



MINUTES

Steven Choi
Mayor

Jeffrey Lalloway
Mayor Pro Tempore

Beth Krom
Councilmember

Lynn Schott
Councilmember

Christina Shea
Councilmember

CITY COUNCIL REGULAR MEETING

January 13, 2015
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 4:02 p.m. on January 13, 2015 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Choi presiding.

ROLL CALL

Present:	5	Councilmember:	Beth Krom
		Councilmember:	Lynn Schott
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Jeffrey Lalloway
		Mayor:	Steven Choi

1. CLOSED SESSION

City Attorney Litfin announced the following Closed Session item:

- 1.1 ***CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Pursuant to Government Code Section 54956.8; Property: Approximately 1.22 acre property at 17391 Murphy St.; Agency Negotiators: Sharon Landers, Assistant City Manager and Tim Gehrich, Acting Director of Community Development; Negotiating Parties: City of Irvine and Susan & Kirk Wilson; Under Negotiation: Price and terms of payment***

There were no requests to speak to the Closed Session items.

RECESS

Mayor Choi convened the City Council meeting to Closed Session at 4:03 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the City Council meeting at 5:06 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 Pastor Frank Winans from Woodbridge Community Church in Irvine to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced Executive Director Albert Wu and James Hilsabeck of the Irvine Young Concert Artists, who performed "God Bless America" followed by "Telemann Canon Sonata No. 2 in D Major."

2. PRESENTATIONS

2.1 Proclaim January 13, 2015 as "Korean American Day"

Mayor Choi introduced various members of the Korean American community, and presented a proclamation recognizing January 13, 2015 as "Korean American Day."

2.2 Proclaim January 19, 2015 as "Dr. Martin Luther King Day"

Mayor Choi introduced the following individuals and presented a proclamation recognizing January 19, 2015 as "Dr. Martin Luther King Day:"

- Orlando Guillory, Quality Engineering Manager, Edwards Lifesciences
- Abdi Ahmed, President, NetServe Systems, Inc.
- Gerald D. Parham, President of the Black Faculty and Staff Association, UC Irvine

- Jordan Moore, Treasurer/Communications, 100 Black College Women, UC Irvine
- Jade Turner, Student Development Coordinator – Cross Cultural Center, UC Irvine

CITY MANAGER'S REPORT

City Manager Joyce announced that the City of Irvine was awarded the *Distinguished Budget Presentation Award* by the Government of Finance Officers Association of the United States and Canada.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Shea announced that she and her colleagues met with nearly 200 students who would be competing in the U.S. Department of Energy Solar Decathlon this October at the Orange County Great Park. For information on the event, visit solardecathlon.gov.

Mayor Pro Tempore Lalloway announced that the Orange County Transportation Authority would be hosting a Pedestrian Safety Workshop on January 26 from 5-7 p.m. its headquarters, located at 600 S. Main Street in Orange. To RSVP, visit cityofirvine.org.

Mayor Choi introduced Diana Jiang, his new appointee to the Irvine Children, Youth and Families Advisory Board.

Mayor Choi also made the following announcements:

- The City of Irvine, in partnership with Irvine Company, commemorated the opening of the next phase of the Jeffrey Open Space Trail on Saturday, January 10 with more than 100 people in attendance; and presented a brief video highlighting the ceremony.
- On Saturday, January 31 from 10 a.m. to 2 p.m. at the Irvine Civic Center, the Irvine Police Department will host a free, family-friendly "Police Open House" for the community to celebrate Irvine's 10th consecutive year with the lowest violent crime rate in the nation.
- The Orange County Transportation Authority unanimously selected Mayor Pro Tempore Lalloway to serve as its new Chairman. Mayor Pro Tempore Lalloway has served as the Board's Vice Chairman for the past year and has been on the Board since January 2013.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda; however, City Manager Joyce noted a change to Recommended Action 1 with respect to Item No. 3.10 (Temporary License Agreement with Heritage Fields El Toro, LLC). See Item No. 3.10.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.13, with the exception of Item Nos. 3.6 and 3.10, which were removed for separate discussion. Councilmember Krom abstained on Item No. 3.3.

3.1 MINUTES

ACTION:

Approved the minutes of a special meeting of the Irvine City Council held on December 16, 2014.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 15-01 - 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

3.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopted RESOLUTION NO. 15-02 - 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.

3.4 WARRANT AND WIRE TRANSFER RESOLUTION – BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 15-03 - 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

3.5 PETERS CANYON WASH CHANNEL WATER CAPTURE AND REUSE PIPELINE FUNDING AGREEMENT AMENDMENT 1

ACTION:

Authorized the Mayor to execute the Peters Canyon Wash Channel Water Capture and Reuse Pipeline Funding Agreement Amendment 1.

