



MINUTES

CITY COUNCIL REGULAR MEETING

Steven Choi
Mayor

Lynn Schott
Mayor Pro Tempore

Beth Krom
Councilmember

Jeffrey Lalloway
Councilmember

Christina Shea
Councilmember

June 14, 2016
4:00 PM

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 4 p.m. on June 14, 2016 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Choi presiding.

ROLL CALL

Present:	5	Councilmember:	Beth Krom
		Councilmember:	Jeffrey Lalloway
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Lynn Schott*
		Mayor:	Steven Choi

* Mayor Pro Tempore Schott arrived at 5:03 p.m. and was not present for Closed Session.

1. CLOSED SESSION

City Attorney Melching announced the following Closed Session item:

- 1.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Pursuant to Government Code Section 54956.8; Property: Approximately 1.25 acre property at 17422 Murphy St.; Agency Negotiators: Sean Joyce, City Manager; Pete Carmichael, Manager of Great Park Planning & Development; and Steve Holtz, Housing and Real Estate Administrator; Negotiating Parties: City of Irvine and Jamie & Mary Trimble; Under Negotiation: Price and terms of payment.**

There were no requests to speak to the Closed Session item.

RECESS

Mayor Choi convened the City Council meeting to Closed Session at 4:03 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the regular City Council meeting at 5:03 p.m. City Attorney Melching, on behalf of the City Council, announced that by a 4-0 vote (Mayor Pro Tempore Schott absent), the City Council approved to terminate the escrow for the property referenced in Item No. 1.1.

MOMENT OF SILENCE

Mayor Choi requested a Moment of Silence for the victims at the Pulse nightclub in Orlando, Florida.

INVOCATION

Mayor Choi invited Pastor Andrew Scarborough from Mariners Church in Irvine to provide the Invocation.

PLEDGE OF ALLEGIANCE – IRVINE POLICE HONOR GUARD

Mayor Choi turned to Chief Hamel, who introduced the Irvine Police Honor Guard and led the Pledge of Allegiance.

Mayor Pro Tempore Schott announced that June 14 was Flag Day, which recognizes the remembrance of the date the U.S. Flag was adopted in 1977.

MUSICAL PRESENTATION

Mayor Choi introduced ninth grade University High School student Marina Chang, who performed "God Bless America" followed by "Etude de Virtuosite in G minor" by Moritz Moszkowski.

2. PRESENTATIONS

2.1 *Proclaim June 20-26, 2016 as "Amateur Radio Week"*

Mayor Choi introduced members of the Irvine Disaster Emergency Communications (IDEC) team and presented a proclamation in recognition of "Amateur Radio Week."

CITY MANAGER'S REPORT

City Manager Joyce provided an update on the Southern California Veterans Cemetery, noting that CalVet advised that it remained on schedule to submit its pre-grant application requesting Federal Cemetery Grant Funds by the July 1 deadline, as well as "next steps," which could be found on the main webpage of the City's website under "Quick Links."

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore Schott, as the City's representative to the Orange County Mosquito and Vector Control District, reminded residents to remain vigilant against mosquitos and mosquito bites by conducting routine property inspections for any standing water.

Councilmember Lalloway announced that the World's Largest Swimming Lesson will take place on June 24 at the William Woollett Jr. Aquatics Center. The worldwide attempt to set the record for the largest swimming lesson is an effort to educate parents and children about water safety and spread the message that "Swimming Lessons Save Lives." Children 3 and older of all swimming abilities can participate in the free lesson from 12:30 to 1 p.m. and enjoy free recreational swim time until 3 p.m. To learn more or to register, visit irvineaquatics.org.

Mayor Choi made the following announcements:

- Mayor Choi will provide an update on business in the City at the Celebrate Irvine event, the Chamber's annual luncheon, on Wednesday, June 22 at 11:30 a.m. at Hotel Irvine. The Chamber will recognize deserving businesses and individuals by honoring them with awards in the categories of "Business of the Year," "Nonprofit of the Year," "Business Philanthropist of the Year" and "Entrepreneur of the Year." For information and to purchase tickets, visit irvinechamber.com.

