item 3.1 were considered following the roll call. See below for actions taken.

**RECESS: 4:34 p.m.**

**RECONVENE: 5:06 p.m.**

**PLEDGE OF ALLEGIANCE**

Mayor Krom led the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Krom requested a moment of silence

**MUSICAL PRESENTATION**

Mayor Krom introduced Jay White who performed "What a Wonderful World" and "White Christmas."

## **1. PRESENTATIONS**

The following presentations were made:

**1.1 *Proclaim the week of December 1 - 8, 2007 as "Week of the African Child."***

**1.2 *Orange County Marathon***

**1.3 *Irvine Valley College President, Dr. Glenn Roquemore recognized Sean Joyce, City Manager, as the college's Alumnus of the Year.***

## **INTRODUCTIONS**

There were no introductions.

## **CITY MANAGER'S REPORT**

There was no report.

## **ANNOUNCEMENTS/REPORTS**

The following announcements were made:

- The Irvine 2/11 Adoption Committee will hold a special toy drive to benefit the children and families of the 2nd Battalion, 11th Marine Regiment, 1st Marine Division (2/11) from Camp Pendleton, by donating new, unwrapped gifts through December 20 in toy drive containers at City Hall. Gifts will be distributed to the service members during a special holiday party.
- The City has launched the Zero Waste webpage at [www.cityofirvine.org/environmentalprograms](http://www.cityofirvine.org/environmentalprograms) and encourages everyone to rethink ideas about trash disposal to create a more efficient economy.
- The Orange County Marathon will take place on January 6, 2008 at 7:30 a.m. at Newport Center, adjacent to Fashion Island. Registration is being accepted through January 2, 2008, and fees are \$95/Marathon; \$60/Half Marathon; \$28/5-K; and \$25/Kids Run, with all kids receiving a medal of participation, T-shirt, and goodie bags.
- Mayor Krom gave an update on the "Cans for Cash" initiative undertaken with great participation from the schools and community partners producing 900,000 cans for recycle. A final report will be submitted to the U.S. Conference of Mayors for an award opportunity.

## **ADDITIONS AND DELETIONS**

There were no additions or deletions.

### **2. CONSENT CALENDAR**

**ACTION:** Moved by Councilmember Choi, seconded by Councilmember Kang, and unanimously carried to approve Consent Calendar Item Nos. 2.1 through 2.14, with the exception of Item 2.12, as noted below:

2.12 Renewal of Orange County Fire Authority Joint Powers Authority Agreement

#### **2.1 MINUTES**

**ACTION:** Approved the minutes of an adjourned regular City Council meeting held on November 27, 2007.

#### **2.2 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T**

**ACTION:** Adopted RESOLUTION NO. 07-147 - 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

Mayor Krom abstained.

#### **2.3 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:** Adopted RESOLUTION NO.07-148 - 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

#### **2.4 CAPITAL IMPROVEMENT PROJECTS AND SPECIAL FUNDS CARRYOVER FOR FISCAL YEAR 2006-07**

**ACTION:**

- 1) Approved the closure of 47 completed projects, with \$37.5 million in expenditures.
- 2) Approved the continuation to fiscal year 2007-08, of 378 capital projects with budgets totaling \$386.7 million net of \$589,528 in project closures, \$728,726 of surplus funds from ongoing projects, reallocations of \$286,876 and new funding allocations of \$1.4 million.

- 3) Approved funding for outstanding purchase orders and continuing activities from other Special Funds totaling \$9.2 million and recognize new Special Fund revenues of \$5.5 million.
- 4) Approved the adjustment of budgeted transfers of Infrastructure and Rehabilitation, Gas Tax, Measure M-Turnback, Air Quality Management District, Orange County Great Park and Assessment District 00-18 Shady Canyon for the fiscal year beginning July 1, 2007.