3.6 IRVINE ANIMAL CARE CENTER UPDATE

This item was removed for separate discussion at the request of Councilmember Krom, who asked for a brief report.

Sharon Landers, Assistant City Manager; Brian Fisk, Director of Community Services; and Bonnie Hagan, Community Services Manager, presented the staff report and responded to questions.

City Council discussion included: providing copies of reports to those who have expressed an interest in Animal Care Center activities; approximate budget for the Animal Care Center improvements and increasing such budget if necessary; meetings with Mayor Choi, Mayor Pro Tem Lalloway, the City Manager, Assistant City Manager, staff and volunteers to discuss and address concerns; formal presentations by staff with monthly updates in lieu of providing reports via the Consent Calendar on the City Council agenda; establishment of a subcommittee to address concerns related to the Animal Care Center; estimated costs for a policy/procedure manual; whether concerns raised by volunteers have been addressed in the current proposed recommendations; length of time to complete an operational assessment; expenditures included in the cost-per-day care for animals; period of time, if any, before an animal is euthanized; scope of work and services provided by the City's consultant to analyze concerns; communication efforts with residents and volunteers, including the newly-implemented *Paw Prints* monthly newsletter; and participation by all interested stakeholders to develop future City Council policy for the Animal Care Center.

Barbara Eiland, Irvine resident, spoke about the level of care provided by the shelter and expressed concerns about the issues raised by the volunteers.

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

ACTION:

Receive and file, and return to the next City Council meeting with a recommendation on the formation of a subcommittee.

3.7 AMENDMENT TO REVENUE LEASE AGREEMENT WITH ORANGE COUNTY PRODUCE, LLC, AS A RESULT OF THE WILDLIFE CORRIDOR PROPERTY TRANSFER CONTAINED IN THE SECOND ADJACENT LANDOWNER AGREEMENT WITH HERITAGE FIELDS EL TORO, LLC

ACTION:

Approved Amendment No. 3 to the Revenue Lease Agreement with Orange County Produce, LLC, to allow for continued farming operations on five agriculture parcels after the City and Heritage Fields El Toro, LLC exchange Wildlife Corridor properties, and authorized the City Manager to execute the amendment.

3.8 GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR ELECTRICAL FACILITIES WITHIN FUTURE RIDGE VALLEY

ACTION:

Authorized the Mayor to execute an easement deed to Southern California Edison Company for installation of electric facilities along future Ridge Valley (O Street).

3.9 NOTICE OF REVIEW AND PENDING APPROVAL FOR TRACT MAPS IN IRVINE BUSINESS COMPLEX AND ORCHARD HILLS

ACTION:

Received and filed.

3.10 TEMPORARY LICENSE AGREEMENT WITH HERITAGE FIELDS EL TORO, LLC, TO RELOCATE THE EXISTING ACCESS ROAD FOR THE RECREATIONAL VEHICLE PARKING AREA ON CITY PROPERTY

This item was removed at the request of City Manager Joyce, who noted a change to the operating hours for vehicular access under the new License Agreement. At the time of the agreement, operating hours would cease at one half hour before dusk. In agreement with Heritage Fields El Toro, LLC, operations would cease at 7 p.m. daily. City Manager Joyce suggested a revision to Action Item No. 1 noted below.

There was no City Council discussion.

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

- 1) Approve the License Agreement with Heritage Fields El Toro, LLC and authorized the Mayor to execute the License Agreement.

As amended to modify the operating hours listed in Section 4 of Exhibit B of the License Agreement amended to modify road closure to cease at 7 p.m. daily.

- 2) Authorize the City Manager to execute future amendments to the License Agreement, if necessary, for the continued use of the access road to the recreational vehicle parking area on City property.

3.11 EMERGENCY CONTRACT FOR IRVINE CHILD DEVELOPMENT CENTER HVAC REPLACEMENT AND REMEDIATION PROJECT

ACTION:

Received and filed.

3.12 MEMORANDUM OF UNDERSTANDING WITH ORANGE COUNTY TRANSPORTATION AUTHORITY REGARDING FUTURE MARINE WAY BETWEEN SAND CANYON AND RIDGE VALLEY

ACTION:

Approved a Memorandum of Understanding with Orange County Transportation Authority for the implementation of future Marine Way between Sand Canyon and Ridge Valley (O Street) and authorized the City Manager to execute the document.