- The Irvine Animal Care Center's "Super Pet Adoption" event was attended by 5,700 visitors, with more than 300 animals adopted. Animal Care Center volunteers and those from other organizations gave 540 hours of their time to make the event a success. To keep the momentum going, the Center has launched its "Paw It Forward Summer Drive," in order to raise funds for special programs. For information or to donate, visit cityofirvine.org/animals.
- The popular "Movies on the Lawn" series is underway at the Orange County Great Park. Enjoy classic films on Fridays and blockbuster hits on Saturdays as part of this free summer pastime. Visit ocgp.org for more information and a full schedule of films.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda. However, City Manager Joyce noted an errata memo with respect to Consent Calendar Item No. 3.1 (Resolution of Intent to Grant an Exclusive Franchise for Solid Waste Handling Services to Waste Management of Orange County) and read into the record the title of the amended resolution as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, SETTING A PUBLIC HEARING AND DECLARING ITS INTENT TO CONSIDER GRANTING A FRANCHISE TO WASTE MANAGEMENT COLLECTION & RECYCLING, INC. DBA WASTE MANAGEMENT OF ORANGE COUNTY FOR SOLID WASTE HANDLING SERVICES AND SETTING FORTH THE PROPOSED TERMS AND CONDITIONS OF SAID FRANCHISE

3 CONSENT CALENDAR

ACTION: Moved by Councilmember Shea, seconded by Councilmember Lalloway, and unanimously carried to approve City Council Calendar Item Nos. 3.1 through 3.14, with the exception of Item Nos. 3.10 and 3.11, which were removed for separate discussion. Councilmember Krom abstained on Item No. 3.4.

3.1 MINUTES

ACTION:

Approved the minutes of the special meeting of the Irvine City Council held on May 24, 2016.

3.2 PROCLAMATIONS

ACTION:

Proclaimed June 23, 2016 as "Olympic Day."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 16-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopted RESOLUTION NO. 16-44 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS OF AT&T AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

Councilmember Krom abstained.

3.5 UPDATE OF RESOLUTIONS CONTAINING TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED EMPLOYEES IN RESPONSE TO CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM PUBLIC AGENCY REVIEW

ACTION:

- 1) Adopted RESOLUTION NO. 16-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE POLICE ASSOCIATION (IPA), AND SUPERSEDING ALL PREVIOUS IPA MEMORANDUMS OF UNDERSTANDING, EFFECTIVE THE PAY PERIOD THAT INCLUDES JUNE 14, 2016
- 2) Adopted RESOLUTION NO. 16-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE POLICE MANAGEMENT ASSOCIATION (IPMA), AND SUPERSEDING ALL PREVIOUS IPMA MEMORANDUMS OF UNDERSTANDING, EFFECTIVE THE PAY PERIOD THAT INCLUDES JUNE 14, 2016

3.6 DEFINED BENEFIT AND DEFINED CONTRIBUTION PENSION PLAN AUDITS FOR THE YEAR ENDED DECEMBER 31, 2015

ACTION:

Received and filed the Defined Benefit and the Defined Contribution Pension Plan audits for the year ended December 31, 2015.

3.7 APPOINTMENT OF DESIGNEE TO ANNUALLY MAINTAIN AND POST THE CATALOG OF ENTERPRISE SYSTEMS

ACTION:

Appointed the City Clerk as the City's designee to annually update the City's Catalog of Enterprise Systems, upload to the City's website and respond to requests for information as required by Senate Bill 272.

3.8 TERMINATION OF A DEVELOPMENT AGREEMENT NEGOTIATING SUBCOMMITTEE WITH TRILOGY GARDEN, LLC

ACTION:

Terminated the Development Agreement negotiating Subcommittee consisting of Mayor Pro-Tem Schott and Councilmember Lalloway established to negotiate the Colton Plaza Development Agreement with Trilogy Garden, LLC.

3.9 ANNUAL MEASURE M2 ELIGIBILITY SUBMITTAL

ACTION:

Approved and authorized staff to submit to the Orange County Transportation Authority the Measure M2 Seven-Year Capital Improvement Program for Fiscal Years 2016-17 through 2022-23 to comply with Measure M2 eligibility criteria.

3.10 GRANT OF EASEMENT TO IRVINE RANCH WATER DISTRICT FOR WATER FACILITIES AT QUAIL HILL COMMUNITY PARK

This item was removed for separate discussion at the request of Councilmember Shea, who inquired about whether a conflict-of-interest was applicable given the proximity to her residence, to which City Attorney confirmed that an abstention would be appropriate.

