



MINUTES

CITY COUNCIL REGULAR MEETING February 12, 2013

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:05 p.m. on February 12, 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 LEGAL COUNSEL – ANTICIPATED LITIGATION. Consideration of whether to initiate litigation pursuant to Government Code section 54956.9(c). Number of potential cases: 1 (possible challenge to State Department of Finance decision on “ROPS III” [Recognized Obligation Payment Schedule] relating to the Irvine Community Land Trust).**

City Attorney Kohn announced the Closed Session item, following which Mayor Choi convened to Closed Session at 4:09 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the City Council meeting at 5:05 p.m. City Attorney Kohn, on behalf of the City Council, announced that by a 5-0 vote the City Council took action to become a co-petitioner with the Irvine Community Land Trust in litigation to challenge a determination of the State Department of Finance to deny the Recognized Obligation Payment Schedule that had been submitted by the Irvine Community Land Trust concerning certain agreements pertaining to the provision of Affordable Housing within the community.

PLEDGE OF ALLEGIANCE

Mayor Choi led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Choi requested a moment of silence in honor of Irvine residents Monica Quan and Keith Lawrence who were fatally shot near their Irvine home, and the Riverside and San Bernardino police officers who were killed in the line of duty.

INVOCATION

Mayor Choi invited Pastor Kenton Beshore, Mariner's Church of Irvine, to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced A Little Dynasty Chinese School Choir, who sang "This Land is Your Land" and "You're a Grand Old Flag."

2. PRESENTATIONS

2.1 Commend Roger Steeber, United States Postal Service Letter Carrier

Mayor Choi and Orange County Fire Authority Irvine Division Fire Chief Michael Moore presented Roger Steeber, United States Postal Service Letter Carrier, a commendation for his heroism in assisting an Irvine resident in need.

CITY MANAGER'S REPORT

City Manager Joyce announced that according to the *Business Journal* Irvine is No. 1 among America's largest cities in terms of jobs-to-population ratio. Irvine's ratio of 94.8%, which reflects the more than 200,000 jobs in the City, is the highest among cities of more than 200,000 population.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tem Lalloway introduced Makenzie Kaufman, Girl Scout Troop 468, who

presented a box of cookies to each councilmember; and encouraged the community to support the Girl Scouts through purchasing cookies.

Councilmember Krom announced that the Orange County Great Park has partnered with the Girl Scouts to act as a distribution center for all of Orange County cookie sales.

Mayor Choi made the following announcements:

- Anna Yuhan, Irvine Child Care Committee and Michael Carroll, Community Services Commissioner, were introduced as new appointees.
- The annual State of the City will be on Tuesday, February 26 at 6 p.m., in the Council Chamber with a reception in the lobby at 5 p.m. The address to the community will focus on the status of the City, including accomplishments from 2012 and plans for 2013 and beyond. For more information, visit cityofirvine.org.
- 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.

ADDITIONS AND DELETIONS

There were no additions or deletions.

3. CONSENT CALENDAR

Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.9, with the exception of Item 3.6 which 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 and regular joint meeting with the City of Irvine Successor Agency to the dissolved Irvine Redevelopment Agency held on January 22, 2013.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 13-11 - 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. 13-12 - 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. 13-13 - 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.

3.5 COMMUNITY FACILITIES DISTRICT FINANCING POLICY

ACTION:

Adopted the Community Facilities District Financing Policy.

3.6 ADOPTION OF THE 2010 SANTA ANA WATERSHED PROJECT AUTHORITY ONE WATER, ONE WATERSHED INTEGRATED REGIONAL WATER MANAGEMENT PLAN AND AMENDED PROJECT LIST

City Manager Joyce introduced Joe Kirkpatrick and Amanda Carr, Water Quality Administrator who responded to questions.

City Council discussion included clarification of the One Water, One Watershed Integrated Regional Water Management Plan and the impacts on City resources and facilities of the proposed projects.

