



MINUTES

CITY COUNCIL REGULAR MEETING AND REGULAR JOINT MEETING OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY January 22, 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 4:10 p.m. on January 22, 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 LABOR NEGOTIATORS (Pursuant Government Code Section 54957.6) Agency Negotiators: Gary Burton, Director of Administrative Services; Peter Brown, Liebert Cassidy Whitmore; Jan Walden, Manager of Human Resources; Jimmee Medina, Human Resources Administrator; Employee Organizations: Associated Supervisory/ Administrative Personnel (ASAP); Irvine City Employees Association (ICEA); Irvine Professional Employees Association (IPEA); Irvine Police Association (IPA); and Irvine Police Management Association (IPMA).**

City Attorney Kohn announced the Closed Session item, following which Mayor Choi convened to Closed Session at 4:11 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the City Council meeting at 5:15 p.m. City Attorney Kohn, on behalf of the City Council, announced that by a 3-2 vote (Mayor Choi, Mayor Pro Tempore Lalloway and Councilmember Shea voting yes), as a matter of process, directed staff to initiate a Request for Proposals to select an agency negotiator for purposes of labor negotiations.

PLEDGE OF ALLEGIANCE

Mayor Choi led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Pastor Mark Whitlock, Christ Our Redeemer AME Church of Irvine, to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced Irvine School of Music Choir, who performed "My America and My Country Tis of Thee" and "Siyahamba."

2. PRESENTATIONS

2.1 *Presentation of the "Battle of the Chosin Reservoir" Etching to the City of Irvine*

Mayor Choi introduced Ronnie Guyer, Senior Field Representative for Former Assemblyman Jim Silva, who presented the City with an etching of the Battle of the Chosin reservoir that was received from Colonel Bill Barber. Mayor Choi invited Councilmember Shea to read the narrative that accompanied the artwork.

2.2 *Lego League Robotics Qualifying Tournament 2012 - Irvine Champions*

Mayor Choi introduced and recognized the winning Irvine teams from the First Lego League Robotics Qualifying Tournament held last November at Irvine Valley College, and presented each team member with a Certificate of Recognition.

CITY MANAGER'S REPORT

City Manager Joyce announced that Irvine has been ranked as the third best-run city in America in a ranking of the 100 largest cities by *24/7 Wall Street*, the online financial news and opinion media group. The rankings are based upon the local economy, fiscal management and quality of life measures.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Krom, who sits on a community services policy board for the California League of Cities, provided a brief report on her recent trip to Sacramento, where updates were provided on issues at the state and federal level, and to discuss various statewide policies affecting citizens.

Mayor Choi also provided a brief report on his recent trip to Washington, D.C. for the annual U.S. Conference of Mayors, which is a forum for mayors and Washington leaders to discuss issues such as jobs, public safety, and workforce development.

Mayor Choi also made the following announcements:

- 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. For information or to schedule an appointment, call 888-434-8248.

- The community is invited to attend the State of the City on Tuesday, February 26 at 6 p.m. in the Council Chamber. The community is also invited to attend a reception at 5 p.m. in the main lobby. For information, visit cityofirvine.org.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

CONVENE TO THE REGULAR JOINT MEETING WITH THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

Mayor/Chairman Choi called to order the regular joint meeting of the Irvine City Council and the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 5:58 p.m.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember/Boardmember Krom, seconded by Councilmember/Boardmember Shea, and unanimously carried to approve City Council Consent Calendar Item Nos. 3.1 through 3.8, with Item Nos. 3.6 and 3.9 removed for separate discussion; and Successor Agency Consent Calendar Item Nos. 4.1 through 4.3.

3.1 MINUTES

ACTION:

1. Approved the minutes of a special meeting of the Irvine City Council held on December 18, 2012.
2. Approved the minutes of an adjourned regular meeting of the Irvine City Council held on January 8, 2013.
3. Approved the minutes of a special meeting of the Irvine City Council held on January 10, 2013.

3.2 PROCLAMATION

ACTION:

Proclaimed February 17-23, 2013 as "National Engineers Week."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 13-07 - 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. 13-08 - 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. 13-09 - 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.

3.6 CONTRACT AWARD FOR THE OPERATION AND MAINTENANCE OF THE iSHUTTLE SERVICES

This item was removed for separate discussion by Allan Bartlett, who spoke in opposition to the current iShuttle routes and suggested rerouting to senior centers and high schools.

Shohreh Dupuis, Manager of Transit and Transportation, provided a brief report outlining the current routing and revenue/funding sources for the iShuttle program.

City Council discussion included: using shuttles for special events or the TRIPS program; future connection to UC Irvine, Irvine Spectrum and Diamond Jamboree; current usage for each route; discontinuation of the FlyAway service between Irvine Station and LAX; and marketing efforts for promoting iShuttle service.

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

1. Authorize the Mayor to execute a four-year contract with MV Transportation, Inc. for maintenance and operation services for the City's iShuttle Program.
2. Adopt the City's bus advertising policy and Title VI Plan for the iShuttle Program.

3.7 NOTICE OF REVIEW FOR FINAL TRACT MAPS IN PORTOLA SPRINGS, UNIVERSITY PARK, AND CYPRESS VILLAGE AND PENDING APPROVAL FOR FINAL TRACT MAPS IN STONEGATE AND PORTOLA SPRINGS

ACTION:
Received and filed.

Mayor Choi abstained.

