



MINUTES

CITY COUNCIL REGULAR MEETING November 8, 2011

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 4:06 p.m. on November 8, 2011 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. SCOPING SESSION

1.1 SCOPING SESSION FOR A GENERAL PLAN AMENDMENT FOR NEW RESIDENTIAL DEVELOPMENT IN IRVINE SPECTRUM PLANNING AREA 33

City Manager Joyce introduced Tim Gehrich, Deputy Director of Community Development; and Steven Higa, Principal Planner, who presented the staff report and responded to questions.

City Council discussion included: whether or not the proposed amendment includes a reduction in commercial space; approximate square footage of commercial space at build-out; affordable housing requirements and whether or not affordable housing will be inclusionary; traffic impacts; promotion of the i-Shuttle in the Spectrum area; approximate percentage of residents who live and work in the Spectrum;

clarification on the number of rental units based on data from building permits and the 2010 Census; existing and future number of housing units; whether some rental units are subject to condominium conversion; and scheduling a future Study Session for a more comprehensive review.

ACTION:

Received and filed.

The Consent Calendar was considered prior to Recess. See page 3.

RECESS

Mayor Kang called a recess at 4:45 p.m.

RECONVENE

Mayor Kang reconvened the City Council meeting at 5:12 p.m.

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kang requested a moment of silence in memory of Frank Hurd, a long-time community member and former Irvine Planning Commissioner.

MUSICAL PRESENTATION

Mayor Kang introduced the 6th Grade Class from Turtle Rock elementary School under the direction of Kaii Lee, who performed the National Anthem and "God Bless America."

2. PRESENTATIONS

2.1 *Inaugural Business/Organization Recognition - Allergan, Inc.*

Mayor Kang introduced David Pyott, CEO of Allergan, Inc., and presented a Certificate of Recognition as one of Irvine's inaugural businesses.

2.2 *Irvine 2/11 Marine Adoption Committee Update*

Mayor Kang introduced Bob Littschwager and Brittany Hale of the Irvine 2/11 Marine Adoption Committee; and 2/11 Major Jay Bishop, who provided an update on the Committee's accomplishments over this past year.

2.3 Irvine Global Village Festival Sponsor Recognition

Mayor Kang introduced the sponsors of the Irvine Global Village Festival and presented them with Certificates of Recognition for their support of the event.

CITY MANAGER'S REPORT

City Manager Joyce recognized the four Finalists and Grand Prize Winner of the 40th Anniversary Employee Photo Contest, and thanked all 30 employees who submitted entries. The employees recognized included Grand Prize Winner Cliff Wallace, Great Park Deputy Chief Executive Officer; and Finalists Julie Engen, Police Lieutenant; Peter Hong, Deputy City Clerk I; Jim Lizzi, Senior Transportation Engineer; and Chris Young, Community Services Leader III.

City Manager Joyce also provided an update on the action that was taken by the City Council at its meeting on October 25, which provided representatives of the Occupy Orange County movement with a conditional permit for the continuing exercise of free speech rights on Civic Center grounds. At that meeting, terms for a Letter of Understanding were developed to allow overnight camping while addressing safety, sanitation, noise, facility and maintenance concerns. As the City Council Appointed Subcommittee contemplates an additional two week extension of the Letter of Understanding, the City will continue to identify ways of addressing concerns raised by residents.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Kang made the following announcements:

- The Veterans Day Ceremony will be held on Friday, November 11 from 11 a.m.- 12:30 p.m. at Colonel Bill Barber Memorial Park.
- The City of Irvine and the Orange County Great Park are offering monthly fresh food gardening workshops, starting November 10th and running through April 5th at the Orange County Great Park's Farm and Food Lab. For information, visit ocgp.org or call 949-724-6800.
- The City of Irvine, in partnership with the Irvine 2/11 Marine Adoption Committee, is hosting a special toy drive through December 4th, to benefit children and families of Irvine's adopted Marine battalion from Camp Pendleton. Toy collection containers will be available in the lobbies of the Irvine Civic Center and Irvine Police Department, during normal business hours. For information, call 949-230-4406.