ACTION: Moved by Mayor Pro Tem Lalloway, seconded by Councilmember Krom, and unanimously carried to:

Adopt RESOLUTION NO. 13-14 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE 2010 SANTA ANA WATERSHED PROJECT AUTHORITY ONE WATER, ONE WATERSHED INTEGRATED REGIONAL WATER MANAGEMENT PLAN AND AMENDED PROJECT LIST

3.7 AMENDMENT OF PARTNERING AGREEMENT BETWEEN THE CITY OF IRVINE AND THE IRVINE RANCH WATER DISTRICT FOR THE CONTINUED OPERATION OF THE CIENEGA FIELD DEMONSTRATION PROJECT

ACTION:

Authorized the Mayor to execute the amendment No. 2 to the partnering agreement between the City of Irvine and the Irvine Ranch Water District for the continued operation of the Cienega Field Demonstration Project, subject to City Attorney review as to form.

3.8 AT-LARGE COMMITTEE MEMBER APPOINTMENTS TO GREEN RIBBON ENVIRONMENTAL COMMITTEE

ACTION:

Appointed Cyril Yu and Kelly Dang, both Irvine Residents, to at-large committee member positions on the Green Ribbon Environmental Committee for a two-year term commencing February 2013.

3.9 IRVINE COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Irvine Community Partnership Grant award nominations to Amyotrophic Lateral Sclerosis Association of Orange County; Orange County Crime Stoppers; Ryan Lemmon Foundation; and Woodbridge Warrior Athletic Booster Club.
- 2) Authorized the City Manager to prepare and sign Funding Agreements for each organization listed in Action 1.

4. PUBLIC HEARINGS

4.1 TERMINATE PUBLIC HEARING AND ABANDON PROCEEDINGS FOR FORMATION OF COMMUNITY FACILITIES DISTRICT

City Manager Joyce introduced Gary Burton, Director of Administrative Services, who presented the staff report and responded to questions.

ACTION: Moved by Mayor Pro Tem Lalloway, seconded by Councilmember Shea, and unanimously carried to:

- 1) Terminate public hearing previously opened on January 22, 2013.
- 2) Adopt RESOLUTION NO. 13-15 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA ABANDONING ITS INTENTION TO ESTABLISH CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-1 (GREAT PARK) AND DIRECTING RECORDATION OF A CERTIFIED COPY OF THIS RESOLUTION WITH THE ORANGE COUNTY RECORDER'S OFFICE

5. COUNCIL BUSINESS

5.1 INITIATION OF COMMUNITY FACILITIES DISTRICT FORMATION PROCESS FOR HERITAGE FIELDS EL TORO, LLC DEVELOPMENT

City Manager Joyce introduced Gary Burton, Director of Administrative Services and Jeff Melching, Assistant City Attorney, who presented the staff report.

City Council discussion included: clarification of the initiation of community facilities district formation process, financial impact and benefit for the City, potential revenue stream for operation and maintenance of the Orange County Great Park.

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tem Lalloway, and unanimously carried to:

- 1) Adopt RESOLUTION NO. 13-16 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA DECLARING ITS INTENTION TO ESTABLISH CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), TO DESIGNATE THREE IMPROVEMENT AREAS THEREIN AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN
- 2) Adopt RESOLUTION NO. 13-17 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA DECLARING ITS INTENTION TO INCUR BONDED INDEBTEDNESS FOR IMPROVEMENT AREA NO. 1 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)
- 3) Adopt RESOLUTION NO. 13-18 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA DECLARING ITS INTENTION TO INCUR BONDED INDEBTEDNESS FOR IMPROVEMENT AREA NO. 2 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

- 4) Adopt RESOLUTION NO. 13-19 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA DECLARING ITS INTENTION TO INCUR BONDED INDEBTEDNESS FOR IMPROVEMENT AREA NO. 3 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

5.2 ISSUANCE OF ASSESSMENT DISTRICT FIXED RATE CONVERSION BONDS

Councilmember Choi recused himself from the discussion and left the dais due to a conflict of interest involving personal property within one of the assessment districts.

Mayor Pro Tem Lalloway chaired the meeting in the Mayor's absence.

