

**MINUTES
CITY COUNCIL
REGULAR MEETING
June 12, 2007
City Council Chamber
One Civic Center Plaza**

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:15 p.m., on June 12, 2007, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Krom presiding.

ROLL CALL

Present:	5	Councilmember:	Steven Choi
		Councilmember:	Sukhee Kang
		Councilmember:	Christina Shea
		Mayor Pro Tem:	Larry Agran
		Mayor:	Beth Krom

The City Council considered the Consent Calendar following the Call to Order, (see Items 2.1 through 2.15).

RECESS – 4:36 p.m.

RECONVENE TO THE CITY COUNCIL MEETING – 5:08 p.m.

PLEDGE OF ALLEGIANCE

Mayor Krom led the Pledge of Allegiance.

MOMENT OF SILENCE

The Mayor requested a moment of silence in remembrance of Michael Shea, former community member.

MUSICAL PRESENTATION

Mayor Krom introduced Sharon McCubbin, Springbrook Elementary School and her 3rd Grade Class who performed, "Sacramento," and "You're a Grand Old Flag."

1. PRESENTATIONS

The following presentations were made:

- 1.1 *Proclamation to Irvine Disaster Emergency Communications in recognition of Amateur Radio Week - June 17-24, 2007*
- 1.2 *Presentation of AED Program and Commendation to Jennifer Woolley*
- 1.3 *Commendation to the 2007 NCAA University of Irvine Men's Volleyball Championship Team*

INTRODUCTIONS

City Manager, Sean Joyce, noted the City of Irvine has been named the number one safest large City in America with populations of over 100,000. In addition, he recognized Marty Bryant, CEO-Orange County Great Park Corporation, who is retiring after 22 years of service.

CITY MANAGER'S REPORT

There was no City Manager's report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

The following announcement was made:

The 23rd Annual 4th of July Firework Celebration and Concert on the Green will be held at Irvine High School on Wednesday, July 4; gates open at 3:00 p.m.

ADDITIONS AND DELETIONS

Item No. 4.4, "Consideration of Allocation of Funds for 'Team Kids'" was deleted from the agenda.

2. CONSENT CALENDAR

The Consent Calendar was considered immediately following Call to Order.

ACTION: Moved by Councilmember Choi, seconded by Councilmember Shea, and unanimously carried to approve Consent Calendar items 2.1 through 2.15 with the exception of items noted below which were removed for separate discussion.

- 2.6 FISCAL YEAR 2007 -2008 LANDSCAPE, LGHTING AND PARK MAINTENANCE ASSESSMENTS

2.10 MARUCHAN DONATION RECOMMENDATION

2.14 MEMORANDUM OF UNDERSTANDING BY AND AMONG THE CITY OF IRVINE, SOUTHERN CALIFORNIA EDISON AND THE ENERGY COALITION

2.1 MINUTES

ACTION: Approved the minutes of a regular City Council meeting held on May 22, 2007.

2.2 PROCLAMATIONS

ACTION: Ratified the Following - "Deerfield Elementary 30th Anniversary Day - May 31, 2007."

2.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted **RESOLUTION NO. 07-71** - 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.

2.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION: Adopted **RESOLUTION NO. 07-72** - 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 Krom abstained.

2.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION: Adopted **RESOLUTION NO. 07-73** - 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

Mayor Pro Tempore Agran abstained.

2.6 FISCAL YEAR 2007-2008 LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENTS

This item was removed from the Consent Calendar at the request of Councilmember Choi who requested information relative to the proposed increase to the assessment; and use of energy efficient programs and technology to reduce maintenance costs to which Donna Mullally, Finance Administrator and Manual Gomez, Director of Public Works responded.

ACTION: Moved by Mayor Krom, seconded by Councilmember Kang, to:

Adopt **RESOLUTION NO. 07-74** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS, APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE IRVINE LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENT, FISCAL YEAR 2007-2008

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Kang and Krom

NOES: 2 COUNCILMEMBERS: Choi and Shea

2.7 WALNUT AVENUE REHABILITATION FROM CULVER DRIVE TO JEFFREY ROAD - CIP 313550

ACTION: Approved the plans, specifications, and contract documents for Walnut Avenue Rehabilitation from Culver Drive to Jeffrey Road, Capital Improvement Project (CIP) 313550, on file with the Public Works Department.