3.13 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Councilmember Krom's request for Community Partnership Fund Grant nominations to Arts Orange County in the amount of \$500 and Irvine Community Drug Prevention / Irvine Prevention Coalition in the amount of \$500 in support of program costs.
- 2) Approved Councilmember Shea's request for Community Partnership Fund Grant nomination to the Warrior Foundation - Freedom Station in the amount of \$1,000 in support of event costs.
- 3) Approved Mayor Choi's request for Community Partnership Fund Grant nominations to Home on the Green Pastures in the amount of \$500 and Irvine Adult Day Health Services in the amount of \$500 in support of program costs.

- 4) Authorized the City Manager to prepare and sign funding agreements for each organization listed in Actions 1-3.

4. PUBLIC HEARINGS

4.1 APPROVAL OF REVENUE BOND ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR ANTON PORTOLA APARTMENTS

Valaya Chitchakkol presented the staff report and responded to questions.

Mayor Choi opened the public hearing at 7:05 p.m. There were no public comments.

City Council discussion included: whether the revenue bond is an obligation of the City or the developer; percentage of units set aside for affordable housing and addressing housing needs for developmentally disabled adults and veterans; ability of the City Council to engage in discussion regarding certain aspects of the project prior to approving bond issuance.

Tricia Mallone, representing Anton Development Company, noted that the project would be 100 percent affordable at the very low-income level and that prospective tenants would need to meet income requirements. She also noted that units were not specifically designated for veterans, or those with development or physical disabilities.

Councilmember Shea, as Chair of the Task Force to Review Housing Needs of Developmentally Disabled, noted that housing opportunities have been identified through a Land Trust project for those who are developmentally disabled. She also noted that the Ad Hoc Veterans Affordable Housing Committee would be holding its inaugural meeting in February to identify affordable housing opportunities for Veterans.

ACTION: By consensus, Mayor Choi closed the public hearing was closed at 7:10 p.m.

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

Adopt RESOLUTION NO. 15-04 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS FOR ANTON PORTOLA APARTMENTS

5. COUNCIL BUSINESS

5.1 APPROVAL OF APPOINTMENTS OF CITY COUNCIL REPRESENTATIVES TO CITY ADVISORY COMMITTEES AND GOVERNMENTAL AGENCIES

Mayor Choi provided a brief report, noting the proposed annual appointments of City Council representatives in order to provide all Councilmembers with the opportunity to represent the City in various capacities.

City Council discussion included: consideration of reappointing MaryAnn Gaido to serve on the Irvine Barclay Theatre Operating Company Board of Directors in lieu of Emma Evans, Multicultural Affairs Coordinator, as noted in the errata memo dated January 12, 2014.

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

- 1) Appoint City Council delegates and alternates to outside governmental agencies on which the City has representation for the 2015 calendar year.
- 2) Appoint City Council representatives and approve staff appointments to various City of Irvine advisory Commissions, Committees and Task Forces for the 2015 calendar year.
- 3) Adopt RESOLUTION NO. 15-05 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE AND ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS
- 4) Adopt Fair Political Practices Commission Public Official Appointment Form 806 and direct the City Clerk to post an amended form to the City website to report any change in appointments to the governmental agencies providing stipends as determined by the City Council.

As amended to include the minor edifications noted in the errata memo dated January 12, 2015 as follows:

- 1) Dissolution of El Toro Property Land Use Development Ad Hoc Committee, dissolved by Minute Order on July 22, 2014.
- 2) Additional appointment of Emma Evans, Multicultural Affairs Coordinator, to the Irvine Barclay Theatre Operating Company.
- 3) Appointment of Mayor Pro Tempore Lalloway as Chairman by the Orange County Transportation Authority pending ratification by the City Selection Committee on January 23, 2015.
- 4) Appointment of David Reyno to the Finance Commission by Mayor Pro Tempore Lalloway.

5.2 PURCHASE AND SALE AGREEMENT BETWEEN CITY OF IRVINE AND ORANGE COUNTY TRANSPORTATION AUTHORITY FOR 21.3 ACRES OF LAND IN PLANNING AREA 51

Shohreh Dupuis, Deputy Director of Public Works, presented the staff report and responded to questions.

City Council discussion included: purchase price of the property, including the amount per acre; whether the Orange County Transportation Authority (OCTA) had the ability to sell the land to another party and if that party would have the opportunity to use the land for retail, industrial or other purposes; considerations made with respect to the final sale price; prior City Council approval for the transaction with OCTA and its acknowledgement of current City zoning; date of the latest land appraisal; terms of the Cooperative Agreement; whether the City would have first right of refusal if OCTA chose to sell the land at a future date and if the same sale price would apply; and inclusion of a clause restricting OCTA's ability to sell the land to another party in the future.

