



MINUTES

CITY COUNCIL SPECIAL MEETING March 12, 2013

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

A special meeting of the Irvine City Council was called to order at 3:01 p.m. on March 12, 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: 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)**

City Attorney Kohn announced the Closed Session item, following which Mayor Choi convened to Closed Session at 3:03 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the City Council meeting at 4:06 p.m. City Attorney Kohn, on behalf of the City Council, announced no reportable action was taken in Closed Session.

2. SCOPING SESSION

2.1 GENERAL PLAN AMENDMENT TO UPDATE THE HOUSING ELEMENT

Mark Asturias, Housing Manager, provided the staff report and responded to questions.

City Council discussion included: public meeting noticing procedures to include newspaper and email publication, public meetings provide conversation opportunities with the public and business stakeholders, clarification of the definition of land suitable for residential development, housing rates and impacts to housing element, implications of not adhering to the State mandated schedule, current housing entitlements compared to the Housing Element Plan, and clarification of the reduction of the housing requirements for Irvine.

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

ACTION:
Receive and file.

2.2 COMPREHENSIVE UPDATE TO THE CITY'S GENERAL PLAN

Barry Curtis, Manager of Planning Services and Bill Jacobs, Senior Planner, provided the staff report and responded to questions.

City Council discussion include: clarification of the \$1 to 1.5 million study costs, the potential financial impacts of California Environmental Quality Air and environmental impact reports, status of the City's Energy Plan, clarification of the City's ability to dedicate parkland according to the Quimby Act.

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

ACTION:
Receive and file.

PLEDGE OF ALLEGIANCE

Councilmember Shea led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Father John Janze, St. Thomas More Catholic Church in Irvine, to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced the Concordia Chorus, who performed "God Bless America" and "Water from the Well."

3. PRESENTATIONS

3.1 Mothers Against Drunk Drivers (MADD) Deuce Awards

Mayor Choi introduced Crystal Gray, representative from Mothers Against Drunk Driving, who provided plaques honoring those officers who made 25 to 99 Driving Under the Influence arrests during 2012.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tem Lalloway announced that his staff will be available to discuss ideas and issues with regards to city related matters during mobile office hours at Paradise Perks coffee house on March 20, 2013, from 6 -7:30 p.m.

Mayor Choi made the following announcements:

- The City of Irvine will host two workshops on March 13 and March 19 to solicit community feedback on its Housing Element, which guides the City's housing goals and policies to provide safe and decent housing for all Irvine residents. For more information regarding time and location of these public meetings, please contact staff at 949-724-7454.
- The City of Irvine, in partnership with the United Way of Orange County, is offering tax preparation services at no cost to taxpayers who earned less than \$58,000 in 2012. Qualifying taxpayers who live, work or attend school in Irvine are eligible to receive help completing and electronically filing their tax returns through April 15, 2013. For more information or to schedule an appointment, call 888-434-8248.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

4. CONSENT CALENDAR

Moved by Mayor Pro Tem Lalloway, seconded by Councilmember Krom, and unanimously carried to approve Consent Calendar Item Nos. 4.1 through 4.12, with the exception of Items 4.7, 4.10 and 4.11, which were removed from the Consent Calendar for separate discussion.

4.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on February 26, 2013.

4.2 COMMENDATION

ACTION:

Commended Irvine Ranch Water District for the completion of Wells 21 and 22.

4.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 13-25 - 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

4.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopted RESOLUTION NO. 13-26 - 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.

4.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 13-27 - 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.

4.6 ACCEPTANCE OF AGREEMENT FOR TRANSFER OR PURCHASE OF EQUIPMENT/SUPPLIES OR FOR REIMBURSEMENT OF TRAINING COSTS FOR FISCAL YEAR 2012 URBAN AREAS SECURITY INITIATIVE GRANT

ACTION:

- 1) Authorized the Director of Public Safety to accept the Agreement for Transfer or Purchase of Equipment/Supplies or for Reimbursement of Training Costs for Fiscal Year 2012 Urban Areas Security Initiative Grant.
- 2) Authorized the Director of Public Safety to accept equipment, technology, services or supplies purchased by the City of Anaheim and transferred to the City of Irvine to enhance countywide emergency preparedness.
- 3) Approved a budget adjustment request in the amount of \$180,000 in grant revenues and appropriations for training costs and necessary overtime for backfill; as well as equipment, supplies or services.
- 4) Authorized the Director of Public Safety to submit for reimbursement up to \$150,000 in training and overtime costs, and \$30,000 in approved equipment, supplies or services through the Fiscal Year 2012 Urban Areas Security Initiative Grant Program.