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

Approve and authorize the Mayor to execute an easement to Irvine Ranch Water District.

The motion carried as follows:

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

NOES: 0 COUNCILMEMBERS: None

ABSTAIN: 1 COUNCILMEMBER: Shea

3.11 RESOLUTION OF INTENT TO GRANT AN EXCLUSIVE FRANCHISE FOR SOLID WASTE HANDLING SERVICES TO WASTE MANAGEMENT OF ORANGE COUNTY

This item was removed for separate discussion at the request of Councilmember Krom, who noted that the language in the original resolution was presumptuous, and acknowledged her concurrence with the amended resolution.

City Council discussion included: concerns raised by the Los Angeles County Disposal Association representing non-exclusive waste haulers; whether a meeting would occur with non-exclusive waste haulers between now and June 28; questioned the availability of a map outlining areas within the exclusive and nonexclusive area; whether the non-exclusive agreement could be considered concurrently with the exclusive agreement to avoid confusion; expressed concern that discussion regarding the agreements puts Waste Management in competition with non-exclusive waste haulers; whether the exclusive and non-exclusive agreements were set to expire at the same time; and noted that going out to bid for the exclusive franchise provided the ability for others to compete.

Manuel Gomez, Director of Public Works, noted that a meeting would be held with non-exclusive waste haulers prior to June 28, at which time the results would be reported to the City Manager, and that a map would accompany the proposed agreement for review by the City Council on June 28. He also noted that the City Council could choose to consider the non-exclusive agreements concurrently with the exclusive franchise agreement on June 28, and that staff did not believe that the proposed exclusive franchise agreement provided a competitive edge to any specific waste hauler.

Pat Munoz, Attorney, Rutan & Tucker, noted that the exclusive agreement was primarily focused on residential service as opposed to the non-exclusive agreement, which focused on commercial service; and expressed concern about the amount of time required for the bidding process if the City Council chose to hold off on approving the exclusive franchise agreement while moving forward with the non-exclusive franchise agreement.

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

Adopt RESOLUTION NO. 16-47 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, SETTING A PUBLIC HEARING AND DECLARING ITS INTENT TO CONSIDER GRANTING A FRANCHISE TO WASTE MANAGEMENT COLLECTION & RECYCLING, INC. DBA WASTE MANAGEMENT OF ORANGE COUNTY FOR SOLID WASTE HANDLING SERVICES AND SETTING FORTH THE PROPOSED TERMS AND CONDITIONS OF SAID FRANCHISE

* The resolution was amended per the Errata Memo dated June 14, 2016. See Additions and Deletions.

3.12 ACCESS EASEMENT QUITCLAIM IN PORTOLA SPRINGS

ACTION:

Approved and authorized the Mayor to execute a quitclaim deed relinquishing an easement no longer needed for maintenance access purposes.

3.13 NOTICE OF REVIEW AND PENDING APPROVAL FOR TRACT MAPS IN PORTOLA SPRINGS, EASTWOOD AND IRVINE BUSINESS COMPLEX

ACTION:

Received and filed.

3.14 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Councilmember Krom's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 1. AIDS Services Foundation Orange County (\$500)
 2. Assistance League of Irvine (\$500)
 3. California Presenters (\$500)
 4. Fisher House (\$500)
 5. Friends of Outreach (\$700)
 6. Human Options (\$500)
 7. LGBT Center OC (\$500)
 8. Orange County Children's Therapeutic Arts Center (\$500)
 9. Orange County Human Relations Council (\$500)
 10. Orange County Women's Chorus (\$500)

11. Solace Foundation of Orange County (\$500)
12. Working Wardrobes (\$500)

- 2) Approved Mayor Choi's request for Community Partnership Fund Grant Nomination for the Boys & Girls Clubs of Central Orange Coast in the amount of \$500 in support of program costs.

- 3) Approved Councilmember Lalloway's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 1. Human Options (\$500)
 2. Temple Beth Sholom (\$500)

- 4) Approved Mayor Pro Tem Schott's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 1. American Youth Soccer Organization Region 213 – North Irvine (\$500)
 2. Boys & Girls Club of Irvine (\$1,000)
 3. Irvine Swim League (\$500)
 4. Orange County Rescue Mission (\$1,000)

- 5) Approved Councilwoman's Shea's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 1. American Cancer Society – Relay for Life of Irvine (\$500)
 2. Human Options (\$500)

- 6) Authorized the City Manager to prepare and sign the funding agreements listed in Actions 1 - 5.

