

**MINUTES  
CITY COUNCIL  
ADJOURNED  
REGULAR MEETING**  
June 29, 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 4:06 p.m. on June 29, 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

**1. CLOSED SESSION**

**1.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Pursuant to Government Code section 54956.9 subdivision (a)): *City of Tustin v. City of Irvine***

**CASE NAME AND NUMBER:**

City of Tustin v. City of Irvine, Fourth Appellate District Court of Appeal Case No. G040749

City of Tustin v. City of Irvine, Fourth Appellate District Court of Appeal Case No. G040758

City of Tustin v. City of Irvine, Fourth Appellate District Court of Appeal Case No. G041113

City of Tustin v. City of Irvine, Fourth Appellate District Court of

Appeal Case No. G040757  
City of Tustin v. City of Irvine, Fourth Appellate District Court of  
Appeal Case No. G040759  
City of Tustin v. City of Irvine, Fourth Appellate District Court of  
Appeal Case No. G041107  
City of Tustin v. City of Irvine, Orange County Superior Court Case  
No. 30-2009-00264696  
City of Tustin v. City of Irvine, Orange County Superior Court Case  
No. 30-2008-00228855

**1.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code section 54956.8). Property: 3150 Barranca Parkway (Irvine Roller Hockey Facility). Agency Negotiators: Sean Joyce, City Manager; Sharon Landers, Assistant City Manager and Brian Fisk, Director of Community Services. Under Negotiation: Price and terms**

City Attorney Kohn announced the items to be discussed following which Mayor Kang convened to Closed Session at 4:07 p.m.

**RECONVENE TO THE CITY COUNCIL MEETING – 5:12 p.m.**

City Attorney Kohn, on behalf of the City Council, announced that no reportable action was taken in Closed Session on Item Nos. 1.1 – 1.2.

**PLEDGE OF ALLEGIANCE**

Mayor Kang led the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Kang requested a moment of silence in honor of the men and women who have honorably served and continue to serve in the Armed Forces, protecting our freedom.

**MUSICAL PRESENTATION**

Mayor Kang introduced Lindsey Morrison, Administrative Secretary in the Public Works Department, who performed the National Anthem.

**2. PRESENTATIONS**

**2.1 Commend "Irvine Senior Travelers" for 25 Years of Service**

Mayor Kang introduced Judy Marsing, past President and Travel Specialist of Irvine Senior Travelers and presented a commendation recognizing 25 years of service to the Irvine senior community.

**2.2 Recognition of Irvine Pony Baseball's 2010 Bronco Division American Championship Winners**

Mayor Kang introduced Irvine Pony Baseball's "Twins" baseball team and coaches, extending his congratulations for winning the 2010 Bronco Division American Championship, and presented the team with a Certificate of Recognition. Councilmember Shea also extended her congratulations and presented each player with a Certificate of Recognition.

**2.3 Proclaim June 25, 2010 as "The Commemoration of the 60th Anniversary of the Korean War."**

Mayor Kang introduced Lieutenant Colonel Bill Woollett, Retired Army / National Guard; Senior Master Sergeant Allan H. Mawhinney, Retired Air Force; Tech Sergeant Gerry Czarnecki, Retired Woman Marine; Chief Petty Officer Sam Costello, Retired U.S. Navy; and Sergeant Charlie Lee, Retired Republic of Korea Army and representing the Korean Senior Association, and presented a Proclamation commemorating the 60<sup>th</sup> Anniversary of the Korean War.

Mayor Kang also introduced General Bong Geon Kim, Retired Colonel, Republic of Korea Army; and announced that he was recently promoted to General by the U.S. Department of Defense.

**INTRODUCTIONS**

There were none.

**CITY MANAGER'S REPORT**

There was no report.

**ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

Mayor Kang made the following announcements:

- Hoag Hospital Irvine, in partnership with the City of Irvine and others, will conduct a Health Needs Assessment survey of Irvine residents beginning in late June and continuing through August. For more information, call (714) 547-3631.
- On July 4, the Irvine Police Association will hold its 26<sup>th</sup> Annual Concert on the Green and Fireworks Festival at Irvine High School. Tickets are available at the box office on the day of the event or in advance in the Community Services Department. For information, contact Vince Palazzolo at (949) 724-0488.

- The City of Irvine Police Department is hosting a Security Alarm User Class on Tuesday, July 20 from 9-10 a.m. at the Irvine Civic Center. The class will provide residents and business owners with information on how alarm systems work, what to expect from an alarm company, fees and penalties associated with false alarms, and tips to help eliminate false alarms. For information, call (949) 724-7066.
- The Irvine Fine Arts Center will commemorate its 30<sup>th</sup> Anniversary with a special exhibition running from August 14 to October 23. The Center will also host an open house on Saturday, August 14 from 5-8 p.m. For more information, call (949) 724-6880.

### ADDITIONS AND DELETIONS

There were none.

### 3. CONSENT CALENDAR

Consent Calendar Items consisted of Item Nos. 3.1 through 3.17.

**ACTION:** Moved by Councilmember Shea, seconded by Councilmember Choi, and unanimously carried to approve Consent Calendar Items 3.1 through 3.16, with the exception of Item Nos. 3.10, 3.13, and 3.17, which were removed from the agenda for separate discussion. Item No. 3.12 reflects the vote of each Councilmember when he or she voted on this item as a member of the Orange County Great Park Board on June 17, 2010.

#### 3.1 MINUTES

**ACTION:**

Approved the minutes of an adjourned regular meeting of the Irvine City Council held on June 15, 2010.

#### 3.2 WARRANT AND WIRE TRANSFER RESOLUTION

**ACTION:**

Adopted RESOLUTION NO. 10-62 - 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

**3.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T**

**ACTION:**

Adopted RESOLUTION NO. 10-63 - 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.

**3.4 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA**

**ACTION:**

Adopted RESOLUTION NO. 10-64 - 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

Mayor Pro Tempore Agran abstained.

**3.5 TREASURER'S REPORT FOR THE QUARTER ENDED MARCH 31, 2010**

**ACTION:**

Received and filed.

**3.6 FINAL TRACT MAP NOS. 17348, 17357, 17360, 17361, 17367, 17374 AND 17375 NOTICE OF REVIEW AND PENDING APPROVAL FOR RESIDENTIAL CONDOMINIUMS IN WOODBURY, STONEGATE EAST, AND PORTOLA SPRINGS**

**ACTION:**

Received and filed.

**3.7 FISCAL YEAR 2010-11 ANNUAL MEASURE M ELIGIBILITY**

**ACTION:**

- 1) Approved the Measure M Seven-Year Capital Improvement Program (CIP) for Fiscal Years 2010-11 through 2016-17.
- 2) Adopted RESOLUTION NO. 10-65 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AFFIRMING CONSISTENCY OF THE CIRCULATION ELEMENT FOR THE CITY OF IRVINE WITH THE MASTER PLAN OF ARTERIAL HIGHWAYS

**3.8 CONTRACT FOR LEGAL ADVERTISING - FISCAL YEAR 2010-11**

**ACTION:**

Awarded the contract for publication of legal notices for the City of Irvine for Fiscal Year 2010-11 to the Irvine World News and the Orange County Register; and authorized the Mayor to execute the necessary agreements.

