



Steven Choi  
Mayor / Chair

Jeffrey Lalloway  
Mayor Pro Tem / Vice Chair

Larry Agran  
Councilmember / Boardmember

Beth Krom  
Councilmember / Boardmember

Christina Shea  
Councilmember / Boardmember

**MINUTES**

**CITY COUNCIL  
REGULAR MEETING  
AND  
REGULAR JOINT MEETING  
WITH THE CITY OF IRVINE AS  
SUCCESSOR AGENCY TO THE  
DISSOLVED  
IRVINE REDEVELOPMENT AGENCY**

**July 8, 2014  
City Council Chamber  
One Civic Center Plaza  
Irvine, CA 92606**

**CALL TO ORDER**

The regular meeting of the Irvine City Council and regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency was called to order at 4:03 p.m. on July 8, 2014 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor / Chair Choi presiding.

**ROLL CALL**

Present:	5	Councilmember/Boardmember:	Larry Agran
		Councilmember/Boardmember:	Beth Krom
		Councilmember/Boardmember:	Christina Shea
		Mayor Pro Tempore/Vice Chair	Jeffrey Lalloway
		Mayor/Chair:	Steven Choi

**1. CLOSED SESSION**

**1.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – ORANGE COUNTY FIRE AUTHORITY AND THE CITY OF IRVINE V. ALL PERSONS INTERESTED [IN SECOND AMENDMENT TO AMENDED JOINT POWERS AUTHORITY AGREEMENT], ORANGE COUNTY SUPERIOR COURT, CASE NO. 30-2013-00694527 (Pursuant to Government Code Section 54956.9(d)(1))**

City Attorney Litfin announced the Closed Session item, following which Mayor Choi convened the regular City Council meeting to Closed Session at 4:04 p.m. There were no public comments related to the Closed Session item.

**RECONVENE TO THE REGULAR CITY COUNCIL MEETING**

Mayor Choi reconvened the regular City Council meeting at 5:19 p.m. City Attorney Litfin, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

**PLEDGE OF ALLEGIANCE**

Mayor Choi led the Pledge of Allegiance.

**INVOCATION**

Mayor Choi invited Rabbi Ciner from Beth Jacob Congregation in Irvine to provide the invocation.

**MUSICAL PRESENTATION**

Mayor Choi introduced Cynthia Faisst and the Santa Ana Suzuki Strings Ensemble from the After School Arts Program of the Orange County Children’s Therapeutic Arts Center, who performed the National Anthem, Little Fandango and My Neighbor Totoro.

**2. PRESENTATIONS**

**2.1 Employee Recognition - 25 and 30 Years of Service**

City Manager Joyce recognized Principal Planner John Ernst and Community Services Superintendent Toni McDonald Pang for 25 years of service, and Community Services Supervisor Sandra Feicht for 30 years of service; and presented each with a commendation.

## CITY MANAGER'S REPORT

There was no report.

## ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore Lalloway announced that his staff would be holding Mobile Office Hours on July 16, 2014 from 2-5:00 p.m. at Heritage Park Library. Mobile Office Hours provides residents and business owners an opportunity to ask questions and provide comments on citywide matters.

Mayor Choi recognized Charlie Choi, his former appointee to the Senior Citizens Council, for his service to the community, and presented him with a Certificate of Recognition; and introduced Kathy Lee, his new appointee to the Senior Citizens Council.

Mayor Choi also made the following announcements:

- The Sizzlin' Summer Concert series begins on July 20 at Mike Ward Community Park – Woodbridge and continues through August 24. Concerts begin at 5:30 p.m. For information, visit [cityofirvine.org](http://cityofirvine.org).
- Marine Way, the main entrance into the Orange County Great Park, is closed due to a storm drain project and will reopen on Sunday, July 27. Trabuco Road at Sand Canyon will be open to the public daily. For detour maps, visit [ocgp.org](http://ocgp.org) or [cityofirvine.org](http://cityofirvine.org).
- The latest edition of *Inside Irvine* will include information on the current drought situation in the State of California, and will also provide conservation suggestions for residents and business owners.

## ADDITIONS AND DELETIONS

There were none.

## CONVENE TO THE REGULAR JOINT MEETING – 6:00 p.m.

Mayor / Chair Choi convened to the regular joint meeting with the Successor Agency at 6:00 p.m.