4. PUBLIC HEARINGS

4.1 FISCAL YEAR 2016-17 PROPOSED FEE CHANGES FOR PROGRAMS AND ACTIVITIES AT CITY PARKS AND FACILITIES INCLUDING THE ORANGE COUNTY GREAT PARK

Mike Cribbin, Senior Management Analyst, and Kim Mahon, Management Analyst, presented the staff report and responded to questions.

Mayor Choi opened the public hearing at 5:59 p.m. There were no requests to speak.

City Council discussion included: inquiring about Finance and Community Services Commission approval; and clarifying that all fee increases were for the purpose of cost recovery only.

ACTION: By consensus, the public hearing was closed at 6:01 p.m.

ACTION: Moved by Mayor Choi, seconded by Councilmember Krom, and unanimously carried to:

Adopt RESOLUTION NO. 16-48 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, SETTING FEES FOR VARIOUS COMMUNITY SERVICES ACTIVITIES FOR FISCAL YEAR 2016-17

5. COUNCIL BUSINESS

5.1 FISCAL YEAR 2016-17 LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENT

Kristin Griffith, Manager of Fiscal Services, presented the staff report and responded to questions. Jay Ponce, Senior Management Analyst, was also available for questions.

City Council discussion included: clarification that the rate would not be increased based on the Consumer Price Index (CPI); inquired about the approval of the Finance Commission; noted that the current rate would apply to new property owners; and whether a tax base was being created.

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

Adopt RESOLUTION NO. 16-49 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS, APPROVING THE ENGINEER’S ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE IRVINE LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENT, FISCAL YEAR 2016-17

The motion carried as follows:

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

NOES: 1 COUNCILMEMBERS: Shea

ABSENT: 0 COUNCILMEMBERS: None

5.2 CITY OF IRVINE FISCAL YEAR 2016-17 BUDGET

Sean Joyce, City Manager, presented the staff report and responded to questions. Grace Leung, Director of Administrative Services, and Angelina Garcia, Manager of Budget and Business Planning, were also available for questions.

City Council discussion included: noting the increase in revenue from property and sales tax; anticipated year-end surplus; improving the quality of life for Irvine residents through the services provided by the City; and noted national accolades received.

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

- 1) Adopt the Fiscal Year 2016-17 Budget and Strategic Business Plan.
- 2) Adopt RESOLUTION NO. 16-50 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET AND FINANCIAL POLICIES FOR THE CITY OF IRVINE FOR FISCAL YEAR 2016-17
- 3) Adopt RESOLUTION NO. 16-51 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2016-17
- 4) Adopt RESOLUTION NO. 16-52 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR THE 2016-17 FISCAL YEAR, AND SUPERSEDING RESOLUTION NO. 15-82, WHICH IS INCONSISTENT THEREWITH

- 5) Adopt RESOLUTION NO. 16-53 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING RESOLUTION NO. 15-128, WHICH IS INCONSISTENT THEREWITH
- 6) Adopt RESOLUTION NO. 16-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING AMENDMENTS TO THE PERSONNEL RULES AND PROCEDURES
- 7) Direct staff to take advantage of available savings by utilizing the Public Employees Retirement System's advance payment option for Fiscal Year 2016-17.
- 8) Receive and file the Strategic Technology Plan 2016-2021.
- 9) Approve the Fiscal Year 2016-17 capital and operating budgets and anticipated contracts for the Orange County Great Park, as required by the Fiscal Transparency and Reforms Act.
- 10) Authorize the execution of a sole source contract with Aeromobile for the annual maintenance, operation and repair of the Great Park balloon.
- 11) Authorize the Mayor to execute Amendment No. 1 to the City Attorney Services agreement with the law firm of Rutan & Tucker, LLP modifying the Rutan & Tucker contract rates through February 15, 2018.

Additional discussion included: noting the prior Bridge Plan and working through the last recession; benefits to growth and its correlation to higher revenue; whether additional funding for Community Partnership Grants was incorporated in staff's recommendations; and incorporating additional amenities for older children at Adventure Playground with funding from the anticipated carryover.

Councilmember Shea inquired about whether an abstention to approve the ensuing budget was necessary based on her proximity to the Quail Hill Community Center, to which City Attorney Melching confirmed that no abstention was necessary.