**3.9 ASSESSMENT DISTRICTS LETTER OF CREDIT SUBSTITUTIONS**

**ACTION:**

- 1) Adopted RESOLUTION NO. 10-66 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE ASSESSMENT DISTRICT NO. 89-10 UPDATES™ IMPROVEMENT BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A FIRST AMENDMENT TO REMARKETING AGREEMENT, A FIRST AMENDMENT TO PROTOCOL AGREEMENT AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS
- 2) Adopted RESOLUTION NO. 10-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE ASSESSMENT DISTRICT NO. 94-15 LIMITED OBLIGATION ADJUSTABLE RATE BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A FIRST AMENDMENT TO REMARKETING AGREEMENT, A FIRST AMENDMENT TO PROTOCOL AGREEMENT AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

- 3) Adopted RESOLUTION NO. 10-68 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE ASSESSMENT DISTRICT NO. 97-17 LIMITED OBLIGATION ADJUSTABLE RATE BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A FIRST AMENDMENT TO REMARKETING AGREEMENT, A FIRST AMENDMENT TO PROTOCOL AGREEMENT AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

**3.10 RESOLUTIONS CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 2, 2010; REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION; AND ESTABLISHING REGULATIONS FOR CANDIDATES FOR MAYOR AND TWO MEMBERS OF THE CITY COUNCIL PERTAINING TO CANDIDATE STATEMENTS OF QUALIFICATIONS AND THE COST THEREOF**

This item was removed by Mayor Pro Tempore Agran, who proposed adjusting the financial obligation for a candidate statement to match the current campaign contribution limit as adopted during the November 2008 Election. He also proposed a voluntary code of conduct relative to the posting of political signs prior to Election Day to mitigate blight and public nuisances.

Sharie Apodaca, City Clerk, provided a brief report on pro rata costs for the November 2, 2010 Election as estimated by the Orange County Registrar of Voters.

City Council discussion included: word limit for candidate statements; reduction of fees for candidate statements during current economic climate; pro-rata cost estimates by the Registrar of Voters; raising financial obligation for candidates to \$800 cap; and the possibility of implementing voluntary guidelines limiting the posting of political signs within 60 days of an election. Staff was directed to return in two weeks with a voluntary code of conduct for the posting of political signs.

**ACTION:** Moved by Mayor Pro Tempore Agran to approve staff recommendation 1 and 2; and amend recommendation 3 to impose a fee for a candidate statement not to exceed the current campaign contribution limit of \$440 to be borne by the candidate. Motion died for a lack of second.

**ACTION:** A substitute motion was moved by Mayor Kang, seconded by Councilmember Shea, and unanimously carried to:

**ACTION:**

- 1) Adopt RESOLUTION NO. 10-69 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 2, 2010 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY PROVISIONS OF THE CITY CHARTER
- 2) Adopt RESOLUTION NO. 10-70 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON TUESDAY, NOVEMBER 2, 2010 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE
- 3) Adopt RESOLUTION NO. 10-71 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2010 as amended to impose an \$800 maximum fee for a candidate statement to be borne by the candidate.

**3.11 AGREEMENT FOR SECURITY SERVICES BETWEEN THE CITY OF IRVINE AND HERITAGE FIELDS EL TORO, LLC, A DELAWARE LIMITED LIABILITY COMPANY**

**ACTION:**

Authorized the City Manager to approve and execute and the City Clerk to attest to an extension of Agreement No. 5115 between the City of Irvine and Heritage Fields El Toro, LLC, a Delaware Limited Liability Company, the successor-in-interest to Heritage Fields El Toro, LLC, for security services at the former Marine Corps Air Station, El Toro commencing July 1, 2010.

**3.12 APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE ORANGE COUNTY GREAT PARK CORPORATION FOR THE NATURE EDUCATION GARDEN AND LEARNING CENTER IN SUPPORT OF NATURE EDUCATION FACILITIES PROGRAM GRANT FUNDS**

**ACTION:**

- 1) Approved in substantial final form the Memorandum of Understanding between the City of Irvine and the Orange County Great Park Corporation for submittal in support of the application for Nature Education Facilities Program Grant Funds.
- 2) Authorized the Chief Executive Officer to negotiate, and the City Manager to sign, an agreement with the Discovery Science Center for the lease of approximately 10.87 acres of land within the Great Park, including the former Officers' Club, for development, operation and maintenance of the grant funded Nature Education Garden and Learning Center facilities, provided the terms of the agreement are substantially consistent with those outlined in the staff report and in furtherance of the application for Nature Education Facilities Program Grant Funds.
- 3) Recommended the City Council commit \$2,500,000 of fund balance from Great Park Special Funds towards the capital costs of the project.
- 4) Approved formalizing the name of the site building, the former Officers' Club, to the O Club.