**2.5 IRVINE REDEVELOPMENT AGENCY ANNUAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2007**

**ACTION:** Adopted RESOLUTION NO. 07-149 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE RECEIVING, ACCEPTING, AND FILING THE IRVINE REDEVELOPMENT AGENCY ANNUAL REPORT FOR FISCAL YEAR 2006-07 FOR THE ORANGE COUNTY GREAT PARK REDEVELOPMENT PROJECT AREA

**2.6 TEMPORARY SUPPLEMENTAL MILITARY LEAVE BENEFITS FOR CITY EMPLOYEES CALLED INTO ACTIVE MILITARY DUTY AS A RESULT OF THE WAR ON TERRORISM**

**ACTION:** Adopted RESOLUTION NO. 07-150- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CONTINUING AND AMENDING TEMPORARY SUPPLEMENTAL MILITARY BENEFITS, EFFECTIVE JANUARY 1, 2008, FOR FULL-TIME CITY EMPLOYEES CALLED INTO ACTIVE MILITARY DUTY AS A RESULT OF THE WAR ON TERRORISM

**2.7 CITY OF IRVINE INVESTMENT POLICY FOR CALENDAR YEAR 2008**

**ACTION:** Adopted RESOLUTION NO. 07-151- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE CITY'S ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2008

**2.8 COLLEGE PARK NEIGHBORHOOD PARK LANDSCAPE AND IRRIGATION REHABILITATION PROJECT - CIP 378060**

**ACTION:** Approved the plans, specifications, and contract documents for the College Park Neighborhood Park Landscape and Irrigation Rehabilitation Project, Capital Improvement Project (CIP) 378060, on file with the Public Works Department.

**2.9 TREASURER'S REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2007**

**ACTION:** Received and filed the Treasurer's Report for the Quarter Ended September 30, 2007.

**2.10 ANNUAL PARKING LOT AND OFF-STREET BIKE TRAIL REHABILITATION PROJECTS - CIP 368020 AND CIP 348020**

**ACTION:** Approved the specifications and contract documents for the Fiscal Year 2007-08 Parking Lot Rehabilitation Project (Civic Center and Northwood Park parking lots), Capital Improvement Project CIP 368020, and the Fiscal Year 2007-08 Off-Street Bike Trail Rehabilitation Project (Woodbridge Trail), CIP 348020, on file with the Public Works Department.

**2.11 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM FOR FISCAL YEAR 2008-09 THROUGH FISCAL YEAR 2013-14**

**ACTION:** Adopted RESOLUTION NO. 07-152- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CERTIFYING THAT THE CITY OF IRVINE HAS THE RESOURCES TO FUND THE PROJECTS SUBMITTED FOR INCLUSION IN THE FISCAL YEAR 2008-09 THROUGH FISCAL YEAR 2013-14 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMING ITS COMMITMENT TO IMPLEMENT ALL OF THE PROJECTS SUBMITTED IN THE PROGRAM

**2.12 RENEWAL OF ORANGE COUNTY FIRE AUTHORITY JOINT POWERS AUTHORITY AGREEMENT**

This item was removed from the Consent Calendar at the request of Councilmember Shea who gave an update on a briefing with the Orange County Fire Authority which resulted in greater service enhancements for the City.

Chief Prather responded to questions by the Councilmembers.

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

**ACTION:** Approve the submitted First Amendment to Amended Joint Powers Authority Agreement - Orange County Fire Authority. **(Contract No. 3927A)**

**2.13 CULVER/WALNUT INTERSECTION IMPROVEMENTS PROJECT**

**ACTION:**

- 1) Adopted RESOLUTION NO 07-153- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE PROJECT REPORT AND CERTIFYING THE MITIGATED NEGATIVE DECLARATION FOR THE CULVER/WALNUT INTERSECTION IMPROVEMENTS PROJECT
- 2) Direct staff to identify funding in the amount of \$245,000 as part of the Fiscal Year 2008-09 Capital Improvement Budget for sound attenuation improvements and preliminary engineering for widening Culver Drive from Scottsdale to the I-5 freeway.

