

MINUTES CITY COUNCIL REGULAR MEETING February 22, 2011

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 4:07 p.m. on February 22, 2011, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

ROLL CALL

Present:	5	Councilmember:	Larry Agran
		Councilmember:	Steven Choi
		Councilmember:	Jeffrey Lalloway
		Mayor Pro Tempore:	Beth Krom
		Mayor:	Sukhee Kang

1. CLOSED SESSION

1.1 PERFORMANCE EVALUATION OF CITY MANAGER Government Code Section 54957

City Attorney Phil Kohn announced the Closed Session item to be discussed, following which Mayor Kang convened to Closed Session. The Closed Session was held from 4:15 p.m. through 5:10 p.m.

**CONVENE TO THE JOINT REGULAR MEETING OF THE IRVINE CITY COUNCIL
AND IRVINE REDEVELOPMENT AGENCY – 4:08 p.m.**

RECONVENE TO THE REGULAR CITY COUNCIL MEETING – 5:24 p.m.

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

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kang requested a moment of silence in memory of Harry Kang, Senior Construction Inspector in the Public Works Department, who passed away on February 12.

MUSICAL PRESENTATION

Mayor Kang introduced Concordia University's "Acclaim," who performed Battle Hymn of the Republic; followed by Amy Van Buren, who performed "World."

2. PRESENTATIONS

2.1 "Cans for Cash" Recycling Challenge Award

City Manager Joyce introduced Angie Burgh, Management Analyst II, who provided a brief presentation on the 2010 "Cans for Cash" Recycling Challenge in which the City won for the fourth year in a row. Mayor Kang introduced representatives from the 2/11 Marine Battalion, 2/11 Marine Adoption Committee and several local businesses and presented the battalion a \$5,000 Cash for Cans Award in support of our military servicemen and women.

2.2 Inaugural Business Recognition - Aguinaga Green

Mayor Kang introduced Roger Aguinaga of Aguinaga Green and presented him with a Certificate of Recognition as one of Irvine's inaugural businesses.

2.3 Proclaim Ronald Reagan's 100th Birthday

Councilmember Lalloway introduced John Shaw, Chief Development Officer, and Al Frank from the Ronald Reagan Presidential Foundation and presented them with a proclamation recognizing Ronald Reagan's 100th birthday.

Ronnie Guyer, a Vietnam War veteran, recited a hymn that was sung at Ronald Reagan's funeral.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Kang made the following announcements:

- The Irvine Chamber of Commerce, in partnership with the City of Irvine and others, will host the 2nd annual Irvine Entrepreneurial Forum on Monday, February 28th from 8 a.m. – 6 p.m. at the Beckman Center at U.C. Irvine. For information, visit irvinechamber.org or call the Irvine Chamber of Commerce at 949-660-9122.
- The public is invited to the City of Irvine's 40th Anniversary Screening of "Promise Made... Promise Kept: Oral History of Irvine," which features interviews with Irvine's leaders, longtime residents and visionaries. No RSVP is required. For information, please visit cityofirvine.org or call 949-724-7508.
- The City of Irvine recently launched the 40th Anniversary photo and motto contest. Finalists will be featured at an Irvine Fine Arts Center exhibition with top winners also displayed at the Irvine Civic Center. For information, visit cityofirvine.org and go to the "40th Anniversary Web Page."

3. CONSENT CALENDAR

The Consent Calendar consisted of Item Nos. 3.1 through 3.8.

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tem Krom, and unanimously carried to approve Consent Calendar Items 3.1 through 3.8.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on February 8, 2011.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 11-18 - 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. 11-19 - 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 Pro Tem Krom abstained.

3.4 WARRANT AND WIRE TRANSFER RESOLUTION – BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 11-20 - 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 REQUEST APPROVAL TO APPLY FOR FEDERAL TRANSIT ADMINISTRATION GRANT FOR NEW TRIPS VEHICLES

ACTION:

- 1) Approved Community Services' request to apply for a Federal Transit Administration Section 5310 Grant to purchase three new Compressed Natural Gas (GNS) vehicles for the TRIPS program and, contingent on Grant approval, and authorized staff to prepare a budget adjustment for Fiscal Year 2011-12 reflecting costs and revenues detailed in the Financial Impact section of the report.
- 2) Adopted RESOLUTION NO. 11-21 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING FEDERAL FUNDING UNDER FEDERAL TRANSIT ADMINISTRATION SECTION 5310 (49 U.S.C. SECTION 5310) WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION

3.6 BUDGET ADJUSTMENT AND CONSULTANT AGREEMENT FOR CONCEPTUAL PLANNING FOR THE IRVINE STATION EXPANSION PROJECT

ACTION:

- 1) Approved a Budget Adjustment in the amount not to exceed \$2,660,000 in revenues from the Orange County Transportation Authority (OCTA) and established a new Capital Improvement Project and expenditure allocation for the Irvine Station Expansion Program.
- 2) Authorized the City Manager to execute a Consultant Services Agreement with Walter Kreutzen for project oversight for the Irvine Station Expansion Program.