ACTION: A friendly amendment was made by Councilmember Shea as the seconder to the motion, accepted by Mayor Choi, to increase the allocation for Community Partnership Fund Grants from \$50,000 to \$100,000.

Don Dressler, Finance Commission Chair, spoke in support of Finance Commission recommendations to: 1) identify additional financial resources for traffic management based on the traffic management study recommendations, 2) increase Community Partnership Fund Grant allocation for each Councilmember, and 3) conduct a cost study during the ensuing year.

David Reyno, Finance Commissioner, expressed his appreciation to Councilmember Lalloway and members of the Finance Commission, and commended City staff for their work on the proposed budget.

Additional discussion included: conducting the fee study in the upcoming year based on current development; understanding how policy decisions impact the budget, such as the elimination of the business license fee and reduction in park fee requirements for those developing in the Irvine Business Complex (IBC); highlighting policy decisions that have economic implications; questioned what funding would be used to implement traffic study recommendations; leveraging carryover funds for projects versus increasing reserves; taking an honest, realistic and proactive approach to global priorities and addressing immediate challenges; how to best allocate additional Community Partnership Fund Grants (CPFG); maintaining the current CPFG funding level and revisiting in future years; being mindful of the staff time allocated to administer the CPFG program; using the \$250,000 Capital Improvement Projects funding for a space study; noted the Irvine Barclay's recent adoption of a four-year strategic plan and that the original contract with the Irvine Barclay Theatre only included \$425,000 annually for operations and maintenance; suggested decreasing allocation of funding to the Irvine Barclay Theatre over the next five years by \$100,000 until the original \$425,000 funding level was reached; deferring any decision to reduce funding for the Irvine Barclay Theatre over the next five years; noted that the \$163,880 maintenance funding was requested by the Irvine Barclay Theatre for fire safety and protection, which was interconnected with UCI's electrical system; suggested using year-end surplus for a space study; noted the importance of considering transportation and infrastructure needs based on new development; noted the recent approval by the Orange County Transportation Authority for two new i-Shuttle routes from the Irvine and Tustin Stations; expressed concern that no contingency was built into the proposed budget; allocating additional CPFG funding for collective nominations by the City Council versus individual nominations; questioned why funding was not allocated to the Irvine Adult Day Health Services as a matching grant for fundraising purposes, and suggested using the proposed increase in CPFG funding for this purpose.

City Manager Joyce noted that funding for the Irvine Adult Day Health Services Center was not incorporated into the proposed budget as the request made last year was a one-time allocation.

Following discussion, the City Council bifurcated the motion to consider funding in the amount of \$163,880 for the Irvine Barclay Theatre, a \$50,000 increase in CPMG funding, and \$20,000 to the Irvine Adult Day Health Center.

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

Allocate an additional \$163,880 in funding to the Irvine Barclay Theatre for capital improvements.

The motion carried as follows:

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

NOES: 1 COUNCILMEMBERS: Lalloway

ABSENT: 0 COUNCILMEMBERS: None

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

Accept Finance Commission recommendation to increase the amount of Community Partnership Grant Funding available to the City Council from \$50,000 to \$100,000 to recognize new and established community groups.

Following discussion, Councilmember Krom withdrew her motion.

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

Not adopt the Finance Commission recommendation to increase the amount of Community Partnership Grant Funding available to the City Council from \$50,000 to \$100,000 to recognize new and established community groups.

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Krom, Lalloway, Schott, Shea

NOES: 1 COUNCILMEMBERS: Choi

ABSENT: 0 COUNCILMEMBERS: None

ACTION: Moved by Mayor Pro Tempore Schott, seconded by Councilmember Krom, and unanimously carried to:

Approve a matching grant to Irvine Adult Day Health Services in the amount of \$20,000.