2.8 SAN DIEGO CREEK AND CULVERDALE BIKE TRAIL LIGHTING - CIP 346000

ACTION: Approved the plans, specifications, and contract documents for San Diego Creek and Culverdale Bike Trail Lighting, Capital Improvement Project (CIP) 346000, on file with the Public Works Department.

2.9 FISCAL YEAR 2007/2008 MEASURE M ELIGIBILITY

ACTION: Approved the Measure M Seven-Year Capital Improvement Program (CIP) – Fiscal Years 2007-2008 through 2013-2014.

2.10 MARUCHAN DONATION RECOMMENDATION

This item was removed from the Consent Calendar at the request of Councilmember Choi who wished to publicly recognize the donation. Chief David Maggard noted the uses for the donation.

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

- 1) Accept a \$25,000 donation from Maruchan, Incorporated.
- 2) Approve a budget adjustment request form in the amount of \$25,000, reflecting an increase in revenues and appropriations.

2.11 PARTNERING AGREEMENT BETWEEN THE CITY OF IRVINE AND THE IRVINE RANCH WATER DISTRICT FOR CONSTRUCTION OF THE CIENEGA FIELD DEMONSTRATION PROJECT

ACTION: Authorized the Mayor to execute the Partnering Agreement between the City of Irvine and the Irvine Ranch Water District (IRWD) for construction and maintenance of the Cienega Field Demonstration Project. **(Contract No. 5536)**

2.12 JUSTICE ASSISTANCE GRANT

ACTION:

- 1) Accepted a 2007 Edward Byrne Memorial Justice Assistance Grant award in the amount of \$15,254, as a subgrantee of the County of Orange.
- 2) Authorized \$7,627 of this grant to be utilized by the County of Orange to provide partial funding of the Pro-Active Methamphetamine Laboratory Investigative Team and to administer the Justice Assistance Grant.
- 3) Approved a budget adjustment request form in the amount of \$7,627 for revenues and appropriations.

2.13 ORDINANCE NO. 07-15, LIVING WAGE REQUIREMENTS

ACTION: Read by title and adopted **ORDINANCE NO. 07-15 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADDING DIVISION 6 TO TITLE 2 OF THE IRVINE MUNICIPAL CODE RELATING TO LIVING WAGE REQUIREMENTS**

Councilmember's Choi and Shea vote recorded as "No."

2.14 MEMORANDUM OF UNDERSTANDING BY AND AMONG THE CITY OF IRVINE, SOUTHERN CALIFORNIA EDISON AND THE ENERGY COALITION

This item was removed from the Consent Calendar at the request of Mayor Pro Tempore Agran and Councilmember Kang who acknowledged the importance of the MOU partnership between the City, Southern California Edison and the Energy Coalition which will expand the City's energy-savings efforts.

Eddie Marquez, Southern California Edison and John P. Phillips, The Energy Coalition spoke in support of this item.

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

- 1) Adopt **RESOLUTION NO. 07-75** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE MEMORANDUM OF UNDERSTANDING BY AND AMONG THE CITY, SOUTHERN CALIFORNIA EDISON AND THE ENERGY COALITION TO CREATE A DEMAND RESPONSE STRATEGIC PLAN
- 2) Authorize the Mayor to execute the Memorandum of Understanding between the City of Irvine, Southern California Edison and the Energy Coalition. **(Contract No. 5537)**

2.15 STRATEGIC TECHNOLOGY PLAN, 2007-2012

ACTION: Received and filed the Strategic Technology Plan 2007-2012.

END OF CONSENT CALENDAR

3. PUBLIC HEARINGS

3.1 DEVELOPMENT PROCESSING AND INSPECTION FEE UPDATE

Mayor Krom declared the public hearing open at 6:49 p.m.

Eric Tolles, Chief Building Official/Deputy Director of Community Development and Susan Wheelock, Senior Management Analyst, presented the staff report.

ACTION: At 6:55 p.m., moved by Councilmember Shea, seconded by Councilmember Kang, and unanimously carried to close the public hearing.

