



MINUTES

CITY COUNCIL REGULAR MEETING April 10, 2012

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 4:07 p.m. on April 10, 2012 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

ROLL CALL

Present:	5	Councilmember:	Larry Agran
		Councilmember:	Steven Choi
		Councilmember:	Jeffrey Lalloway
		Mayor Pro Tempore:	Beth Krom
		Mayor:	Sukhee Kang

1. CLOSED SESSION

- 1.1 **CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION**
pursuant to subdivision (a) of Government Code section 54956.9 (one case): City of Irvine v. Pacific Bell Telephone Corp. DBA AT&T California, Orange County Superior Court Case No. 30-2010-000370338.
- 1.2 **CONFERENCE WITH LABOR NEGOTIATORS** *(Pursuant to Government Code Section 54957.6) Agency Negotiators: Gary Burton, Director of Administrative Services; Jan Walden, Manager of Human Resources; and Jimmee Medina, Human Resources Administrator; Employee Organization: Associated Supervisory/ Administrative Personnel (ASAP)*

1.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to subdivision (a) of Government Code section 54956.9 (one case): Tang v. City of Irvine, Orange County Superior Court Case No. 30-2010-00394138.

City Attorney Kohn announced Closed Session Item No. 1.1 and 1.2, following which Mayor Kang convened to Closed Session at 4:09 p.m. Mayor Pro Tem Krom declared an abstention from participating in the Closed Session Item No. 1.1 due to limited holdings in AT&T. Closed Session Item 1.3 was heard at the end of the meeting agenda.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Kang reconvened the City Council meeting at 5:12 p.m. City Attorney Kohn, on behalf of the City Council, announced that no reportable action was taken in Closed Session on Items 1.1 and 1.2.

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MUSICAL PRESENTATION

Mayor Kang introduced Cynthia Faisst and members of the Suzuki Violinists from the Talent Education Center in Irvine; who performed "God Bless America" and "Twinkle Twinkle Little Star."

2. PRESENTATIONS

2.1 Proclaim April 8-14, 2012 as "National Public Safety Telecommunicator's Week."

Mayor Kang introduced Public Safety Director Chief Maggard and members of the Communications Bureau and presented them with a proclamation in recognition of their vital role in the safety of the community.

2.2 Proclaim April 2012 as "DMV/Donate Life California Month."

Mayor Kang introduced Donate Life Ambassador Nelson Freytes and presented him with a proclamation.

CITY MANAGER'S REPORT

There was none.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Kang made the following report and announcements:

- As a result of the Five Point General Plan Amendment and Zone Change Scoping Session on March 13, the appointed subcommittee consisting of Mayor Kang and Councilmember Lalloway have met several times to discuss the project's proposed development processing timeframe. The subcommittee and City staff are confident that the project review will meet the requested time frame while ensuring proper environmental review and application of the City's high planning standards. It is conceivable that a project review schedule could result in the application being presented to the Planning Commission and City Council later this year. The subcommittee will continue to update the City Council on any further activities.
- At its Regional Conference and General Assembly held on April 4, the Southern California Association of Governments (SCAG) hosted its Sixth Annual Compass Blueprint Recognition Awards Program. This year, SCAG awarded the Irvine Business Complex Vision Plan with its Compass Blueprint Recognition Award for Excellence in the field of Visionary Planning for Livability and mixed-use.
- The Mayor and City Council will host a morning hike at the Irvine Ranch Water District San Joaquin Marsh & Wildlife Sanctuary on Saturday, April 21, at 8:30 a.m. To register, visit cityofirvine.org or call 949-724-6600.
- The City of Irvine, in partnership with local schools and businesses, is participating in the national Cans for Cash City Recycling Challenge through April 30. For more information about Cans for Cash, please visit the City's website cityofirvine.org or call 949-724-7522.

ADDITIONS AND DELETIONS

There were none.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Krom, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.10.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on March 27, 2012.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed April 8-14, 2012 as "Animal Control Officer Appreciation Week."
- 2) Proclaimed April 23, 2012 as "Turkish Heritage and Children's Day."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 12-40 - 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. 12-41 - 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

Mayor Pro Tempore Krom abstained.