**The item carried as follows\*:**

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

\* Reflects the vote taken by each Councilmember when he or she voted on this item as a member of the Orange County Great Park Board on June 17, 2010.

**3.13 MASTER AGREEMENT WITH THE GREAT PARK CONSERVANCY**

This item was removed for separate discussion by Mayor Pro Tempore Agran, who indicated that the Master Agreement, which was approved by the Orange County Great Park Board at its meeting on June 17, 2010, will officially govern the relationship between the Orange County Great Park Corporation and the Great Park Conservancy, a nonprofit organization dedicated to garnering support for the future Great Park. He also recognized Marian Bergeson, Retired State Senator and Chair of the Great Park Conservancy Board of Directors.

Councilmember Krom also announced that the Great Park Anniversary Celebration will be held on July 10 from 3 – 9 p.m. at the Orange County Great Park.

**ACTION: Moved by Mayor Pro Tempore Agran, seconded by Councilmember Shea, and unanimously carried to:**

**ACTION:**

Approve the Master Agreement, in substantial final form, and authorized the Mayor to execute the Master Agreement.

**3.14 ORANGE COUNTY GREAT PARK WESTERN SECTOR PARK DEVELOPMENT PLAN (PHASE 1) – NORTH LAWN PROJECT APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS – CIP 379090**

**ACTION:**

Approved the plans, specifications, and contract documents for the Orange County Great Park Western Sector Park Development Plan (Phase 1) - North Lawn Project on file with the Orange County Great Park Corporation.

**3.15 AMENDED LEGAL SERVICES AGREEMENTS**

**ACTION:**

- 1) Authorized the Mayor to execute the amended legal services agreement with Rutan & Tucker, LLP.
- 2) Authorize the Mayor to execute the amended legal services agreement with Nossaman, LLP.

**3.16 APPROVE EXTENSION AND AMENDMENT OF AGRICULTURAL LEASE WITH MANASSERO FARMS, OAKCREEK (PLANNING AREA 12)**

**ACTION:**

Approved an Extension and Amendment of the Agricultural Lease between the City of Irvine and Manassero Farms (a Delaware corporation) and authorized the Mayor to execute the necessary documents.

**3.17 PURCHASE OF A TABLE FOR THE JULY 31, 2010 JEWEL OF ORANGE COUNTY FUNDRAISING EVENT**

This item was removed for separate discussion by Councilmember Choi, who expressed concern over using General Fund monies to purchase a table for a Great Park fundraising event considering the current economic climate; and suggested utilizing Great Park funds to pay for a table as an alternative.

City Council discussion included: Councilmembers purchasing their own tickets rather than purchasing a table; and utilizing General Fund monies for development of the Great Park.

**ACTION: Moved by Councilmember Krom, seconded by Mayor Kang, to:**

**ACTION:**

Approve the purchase of a table for the July 31, 2010 Jewel of Orange County fundraising event at a total cost of \$5,000.

**The motion carried as follows:**

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

**END CONSENT CALENDAR**

**4. PUBLIC HEARINGS**

**4.1 WATER QUALITY ORDINANCE AMENDMENTS**

City Manager Joyce introduced Eric Tolles, Deputy Director/Chief Building Official; Mike Loving, Water Quality Administrator; and Michael Yang, Senior Water Quality Engineer, who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 6:54 p.m. There were no public comments.