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

Adopt **RESOLUTION NO.07-76** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE REPLACING RESOLUTION 05-98 AND ESTABLISHING DEVELOPMENT PROCESSING AND INSPECTION FEES

3.2 AMENDMENT 2 TO THE CITY OF IRVINE NON-DISPOSAL FACILITY ELEMENT

Mayor Krom declared the public hearing open at 6:56 p.m.

Glen Worthington, Great Park Manager of Planning, presented the staff report.

City Council discussion included: Clarification of the regulatory process and facilities expansion of the project.

ACTION: At 6:59 p.m., moved by Councilmember Shea, seconded by Councilmember Kang, and unanimously carried to close the public hearing.

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

Adopt **RESOLUTION NO. 07-77** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE NON-DISPOSAL FACILITY ELEMENT

3.3 PUBLIC FACILITIES RESERVATION AND FEE POLICY - ANNUAL REVIEW, AND COMMUNITY SERVICES DEPARTMENT PROPOSED FEES FOR FY 2007-08

Mayor Krom declared the public hearing open at 7:00 p.m.

Mike Cribbin, Senior Management Analyst and Lauren Buchannan, Facilities Reservation Coordinator presented the staff report.

City Council discussion included: Clarification of number of classes currently available for registrants; cost to registrants; how the City determines resident status for registration of classes; clarification of returned checks (NSF) and percentage of those checks that are actually collected on.

Councilmember Shea left the dais at 7:07 p.m.

ACTION: At 6:57 p.m., moved by Councilmember Kang, seconded by Mayor Pro Tempore Kang, and unanimously carried by those members present to close the public hearing.

Councilmember Shea returned to the dais at 7:08 p.m.

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

- 1) Approve proposed changes to the Public Facilities Reservation and Fee Policy Fiscal Year 2007-08.
- 2) Adopt **RESOLUTION NO. 07-78** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING AN ADJUSTMENT TO FEES CHARGED FOR FACILITY USE
- 3) Adopt **RESOLUTION NO. 07-79** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING FEES FOR

VARIOUS COMMUNITY SERVICES DEPARTMENT ACTIVITIES
FOR THE FISCAL YEAR 2007-08

- 4) Direct staff to develop facility reservation fees for Group II users for all existing facilities with implementation to be effective January 1, 2009. Include a representative from the Finance Commission and a representative from the Community Services Commission, selected by each respective commission, to participate in a Task Force.

3.4 APPEAL OF PLANNING COMMISSION CONDITION OF APPROVAL E.9 CONTAINED IN PLANNING COMMISSION RESOLUTION NUMBER 07-2822 APPROVING A MASTER PLAN (00430980-PMP) FOR THE MIRASOL APARTMENT PROJECT IN THE VILLAGE OF STONEGATE (PLANNING AREA 9B)

Mayor Krom declared the public hearing open at 7:12 p.m.

Stephen Higa, Principal Planner; Bill Rodrigues, Senior Planner; and Tim Gehrich, Manager of Planning and Development Services, presented the staff report.

City Council discussion included: Clarification of effective date of language in MOU relative to privacy gates; concern with Zoning Code Section 4-4-8 and language in City Council Resolution No. 04-90 and Memorandum of Understanding as it relates to gated communities; socio-economic concerns; direction to staff to collect data relative to public safety response times, security issues, traffic circulation and public access.

Mike Le Blanc, The Irvine Company; and Rich Lamprecht, Irvine Apartment Communities spoke in support of granting an appeal on this item.

ACTION: At 8:49 p.m., moved by Councilmember Shea, seconded by Mayor Pro Tempore Agran, and unanimously carried to close the public hearing.

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

Adopt **RESOLUTION NO. 07-80** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE GRANTING AN APPEAL, THEREBY REVERSING THE PLANNING COMMISSION DECISION TO IMPOSE CONDITION E.9 ON THE APPROVAL OF MASTER PLAN (00430980-PMP); LOCATED AT THE NORTHEAST CORNER OF IRVINE BOULEVARD AND GROVELAND; PLANNING AREA 9B; FILED BY THE IRVINE COMPANY APARTMENT COMMUNITIES

4. COUNCIL BUSINESS

4.1 CONSIDERATION OF FISCAL YEAR 2007/08 BUDGET

Sean Joyce, City Manager; Dave Tungate, Manager of Budget and Business Planning; and Ken Brown, Strategic Business Plan Manager, presented the staff report.