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

ACTION:

- 1) Adopt the Fiscal Year 2016-17 Budget and Strategic Business Plan.
- 2) Adopt RESOLUTION NO. 16-50 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET AND FINANCIAL POLICIES FOR THE CITY OF IRVINE FOR FISCAL YEAR 2016-17
- 3) Adopt RESOLUTION NO. 16-51 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2016-17
- 4) Adopt RESOLUTION NO. 16-52 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR THE 2016-17 FISCAL YEAR, AND SUPERSEDING RESOLUTION NO. 15-82, WHICH IS INCONSISTENT THEREWITH
- 5) Adopt RESOLUTION NO. 16-53 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING RESOLUTION NO. 15-128, WHICH IS INCONSISTENT THEREWITH
- 6) Adopt RESOLUTION NO. 16-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING AMENDMENTS TO THE PERSONNEL RULES AND PROCEDURES

- 7) Direct staff to take advantage of available savings by utilizing the Public Employees Retirement System's advance payment option for Fiscal Year 2016-17.
- 8) Receive and file the Strategic Technology Plan 2016-2021.
- 9) Approve the Fiscal Year 2016-17 capital and operating budgets and anticipated contracts for the Orange County Great Park, as required by the Fiscal Transparency and Reforms Act.
- 10) Authorize the execution of a sole source contract with Aeromobile for the annual maintenance, operation and repair of the Great Park balloon.
- 11) Authorize the Mayor to execute Amendment No. 1 to the City Attorney Services agreement with the law firm of Rutan & Tucker, LLP modifying the Rutan & Tucker contract rates through February 15, 2018.

5.3 RESOLUTIONS CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 8, 2016; REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION; AND ESTABLISHING REGULATIONS FOR CANDIDATE STATEMENTS OF QUALIFICATIONS AND THE COST THEREOF

Molly McLaughlin, City Clerk, presented the staff report and responded to questions.

Courtney and Maria Santos, Irvine residents, spoke in support of reducing the financial obligation for candidate statements.

City Council discussion included: adjusting the financial obligation for each candidate statement to \$500; and inquired about the financial obligation for candidate statements in prior election years.

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

- 1) Adopt RESOLUTION NO. 16-55 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CITY CHARTER

- 2) Adopt RESOLUTION NO. 16-56 - 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 TO BE HELD ON TUESDAY, NOVEMBER 8, 2016 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE
- 3) Adopt RESOLUTION NO. 16-57 - 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 8, 2016

As amended to establish a maximum limit of \$500 for the filing of candidate statements, and remove a provision that allows the translation of candidate statements into any foreign language not required pursuant to Federal and/or State law, but requested as an option by the candidate.

- 4) Received and filed Pledge of Voluntary Political Sign Practices policy.

5.4 CONSIDERATION OF COUNCILMEMBER LALLOWAY’S REQUEST TO IMPLEMENT A MURAL ARTS PROGRAM

This item was agendized at the request of Councilmember Lalloway, who expressed his desire to implement a mural arts program on private buildings having frontage along Interstate-405 from State Route 55 to Lake Forest Drive and other major freeways such as Interstate 5.

Susan Emery, Director of Community Development, and Tim Gehrich, Deputy Director of Community Development, presented the staff report and responded to questions.

The following individuals spoke in support of implementing a mural arts program:

Larry Anderson
Callum Lamb on behalf of himself, Mariam Tariq and Farrah Khan
Courtney Santos, Irvine resident
Torrey Cook

City Council discussion included: integrating the Mural Arts Program into a larger vision through a Master Arts Program in conjunction with the local arts community; suggested not limiting murals to freeway frontage;

expressed concern about too much art in public spaces; potential legal issues associated with art in public places; noted the former Arts Committee under the Community Services Commission; noted potential conflicts with certain restrictions such as the City's sign ordinance; community support for a structured arts program; using thoughtful analysis the development of a Master Arts Plan and comparing similar studies to other cities with similar character; noted that the program would be voluntary; and developing standards for administrative approval.

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

- 1) Direct City staff to return within 30 days with draft code amendments for a Mural Arts Program.
- 2) Direct City staff to return to the City Council at a future meeting with information for the City Council to consider a Master Arts Program for the City.

Additional discussion included: questioning the potential impact to Tilly's and if a gap period existed; deadline for the existing mural at Tilly's to come down; whether the City Manager could intervene on an interim basis; exploring the idea of moveable murals; inviting creative minds into the conversation and development of a Master Arts Program; scheduling a workshop to engage the community about art in public places; clarification that murals would not be allowed throughout the City; moving forward with a Mural Arts Program and exploring expansion into a Master Arts Program; and working collaboratively with the community through the development of an arts committee.

City Attorney Melching noted that any change to Zoning Code amending the existing permitting process would require that the administrative process, be followed, which included going before the Planning Commission.