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 Items 3.1 through 3.8, with the exception of item 3.7, which was removed for separate discussion.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on October 25, 2011.

3.2 PROCLAMATION

ACTION:

- 1) Proclaimed November 2011 as "Pancreatic Cancer Awareness Month."
- 2) Proclaimed November 14-20, 2011 as "Entrepreneurship Week."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 11-124 - 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. 11-125 - 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. 11-126 - 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 *BICYCLE TRANSPORTATION PLAN AMENDMENT*

ACTION:

Adopted RESOLUTION NO. 11-127 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE AMENDED 2011 BICYCLE TRANSPORTATION PLAN

3.7 *TEMPORARY SUPPLEMENTAL MILITARY LEAVE BENEFITS FOR CITY EMPLOYEES CALLED INTO ACTIVE MILITARY DUTY AS A RESULT OF THE WAR ON TERRORISM*

This item was removed at the request of Councilmember Lalloway, who commended the City Manager and Administrative Services Director for bringing this item forward and recommending approval to extend leave benefits to support those serving in the U.S. Military.

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

Adopt RESOLUTION NO. 11-128 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CONTINUING AND AMENDING TEMPORARY SUPPLEMENTAL MILITARY BENEFITS, EFFECTIVE JANUARY 1, 2012, FOR FULL-TIME CITY EMPLOYEES CALLED INTO ACTIVE MILITARY DUTY AS A RESULT OF THE WAR ON TERRORISM

3.8 ACCEPTANCE OF "AVOID THE 26 - DRIVING UNDER THE INFLUENCE CAMPAIGN PROJECT FOR ORANGE COUNTY"**ACTION:**

Authorized the Director of Public Safety to accept a \$12,720 grant award from "Avoid the 26 – Driving Under the Influence Campaign Project for Orange County," and approve the budget adjustment request in the amount of \$12,720, reflecting an increase in revenues and expenditures.

END CONSENT CALENDAR

Council Business Item No. 5.1 was considered prior to Public Hearing Item Nos. 4.1 through 4.3. See page 9.

4. PUBLIC HEARINGS**4.1 REASSESSMENT DISTRICT NO. 04-20 BOND ISSUANCE (PORTOLA SPRINGS)**

City Manager Joyce introduced Valaya Chitchakkol, Finance Administrator, and Donna Mullally, Manager of Fiscal Services, who presented the staff report.

Mayor Kang opened the public hearing at 7:53 p.m. There were no public comments.

ACTION: Moved by Councilmember Lalloway, seconded by Councilmember Choi, to close the public hearing at 7:54 p.m.

The motion carried as follows:

AYES:	4	COUNCILMEMBERS:	Choi, Krom, Lalloway and Kang
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Agran (absent for vote)

There was no City Council discussion on the item.

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

- 1) Adopt RESOLUTION NO. 11-129 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$78,800,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE LIMITED OBLIGATION IMPROVEMENT BONDS, REASSESSMENT DISTRICT NO. 04-20, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A REIMBURSEMENT AGREEMENT, A PLACEMENT AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, A REMARKETING AGREEMENT AND A PROTOCOL AGREEMENT AND THE PREPARATION OF AN OFFERING MEMORANDUM AND OTHER MATTERS RELATED THERETO
- 2) Adopt RESOLUTION NO. 11-130 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE REASSESSMENT REPORT FOR REASSESSMENT DISTRICT NO. 04-20, CONFIRMING AND ORDERING THE REASSESSMENT PURSUANT TO SUMMARY PROCEEDINGS THEREFOR AND DIRECTING ACTIONS WITH RESPECT THERETO

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Choi, Krom, Lalloway and Kang

NOES: 0 COUNCILMEMBERS: None

ABSENT: 1 COUNCILMEMBERS: Agran (absent for vote)

4.2 REASSESSMENT DISTRICT NO. 05-21 BOND ISSUANCE (ORCHARD HILLS)

City Manager Joyce introduced Valaya Chitchakkol, Finance Administrator, and Donna Mullally, Manager of Fiscal Services, who presented the staff report.