**2.14 ORDINANCE NO. 07-20, MUNICIPAL CODE AMENDMENT FOR INCLUSION OF OPEN SPACE AREAS**

**ACTION:** Read by title and adopted ORDINANCE NO. 07-20 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE TO AMEND TITLE 3, DIVISION 4 PARKS, CHAPTER 1 ET AL., OF THE IRVINE MUNICIPAL CODE TO INCLUDE PROVISIONS FOR REGULATIONS GOVERNING ACTIVITIES WITHIN CITY-OWNED OPEN SPACE AREAS

**END OF CONSENT CALENDAR**

**3. COUNCIL BUSINESS**

**3.1 ORDINANCE TO EFFECT CHANGES AND ADDITIONS TO POSTED SPEED LIMITS**

Jim Lizzi, Senior Transportation Engineer presented the staff report.

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

Introduce for first reading, and read by title only ORDINANCE NO. 08-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE TO DETERMINE AND DECLARE PRIMA FACIE SPEED LIMITS ON VARIOUS STREETS WITHIN THE CITY OF IRVINE, AND OFFICIALLY ESTABLISH THESE DECLARATIONS THROUGH AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE CITY TRAFFIC ENGINEER AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

**3.2 MULTICULTURAL PROGRAMS TASK FORCE FINAL REPORT**

Emma Green, Multicultural Affairs Coordinator and Larry Larsen, Council Services Manager gave the staff report. Mayor Krom and Councilmember Kang, who serve on the ad hoc advisory Multicultural Programs Task Force, made introductory remarks.

The following individuals spoke on this item:

- Nancy Chen
- Greta Jacobs
- Wilma Bow
- Howard Charlop
- Tim Cheng
- Andrew Yen
- Jim Dunning
- Patrick Rodgers
- Llyn Smith
- Jacque Ellis
- Steven Wu
- Stan Yung

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

Continue the entire matter for further study of recommendations in the staff report.

**The motion failed as follows:**

AYES: 2 COUNCILMEMBERS: Choi and Shea  
NOES: 3 COUNCILMEMBERS: Agran, Kang and Krom

Council discussion included: justification of task force; expansion of the multicultural affairs department to accommodate Irvine's growing diversity; lack of updates from task force to other Councilmembers; lessening of Sister City relationship with City; the transfer of administrative duties to Sister Cities Foundation; cutting funds vs. continuing administrative and financial support to Irvine Sister Cities Foundation; making the multicultural program relationship more sustainable; promoting the program through City mailing lists and brochures; addition of a less formal Friendship program; and the report clarifying the rules and responsibilities of the City and foundation.

**ACTION: Moved by Mayor Krom, seconded by Mayor Pro Tempore Agran to:**

- 1) Implement the following recommendations included in the staff report:
  - a. Include the Irvine Global Village Festival into the annual priorities of the City's Multicultural Affairs Office.
    - i. Further engage community partners who participate in and support our international programs in the coordination and execution of the Global Village Festival.
    - ii. Extend official invitations to attend the Global Village Festival to official leaders of the cities with which we have Sister City and Friendship City relationships.
  - b. Develop protocols and resources guiding the City's involvement with external partnerships at the local, national, and international level.
    - i. Insure that official documents signed in an official capacity such as City agreements, MOU's, and contracts with respect to external partnerships or relationships at the local, national or international level are reviewed by the Multicultural Affairs Coordinator, City Attorney and City Manager, and are approved by the City Council prior to any official signing ceremony consistent with Resolution No. 06-89. City Council Resolution No. 06-89 stipulates that no City of Irvine official or employee shall sign an agreement, memorandum or any other document specifying terms of a Sister City relationship without the prior majority approval of the City Council.
  - c. Expand the outreach of the Multicultural Affairs Office with the broader community.
    - i. Recognize key organizations and institutions in the City as "Community Partners" for the work they do in collaboration with and on behalf of City of Irvine multicultural activities.
    - ii. Develop a web page dedicated to communicating with the community about multicultural events in and around the City of Irvine.
    - iii. Include on periodic basis information about the Irvine Multicultural Association, the Irvine Sister Cities Foundation, and other key community organizations, in City newsletters/magazines that are distributed to the public, e.g. *Inside Irvine*.

