



MINUTES

CITY COUNCIL REGULAR MEETING May 14, 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 4:04 p.m. on May 14, 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 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).**

Interim City Attorney Jones announced the Closed Session item, following which Mayor Choi convened to Closed Session at 4:05 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the City Council meeting at 5:06 p.m. Interim City Attorney Jones, on behalf of the City Council, announced no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Councilmember Agran led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Pastor Frank Winans from Woodbridge Community Church in Irvine, to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced the Irvine Unified School District Honor Chorus, who performed the "Star Spangled Banner" and "America We Sing."

2. PRESENTATIONS

2.1 Proclaim May 2013 as "Asian American and Pacific Islander Heritage Month."

Mayor Choi invited the members of the Asian American and Pacific Islander communities to come forward and presented the proclamation to Dr. Taeko Sumiyama from the Japanese Friendship Network in Orange County.

CITY MANAGER'S REPORT

City Manager Joyce announced that City Clerk Sharie Apodaca was presented with the "Award of Distinction for Voter Outreach" by the City Clerk's Association of California at its 40th annual conference held last month in Long Beach. This award recognizes Sharie for her outstanding efforts to increase public awareness and encourage civic participation in the election process.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Choi made the following announcements:

- The Chamber of Commerce will host a Business Lunch with the Mayor on Tuesday, May 21 from 11:30 a.m. to 1 p.m. at the Hyatt Regency Irvine with the keynote address focusing on the business community, development, the

economy and the job market in Irvine. For more information, visit irvinechamber.com.

- On Monday, May 27 at 10 a.m., the City of Irvine will pay tribute to fallen military service members during a Memorial Day ceremony at Colonel Bill Barber Marine Corps Memorial Park. For more, visit cityofirvine.org or call 949-724-6606.
- The XPO, which is a clean, renewable and efficient energy exposition, will complement the U.S. Department of Energy Solar Decathlon 2013, to be held at the Orange County Great Park over two weekends in October: October 3 – 6 and; October 10 – 13. To learn more, visit the-xpo.org.

ADDITIONS AND DELETIONS

City Manager Joyce removed the recommended grant for the Orange County Honam Scholarship Foundation from Item 3.9, action number 1.

3. CONSENT CALENDAR

Moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.9. Items 3.5, 3.7 and 3.8 were removed from the Consent Calendar for separate discussion.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a regular meeting of the Irvine City Council and regular joint meeting of the Successor Agency to the dissolved Irvine Redevelopment Agency held on April 23, 2013.
- 2) Approved the minutes of an adjourned regular meeting of the Irvine City Council held on April 29, 2013.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 13-54 - 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. 13-55 - 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. 13-56 - 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 LOCATION OF MARY ANN GAIDO RECOGNITION PLAQUE

Mayor Pro Tem Lalloway removed this item for further discussion and voiced his opposition to the recommended action.

City Council comments included: recognizing Ms. Gaido on the Wall of Recognition in lieu of the pedestal plaque, clarification of the cost and location of recognition plaques, city policies related to recognition plaques, clarification of the Open Space Initiative and planning efforts history.

ACTION: Moved by Councilmember Krom, seconded by Councilmember Agran, to:

Approve installation of recognition plaque for Mary Ann Gaido on an existing plaque pedestal in the Bommer Canyon Cattle Camp, as amended per the errata memo dated May 14, 2013.

The motion carried as follows:

AYES: 3 DIRECTORS: Agran, Krom and Shea

NOES: 2 DIRECTORS: Choi, Lalloway

3.6 APPLICATION FOR MEASURE M2 WATER QUALITY GRANT PROGRAM

ACTION:

Adopted RESOLUTION NO. 13-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE

SUBMITTAL OF A FUNDING APPLICATION FOR THE ENVIRONMENTAL CLEANUP TIER 1 GRANT PROGRAM TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY

3.7 SELECTION OF EVENT PRODUCTION AND EVENT MANAGEMENT SERVICES FOR THE SOLAR DECATHLON 2013 AND XPO

Mayor Pro Tem Lalloway removed this item for further discussion and clarification about the selection of event production and management services.

City Manager Joyce introduced Cliff Wallace, Orange County Great Park Deputy CEO, who responded to questions.

City Council discussion included: clarification between the project manager and event production roles and responsibilities, clarification of the budget appropriations for the Solar Decathlon and XPO events and vendor selection processes.

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

Approve the selection of Flying Bull, Inc. to provide Event Production and Event Management Services for the Solar Decathlon 2013 and XPO Project.

3.8 REVISED BUDGET ADJUSTMENT FOR THE NORTHWOOD COMMUNITY CENTER EXPANSION PROJECT

Mayor Pro Tem Lalloway removed this item for further discussion and clarification about policies regarding project change orders, the investigation on the expansion of the Northwood Community Center and project budget adjustments.

Manual Gomez, Director of Public Works, responded to questions.

City Council discussion included: project change order policy, clarification of fund allocations for construction and management costs, project construction completion and investigation timelines, and clarification of the use and determination of project contingency funds.

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

Approve a budget adjustment in the amount of \$130,866 for the Northwood Community Center Expansion Project; and directed staff to return to the City Council for approval of any additional funding.