Mayor Kang opened the public hearing at 7:55 p.m. There were no public comments.

ACTION: Moved by Councilmember Lalloway, seconded by Councilmember Choi, and unanimously carried to close the public hearing at 7:56 p.m.

There was no City Council discussion on the item.

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

ACTION:

- 1) Adopt RESOLUTION NO. 11-131 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$79,500,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE LIMITED OBLIGATION IMPROVEMENT BONDS, REASSESSMENT DISTRICT NO. 05-21, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A REIMBURSEMENT AGREEMENT, A PLACEMENT AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, A REMARKETING AGREEMENT, A LETTER AGREEMENT AND A PROTOCOL AGREEMENT AND THE PREPARATION OF AN OFFERING MEMORANDUM AND OTHER MATTERS RELATED THERETO
- 2) Adopt RESOLUTION NO. 11-132 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE REASSESSMENT REPORT FOR REASSESSMENT DISTRICT NO. 05-21, CONFIRMING AND ORDERING THE REASSESSMENT PURSUANT TO SUMMARY PROCEEDINGS THEREFOR AND DIRECTING ACTIONS WITH RESPECT THERETO

4.3 REASSESSMENT DISTRICT NO. 85-7A BOND ISSUANCE (SPECTRUM)

City Manager Joyce introduced Valaya Chitchakkol, Finance Administrator, and Donna Mullally, Manager of Fiscal Services, who presented the staff report.

Mayor Kang opened the public hearing at 7:57 p.m. There were no public comments.

ACTION: Moved by Mayor Pro Tempore Krom, seconded by Councilmember Lalloway, and unanimously carried to close the public hearing at 7:58 p.m.

There was no City Council discussion on the item.

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

- 1) Adopt RESOLUTION NO. 11-133- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$41,400,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE LIMITED OBLIGATION IMPROVEMENT BONDS, REASSESSMENT DISTRICT NO. 85-7A, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A REIMBURSEMENT AGREEMENT, A PLACEMENT AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, A REMARKETING AGREEMENT, A LETTER AGREEMENT, A PROTOCOL AGREEMENT AND THE PREPARATION OF AN OFFERING MEMORANDUM AND OTHER MATTERS RELATED THERETO
- 2) Adopt RESOLUTION NO. 11-134 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE REASSESSMENT REPORT FOR REASSESSMENT DISTRICT NO. 85-7A, CONFIRMING AND ORDERING THE REASSESSMENT PURSUANT TO SUMMARY PROCEEDINGS THEREFOR AND DIRECTING ACTIONS WITH RESPECT THERETO

5. COUNCIL BUSINESS

5.1 ORDINANCE TO AMEND CHAPTER 5, TITLE 4, DIVISION 11 OF THE IRVINE MUNICIPAL CODE RELATING TO LOUD PARTIES AND LIABILITY FOR HOSTS CAUSING OR ALLOWING UNDERAGE PERSONS TO BE SERVED, TO POSSESS OR TO CONSUME ALCOHOL AT GATHERINGS

City Manager Joyce introduced Mike Hamel, Police Commander; and Dan Jung, Special Assistant to the Chief of Police, who presented the staff report and responded to questions.

The following individuals spoke in support of the proposed Ordinance:

Todd Spitzer, Finance Chair, Mothers Against Drunk Driving (MADD)
Nancy Colocino, Irvine Prevention Coalition
Kathy Emerick
Debra Bianchi, Irvine Community Drug Prevention
Margo Allen Finlayson, Irvine Prevention Coalition

City Council discussion included: whether the proposed provisions were already covered under State law; process for responding to complaints; whether juveniles or adults are responsible for fines; outreach efforts to schools, parents, and retail establishments; difference in fine amounts for loud parties vs. social hosting; collaboration between UC Irvine and other colleges/universities and how enforcement would be undertaken; and limitations of liability for property owners unaware of social hosting on their property.

