



MINUTES

CITY COUNCIL REGULAR MEETING June 11, 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 June 11, 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

Interim City Attorney Jones announced the Closed Session items, following which Mayor Choi convened to Closed Session at 4:07 p.m.

- 1.1 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) Agency Negotiators: Gary Burton, Director of Administrative Services; Paul Coble, Jones & Mayer; 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).**

**1.2 CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
(Pursuant to Government Code Section 54956.9(c)): City of Tustin and
South Orange County Community College District.**

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the City Council meeting at 5:08 p.m. Interim City Attorney Jones, on behalf of the City Council, announced that with respect to Item 1.2, the City Council took unanimous action to authorize the City Manager to execute a Tolling Agreement with the City of Tustin.

PLEDGE OF ALLEGIANCE

City Manager Joyce led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Father Bishoy Kamel from Saint Marina Coptic Orthodox Church in Irvine, to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced the Irvine School of Music, who performed the "America the Beautiful" and "What a Wonderful World."

2. PRESENTATIONS

Mayor Choi invited forward members of the Irvine Disaster Emergency Communications team and presented them with a proclamation.

2.1 Proclaim June 17-23, 2013 as "Amateur Radio Week."

2.2 Proclaim June 15, 2013 as the "20th Anniversary of the Assistance League of Irvine."

Mayor Choi invited forward Michelle Tuchman and members of the Assistance League of Irvine and presented them with a proclamation.

CITY MANAGER'S REPORT

City Manager Joyce announced that after almost 9 years with the City of Irvine, Phillip Scollick, Deputy City Clerk II has accepted the position of City Clerk with the City of San Marcos. Mr. Joyce expressed his congratulations and wished him well.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Agran announced that Southern California Edison will decommission the San Onofre Nuclear Generating Station; however, the process will take many years.

Mayor Choi made the following announcements:

- Representing the City of Irvine, Mayor Choi, traveled to Australia as part of the Energy Coalition.
- The Orange County Great Park Movie on the Lawn series continues Friday, June 14 at 8 p.m. with the screening of *Clambake* – a 1967 musical film starring Elvis Presley. For more information, visit ocgp.org or call 866-829-3829.
- The Irvine Open Space Initiative 25th Anniversary will be celebrated June 15 at Bommer Canyon during Wilderness Access Day from 9 a.m.-3 p.m. For more information, visit www.irlandmarks.org/activities.
- The Federal Bureau of Investigation has published its Preliminary Annual Uniform Crime Report for Part 1 crime reported in 2012. For a ninth straight year, the City of Irvine has reported the lowest per capital violent crime rate for cities of more than 100,000. In addition, 2012 marked a record low for Irvine for the per capita violent crime rate.
- The 5th annual Senior Fitness Expo for adults age 50 and older will be held on Friday, June 28 from 9 a.m. to noon at the Rancho Senior Center. For more information, visit irvineseniors.org or call 949-724-6817.

ADDITIONS AND DELETIONS

There were none.

3. CONSENT CALENDAR

Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.12. Item 3.13 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 held on May 28, 2013.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 13-64 - 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. 13-65 - 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. 13-66 - 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 ANNUAL MEASURE M2 ELIGIBILITY SUBMITTAL

ACTION:

- 1) Approved the Measure M2 Seven-Year Capital Improvement Program (CIP) for Fiscal Years 2013-14 through 2019-20.
- 2) Adopted RESOLUTION NO. 13-67- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AFFIRMING CONSISTENCY OF THE CIRCULATION ELEMENT WITH THE MASTER PLAN OF ARTERIAL HIGHWAYS AND REAFFIRMING CONCURRENCE WITH THE EXISTING MITIGATION FEE PROGRAMS

3.6 ACCEPTANCE OF PROPOSITION 69 FUNDS RELATED TO THE PRESERVATION OF DNA EVIDENCE

ACTION:

- 1) Accepted Proposition 69 Funds in the amount of \$41,406.
- 2) Approved a budget adjustment request, reflecting \$30,340 in

revenues and appropriations for DNA equipment and installation costs, and \$11,066 in revenues for reimbursement related to the cost of collecting DNA evidence.

3.7 FISCAL YEAR 2013-14 LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENT

ACTION:

Adopted RESOLUTION NO. 13-68 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE 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 2013-14

3.8 VACATION OF A PORTION OF SPECTRUM STREET

ACTION:

Adopted RESOLUTION NO. 13-69 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE TO ORDER THE VACATION OF A PORTION OF SPECTRUM STREET (PLANNING AREA 33) PURSUANT TO CHAPTER 4, SUMMARY VACATION, STREETS AND HIGHWAYS CODE SECTION 8330 ET. SEQ.