4.7 TREASURER'S REPORT FOR THE QUARTER ENDED DECEMBER 31, 2012

This item was removed for separate discussion by Councilmember Shea. Sharon Landers, Assistant City Manager; Michele Lund, City Treasurer; and Donna Mullally, Manager of Fiscal Services responded to questions.

City Council discussion included clarification of loans and subsequent repayments between the City and the dissolved Irvine Redevelopment Agency and impacts of any current litigation on loan repayments.

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

ACTION:

Receive and file.

4.8 JAMBOREE/BARRANCA INTERSECTION PROJECT

ACTION:

Adopted RESOLUTION NO. 13-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE PROJECT REPORT FOR THE JAMBOREE/BARRANCA INTERSECTION PROJECT

4.9 CURRENT HOUSING ELEMENT PROVISION TO REVIEW AND CONSIDER A REQUIREMENT TO PROVIDE EXTREMELY LOW-INCOME AFFORDABLE HOUSING RENTAL UNITS

ACTION:

Maintain the current Zoning Code provisions for affordable housing and do not initiate an amendment to include a requirement for extremely low-income units in rental housing developments.

4.10 ORANGE COUNTY GREAT PARK APPROVAL OF PHASE 2 PROJECT IMPLEMENTATION PLAN AND FUNDING FOR THE SOLAR DECATHLON 2013 AND XPO

The Mayor began the item with public comments.

Public Comments in opposition to fee increases for Great Park programs included:

- Jane Olinger, resident
- Harvey Liss, resident
- Sharon Toji, resident
- Susan Sayre, resident
- Mark Chamberlain, resident
- David Pillman, resident

Public Comments in support of fee increases for Great Park programs included:

- John Jaeger, resident
- Steve Greenberg, resident
- Greg Smith, resident
- Victor Mendez, resident

Councilmember Agran provided brief comments on the proposed actions and highlighted Great Park design awards and capital improvements, as well as assets on hand.

City Council discussion included: clarification of Great Park assets and cash, the ability to sell Great Park land, implications of the Amended Restated Development Agreement (ARDA) and Adjacent Landowner Agreement on revenues and developer entitlements, clarification of program costs and

revenues, role and responsibility of the subcommittee, and Solar Decathlon and XPO funding needs.

***ACTION:** Moved by Mayor Pro Tem Lalloway, seconded by Councilmember Shea, to approve staff recommendations 1 through 8.

ACTION: A substitute motion was moved by Councilmember Agran, seconded by Councilmember Krom, to approve staff recommendations 1 through 6, to strike recommendations 7 and 8, and to direct staff to hold a summit of current and potential partners and stakeholders before the next meeting, to identify \$1-2 million dollars in possible contributions for the Solar Decathlon and XPO events.

The motion failed as follows:

AYES: 2 **COUNCILMEMBERS:** Agran and Krom

NOES: 3 **COUNCILMEMBERS:** Lalloway, Shea and Choi

***ACTION: The original motion by Mayor Pro Tem Lalloway, seconded by Councilmember Shea, to:**

- 1) Authorize the CEO to enter into an agreement to transfer the Phase 2 grant funds in the amount of \$625,000 from the Orange County Great Park Corporation to the City of Irvine for use in accordance with the grant agreement.
- 2) Accept the transfer of the Phase 2 grant funds in the amount of \$625,000 for use in accordance with the grant agreement.
- 3) Approve a total expenditure budget for the Solar Decathlon 2013 and XPO not to exceed \$3,333,800.
- 4) Approve the acceptance and budget adjustments, and increases to the U.S. Department of Energy grant award as necessary, to receive and expend any additional contribution after March 4, 2013 for the purpose of the Solar Decathlon 2013 and XPO events, provided that the expenditures do not exceed revenues.
- 5) Approve a budget adjustment for Fiscal Year 2012-13, increasing revenues by \$938,000 and expenditures by \$3,333,800.
- 6) Authorize the CEO to execute an Implementing Agreement, substantially conforming to the agreement attached to the staff report, with the Foundation for the Great Park to receive donations for the purpose of funding the Solar Decathlon 2013 and XPO.
- 7) Approve the recommended programmatic changes as presented, effective immediately, and establish the proposed fee structure for balloon and carousel riders, effective April 1, 2013.
- 8) Adopt RESOLUTION NO. 13-29 - Adopted RESOLUTION NO. 13-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING FEES FOR THE BALLOON AND CAROUSEL AT THE ORANGE COUNTY GREAT PARK

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Lalloway, Shea and Choi

NOES: 2 COUNCILMEMBERS: Agran and Krom

4.11 GRANT APPLICATIONS FOR COMMUNITY-BASED TRANSIT/CIRCULATORS

Mayor Pro Tem Lalloway removed the item for further discussion and clarification of the iShuttle expansion.