City Council discussion included: Funding for future construction of a library; adequate staffing levels in Community Development; clarification of hotel services and revenues associated with transient occupancy taxes; clarification of decrease in documentary transfer fees; status of Jeffrey Separation Project; availability of training for staff with the implementation of new programs; salary range adjustment for Police Chief; and clarification of waiting period as it relates to the Trips program.

Don Dressler, Finance Commissioner, spoke in support of the item.

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

- 1) Adopt the FY 2007-08 Budget and the following implementing resolutions:
RESOLUTION NO. 07-81 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AND APPROVING THE BUDGET AND FINANCIAL POLICIES FOR THE CITY OF IRVINE FOR THE FISCAL YEAR 2007-08; and
RESOLUTION NO. 07-82 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING ALL PREVIOUS RESOLUTIONS WHICH ARE INCONSISTENT THEREWITH EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2007; and
RESOLUTION NO. 07-83 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR THE 2007-08 FISCAL YEAR AND REPEALING ALL PREVIOUS RESOLUTIONS AUTHORIZING FULL-TIME POSITIONS; and
RESOLUTION NO. 07-84 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2007-08

RESOLUTION NO. 07-85 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR PART-TIME EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING RESOLUTION NO. 06-107 EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2007, UNLESS OTHERWISE NOTED

- 2) Approve and implement the recommendations included in the Staffing Analysis – Final Phase, and authorize staff to amend the budget implementing resolutions to include the recommended actions.
- 3) Approve the Third Amendment to the Affiliated Computer Services (ACS) Agreement for Implementation of the 2007-2008 Strategic Technology Plan, Duplicating, Convenience Copiers, and Telecommunication Services as included in the proposed budget. **(Contract No. 4900C)**
- 4) Approved the recommendations as outlined in “Commission Recommendations Matrix” in Attachment I, excluding line item nos. 8, 9, 10, 11 and 13.

An amended motion was moved by Councilmember Shea, seconded by Councilmember Choi, to:

Amend the City Council Resolution establishing the salary grade order structure and salary ranges for employees of the City of Irvine to increase the pay structure for the Director of Public Safety/Chief of Police to be equal to the salary range for Assistant City Manager and the Chief Executive Officer-Great Park Corporation.

The amended motion failed as follows:

AYES:	2	COUNCILMEMBERS:	Choi and Shea
NOES:	3	COUNCILMEMBERS:	Agran, Kang and Krom

The original motion unanimously carried.

4.2 GREAT PARK DESIGN STUDIO CONTRACT - STATUS REPORT

Marty Bryant, CEO-Orange County Great Park, presented the staff report.

Councilmember Kang left the dais at 7:10 p.m.

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Agran, and unanimously carried by those members present, to:

Receive and file.

Councilmember Kang returned to the dais at 7:13 p.m.

4.3 CITY OF IRVINE EDUCATIONAL PARTNERSHIP FUND FUNDING LEVELS

Michelle Grettenberg, Management Analyst, presented the staff report.

The following individuals spoke in support of this item: Gavin Huntley-Fenner, Irvine Unified School District; Nancy Colocino, Irvine Unified School District; Teresa Squibb, Tustin Unified; Susan Holt, Irvine Unified School District Guidance Resources; Tim Shaw, Irvine Public Schools Foundation; and Marcia Noonan, Irvine Unified School District Health Services.

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

Approve the Educational Partnership Fund Advisory Committee recommendations for program selection and funding levels for the 2007/08 Educational Partnership Fund Program.

4.4 CONSIDERATION OF ALLOCATION OF FUNDS FOR "TEAM KIDS"

This item was deleted from the agenda.

END OF COUNCIL BUSINESS

PUBLIC COMMENTS

Paul Flanagan, spoke on living wage in Irvine.

IN MEMORIAM

Mayor Krom adjourned the meeting in memory of Michael Shea, former community member.

ADJOURNMENT

Moved by Councilmember Kang, seconded by Councilmember Shea and unanimously carried to adjourn at 10:40 p.m. to a Regular Meeting to be held on June 26, 2007, at 4:00 p.m. at the Irvine Civic Center, One Civic Center Plaza, Irvine, California.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

June 26, 2007