**ACTION: Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried to close the public hearing at 6:56 p.m.**

City Council discussion included: long-term benefits to the community; and whether or not any efforts have been made by other volunteer groups to assist in cleaning up the San Diego Creek, similar to the efforts made by the Pacific Asian Volunteer Association (PAVA) last fall.

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

**ACTION:**

Introduce for first reading and read by title only ORDINANCE NO. 10-06 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE CODE OF ORDINANCES OF THE CITY OF IRVINE BY AMENDING CHAPTER 3 OF DIVISION 8 "STORMWATER AND URBAN RUNOFF" TO TITLE 6 "PUBLIC WORKS" TO FURTHER IMPROVE WATER QUALITY AND COMPLY WITH STATE AND FEDERAL REQUIREMENTS ON THE CONTROL OF POLLUTANTS IN STORMWATER AND URBAN RUNOFF as amended to revise the definition of *Low Impact Development*; revise the definition of *Water Quality Management Plan*; and add a new item 6 to requirements in Section 6-8-303 A. for New and Significant Redevelopment and renumber existing subsections 6-8.

**4.2 CHANGES AND MODIFICATIONS FOR ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST)**

City Manager Joyce introduced Kenneth Quon, Senior Civil Engineer; and Mark Carroll, City Engineer, who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 7:04 p.m. There were no public comments.

**ACTION: Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried to close the public hearing at 7:04 p.m.**

City Council discussion included: clarification that the Irvine Company is funding the differential for future infrastructure.

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

**ACTION:**

Adopt RESOLUTION NO. 10-71 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ORDERING CHANGES AND MODIFICATIONS FOR ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST)

**5. COUNCIL BUSINESS**

**5.1 CONSIDERATION OF POLICY INITIATIVES TO PROVIDE CONTINUING SUPPORT FOR EDUCATION AND A GREENER ENVIRONMENT**

This item was agendized by Mayor Pro Tempore Agran, who expressed concern over the continued funding gap caused by State education cutbacks; and suggested proposing a policy in the form of a ballot measure for the November 2, 2010 Municipal Election ballot, committing the City to provide at least two more years (Fiscal Years 2011-12 and 2012-13) of funding for the Irvine Educational Partnership Fund (500,000 per year) and the \$1 million Challenge Match Grant to the Irvine Public Schools Foundation.

The following individuals spoke in favor of an initiative to providing continuing financial support by the City of Irvine for Irvine schools:

Lynn Davis, Boardmember, Tustin Unified School District  
Lita Robinow, Irvine Public Schools Foundation  
Wendy Bokota, Irvine PTA  
Neda Zaengle, Irvine Public Schools Foundation

City Council discussion included: adopting a policy by ordinance to continue funding for each of the next two years rather than placing a measure on the November 2 ballot; current reduction of school instructional days; requirement that 100 percent of the proceeds from the Challenge Grant go directly to the schools and thereby prohibiting use for Irvine Public Schools Foundation administrative costs; not utilizing the measure to promote candidacy; and proposed continued funding to schools in perpetuity by a ballot initiative.

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

**ACTION:**

Commit the City of Irvine to two additional years (2011-13) as currently outlined for the Irvine Education Project (\$500,000 each year) and an additional \$1 million Challenge Grant for the next two years (2011-13) for Irvine Public Schools Foundation (IPSF), and that the City Council direct the City Attorney to draft an ordinance (or resolution, whichever is most binding), reflecting this policy and return to the City Council on July 13, 2010 for approval. Funds from the Challenge Grant must be used exclusively for the restoration of instructional days that have been cut, and the restoration and maintenance of smaller class sizes. The City and IPSF to sign an agreement with the same protection and accountability clauses as the one approved in May 2010. These include things like the money being sent to Irvine Unified School District (IUSD) within 30 days. One hundred percent of the Challenge Grant money from the City to go to IUSD and not used for IPSF administrative costs. The City's Educational Partnership Fund money will support programs mutually agreed to by IUSD and IPSF.