3.9 ASSESSMENT DISTRICT NO. 03-19 LETTER OF CREDIT EXTENSION

ACTION:

Adopted RESOLUTION NO. 13-70 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE EXTENSION OF AN EXISTING LETTER OF CREDIT FOR THE ASSESSMENT DISTRICT NO. 03-19 LIMITED OBLIGATION ADJUSTABLE RATE BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, AN AMENDED AND RESTATED LETTER AGREEMENT, AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

Mayor Choi abstained.

3.10 TREASURER'S REPORT FOR THE QUARTER ENDED MARCH 31, 2013

ACTION:

Received and filed.

3.11 NOTICE OF REVIEW AND PENDING APPROVAL FOR FINAL TRACT MAP NOS. 17249 IN IRVINE BUSINESS COMPLEX AND 17515, 17512, 17514, AND 17516 IN CYPRESS VILLAGE

ACTION:

Received and filed.

3.12 COMMUNITY PARTNERSHIP FUND GRANT NOMINATION - IRVINE KOREAN PARENT ASSOCIATION

ACTION:

Approved Mayor Choi's request for Community Partnership Grant Awards to Irvine Korean Parent Association.

3.13 CONSULTANT SERVICES AGREEMENTS FOR STATE AND FEDERAL LEGISLATIVE ADVOCACY SERVICES

Mayor Pro Tem Lalloway removed this item for highlighting the advocacy cost savings and for clarification on provision 3.5 on the "Covenant against Contingent Fees" on page 14 of the contract.

City Council comments included: clarification of the provision and the implication of its removal, ability of lobbyists to employ other lobbyists, city attorney review of contract language and contract compliance issues.

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

- 1) Authorize the City Manager to enter into a one-year consultant services agreement for State legislative advocacy services with Joe A. Gonsalves & Son (Gonsalves) with four one-year options to renew at the discretion of the City Manager.
- 2) Authorize the City Manager to enter into a one-year consultant services agreement for Federal legislative advocacy services with Van Scoyoc Associates, Inc. (Van Scoyoc) with four one-year options to renew at the discretion of the City Manager.
- 3) Direct the Interim City Attorney to review the City's contract template, specifically Provision 3.5 (Covenant Against Contingent Fees).

4. PUBLIC HEARINGS

4.1 GENERAL PLAN AMENDMENT TO AMEND FIGURE B-1 OF THE CIRCULATION ELEMENT

City Manager Joyce introduced Bill Jacobs, Principal Planner and Barry Curtis, Manager of Planning and Development Services, who presented the staff report and responded to questions.

Mayor Choi opened the public hearing at 6:14 p.m.

There were no public comments.

ACTION: By consensus, the public hearing was closed at 6:14 p.m.

City Council discussion included: future traffic circulation impacts, ownership of the land and dedication of the land as permanent open space.

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

Adopt RESOLUTION NO. 13-71 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00568848-PGA TO AMEND FIGURE B-1 OF THE CIRCULATION ELEMENT TO REFLECT AMENDMENTS TO THE COUNTY OF ORANGE MASTER PLAN OF ARTERIAL HIGHWAYS; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

4.2 COMMUNITY SERVICES DEPARTMENT FISCAL YEAR 2013-14 PROPOSED FEE CHANGES

City Manager Joyce introduced Mike Cribbin, Senior Management Analyst, who presented the staff report and responded to questions.

Mayor Choi opened the public hearing at 6:20 p.m.

There were no public comments.

ACTION: Moved by Councilmember Agran and Seconded by Mayor Choi, and unanimously carried to close the public hearing at 6:21 p.m.

City Council discussion included: clarification of fees for non-residents, number of non-residents attending classes and programs, program advertising costs and opportunities, and process for reviewing program fees and participation.

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

Adopt RESOLUTION NO. 13-72 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING FEES FOR VARIOUS COMMUNITY SERVICES DEPARTMENT ACTIVITIES FOR THE FISCAL YEAR 2013-14

5. COUNCIL BUSINESS

5.1 BOND ISSUANCE FOR ASSESSMENT DISTRICT 10-23

Mayor Choi recused himself from the discussion and left the dais due to a potential conflict of interest involving real property.

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

Valaya Chitchakkol, Finance Administrator; Donna Mullally, Manager of Finance, and Tom Johnson, consultant; presented the staff report.

There was no council discussion.

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

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 10-23 LIMITED OBLIGATION IMPROVEMENT BONDS, SERIES B APPROVING THE EXECUTION AND DELIVERY OF A FIRST SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT AND OTHER MATTERS RELATED THERETO

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

5.2 CONSIDERATION OF CITY OF IRVINE FISCAL YEAR 2013-14 BUDGET

City Manager Joyce provided a report on the City of Irvine budget and Mike Ellzey, Great Park Chief Executive Office reported on the Orange County Great Park budget.