- 2) Adopt RESOLUTION NO. 07-154- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CLARIFYING CITY SUPPORT FOR THE IRVINE SISTER CITIES FOUNDATION

Amended to include:

- 3) Direct City staff to work with the Irvine Sister Cities Foundation (ISCF) to develop a time line to ensure an effective transition of administrative responsibilities to ISCF.

**The motion carried as follows:**

AYES: 3 COUNCILMEMBERS: Agran, Kang and Krom  
 NOES: 2 COUNCILMEMBERS: Choi and Shea

**3.3 GREAT PARK BALLOON ENHANCEMENT PROJECT (PHASE 1C)**

Sharon Landers, Assistant City Manager and Interim CEO for the Orange County Great Park introduced Glenn Worthington, Great Park Manager of Planning; Tom Maxwell-Miller, Design Studio designer; Rod Cooper, Great Park Manager of Operations; and Kurt Mowery, Great Park Manager of Finance who gave the staff report.

Council discussion included: lack of business plan; no-charge night flights; perception of financial responsibility; cash on hand and revenue from RV storage and private companies; non-exclusive use revenues; big business sponsorships; need for a timeline to measure progress each fiscal year; and appreciation of the design vision.

**ACTION: Moved by Mayor Pro Tempore Agran, seconded by Councilmember Kang, to:**

- 1) Direct staff to prepare a budget adjustment for FY 07-08 t reflect the approval of the Phase 1C Balloon Enhancement Project with a not-to-exceed budget of \$11,377,400 for design and construction and an additional \$2,527,800 for the first year operations and maintenance.
- 2) Direct staff to negotiate a Change Order to the existing contract with the Great Park Design Studio to provide Design Development and Construction Documents for the Phase 1C enhancements.
- 3) Reallocate \$13,905,200 of the existing Great Park FY 07-08 budget for purposes of designing, constructing, and operating Phase 1C. Further, direct staff to prepare a budget adjustment for this reallocation.
- 4) Direct staff to initiate the following revenue-producing opportunities at the Great Park through a competitive process and delete the

current Balloon ride revenue originally budgeted for FY 07-08: a) Offer Balloon logo marked and Balloon-related merchandise for retail sale; b) Offer limited food service at the Balloon site during regular operating hours; c) Offer exclusive and non-exclusive rental opportunities at the Balloon site for a variety of events, parties, and functions; d) Offer free night flights and continue free flights for the general public at all other operating hours; and e) Offer corporate sponsorships.

- 5) Reallocate \$175,000 of the existing FY 07-08 budget from Planning to Operations for the building reuse analysis and rehabilitation for Buildings 244 and 295.

**The motion carried as follows:**

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

**3.4 FISCAL YEAR 2006-2007 GENERAL FUND YEAR-END SURPLUS**

The following speakers spoke in favor of funding for the University Park Library:

- Nancy O'Connor, Friends of the University Park Library
- Sandra Peck, Friends of the University Park Library

Wally Kreutzen, Assistant City Manager updated the Council on the progress of working with the County Library System to share excess revenues and develop a Proforma for short and long-term projects.

Councilmember Choi, Chair of the Library Advisory Committee, spoke on libraries needing funding and the possibility of using carryover funds to help Irvine's Heritage Park and University Park libraries.

Sean Joyce, City Manager gave the staff report. Dave Tungate, Manager of Budget and Business and Ken Brown, Strategic Business Plan Administrator assisted.

Don Dressler, Finance Commission Chair, spoke on this item. At the request of Gavin Huntly-Fenner, Irvine Unified School District-Educational Partnership Fund Committee member who had left the meeting, Mayor Krom read his comments into the record.

Council discussion included: written clarification of General Fund monies for Heritage Fields analyses; 92-94% staffing levels producing same high level of service as in the past; positions being filled with very competent people; securing future funds for the Orange County Great Park and sources; cautious spending in future; building reserves when available;

preserving General Fund and not decrease work force; Asset Management Fund update in March 2008; work force productivity adjustment; reinforcement of Irvine Educational Partnership Fund; verification of \$200,000 funding from County Library System; creation of library capital fund; gateway signs; capital improvements and long-range facility needs; and holding resources available to maintain 15% reserves.

