



CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:02 p.m. on May 25, 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 REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8). Property: 2 Civic Center Plaza (Irvine Child Development Center). Agency Negotiators: Sean Joyce, City Manager; Brian Fisk, Director of Community Services. Under Negotiation: Price and terms.**

City Attorney Kohn announced the item to be discussed following which Mayor Kang convened to Closed Session at 4:03 p.m.

RECONVENE TO THE CITY COUNCIL MEETING – 5:03 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 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 the Suzuki Violinists from the Talent Education Center, who performed "America the Beautiful" and "Bouree."

2. PRESENTATIONS

2.1 *Employee Recognition:*

25 Years of Service: Scott Roseberry, Public Works; Frank Baklarz and Sandy Feicht, Community Services

30 Years of Service: Dion Gray, Community Services; Lonnie Nelson and Robert Richardson, Public Safety

City Manager Joyce recognized staff for 25 and 30 years of service and presented each with a Commendation.

2.2 *Youth Action Team Recognition*

Mayor Kang recognized the members of the Junior, Middle and High School Youth Action Teams and expressed appreciation for their hard work and dedication.

INTRODUCTIONS

There were none.

CITY MANAGER'S REPORT

- According to the FBI's 2009 preliminary data for cities with populations of more than 100,000, for a sixth straight year, Irvine had the lowest Violent Crime rate in the nation. In addition, the City had the lowest Part 1 crime rate in the nation in 2009, which was confirmed this week to be the lowest per capita Part 1 crime rate in the City's history.

- OC METRO Magazine has named Irvine as one of its 25 Green Team Companies. The City will be recognized at an awards ceremony on June 3 at the Orange County Great Park for accomplishments that promote and implement eco-friendly environments. The June issue of OC METRO will feature Irvine in a special edition of the magazine and through its web site.
- City Manager Joyce introduced Assistant City Manager Landers, who provided an overview of the City's Capital Improvement Program.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

- Councilmember Shea announced that her two grandsons won the championship for their division in the Pony Baseball League.

Mayor Kang made the following announcements:

- The California Transportation Commission allocated the final Proposition 116 funds to transit projects in Orange County on May 20, allowing the City eligibility to receive up to \$121 million in matching fund credit from OCTA for any City transit projects that receive funding under the renewed Measure M competitive transit programs. The allocation includes \$22 million in funds for the Sand Canyon Grade Separation Project.
- On Monday, May 31, the City of Irvine will pay tribute to fallen military service members during a Memorial Day ceremony at 10 a.m. at Colonel Bill Barber Marine Corps Memorial Park. For more information or to download a pre-made remembrance card, visit www.cityofirvine.org or call (949) 724-6606.
- The 16th annual Studio Arts Festival returns to Heritage Park on Saturday, June 5 from 9 a.m.-5 p.m. featuring an eclectic mix of more than 100 local and national artists displaying and selling a variety of original works of art, including ceramics, sculpture, jewelry, painting, photography, textiles, and glass art. For information, call (949) 724-6880 or visit www.irvinefinearts.org.
- In observation of the June 8 State Primary Election, the regular City Council meetings scheduled for June 8 and June 22 will be delayed one week and held on June 15 and June 29 respectively. For information, contact the City Clerk's office at (949) 724-6205.

ADDITIONS AND DELETIONS

City Manager Joyce requested that Item 3.10 be removed from the agenda for future consideration at a June meeting.

3. CONSENT CALENDAR

Consent Calendar Items consisted of Item Nos. 3.1 through 3.12.

ACTION: Moved by Councilmember Shea, seconded by Councilmember Choi, and unanimously carried to approve Consent Calendar Items 3.1 through 3.12, with the exception of Item No. 3.10, which was removed from the agenda for future consideration at a June meeting; and Item No. 3.12, which 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 May 20, 2010.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on May 11, 2010.

3.2 PROCLAMATIONS

ACTION:

Proclaimed May 28, 2010 as "Arbor Day."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 10-46 - 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

3.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopted RESOLUTION NO. 10-47 - 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.

3.5 WARRANT AND WIRE TRANSFER RESOLUTION – BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 10-48 - 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.

3.6 FINAL TRACT MAP NOS. 16861 , 17356, 17357, AND 17375 NOTICE OF REVIEW AND PENDING APPROVAL FOR RESIDENTIAL CONDOMINIUMS IN STONEGATE EAST AND PORTOLA SPRINGS

ACTION:

Received and filed.

3.7 APPROVAL OF THE SECOND AMENDED AND RESTATED BYLAWS OF THE IRVINE BARCLAY THEATRE OPERATING COMPANY

ACTION:

- 1) Approved the Second Amended and Restated Bylaws of the Irvine Barclay Theatre Operating Company.
- 2) Authorized the Mayor to sign the Consent to Amendment.

3.8 CONSULTANT TEAM APPROVAL

ACTION:

Approved the City's Consultant Team selection for professional and technical consultant services for the three-year period from July 1, 2010 through June 30, 2013 as set forth in the Consultant Team Recommendations list; and delegate authority to the department directors to execute the final contracts.