3.7 AMENDMENT TO THE FULL-TIME POSITION CONTROL RESOLUTION

ACTION:

Adopted RESOLUTION NO. 11-22 - 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 THE 2010-2011 FISCAL YEAR, AND REPEALING ALL PREVIOUS RESOLUTIONS AUTHORIZING FULL-TIME POSITIONS

3.8 MEMORANDUM FROM CITY ATTORNEY DISCLOSING LANDLORD-TENANT RELATIONSHIP BETWEEN THE IRVINE COMPANY AND THE CITY ATTORNEY'S LAW FIRM

ACTION:

Received and filed the memorandum from the City Attorney.

4. COUNCIL BUSINESS

4.1 ANIMAL WELFARE REGULATIONS

City Manager Joyce introduced Jana Ransom, Community Services Manager; and Ron Edwards, Animal Care Center Administrator, who made a brief presentation and responded to City Council questions.

The following individuals spoke in favor of implementing animal welfare regulations:

Gail Lewis, Irvine resident
Wendy Fears, Irvine resident

Stephen Terry, Desperate Paw of Orange County Dog Club

City Council discussion included: enforcement of proposed regulations, including mandatory spaying/neutering; whether or not new regulations would apply to the existing business and addressing those concerns; concerns from veterinarians over reduced revenues; availability of dogs/cats for sale in surrounding cities; spaying/neutering requirements for breeders; current legislation requiring humane treatment of animals used in animal exhibitions; banning sales of dogs/cats within six months of any adopted ordinance; number of dogs/cats currently unlicensed; informational signage encouraging spaying/neutering; discount spay/neuter programs; and formation of an advisory committee.

ACTION: Moved by Mayor Kang, seconded by Councilmember Choi, to:

ACTION:

Direct staff to further research ordinance language related to the following three proposed items and return to the City Council for adoption in 120 days:

1. Prohibition of retail sales of dogs/puppies and cats/kittens at retail establishments in Irvine.
2. Requirement that dogs and cats over the age of six months be spayed or neutered.
3. Ban traveling animal exhibit performances in Irvine.

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Agran, Choi, Krom and Kang

NOES: 1 COUNCILMEMBERS: Lalloway

ABSENT: 0 COUNCILMEMBERS: None

4.2 PREVAILING WAGE REGULATIONS

This item was agendized at the request of Mayor Kang, who suggested that the City Council engage in discussion about applying prevailing wage requirements, which currently apply to Orange County Great Park projects, for all City projects.

The following individuals spoke in favor of applying prevailing wage requirements:

James Odlum, Atlas Sheet Metal, Inc.
 Julie Muller, Orange Empire SMACNA
 Jack McMackin, Pan Pacific Plumbing
 Nick Dopudja, S3H Mechanical

Mike Pearlman, Critchfield Mechanical
Bill Fogarty, Irvine resident
Robert Ruiz
Tom Mau, Business Owner
Jim Adams, Los Angeles/Orange Counties Building Trades Council
Ramon Valcarez, Plumbers & Pipe Fitters
Keith Kenner, Kinetics
Derek Spalding, National Electrical Contractors Assn, Orange County Chapter

City Council discussion included: potential increase in labor rates and impact on City budget; auditing procedures of contractors for compliance and enforcement of such regulations; similarities and differences between prevailing wages and the City's living wage requirements; prevailing wage requirements for federal and/or state funded projects; and increase in quality of work when prevailing wage requirements apply.

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

ACTION:

- 1) Direct staff to return to the City Council with a proposed ordinance amendment within 45 days that will result in compliance with the prevailing wage requirements of State law for all public works projects that are undertaken by or on behalf of the city.
- 2) Direct the City Attorney to research, analyze and report back to the City Council concerning any legal issues or implications that have been raised or may be raised in connection with this proposed course of action.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Krom and Kang

NOES: 2 COUNCILMEMBERS: Choi and Lalloway

ABSENT: 0 COUNCILMEMBERS: None

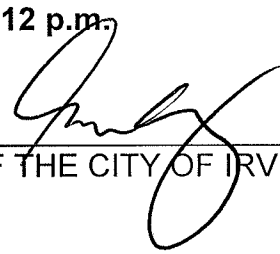
PUBLIC COMMENTS

Karen Gee, Director of Marketing for MUZEO, spoke about the Countywide "Trash Artist Challenge" competition.

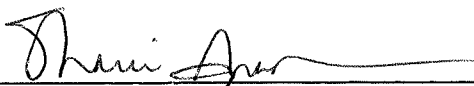
Lisa Ball, South Coast Air Quality Management District, spoke about the 2011 "State of the Air" video.

ADJOURNMENT

**Moved by Mayor Pro Tempore Krom, seconded by Councilmember Lalloway, and
unanimously carried to adjourn the meeting at 8:12 p.m.**



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

March 8, 2011