### 3. CONSENT CALENDAR

**ACTION:** Moved by Councilmember/Boardmember Shea, seconded by Mayor Pro Tempore/Vice Chair Lalloway, and unanimously carried approve City Council Consent Calendar Item Nos. 3.1 through 3.9 and Successor Agency Consent Calendar Item Nos. 4.1 through 4.3.

**3.1 MINUTES**

**ACTION:**

Approved the minutes of a regular meeting of the Irvine City Council held on June 24, 2014.

**3.2 PROCLAMATION**

**ACTION:**

Proclaimed July 30, 2014 as "Diversity Employment Day."

**3.3 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 14-77 - 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. 14-78 - 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 WARRANT AND WIRE TRANSFER RESOLUTION – BANK OF AMERICA**

**ACTION:**

Adopted RESOLUTION NO. 14-79 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, 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 ABANDONMENT OF EXCESS RIGHT-OF-WAY ALONG PORTOLA AND JEFFREY**

**ACTION:**

- 1) Adopted RESOLUTION NO. 14-80 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, TO ORDER THE VACATION OF A PORTION OF PORTOLA PARKWAY (PLANNING AREA 1 – ORCHARD HILLS) PURSUANT TO CHAPTER 4, SUMMARY VACATION, STREETS AND HIGHWAYS CODE SECTION 8330 ET. SEQ.
- 2) Adopted RESOLUTION NO. 14-81 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, TO ORDER THE VACATION OF A PORTION OF PORTOLA PARKWAY (PLANNING AREA 6 – PORTOLA SPRINGS) PURSUANT TO CHAPTER 4, SUMMARY VACATION, STREETS AND HIGHWAYS CODE SECTION 8330 ET. SEQ.
- 3) Adopted RESOLUTION NO. 14-82 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, TO ORDER THE VACATION OF A PORTION OF JEFFREY ROAD (PLANNING AREA 9B – STONEGATE) PURSUANT TO CHAPTER 4, SUMMARY VACATION, STREETS AND HIGHWAYS CODE SECTION 8330 ET. SEQ.

**3.7 IMPLEMENTATION AGREEMENT FOR PARK PLACE PROJECT TRANSFER OF DEVELOPMENT RIGHTS**

**ACTION:**

Authorized the City Manager to sign an Implementation Agreement with LBA Realty for the Park Place project outlining a process for the Transfer of Development Rights (development intensity) from the property to other properties in the Irvine Business Complex.

**3.8 AMENDMENT OF CITY ATTORNEY SERVICES AGREEMENT WITH RUTAN & TUCKER, LLP**

**ACTION:**

Authorized the Mayor to execute an amendment to the existing City Attorney Services agreement with the law firm of Rutan & Tucker, LLP extending the agreement by one year.

**3.9 NOTICE OF REVIEW AND PENDING APPROVAL FOR TRACT MAPS IN GREAT PARK NEIGHBORHOODS, PORTOLA SPRINGS, AND CYPRESS VILLAGE**

**ACTION:**

Received and filed.

**4. CONSENT CALENDAR - SUCCESSOR AGENCY**

**4.1 MINUTES**

**ACTION:**

- 1) 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 January 28, 2014.
- 2) Approved the minutes of a special meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency held on June 10, 2014.

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

**ACTION:**

Adopted RESOLUTION NO. 14-02 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, 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 AMENDMENT OF GENERAL COUNSEL SERVICES AGREEMENT WITH RUTAN & TUCKER, LLP**

**ACTION:**

Authorized the Chair of the City of Irvine Successor Agency to the Dissolved Irvine Redevelopment Agency (Successor Agency) to execute a one-year extension to the existing agreement for the provision of general counsel services by the law firm of Rutan & Tucker, LLP designating Todd O. Litfin as General Counsel.

**PUBLIC COMMENT - SUCCESSOR AGENCY**

There were no public comments.

**ADJOURNMENT – REGULAR JOINT MEETING**

Moved by Mayor Pro Tempore / Vice Chair Lalloway, seconded by Councilmember / Boardmember Shea, and unanimously carried to adjourn the regular joint meeting with the Successor Agency at 6:04 p.m.

**RECONVENE TO THE REGULAR CITY COUNCIL MEETING**

Mayor Choi reconvened the regular City Council meeting at 6:05 p.m.

**5. COUNCIL BUSINESS**

**5.1 *CONSIDERATION OF A BUDGET ADJUSTMENT FOR THE ORANGE COUNTY GREAT PARK AUDIT***

This item was agendaized at the request of Councilmember Shea, who provided a brief report to as to why a budget adjustment in the amount of \$333,000 was needed to complete the Orange County Great Park audit. She also noted that the audit was due to be completed by the end of August.