3.9 SUSTAINABLE FIELD LIGHTING RETROFITS AT HERITAGE AND HARVARD COMMUNITY PARKS ATHLETIC FIELDS

ACTION:

Approved plans and specifications for sustainable field lighting retrofits at Heritage and Harvard Community Parks.

3.10 CENTRAL PARK WEST HOLDINGS, LLC CONSENT TO ASSIGNMENT OF DEVELOPMENT AGREEMENT FOR SECURITY PURPOSES TO BARCLAYS CAPITAL REAL ESTATE, INCORPORATED FOR THE APPROVED CENTRAL PARK WEST DEVELOPMENT AGREEMENT 00330616-DA (PLANNING AREA 36)

This item was removed from the agenda for future consideration at a June meeting at the request of City Manager Joyce.

3.11 COMMUNITY PARTNERSHIP GRANT NOMINATIONS

ACTION:

- 1) Approved respective City Councilmembers' community partnership grant award nominations to Irvine Exchange Club/District Exchange Club Charitable Foundation and Pacific Symphony.
- 2) Authorized the City Manager to prepare and sign Funding Agreements.

3.12 APPROVAL OF ORANGE COUNTY GREAT PARK AGRICULTURAL LEASE IN WESTERN SECTOR PARK DEVELOPMENT PLAN

ACTION:

Approved an Agricultural Lease, in substantial form, with Orange County Produce, LLC for the agricultural parcels identified in the Western Sector Park Development Plan, as of June 1, 2010, through June 30, 2014, including the option to renew for three additional three-year periods, and authorize the City Manager to execute the lease, subject to confirmation by the City Attorney that all land transfer documentation necessary for the lease has been completed.

The item carried as follows*:

AYES:	3	COUNCILMEMBERS:	Agran, Krom and Kang
NOES:	2	COUNCILMEMBERS:	Choi and Shea
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 May 20, 2010.

END CONSENT CALENDAR

4. COUNCIL BUSINESS

4.1 **STATUS REPORT ON SMOKE-FREE ENVIRONMENTS IN THE CITY OF IRVINE**

City Manager Joyce introduced Pamela Baird, Senior Management Analyst, who presented the staff report.

City Council discussion included: appreciation to Irvine Company and other shopping center owners for implementing the voluntary program; community feedback since program implementation; program implementation in office buildings; and concern over second-hand smoke in apartment communities and possible implementation of smoking regulations in older apartment communities.

Michael LeBlanc, Irvine Company, provided a brief update on program implementation at shopping centers and steps taken to train security personnel at each location for program compliance; separation of smoking v. non-smoking units in newer apartment communities; and possible implementation of a similar program in older apartment communities and office buildings.

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

ACTION:

Receive and file; and direct staff to provide quarterly updates on the implementation of smoke-free environments in shopping centers and review of how smoking is regulated in older apartment communities.

4.2 **DISCUSSION REGARDING SUPPORT OF THE CALIFORNIA JOBS INITIATIVE**

This item was agendized at the request of Councilmember Choi, who provided a summary of the California Jobs Initiative, which would temporarily suspend Assembly Bill 32, The Global Warming Solutions Act, until the economy improves. He recommended the adoption of a resolution to support the California Jobs Initiative.

Councilmember Choi read into the record correspondence dated May 25, 2010 from Ann Stawicki, Chair of the Irvine Chamber of Commerce, who expressed support of the California Jobs Initiative. He also named numerous organizations which endorse the Initiative (Information on file in the City Clerk's office).

The following individuals spoke in opposition to the proposed resolution:

Rob Korinke, Californians for Clean Energy and Jobs
Lisa Kramer, U.S. Green Building Council, Orange County Chapter

City Council discussion included: whether or not the City has faced any challenges in meeting the requirements of AB 32; potential adverse effects to environmental programs by suspending AB 32; clarification that the California Jobs Initiative merely suspends AB 32 and does not terminate it; short and long term effects of suspending AB 32; loss of jobs in California; businesses relocating to other states due to the inability to comply with regulations; how suspension of AB 32 could result in job growth; and status of the City's Climate Action Plan.

Mayor Pro Tempore Agran read the following statement issued by Governor Schwarzenegger in support of Assembly Bill 32 and requested it be entered into the minutes:

"The effort to suspend AB 32 is the work of greedy oil companies who want to keep polluting in our state and making profits. AB 32 will add jobs, create savings in energy costs and increase personal incomes. In fact, the highest job creation California is seeing right now is in our green economy. When I ran for Governor, I said if special interests tried to push me around, I would push back. That's exactly what I will do to these greedy oil companies."

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

ACTION:

Adopt a resolution of the City Council of the City of Irvine supporting the California Jobs Initiative

The motion failed as follows:

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

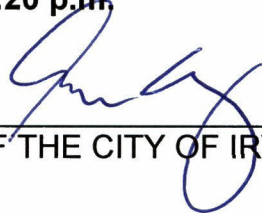
END COUNCIL BUSINESS

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

**Moved by Councilmember Shea, seconded by Councilmember Krom, and
unanimously carried to adjourn the meeting at 7:20 p.m.**



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

June 15, 2010