City Manager Joyce noted that staff would contact Tilly's to see if there was an interest in keeping the mural, and if so, would exercise his discretion to ensure that the City Council's interests were met.

ACTION: A friendly amendment was made by Councilmember Krom to:

Direct staff to return within the next 30 days with a presentation on public arts programs and mural programs that exists in other cities and attempt to find cities similar to Irvine's profile to allow creative thinking, and at that time direct the creation of an arts council or arts conversation.

ACTION: A substitute motion was made by Councilmember Shea, seconded by Mayor Choi, to:

Direct staff to schedule a date or a workshop to talk about arts in public places, which would include discussion about the creation of an arts commission and a master plan for the arts.

Following discussion, Councilmember Shea withdrew her motion, and Councilmember Lalloway agreed to incorporate Councilmember Krom's friendly amendment into his motion.

ACTION: An amendment to the main motion was moved by Councilmember Lalloway, accepted as Mayor Pro Tempore Schott as the seconder, and unanimously carried to:

- 1) Direct City staff to return within 30 days with draft code amendments for a Mural Arts Program.
- 2) Direct City staff to return to the City Council at a future meeting with information for the City Council to consider a Master Arts Program for the City, which includes a presentation and summary of master arts plans in other cities for City Council consideration.

5.5 CONSIDERATION OF MAYOR PRO TEMPORE SCHOTT'S REQUEST REGARDING TWO RELATED ITEMS CONCERNING CITY ATTORNEY OPINIONS

This item was agendaized at the request of Mayor Pro Tempore Schott, who read into the record her memo requesting City Council consideration of two related items concerning City Attorney opinions.

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

- 1) Release the privileged document containing an opinion offered by the City Attorney to Councilwoman Shea regarding State law.
- 2) That all written legal opinions sought by a member of the City Council from the City Attorney, or any attorney or law firm acting as official counsel for the City, be made immediately available to all City Councilmembers in the normal course of business.

Jim Ferguson, legal counsel for Councilmember Shea, spoke in opposition to the release of the privileged document, clarifying comments he made from the last City Council meeting, and noted the consequences of waiving attorney/client privilege.

Alan Bartlett, Irvine resident, spoke in opposition to waiving confidentiality.

City Council discussion included: clarification that the City was the client versus individual Councilmembers; noted the length and expense of the Great Park Audit; lack of substantive information shared with the City Council; whether the proposal to make City Attorney opinions would be made available to all Councilmembers prospectively or retroactively, which would include communication between the Great Park Audit Subcommittee and special legal counsel; noted that public officials have a certain understanding of privacy, which could now be a concern for Councilmembers; expressed concern about setting precedence in other cities; waiving attorney/client privilege related to Closed Session items; noted that greater transparency was needed and the importance of the public's business; noted that salaries were paid for by taxpayer dollars, and therefore, private matters should not be handled or discussed with the City Attorney; expressed concern with the potential for unintended consequences; and clarified that the legal opinion offered by the City Attorney to Councilmember Shea pertained to local law.

City Attorney Melching noted that the scope related to the Great Park Audit would require legal review to determine the relationship that was created between subcommittee members and legal counsel before confirming whether communications between the two could be released to other Councilmembers.

Following additional discussion, the City Council bifurcated the two action items offered in Mayor Pro Tempore Schott's original motion.

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

Release the privileged document containing an opinion offered by the City Attorney to Councilwoman Shea regarding local law.

The motion carried as follows:

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

NOES: 1 COUNCILMEMBERS: Shea

ABSENT: 0 COUNCILMEMBERS: None

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

Determine that all written legal opinions sought by a member of the City Council from the City Attorney, or any attorney or law firm acting as official counsel for the City, be made immediately available to all City Councilmembers in the normal course of business.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Lalloway, Schott, and Choi

NOES: 2 COUNCILMEMBERS: Krom and Shea

ABSENT: 0 COUNCILMEMBERS: None

PUBLIC COMMENTS

John Blinstrub, Irvine resident, spoke about restrictions imposed by apartment communities and increasing rental rates throughout the City.

David Klubniken spoke on recent actions taken by the Orange County Board of Supervisors and the District Attorney.

Ilya and Robert Tseglin reiterated a domestic issue related to an autistic family member.

ADJOURNMENT

Moved by Councilmember Lalloway, seconded by Mayor Pro Tempore Schott, and unanimously carried to adjourn the meeting at 11:05 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

June 28, 2016