The following individuals spoke in opposition of the proposed budget:

Jennifer Miramontes, Legal Aid Society of Orange County
Sara Lee, Legal Aid Society of Orange County
James "Walkie" Ray, Foundation for the Great Park
Patricia Hirata, Barclay Theatre Chair (Submitted Letter from Jennifer Cheng)
Sally Anne Sheridan, Former Irvine Mayor
Fiorenza Comunian, resident
Joseph Lewis, Dean, Claire Trevor School of the Arts
Richard Stein, Arts of Orange County
Dean Corey, President, Philharmonic Society of Orange County
Sharon Toji, resident
Sean Fitzgerald, Discovery Science Center Director (Submitted Letter)
Michael Kerr, Irvine Barclay Theatre
Harvey Liss, resident

The following individuals spoke in support of the proposed budget:

John Duong, Finance Commissioner
P.K. Wong, Finance Commissioner, also spoke in support of financial support of the Barclay Theatre.

City Council discussion included: clarification of the City's core values and priorities, clarification of the use and implementation of capital improvement projects, resources needed to implementing and supporting public/private partnerships, implementation of a partnership with the Great Park Foundation for future programing, clarification of city revenues and expenditures, a proposed increase to the budget contingency reserve, clarification of Orange County Great Park park program revenues and expenditures.

ACTION: Moved by Mayor Pro Tem Lalloway, seconded Mayor Choi, and to approve the Irvine Fiscal Year 2013/2014 Budget and Orange County Great Park Budget as recommended actions 1 through 7.

ACTION: A substitute motion by Councilmember Krom, seconded by Councilmember Agran to approve the funding to the Barclay Theatre, Legal Aid Society, Discovery Science Center and Orange County Human Relations Commission in the amounts noted below. The maker of the motion agreed to bifurcate the question by considering each funding level in a separate vote as follows:

- 1) Approve additional funding in the amount of \$500,000 to fully restore funding to the Irvine Barclay Theatre.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Krom and Shea

NOES: 2 COUNCILMEMBERS: Lalloway and Choi

- 2) Approve funding in the amount of \$100,000 to the Legal Aid Society.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Krom and Shea

NOES: 2 COUNCILMEMBERS: Lalloway and Choi

- 3) Approve funding in the amount of \$10,000 to the Discovery Science Center.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Krom and Shea

NOES: 2 COUNCILMEMBERS: Lalloway and Choi

- 4) Approve funding in the amount of \$10,000 to the Orange County Human Relations Commission.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Krom and Shea

NOES: 2 COUNCILMEMBERS: Lalloway and Choi

ACTION: The main motion which was moved by Mayor Pro Tem Lalloway, and seconded by Mayor Choi, and which incorporates the actions above was unanimously carried to:

- 1) Adopt the Fiscal Year 2013-14 Budget and Strategic Business Plan.
- 2) Adopted RESOLUTION NO. 13-74 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET AND FINANCIAL POLICIES FOR THE CITY OF IRVINE FOR FISCAL YEAR 2013-2014
- 3) Adopted RESOLUTION NO. 13-75 - 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 FISCAL YEAR 2013-2014, AND SUPERSEDING RESOLUTION NO. 12-110, WHICH IS INCONSISTENT THEREWITH

- 4) Adopted RESOLUTION NO. 13-76 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2013-2014
- 5) Adopted RESOLUTION NO. 13-77 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING FEES FOR ORANGE COUNTY GREAT PARK PROGRAMS
- 6) Authorize the execution of the sole source contracts and grants for the Orange County Great Park as identified within the staff report.
- 7) Receive and file the Strategic Technology Plan 2013-2018.

MOMENT OF SILENCE

Mayor Choi requested a moment of silence in memory of those whose lives were tragically lost as a result of the tornado in Oklahoma City; and Jan Owens, longtime volunteer to the City of Irvine's senior programs and Wall of Recognition honoree.

CONVENE TO CLOSED SESSION

Mayor Choi convened to Closed Session at 10:01 p.m.

RECONVENE

Mayor Choi reconvened the City Council meeting at 11:18 p.m. Interim City Attorney Jones, on behalf of the City Council, announced no reportable action was taken in Closed Session.

Mayor Pro Tem Lalloway was absent.

PUBLIC COMMENTS

Chang Hyun Mun, spoke in support of the assistance provided by the Legal Aid Society of Orange County.

Richard Stein, Executive Director of Arts of Orange County, spoke in support of the Orange County Great Park art programs.

Bill Chang spoke in the support of the tai-chi grounds at the Northwood Community Park.

Bill Habermehl, Great Park Foundation, spoke in support of the Orange County Great Park services and programs.

Robert Lauten, resident, spoke in support of increased contributions to the CalPERS system.

Ellen Jones, resident, spoke in support of Orange County Great Park services and programs.

Michael R. Guite spoke in support of funding the Irvine Barclay Theatre.

Dan Bolar, Chairman of the Discovery Science Center, spoke in support of the Orange County Great Park services and programs.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried to adjourn the meeting at 11:19 p.m.


MAYOR OF THE CITY OF IRVINE

 Deputy
CITY CLERK OF THE CITY OF IRVINE

June 25, 2013