Shohreh Dupuis, Manager of Transit and Transportation provided the staff report and responded to questions.

City Council discussion included: transit grant funding opportunities and application process; iShuttle ridership, costs and funding requirements; University of California, Irvine pilot program and transportation routes.

*ACTION: Moved by Mayor Pro Tem Lalloway, seconded by Councilmember Shea, to bifurcate recommended actions 1 and 2, and to only approve action1 to approve the Planning Area 33 iShuttle Expansion Study.

ACTION: A substitute motion was moved by Councilmember Agran, seconded by Councilmember Krom, to:

- 1) Approve the Planning Area 33 iShuttle Expansion Study.
- 2) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBMITTAL OF FUNDING APPLICATIONS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE PROJECT V COMMUNITY-BASED TRANSIT/CIRCULATORS PROGRAM

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Agran and Krom

NOES: 3 COUNCILMEMBERS: Lalloway, Shea and Choi

***ACTION: The original motion by Mayor Pro Tem Lalloway, seconded by Councilmember Shea, to approve the Planning Area 33 iShuttle Expansion Study.**

The motion carried as follows:

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

NOES: 1 COUNCILMEMBERS: Krom

4.12 GRANT OF EASEMENT TO THE UNITED STATES DEPARTMENT OF THE NAVY

ACTION:

Authorized the Mayor to execute a Quitclaim and Grant of Easement to the United States Department of the Navy to operate and maintain existing electrical facilities on portions of the Orange County Great Park property.

5. COUNCIL BUSINESS

5.1 REVIEW OF GREAT PARK CONTRACT PERFORMANCE AUDIT REQUEST FOR PROPOSAL

Councilmember Agran agendaized this item for further discussion on the draft Request for Proposals and scope of work including the beginning of the review date, audit budget allocation, and role and participation of the subcommittee.

City Council discussion included: role and responsibility of the subcommittee, development of the scope of work language, clarification of the costs to perform the audit, the Request For Proposal process, and role and responsibility of the independent auditor.

***ACTION:** Moved by Mayor Pro Tem Lalloway, seconded by Mayor Choi, to approve the recommended draft Request for Proposal for the contract performance review of the Orange County Great Park.

ACTION: A substitute motion was moved by Councilmember Agran, seconded by Councilmember Krom, to approve the recommended draft Request for Proposal for the contract performance review of the Orange County Great Park with the exclusion of the last paragraph of Attachment I Scope of Services.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Agran and Krom

NOES: 3 COUNCILMEMBERS: Lalloway, Shea and Choi

***ACTION: The original motion by Mayor Pro Tem Lalloway, seconded by Mayor Choi, to approve the recommended draft Request for Proposal for the contract performance review of the Orange County Great Park.**

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Lalloway, Shea and Choi

NOES: 2 COUNCILMEMBERS: Agran and Krom

5.2 ORDINANCE TO ESTABLISH CHANGES AND ADDITIONS TO POSTED SPEED LIMITS

Armando Rutledge, Senior Transportation Analyst and Matt Barnes, Sergeant, presented the staff report and responded to questions.

City Council discussion included: review of the streets surveyed including Harvard Boulevard and speed limit updates.

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

ACTION:

Introduced for first reading, and read by title only ORDINANCE NO.13-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE DIRECTING AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE PUBLIC WORKS DEPARTMENT AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

5.3 LOCAL GUN SAFETY MEASURES

Councilmember Agran who agendized the item read his memo dated March 5, 2013, into the record.

ACTION: Moved by Councilmember Agran, seconded by Councilmember Krom, to approve Councilmember Agran's recommendations 1 and 7, and defer recommended actions 2 through 6 to staff for further review and return to council at the earliest opportunity:

- 1) Accelerate implementation of Measure BB (The Support Our Schools Initiative) Section 4.A. (10), which calls for additional School Resource Officers in Irvine schools.
- 2) Initiate and expand gun safety education programs, including voluntary, user-friendly gun turn-in programs.
- 3) Cooperate in implementation and enforcement of the California Department of Justice's Armed Prohibited Persons Database program.
- 4) Identify, promote and enhance community access to available mental health services.
- 5) Affirm and recommend policies and procedures to maintain strict limitations on the issuance of concealed weapons permits.
- 6) Review ancillary policies related to gun violence, including the establishment of a rewards policy and/or a victims compensation fund.
- 7) Take the necessary steps to ensure that the Mayor, on behalf of the City Council and the City of Irvine, rejoins the national organization, Mayors Against Illegal Guns.

