



MINUTES

CITY COUNCIL ADJOURNED REGULAR MEETING AND ADJOURNED REGULAR JOINT MEETING OF THE SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

Steven Choi
Mayor / Chairman

Jeffrey Lalloway
Mayor Pro Tempore / Vice Chairman

Larry Agran
Councilmember / Boardmember

Beth Krom
Councilmember / Boardmember

Christina Shea
Councilmember / Boardmember

November 12, 2013
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The adjourned regular meeting of the Irvine City Council and adjourned regular joint meeting with the Successor Agency to the dissolved Irvine Redevelopment Agency was called to order at 5:10 p.m. on November 12, 2013 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor/Chairman Choi presiding.

ROLL CALL

Present:	5	Councilmember / Boardmember:	Larry Agran
		Councilmember / Boardmember:	Beth Krom
		Councilmember / Boardmember:	Christina Shea
		Mayor Pro Tempore / Vice Chairman:	Jeffrey Lalloway
		Mayor / Chairman:	Steven Choi

PLEDGE OF ALLEGIANCE

Mayor Choi led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Choi requested a moment of silence for human tragedy surrounding Super Typhoon Haiyan in the Phillipines.

INVOCATION

Mayor Choi invited Pastor Peter Han from Irvine Baptist Church to provide the invocation.

MUSICAL PRESENTATION

Councilmember Shea introduced Woodbridge High School student Misty Wada, who performed "This Land is Your Land" followed by "Linus and Lucy."

1. PRESENTATIONS

1.1 Proclaim November 2013 as "Pancreatic Cancer Awareness Month."

Mayor Choi introduced Roberta Luna, Pancreatic Cancer Action Network Affiliate Coordinator, and presented her with a proclamation.

1.2 Irvine Global Village Sponsor Recognition

Mayor Choi 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

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore Lalloway announced that on November 8, the Orange County Transportation Authority (OCTA) Board of Directors discussed the project to expand the 405 Freeway from the 55 Freeway to the 605 Freeway through the potential construction of toll lanes. The Board chose to study the project further, with another public hearing scheduled on December 9, 2013 at 9 a.m.

Mayor Choi provided a report on his recent visit to Yeosu, Korea for the 8th Silk Road Mayors Forum which took place October 21-24; and to Korea and Taiwan for the City of Irvine Friendship and Trade Mission which took place October 26 through November 3.

Mayor Choi also announced that effective November 11, City Hall would be open five days per week from 7:30 a.m. – 5:30 p.m. Monday through Thursday, and 8 a.m. – 5 p.m. on Fridays.

ADDITIONS AND DELETIONS

City Manager Joyce requested that Item No. 2.9 (Orange County Great Park – Transfer the Lease Agreement for the RV Storage) be removed from the agenda for consideration at a later date.

CONVENE TO THE ADJOURNED REGULAR JOINT MEETING

Mayor / Chairman Choi convened to the Adjourned Regular Joint Meeting with the City of Irvine Successor Agency to the dissolved Irvine Redevelopment Agency at 6:01 p.m.

2. CONSENT CALENDAR - CITY COUNCIL

ACTION: Moved by Councilmember / Boardmember Shea, seconded by Mayor Pro Tempore / Vice Chairman Lalloway, and unanimously carried to approve City Council Consent Calendar Item Nos. 2.1 through 2.11 and Successor Agency Consent Calendar Item Nos. 3.1 and 3.2, with the exception of City Council Consent Calendar Item No. 2.6, which was removed for separate discussion.

2.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on October 22, 2013.

Mayor Pro Tempore Lalloway abstained.

2.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 13-125 - 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

2.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopted RESOLUTION NO. 13-126 - 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.

2.4 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 13-127 - 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.

2.5 ACCEPTANCE OF 2013 LOCAL ASSISTANCE LAW ENFORCEMENT POLICE GRANT FUNDS FROM CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS

ACTION:

1. Authorized the Director of Public Safety to approve and accept a \$117,281 police grant award for local assistance to law enforcement from the State of California's Board of State and Community Corrections.
2. Approved a budget adjustment appropriating \$117,281 for the police grant award for local assistance to law enforcement from the State of California's Board of State and Community Corrections.