**ACTION: Moved by Mayor Pro Tempore Agran, seconded by Mayor Krom to:**

- 1) Receive and review the Year-End Surplus Summary.
- 2) Receive and file the Budget Update for Fiscal Year ending June 30, 2007.
- 3) Approve a Budget Adjustment transferring \$500,000 to the Irvine Educational Partnership Fund.
- 4) Approve a Budget Adjustment reallocating \$200,000 for the previously approved Energy Saving Light Bulb Campaign and Irvine Democracy Project.
- 5) Approve a Budget Adjustment allocating Year-End Surplus funding for outstanding encumbrances and Purchase Orders in the amount of \$813,389.
- 6) Approved a Budget Adjustment increasing allocations and transfers-out by \$6,943,548 for various programs as recommended by the City Manager.

Amended as follows with respect to year-end surplus recommendations:

- a. Deleted \$2,823,548 allocation to the Asset Management Fund.
  - b. Included an "employee productivity adjustment" on the same basis as last year (\$500 to each full-time employee, \$500 to each part-time employee working an average of 10 or more hours per week, \$100 for part-time employees working 6 to 9 hours per week, and \$50 for part-time employees working 1 to 5 hours per week).
  - c. Allocated \$289,000 to the Irvine Educational Partnership Fund.
- 7) Establish new Capital Improvement Projects and approve the transfer of \$1,535,000 from the Year-End Surplus to appropriate funds to reimburse out-of-pocket Santiago fire related costs (overtime and supplies) and upgrades to the Emergency Operations Center and other emergency preparedness initiatives that have been identified in post-incident reviews.
  - 8) Direct staff to develop a process for the City Council to implement for allocation of the \$100,000 in Community Awards funds included in the annual budget.

- 9) Directed staff to return in 1<sup>st</sup> quarter of 2008 with reports on various capital projects, notably projects at University and Heritage Park Libraries, and to determine if any funding from Orange County would be forthcoming for libraries in Irvine.

Prior to the roll call on the motion above, Councilmember Choi offered a substitute motion to:

- 1) Allocate \$100,000 as a reserve earmarked for Irvine libraries called the Irvine Library Capital Fund.
- 2) Allocate \$210,000 for unfunded maintenance projects at University Park Library.
- 3) Allocate \$500,000 for one gateway sign.

The motion failed due to the lack of a second.

**The original motion carried as follows:**

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

**3.5 CONSIDERATION OF A CHRISTMAS TREE AT CITY HALL**

Sam Castelo spoke in opposition to this item.

Council discussion included: name change to holiday tree due to religious symbol; Council supported light pole banners; civic spaces used by all types of faith institutions during the season; and timing of tree approval.

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

Approve a holiday tree to be erected in the City Hall piazza.

**The motion failed as follows:**

AYES: 2 COUNCILMEMBERS: Choi and Shea  
NOES: 3 COUNCILMEMBERS: Agran, Kang and Krom

**END OF COUNCIL BUSINESS**

**PUBLIC COMMENTS**

Judge Jamoa Moberly encouraged eligible residents to serve on the Orange County Grand Jury.

The following speakers spoke against an RV/boat storage facility in Irvine along Barranca Parkway in Oak Creek Village.

Barbara Cleary  
Judith Hill  
Ke Zhong  
Isadore Lifshitz  
Annea Massimino  
Teresa Morgan  
Debbie Sorensen  
Gina Sorensen  
Kay Dennis  
Donna Gillespie  
Diana K. Coad  
Diane Gross  
David M. Gernak  
Brenda Hayler  
Joyce Hummel

**ADJOURNMENT**

**Moved by Councilmember Kang, seconded by Councilmember Shea, and unanimously carried to adjourn at 11:19 p.m.**

  
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MAYOR OF THE CITY OF IRVINE

  
\_\_\_\_\_  
CITY CLERK OF THE CITY OF IRVINE

January 8, 2008