3.8 VACATION OF A PORTION OF PORTOLA SPRINGS

ACTION:
Adopted RESOLUTION NO. 13-10 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE TO ORDER THE VACATION OF A PORTION OF PORTOLA SPRINGS (PLANNING AREA 6) PURSUANT TO CHAPTER 4, SUMMARY VACATION, STREETS AND HIGHWAYS CODE SECTION 8330 ET. SEQ.

3.9 ADOPTION OF CITY COUNCIL POLICY CONCERNING MEETING INVOCATIONS

This item was removed for separate discussion by the following members of the public, who spoke in opposition to invocations at public meetings and the adoption of a City Council policy:

Felicity Figueroa
Mark Davenpeck
Karla Westphal

Jeff Sloan suggested that individuals from the secular community be invited to offer invocations.

City Council discussion included: whether or not a City Council policy was necessary before moving forward with meeting invocations; whether or not there are limitations to certain denominations; revising the draft letter attached to the proposed policy to exclude reference to the Rubin

decision and/or certain limitations; potential violations based on the Rubin decision (Rubin v. City of Burbank) and potential consequences to such violations; and amending the draft policy to exclude any reference to the attached draft letter.

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

Adopt the recommended City Council Policy/Procedure concerning City Council meeting invocations.

ACTION: Following further discussion, the maker and seconder of the main motion agreed to amend the motion as follows:

1. Adopt the recommended City Council Policy/Procedure concerning City Council meeting invocations as amended to remove language in the final paragraph referencing the letter attached to the policy.
2. Direct the City Attorney to draft a new letter which will retain the essence of the Rubin decision (*Rubin v. City of Burbank*) for Mayor’s review.

The motion carried as follows*:

AYES: 3 **COUNCILMEMBERS:** Lalloway, Shea and Choi

NOES: 1 **COUNCILMEMBERS:** Agran

ABSTAIN: 1 **COUNCILMEMBERS:** Krom

* Additional discussion ensued in regards to abstentions to which City Attorney Kohn advised that pursuant to the City’s Municipal Code [Section 1-2-311(G)]:

“Except as otherwise provided by law, no member of the City Council shall be permitted to abstain from voting unless such disqualification shall have been approved by the City Attorney or by unanimous vote of the remainder of the Council present. Unapproved disqualifications and abstentions shall be recorded by the City Clerk as an affirmative vote.”

ACTION: Following further discussion, a revote was taken on the amended motion as follows:

1. Adopt the recommended City Council Policy/Procedure concerning City Council meeting invocations as amended to remove language in the final paragraph referencing the letter attached to the policy.
2. Direct the City Attorney to draft a new letter which will retain the essence of the Rubin decision (*Rubin v. City of Burbank*) for Mayor's review.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Lalloway, Shea and Choi

NOES: 2 COUNCILMEMBERS: Agran and Krom

ABSENT: 0 COUNCILMEMBERS: None

4. CONSENT CALENDAR - SUCCESSOR AGENCY TO DISSOLVED IRVINE REDEVELOPMENT AGENCY

4.1 MINUTES

ACTION:

Approved the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency and the Irvine City Council held on September 25, 2012.

Boardmember Shea abstained.

4.2 WARRANT AND WIRE TRANSFER RESOLUTION – CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

Adopted RESOLUTION NO. 13-01 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ALLOWING CERTAIN CLAIMS AND DEMANDS OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

4.3 ADOPTION OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE FORMER IRVINE REDEVELOPMENT AGENCY AND THE

**ADMINISTRATIVE BUDGET FOR THE SUCCESSOR AGENCY TO THE
DISSOLVED IRVINE REDEVELOPMENT AGENCY, FOR JULY 1, 2013
THROUGH DECEMBER 31, 2013**

ACTION:

1. Adopted the Recognized Obligation Payment Schedule of the former Irvine Redevelopment Agency for July 1, 2013 through December 31, 2013, and authorized revisions to the reporting format, if needed to comply with potential form changes by the State of California Department of Finance.
2. Adopted the administrative budget for the Successor Agency for July 1, 2013 through December 31, 2013.

PUBLIC COMMENTS - SUCCESSOR AGENCY

There were none.

PUBLIC COMMENTS - CITY COUNCIL

Susan Sayre spoke in opposition to the vision of the new City Council and the recent streamlining and dissolution of various City advisory bodies.

Steve Greenberg spoke in support of new City Council policies and in opposition to the City's Living Wage ordinance.

ADJOURNMENT - REGULAR JOINT MEETING

Moved by Mayor Pro Tempore / Vice Chairman Lalloway, seconded by Mayor/Chairman Choi, and unanimously carried to adjourn the regular joint meeting with the Successor Agency at 8:25 p.m.

RECONVENE TO THE REGULAR CITY COUNCIL MEETING

Mayor Choi reconvened the regular City Council meeting at 8:25 p.m.

5. PUBLIC HEARINGS

**5.1 FORMATION OF COMMUNITY FACILITIES DISTRICT FOR PROPERTY
WITHIN PLANNING AREAS 30 AND 51 AND APPROVAL OF
ASSOCIATED IMPLEMENTING AGREEMENTS**

Gary Burton, Director of Administrative Services, gave a brief report and recommended the public hearing item be continued to the meeting of February 12, 2013.

Mayor Choi opened the public hearing at 8:27 p.m. There were no public comments.

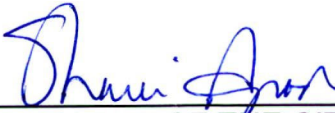
ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Krom, and unanimously carried to continue the public hearing to the meeting of February 12, 2013 at 4:00 p.m.

ADJOURNMENT - REGULAR CITY COUNCIL MEETING

Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to adjourn the regular City Council meeting at 8:29 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

February 12, 2013