2.6 ACCEPTANCE OF AVOID THE 38 - DRIVING UNDER THE INFLUENCE CAMPAIGN PROJECT FOR ORANGE COUNTY

This item was removed for separate discussion at the request of Mayor Pro Tempore Lalloway, who expressed his appreciation to Sergeants Dennis Maisano and Matt August for applying for the grant award. No additional discussion ensued.

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

1. Authorize the Director of Public Safety to accept a \$22,450 grant award from "Avoid the 38 – Driving Under the Influence Campaign Project for Orange County."
2. Approve a budget adjustment appropriating \$22,450 for the grant award from "Avoid the 38 – Driving Under the Influence Campaign Project for Orange County."

2.7 PETERS CANYON WASH CHANNEL WATER CAPTURE AND REUSE PIPELINE FUNDING AGREEMENT, GRANT ACCEPTANCE AND BUDGET ADJUSTMENT

ACTION:

1. Authorized the Mayor to execute the Peters Canyon Wash Channel Water Capture and Reuse Pipeline Funding Agreement.
2. Authorized the Director of Public Works to accept the Orange County Transportation Authority Measure M2 Environmental Cleanup Program Grant of \$3,273,105 upon effective date of the Peters Canyon Wash Channel Water Capture and Reuse Pipeline Funding Agreement.
3. Approved a budget adjustment in the amount of \$97,414 from the Systems Development Fund for the City's share of Fiscal Year 2013-14 costs related to the Peters Canyon Wash Channel Water Capture and Reuse Pipeline project.

2.8 NOTICE OF REVIEW FOR TRACT MAP NOS. 16719 AND 17091 IN ORCHARD HILLS, 17632, 17634 AND 17635 IN PORTOLA SPRINGS AND PENDING APPROVAL FOR TRACT MAP NOS. 16702, 16703, 16704 AND 17619 IN ORCHARD HILLS, 16955 IN IRVINE BUSINESS COMPLEX, 17623 AND 17624 IN STONEGATE

ACTION:

Received and filed.

Mayor Pro Tempore Lalloway abstained.

2.9 ORANGE COUNTY GREAT PARK - TRANSFER THE LEASE AGREEMENT FOR THE RV STORAGE OPERATION FROM ALL STAR SERVICES, INC. TO GUARDIAN TECHNICAL SERVICES, INC. AND AMEND THE TERMS AND CONDITIONS OF THE LEASE AGREEMENT

This item was removed from the agenda at the request of City Manager Joyce. See Additions and Deletions.

2.10 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

1. Approved Mayor Tempore Lalloway's Community Partnership Fund Grant nomination to Young Ladies' Grand Institute, Holy Angels #247, in support of its Homeless Lunch program. **(Contract No. 8183)**
2. Approved Mayor Choi's request for Community Partnership Grant Awards to Innovative Teaching Technology for Autism **(Contract No. 8184)**, Northwood High School Athletic Booster Club **(Contract No. 8185)**, and Symphony Irvine **(Contract No. 8186)**.
3. Authorized the City Manager to prepare and sign Funding Agreements for each organization listed in Actions 1 through 2.

2.11 SECOND READING AND ADOPTION OF ORDINANCE NO. 13-06 AMENDING THE IRVINE MUNICIPAL CODE PERTAINING TO BUILDING AND FIRE CODE REGULATIONS

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 13-06 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING CHAPTERS 1,2,3 AND 4 OF DIVISION 9 OF SECTION 5 AND CHAPTER 9 OF DIVISION 7 OF SECTION 6 OF THE IRVINE MUNICIPAL CODE PERTAINING TO BUILDING AND FIRE CODE REGULATIONS

3. CONSENT CALENDAR - SUCCESSOR AGENCY

3.1 MINUTES

ACTION:

Approved the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency and the Irvine City Council held on September 10, 2013.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION – CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

Adopted RESOLUTION NO. 13-06 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ALLOWING CERTAIN CLAIMS AND DEMANDS OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

PUBLIC COMMENT - SUCCESSOR AGENCY (LIMITED TO 3 MINUTES PER SPEAKER)

There were no public comments.