Barbara Eiland, Irvine resident, spoke about financial problems experienced by OCTA in 2010 and noted funding provided by MV Transportation.

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Mayor Choi, to:

Approve the Purchase and Sale Agreement with Orange County Transportation Authority for the sale of 21.3 acres of City property for the amount of \$14,150,500 and authorized the Mayor to execute the agreement.

The motion carried as follows:

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

NOES: 1 COUNCILMEMBERS: Krom

ABSENT: 0 COUNCILMEMBERS: None

5.3 CONSIDERATION OF REQUEST FOR A DEVELOPMENT AGREEMENT WITH THE COLTON COMPANY

Tim Gehrich, Acting Director of Community Development, presented the staff report and responded to questions.

City Council discussion included: dates of original and updated Development Agreements; whether the developer intends to begin development, postpone development, or sell the land; reasons why the prior Development Agreement was never executed; public benefit fee in lieu of a monorail system as reflected in the 1998 Amended Development Agreement and if that fee was never received; clarification of The Colton Company's request to lock in the City's current population generation rate of 1.3 persons per unit for calculation of park requirements for processing of the residential project, not subject to a future generation rate increase that may be adopted by the City Council in the future; a review of other proposals made by The Colton Company as part of the proposed Development Agreement; whether deviations, if any, could be made from what was submitted in the recent application based on agreement by both the City Council and the developer; declining the request to establish a subcommittee, thereby allowing the project to go through the approval process through City Commissions and if additional fees not in existence in 1998 would be realized; number of units as part of the Milani project and its comparison to the number of units sought by The Colton Company; remaining residential intensity in the Irvine Business Complex (IBC); potential public benefit created by the proposed development; establishing specific milestones in a new Development Agreement to avoid the availability of housing unit allowances; if the number of residential units requested would reach the cap of available units; other applications in the pipeline for residential development; and whether intensity continues in perpetuity if an amended Development Agreement is not executed.

City Attorney Litfin noted that the City Council would have the ability to include certain conditions and restrictions in the agreement to include milestones and development timeframes to avoid non-development of reserved units.

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

Appoint a Subcommittee of two City Councilmembers consisting of Mayor Pro Tempore Lalloway and Councilmember Schott to negotiate terms of a Development Agreement requested by The Colton Company and establish parameters for the Subcommittee.

5.4 CONSIDERATION OF MAYOR CHOI'S REQUEST REGARDING A PROPOSED IRVINE METROPOLITAN LIBRARY AT THE GREAT PARK

This item was agendaized at the request of Mayor Choi, who asked for City Council support to direct staff to return to the February 10, 2015 City Council meeting with a presentation describing the resources necessary for building, operating and maintaining a metropolitan library at the Orange County Great Park.

City Council discussion included: information already available based on past research; other City priorities, including a new Animal Care Center, Public Safety Facility, increasing reserves, and other City projects; expense versus financial resources available for the development and operation of a metropolitan library; incorporation of the proposed library as part of the Cultural Terrace development; expectations of the City Council if staff returns at the February 10 meeting with a presentation, and whether a presentation would be feasible by then based on the information and research requested; whether a feasibility study had been partially or fully completed in the past; questioned if a needs assessment had been performed; a review of the scope of the dissolved Library Committee; and formation of the Irvine Library Foundation and its purpose.

ACTION: Moved by Mayor Choi, seconded by Councilmember Schott, to:

Direct staff to return to the February 10, 2015 City Council meeting with a presentation describing the resources necessary for building, operating and maintaining a metropolitan public library to which the City aspires and deserves.

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Krom, Lalloway, Schott, and Choi
 NOES: 1 COUNCILMEMBERS: Shea
 ABSENT: 0 COUNCILMEMBERS: None

PUBLIC COMMENTS

Ilya Tseglin reiterated a domestic issue concerning his autistic son and continued legal issues.

Michael Klubnikin spoke on behalf of his friend, Ilya Tseglin, who continues to seek legal assistance for a domestic issue related to his autistic son.

Alan Meyerson, Irvine resident, expressed his appreciation to the City Council for working collaboratively with Animal Care Center volunteers to address recent concerns; and noted a recent survey about future residential and retail development by FivePoint Communities.

Gang Chen, Irvine resident, suggested relocating the proposed Veterans Cemetery to another site.

Steve Greenberg, Irvine resident, spoke in support of the Great Park audit; and referenced a recent email distributed by Councilmember Krom.

ADJOURNMENT

Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to adjourn the meeting at 9:10 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

January 27, 2015