Public Comments included:

Charlie Blek, OC Brady campaign chapter, spoke in support of membership in the Mayors Against Illegal Guns. (submitted documentation as part of his testimony)

Sharon Toji, resident, spoke in support of membership in the Mayors Against Illegal Guns.

Melissa Fox, resident, spoke in support of membership in the Mayors Against Illegal Guns.

Rebecca Newman, resident, spoke in support of gun safety measures.

John Jaeger, resident, spoke against the proposed recommendations.

Lurette Forrest, resident, spoke in support of membership in the Mayors Against Illegal Guns.

Richard Watson, resident, spoke in support of membership in the Mayors Against Illegal Guns.

Betty Scott, resident, spoke in support of membership in the Mayors Against Illegal Guns.

Gordon Busenbock, resident, spoke in support of membership in the Mayors Against Illegal Guns.

Vivian Clecak, Human Options Founder, spoke in support of gun safety measures.

Felicity Figueroa, resident, spoke in support of membership in the Mayors Against Illegal Guns.

MaryAnn Gaido, resident, spoke in support of gun safety measures.

Virginia Hilton, resident, spoke in support of membership in the Mayors Against Illegal Guns.

Phyllis Agran, resident, spoke in support of gun safety measures. (submitted documentation as part of his testimony)

Chris King, resident, spoke in support of gun safety measures.

Yvonne Tsai, resident, spoke in support of proper training and legal usage of guns for protection.

Harvey Liss, resident, spoke in support of gun safety measures.

City Council discussion included: safety and security issues of Irvine citizens, importance of mental health support and availability, clarification of the implementation of Measure BB, and clarification of the number of Irvine schools assigned School Resource Officers.

***ACTION: A substitute motion was moved by Councilmember Shea, seconded by Mayor Pro Tem Lalloway, and unanimously carried to:**

Direct City staff to report back to Council, within 90 days, on the following:

- 1) List of Federal laws that impact our City on the issue of gun sales, safety and use.
- 2) List of State laws that impact our City on the issue of gun sales, safety and use.
- 3) The status, implementation and expansion of the School Resource Officers program in Irvine.
- 4) Existing gun safety education programs in our area, and ways that our residents might better be made aware of such programs.
- 5) Possible grants available for funding gun safety education programs, and turn-in programs.
- 6) How the California Department of Justice's Armed Prohibited Persons Database program has been implemented in the City.
- 7) Identify and develop a plan to promote community access to available mental health services.
- 8) Report on the number of concealed weapons permits issued in the last 10 years, and report on the current criteria used to determine the issuance of such permits.
- 9) A breakdown going back 10 years on crimes occurring within Irvine where a firearm was used, and whether it was legally owned and registered.
- 10) In its category, how many times has Irvine been named the "Safest City?" From Staff's perspective, during the past 20 years, why and what has made us one of the safest cities?

*The substitute motion carried and takes precedence over the main motion; therefore, a vote was not taken on the main motion.

5.4 CONTRIBUTION TO MULTI-AGENCY REWARD

Mayor Choi agendized this item in response to the multi-agency reward regarding the recent slayings of an Irvine couple and two police officers from the region.

Public Comments included:

John Jaeger, resident, spoke in support of the reward, but that determination to award it be made by the City Council.

City Council discussion included: clarification of the Mayor's participation in the joint agency news conference, need for the multi-agency reward, need for an award and victim compensation policy and appreciation of the Irvine Police Department's participation in the investigation.

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

- 1) Adopt RESOLUTION NO. 13-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING THE CONTRIBUTION OF \$100,000 TO THE MULTI-AGENCY REWARD FUND RELATED TO THE MURDER OF IRVINE RESIDENTS MONICA QUAN AND KEITH LAWRENCE
- 2) Designate the Director of Public Safety to act on behalf of the City during the reward evaluation and distribution process.

PUBLIC COMMENTS

There were none.

ADJOURNMENT

Moved by Mayor Pro Tem Lalloway, seconded by Councilmember Shea, and unanimously carried to adjourn the meeting at 11:16 p.m.



 MAYOR OF THE CITY OF IRVINE



 CITY CLERK OF THE CITY OF IRVINE

March 26, 2013