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

Introduce for first reading and read by title only ORDINANCE NO. 11-15 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CHAPTER 5, TITLE 4, DIVISION 11 OF THE IRVINE MUNICIPAL CODE RELATING TO LOUD PARTIES AND LIABILITY FOR HOSTS CAUSING OR ALLOWING UNDERAGE PERSONS TO BE SERVED, TO POSSESS OR TO CONSUME ALCOHOL AT GATHERINGS

5.2 IMPROVED LITTER CLEANUP ALONGSIDE FREEWAYS

This item was agendized at the request of Councilmember Agran, who expressed concern over the growing litter problem on freeways in Irvine. He presented a brief video of litter along the 5 and 405 freeways within the City limits.

City Council discussion included: development of an improved cleanup/remedial program for freeway litter removal, including short-term and long-term remedies; utilization of City resources; and implementation of a long-term landscaping plan.

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

Direct the City Manager to engage in discussions with Caltrans to develop an improved cleanup/remedial program to enhance litter cleanup along freeways in Irvine and to implement a long-term landscaping plan; and for staff to return to the January 10, 2012 City Council meeting with recommended short and long-term remedies to unsightly freeways.

PUBLIC COMMENTS

Francis Lam, Surfrider Foundation, invited the public to an educational workshop for the banning of plastic bags.

The following individuals spoke in support of the Occupy Orange County movement and requested City approval to extend the ability to camp overnight on the lawn area at Alton and Harvard:

Daniel Wolk
D'Marie Mulattieri
Phil Osborn
Andrew Weber
Dan Wolf
Emanh Novid
Joey Cadavid
Dr. Bill Honigman
Greg Diamond
Anthony Underwood
Carina Lundstrom

Judith Chimits, Irvine Resident, spoke in opposition to the Occupy Orange County movement due to noise and other concerns.

MAYOR ANNOUNCEMENT – Occupy Orange County: Mayor Kang thanked all those who attended, as well as those who have shared their thoughts via emails, letters and phone messages, regarding the manner in which the City has been dealing with the activities of the Occupy Orange County movement at the Civic Center. Although general compliance with the conditions placed on those camping overnight on the lawn have been met, there have been reports from some neighbors about activities they consider to be bothersome, including the frequent honking of car horns. The City has taken steps to mitigate these issues, including designating “quiet hours” from 10 p.m. to 6 a.m. He and Councilmember Agran, having been authorized by the City Council, are prepared to modify and extend the existing Letter of Understanding for two more weeks. The matter will be placed on the November 22 agenda for full City Council consideration.

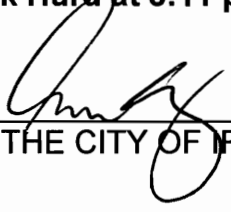
The following individuals spoke in opposition to the installation of Southern California Edison's Smart Meters:

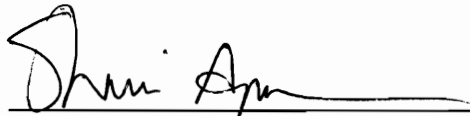
Melissa Levine
Jason Garshfields
Sarah Gibson

Steve Nelson, representative from Southern California Edison, provided additional information on Smart Meters and contact information for residents who have concerns or would like to opt-out of the installation of these meters.

ADJOURNMENT

Moved by Mayor Pro Tem Krom, seconded by Councilmember Choi, and unanimously carried to adjourn the meeting in memory of long-time community member and former Planning Commissioner Frank Hurd at 8:11 p.m.



MAYOR OF THE CITY OF IRVINE

CITY CLERK OF THE CITY OF IRVINE

November 8, 2011