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Agran, Krom, Shea and Choi

NOES: 1 COUNCILMEMBERS: Lalloway

3.9 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Choi's request for Community Partnership Grant Awards to Irvine Korean Parents Association.
- 2) Approved Councilwoman's Shea request for Community Partnership Grant Awards to Alderwood Basics Plus Parent Teacher Association, Crime Survivors Inc., Irvine Girls Softball Association, Irvine Pony Baseball, Lupus Los Angeles (Irvine Lupus Support Group), Orange County Korean Cultural Center (Irvine Korean Cultural Festival), and Rainbow Rising Alderwood.

4. COUNCIL BUSINESS

4.1 BOND ISSUANCE FOR REASSESSMENT DISTRICT NO. 13-1

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

City Attorney Jones clarified that Councilmember Shea did not have any conflicts of interest deliberating on this item.

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

Valaya Chitchakkol, Finance Administrator and Donna Mullally, Manager of Finance, presented the staff report.

City Council discussion included the lowering of tax assessments for residents within Assessment District 13-1.

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

- 1) Adopt RESOLUTION NO. 13-58 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO LEVY REASSESSMENTS AND TO ISSUE REFUNDING BONDS UPON THE SECURITY THEREOF IN REASSESSMENT DISTRICT NO. 13-1

- 2) Adopt RESOLUTION NO. 13-59 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE REASSESSMENT REPORT FOR REASSESSMENT DISTRICT NO. 13-1, CONFIRMING AND ORDERING THE REASSESSMENT PURSUANT TO SUMMARY PROCEEDINGS THEREFOR AND DIRECTING ACTIONS WITH RESPECT THERETO
- 3) Adopt RESOLUTION NO. 13-60 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$84,105,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE LIMITED OBLIGATION IMPROVEMENT BONDS, REASSESSMENT DISTRICT NO. 13-1, APPROVING THE EXECUTION AND DELIVERY OF A FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT 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 |

Mayor Choi returned to the dais.

4.2 FIREARMS AND PUBLIC SAFETY

Mayor Choi introduced David Maggard, Director of Public Safety and Mike Hamel, Deputy Police Chief, who provided the staff report responding to questions posed by the City Council at its March 12, 2013 meeting.

There were no Public Comments.

City Council discussion included: clarification of State laws on the purchase and sale of firearms, report on gun fire deaths in Irvine, clarification of concealed weapons permits held by Irvine and County residents, school security enhancement opportunities, number of Irvine households containing firearms, clarification of Irvine's Safest City rankings for the last twenty years, Public Safety's policies and procedures regarding responses to developmentally challenged individuals and relationships with local hospitals for mental health assistance.

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

- 1) Receive and file.
- 2) Provide a written memo, within 45 days, to the City Council providing responses to the additional questions posed by Councilmember Agran.

4.3 NOTICE OF PREPARATION ISSUED BY IRVINE UNIFIED SCHOOL DISTRICT CONCERNING THE PLANNED CONSTRUCTION OF A HIGH SCHOOL

Councilmember Agran agendized this item for further discussion on the planning and development of Irvine's next high school. Councilmember Agran cited in his memo dated May 7, 2013 that Irvine Unified School District's Notice of Preparation allows the City to comment on the proposed high school and opportunity to propose alternate locations.

City Council discussion included: clarification of the new high school review process, alternate high school locations as noted in Councilmember Agran's memo, concerns of location proximity to Musick Jail, joint use opportunities with the Great Park, clarification of the feasibility of the current location, clarification of the release of the environmental impact report, clarification of agendizing items for city council discussion, planning and development of project timelines and future student enrollment needs.

Public comments included:

Peter Vahid, resident, spoke against a high school proximate to the Musick Jail and in support of joint use facilities.

Andre Luu, University High School Student Representative, spoke in support of relocating the proposed high school to Site B.

ACTION:

No action was taken.

4.4 AFFORDABLE HOUSING OPTIONS FOR THE DEVELOPMENTALLY DISABLED

Councilmember Shea agendized this item for discussion and clarification of affordable housing options for developmentally disabled.

Mark Asturias, Irvine Community Land Trust Executive Director, provided the staff report and responded to questions.

Public comments included:

Fran Gustin, resident, spoke in favor of advocating for special needs population housing.

Susan Johnson spoke in favor of approving a housing task force and including its report in the Housing Element of the General Plan.

The following residents spoke in favor of approving a housing task force and providing housing for special needs populations:

Carol Claman, resident
Meena Chockalingam, resident
Paul Harvey, resident
Gretchen Cassady, resident

City Council discussion included: clarification of the housing strategy and Housing Element of the General Plan, and housing options for special needs populations.

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

- 1) Direct staff to prepare a report to the City Council that:
 - Identifies the scope of the current as well as the future housing needs of the disabled and developmentally disabled population.
 - Summarizes the current adopted City Council housing policies for the disabled and specifically the developmentally disabled.
 - Describes housing and services that are currently being provided by others to serve the needs of these citizens.
 - Provides the City Council with a list of possible solutions, if inadequacies are found, and
 - Returns with a structure for a task force that would convene and then bring back recommendations to the City Council for consideration.
- 2) Present the report to the City Council within 30 but no more than 45 days.

PUBLIC COMMENTS

There were none.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried to adjourn the meeting at 8:46 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR PRO TEM OF THE CITY OF IRVINE

May 28, 2013