**ACTION:** A substitute motion was moved by Mayor Pro Tempore Agran, seconded by Councilmember Krom to:

**ACTION:**

Direct the City Attorney to develop language for a ballot measure for the November 2, 2010 Municipal Election ballot, providing for continued financial support to Irvine schools, Grades K-12, through the Irvine Educational Partnership Fund and a \$1 million Challenge Match Grant, not to exceed three fiscal years beyond 2013-14; and to return on July 13, 2010 with suitable ballot measure language.

**ACTION:** An amendment to the substitute motion was made by Mayor Kang and accepted by Mayor Pro Tempore Agran as the maker of the motion and Councilmember Krom as the seconder, to:

**ACTION:**

Direct the City Manager to facilitate communications with key personnel from Irvine Unified School District, Tustin Unified School District, Irvine Public Schools Foundation, and Mayor Pro Tempore Agran to develop mutually-agreed upon language for a ballot measure for the November 2, 2010 Municipal Election ballot; and directed the City Attorney to return on July 13, 2010 with suitable ballot measure language, providing for continued annual financial support to educational programs in Irvine schools, Grades K-12, through the Irvine Educational Partnership Fund (500,000 per year) and an annual \$1 million Challenge Match Grant, not to exceed three fiscal years beyond 2013-14.

**The substitute motion as amended carried as follows\*:**

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

Mayor Pro Tempore Agran also expressed concern over an initiative on the November 2, 2010 ballot that would suspend and potentially repeal Assembly Bill 32 (AB 32); and suggested proposing a policy in the form of a ballot measure for the November 2, 2010 Municipal Election ballot to emphasize green building incentives in the private sector, as well as specific steps that can be taken in the public sector, to maintain Irvine’s leadership in meeting and exceeding the goals as set forth in AB 32. He suggested that language be added to include the Orange County Great Park remaining “carbon neutral;” adopting policies and programs implementing “state-of-the-art” green technology; and committing to large-scale planting/transplanting of trees at the Orange County Great Park.

Brian Fisk, Director of Community Services, provided a brief overview of the City’s Green Building Program, Zero Waste Program, and other efforts being made to further promote green standards, and meet the requirements and goals of AB 32.

City Council discussion included: whether or not the initiative would parallel or differ from City policies and programs currently in place; cost factor to implement these programs and whether or not they are cost-effective; California Jobs Initiative and the temporary suspension of AB 32; potential for job creation; how the ballot measure will be impacted if the State initiative is passed; requirement of a 4/5 vote by the City Council to amend the initiative; and not utilizing the measure to promote candidacy.

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

**ACTION:**

Direct the City Attorney to prepare ballot measure language for the November 2, 2010 Municipal Election ballot to ratify and promote green policies and standards in the City for consideration at the July 13, 2010 City Council meeting.

**The motion carried as follows:**

AYES:	4	COUNCILMEMBERS:	Agran, Krom, Shea and Kang
NOES:	1	COUNCILMEMBERS:	Choi
ABSENT:	0	COUNCILMEMBERS:	None

**END OF COUNCIL BUSINESS**

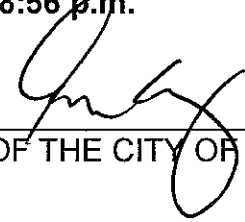
**PUBLIC COMMENTS**

The following individuals expressed concern regarding the Jeffrey Road median project at Irvine Center Drive, including the elimination of a left turn lane into the Irvine Village Shopping Center:

- Praveen Bansal
- John Bates
- Raymond Fujii
- Peggy Evans
- Albert Ko
- Gayle Patton

**ADJOURNMENT**

**Moved by Councilmember Choi, seconded by Mayor Pro Tempore Agran, and unanimously carried to adjourn the meeting at 8:56 p.m.**

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

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

\_\_\_\_\_  
July 13, 2010