City Attorney Litfin noted a conflict of interest and left the dais. Anthony Taylor, special counsel from Aleshire and Wynder joined the City Council at the dais.

Steve Greenberg and Alan Bartlett spoke in support of a budget adjustment to complete the Orange County Great Park audit. Fred Judd and Harvey Liss spoke in opposition to the budget adjustment.

City Council discussion included: public participation during the audit process; deliverables and scope of work with the additional funding; detailed breakdown of billable activities; preliminary audit report presented in January and potential factual inaccuracies; authority of the subcommittee and decisions which require City Council approval; the need for regular updates by the subcommittee to the City Council; confidential findings versus findings subject to public disclosure; hiring of experts to assist in the audit process; prior HSNO contract approval and scope of work; development fees received from Heritage Fields/FivePoint Communities (Lennar); roles of Judge Wieben Stock and Aleshire and Wynder in the audit process; whether Aleshire and Wynder was replacing Rutan and Tucker for all city attorney services; whether prior City Council approval was required to approve the services of Aleshire and Wynder; information provided to the press thus far and whether

the same information was available to the public; explanation of raw data; and whether depositions were confidential or subject to public disclosure.

Anthony Taylor, special counsel with Alleshire and Wynder, responded to questions and provided comments regarding public records requests and how the vetting of documents is a detailed and objective process.

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

Approve a budget adjustment in the amount of \$333,000, to be allocated from Great Park Fund 180, allowing the Great Park auditor (HSNO) to finalize a comprehensive forensic audit of the Orange County Great Park.

The motion carried as follows:

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

**5.2 CONSIDERATION OF MAYOR PRO TEM LALLOWAY'S PROPOSAL FOR A BALLOT MEASURE RELATING TO FISCAL TRANSPARENCY AND REFORMS FOR THE ORANGE COUNTY GREAT PARK PROJECT**

This item was agendized at the request of Mayor Pro Tempore Lalloway, who asked for City Council support in submitting to the voters a ballot measure relating to fiscal transparency and reforms for the Orange County Great Park project.

Harvey Liss provided comments related to certain comments made in Mayor Pro Tempore Lalloway's memo and in opposition to the Great Park Board being comprised of only Councilmembers; and in support of the whistleblower provision in the proposed measure.

City Council discussion included: the need to codify fiscal transparency and reforms; number of audits related to the Great Park since inception and whether the Great Park was included in City audits; whether past audits were conducted by an accredited firm; removal of the prior four at-large Great Park Boardmembers; role and authority of the Great Park Board and whether the Corporation should be dissolved; approval body for Great Park contracts; intent of the proposed measure and how the provisions differ from existing policy; the need to investigate findings of past audits and requirement to investigate findings in any future audits; whether staff should have limited

authority to expend funds within a predetermined threshold; whether the current audit conforms with current policy and the proposed measure; whether current Great Park Boardmember compensation should be eliminated; and amending the language in the proposed measure to include a provision related to the existence of the Orange County Great Park Corporation.

**ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Mayor Choi, and unanimously carried to:**

Direct the City Manager and City Attorney to return to the City Council on July 22 with the required ballot measure resolutions to place the measure on the November 4, 2014 ballot, and finalize the language in the proposed ordinance incorporating Mayor Choi's recommendations as follows:

1. Eliminate Section 6. Effective Date and Expiration Date.
2. Add the following clause at the beginning of Section 4B and 4C, and as a middle clause in Section 4D:

*"For so long as the Orange County Great Park Corporation continues to exist..."*

## **PUBLIC COMMENTS**

Tyler Holcomb spoke in support of the Orange County Great Park Audit; and spoke on past comments made by Councilmember Agran regarding the Great Park expenditures and the *i-Shuttle* program.

Majid Khatib and Laila Shahrestani spoke about Irvine Unified School District's decision not renew a lease for a Montessori school, and asked for City assistance in obtaining a one-year lease extension with Irvine Unified School District until an alternative location is found.

Councilmember Agran spoke on the reduced opportunity for public debate and discussion. Additionally, Councilmember Agran submitted into the record invoice summaries related to the Orange County Great Park audit.

**ADJOURNMENT**

Moved by Councilmember Krom, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to adjourn the meeting at 7:56 p.m.

  
MAYOR OF THE CITY OF IRVINE

  
CITY CLERK OF THE CITY OF IRVINE

July 22, 2014