3.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 12-42 - 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 CAMPUS DRIVE OFF-STREET BIKE TRAIL FROM CALIFORNIA TO CULVER

ACTION:

Approved the plans, specifications and contract documents for Campus Drive Class I Bikeway, Capital Improvement Project (CIP) 341201, on file with the Public Works Department.

3.7 NOTICE OF REVIEW FOR FINAL TRACT MAP NOS. 17359, 17444, AND 17451 IN WOODBRIDGE AND STONEGATE

ACTION:

Received and filed.

3.8 INDEMNIFICATION AGREEMENT BETWEEN THE CITY OF IRVINE AND KELVIN APARTMENTS, LLC

ACTION:

Authorized the City Manager to approve an indemnification agreement between Kelvin Apartments, LLC and the City of Irvine relating to previously approved transfers of development rights.

3.9 MEASURE M2 WATER QUALITY GRANT PROGRAM

ACTION:

Adopted RESOLUTION NO. 12-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA APPROVING THE SUBMITTAL OF FUNDING APPLICATIONS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY

3.10 COMMUNITY PARTNERSHIP FUND GRANT NOMINATION - KONNECT KOREAN CULTURAL AWARENESS GROUP

ACTION:

- 1) Approved community partnership grant award to Korean Culture Night for the KFEST Korean Heritage Festival.
- 2) Authorized the City Manager to prepare and sign Funding Agreement.

4. PUBLIC HEARINGS

4.1 AMENDMENT OF THE CITY OF IRVINE MUNICIPAL CODE RELATING TO REGULATION OF MASSAGE ACTIVITIES AND BUSINESS LICENSES

City Manager Joyce introduced Vivienne Hedgpeth, Business Services Manager and Cris Gaiennie, Regulatory Affairs Supervisor; who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 5:40 p.m.

Ahmos Netanel, CEO of the California Massage Therapy Council, spoke in support of the proposed ordinance.

ACTION: Moved by Mayor Pro Tempore Krom, seconded by Councilmember Lalloway, and unanimously carried to close the public hearing at 5:42 p.m.

City Council discussion included the clarification of the qualifying certification and instruction needed for state licensing.

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

ACTION:

- 1) Introduce for first reading and read by title only ORDINANCE NO. 12-07 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CHAPTER 3 OF DIVISION 10 OF TITLE 2 OF THE MUNICIPAL CODE RELATING TO THE PROVISION OF MASSAGE FOR COMPENSATION WITHIN THE CITY OF IRVINE
- 2) Introduce for first reading and read by title only ORDINANCE NO. 12-08 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CHAPTER 3 OF DIVISION 6 OF TITLE 4, SECTION 4-6-208 OF THE MUNICIPAL CODE RELATING TO BUSINESS LICENSES FOR THE PROVISION OF MASSAGE

PUBLIC COMMENTS

Abraham Barbosa, SEIU-United Service Workers West, spoke in support of improved working conditions and benefits for service employees.

Yadira Lucero, SEIU-United Service Workers West, invited the City Council to an upcoming employee union contract meeting and legislative briefing.

Dean Brown, California Wireless Association, spoke in support of wireless services and the National Public Safety Telecommunicator's Week.

CONVENE TO CLOSED SESSION ITEM 1.3

City Attorney Kohn announced Closed Session Item No. 1.3, following which Mayor Kang convened to Closed Session at 5:54 p.m.

Councilmember Choi left the meeting at 6:50 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Kang reconvened the City Council meeting at 7:09 p.m. City Attorney Kohn, on behalf of the City Council, announced that no reportable action was taken in Closed Session on Item 1.3.

ADJOURNMENT

Moved by Mayor Pro Tempore Krom, seconded by Councilmember Lalloway, and unanimously carried by those members present to adjourn the meeting at 7:10 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

April 24, 2012