Valaya Chitchakkol, Finance Administrator and Donna Mullally, Manager of Finance, presented the staff report.

There was no City Council discussion.

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

- 1) Adopt RESOLUTION NO. 13-20 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$11,795,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE REASSESSMENT DISTRICT NO. 04-20 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP THREE APPROVING THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL INDENTURE AND A BOND PURCHASE AGREEMENT
- 2) Adopt RESOLUTION NO. 13-21 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$28,350,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 07-22 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP FOUR APPROVING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE AND A BOND PURCHASE AGREEMENT

The motion carried as follows:

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

Mayor Choi returned to the dais.

5.3 CITY OF IRVINE 2013 STATE AND FEDERAL LEGISLATIVE PLATFORM

Veronica Dolleschel, Senior Management Analyst and Michelle Grettenberg, Assistant to the City Manager, presented the staff report and responded to questions.

The following public comments were made in favor of adding gun control and gun safety measures to the legislative platform:

Alan Meyerson, resident
Virginia Hilton, resident
Toni Dwyer, resident
Mary Ann Gaido, resident
Lu Forrest, resident

City Council discussion included: The purpose and scope of the legislative platform; a recommendation to add a gun safety provision to the legislative platform; the City's position in prior years to support mayors across the country against illegal gun violence; protection of the 2nd Amendment to the U.S. Constitution; supporting federal legislation to ban assault weapons; and the benefit of discussing the matter of gun violence in concert with mental health issues at a future meeting.

***ACTION:** Moved by Mayor Pro Tem Lalloway, seconded by Councilmember Shea to adopt the City of Irvine 2013 State and Federal Legislative Platform as presented.

ACTION: Moved by Councilmember Agran, seconded by Councilmember Krom to amend the original motion to include under the Public Safety category of the legislative platform a provision No. 43 to support legislation to renew and strengthen federal and state gun safety measures including but not limited to universal background checks; banning high-capacity ammunition clips; and banning the further manufacture, importation, and sale of certain assault weapons.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Agran and Krom

NOES: 3 COUNCILMEMBERS: Lalloway, Shea and Choi

ACTION: Councilmember Krom made a substitute motion to continue the entire matter to a future date to return with information to discuss a position on gun violence and related mental health issues and available community resources. The substitute motion failed for lack of a second.

***ACTION: The original motion by Mayor Pro Tem Lalloway, seconded by Councilmember Shea, was unanimously carried (5-0) to adopt the City of Irvine 2013 State and Federal Legislative Platform as presented.**

5.4 MEMBERSHIP TO ASSOCIATION OF CALIFORNIA CITIES OF ORANGE COUNTY

This item was agendized by Mayor Choi who provided clarification and background on membership in the Association of California Cities Orange County (ACCOC).

The following individuals spoke in support of the City of Irvine's membership in the ACCOC:

Lacy Kelly, on behalf of ACCOC

Laura Freese, former City of San Juan Capistrano Councilmember

Sara Catz, resident

City Council discussion included: advocacy for local government; the benefits of joining the ACCOC; possible conflicts with the City's current membership in the League of California Cities; concerns of redundancy between the League of California Cities and the ACCOC in terms of training/meeting conflicts and other policy efforts; and the City of Irvine's ability to influence ACCOC policy initiatives.

***ACTION: Moved by Mayor Choi, seconded by Councilmember Shea, to approve the City of Irvine membership in the ACCOC.**

ACTION: Councilmember Krom requested a friendly amendment to the original motion to include an affirmation of City membership with the League of California Cities. Mayor Choi denied the friendly amendment to his original motion.

***ACTION: The original motion by Mayor Choi, seconded by Councilmember Shea, was unanimously carried to:**

Approve the City of Irvine membership in the Association of California Cities of Orange County.

PUBLIC COMMENTS

There were none.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Mayor Pro Tem Lalloway, and unanimously carried to adjourn the meeting at 7:55 p.m. in memory of Monica Quan and Keith Lawrence.


MAYOR OF THE CITY OF IRVINE


CITY CLERK OF THE CITY OF IRVINE

February 26, 2013