ADJOURNMENT – ADJOURNED REGULAR JOINT MEETING – 6:12 p.m.

Moved by Councilmember/Boardmember Shea, seconded by Mayor Pro Tempore / Vice Chairman Lalloway, and unanimously carried to adjourn the Adjourned Regular Joint Meeting with the City of Irvine Successor Agency to the dissolved Irvine Redevelopment Agency at 6:12 p.m.

RECONVENE TO THE CITY COUNCIL MEETING – 6:12 p.m.

Mayor Choi reconvened the adjourned regular meeting of the Irvine City Council at 6:12 p.m.

4.1 CONSIDERATION OF A PROPOSAL BY THE KOREA INSTITUTE OF TRADITIONAL LANDSCAPE ARCHITECTURE (KITLA) TO CREATE A TRADITIONAL KOREAN GARDEN AT COLONEL BILL BARBER PARK

This item was agendized at the request of Mayor Choi, who expressed his support for the creation of a traditional Korean garden at Colonel Bill Barber Park. He noted that the proposed garden would: 1) be built with no financial burden to the City; and 2) be an enhancement of the existing park. He also noted that Colonel Bill Barber was the recipient of the Medal of Honor for his bravery during the Korean War.

Mayor Choi introduced Edward Kim, long time Irvine resident; and Pamela Sapetto, consultant, who provided a brief oral and video presentation.

The following individuals spoke in support of the proposed traditional Korean garden at Colonel Bill Barber Park:

Randy Delbenes, Irvine resident
Arash Delafkaran, KITLA
Raymond Fujii

City Council discussion included: Community Services Commission review of the proposal; overall community diversity; limited information provided in the proposal; concern about the timing of the development of a memorandum of understanding; whether or not a site had been identified; and maintenance costs.

ACTION: Moved by Councilmember Krom, seconded by Councilmember Agran, to submit the proposal to the Community Services Commission for its review and return to the City Council at a future date for consideration.

ACTION: A substitute motion was made by Mayor Choi, seconded by Mayor Pro Tempore Lalloway, to*:

Direct staff to work with the Korea Institute of Traditional Landscape Architecture (KITLA) to develop a memorandum of understanding based on the provisions outlined in KITLA’s presentation for the creation of a traditional Korean garden at Colonel Bill Barber Park for review by the Community Services Commission; and return to the City Council at a future date for consideration.

The motion carried as follows:

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

NOES: 1 COUNCILMEMBERS: Krom

ABSENT: 0 COUNCILMEMBERS: None

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

4.2 SECOND ADJACENT LANDOWNER AGREEMENT BETWEEN CITY OF IRVINE AND HERITAGE FIELDS EL TORO, LLC

Mayor Choi provided a few opening remarks, summarizing some of the historical background of the evolution of the Orange County Great Park, loss of redevelopment funding, and the proposal by FivePoint Communities to develop 688 acres of the Park. Councilmember Shea offered similar remarks.

City Manager Joyce, Assistant City Attorney Melching, Director of Community Development Tolles, and Acting Director of Administrative Services Brown provided the staff report. Each made presentations and responded to questions.

RECESS

Mayor Choi called a recess at 8:25 p.m.

RECONVENE

Mayor Choi reconvened the adjourned regular meeting at 8:43 p.m.

4.2 SECOND ADJACENT LANDOWNER AGREEMENT BETWEEN CITY OF IRVINE AND HERITAGE FIELDS EL TORO, LLC (CON'T)

Great Park CEO Ellzey also made a presentation and responded to questions.

The following individuals made presentations related to the details of the proposal on behalf of Heritage Fields:

Emile Haddad, CEO, Five Point Communities
Brian Myers, Nuquest Ventures

Mr. Haddad also announced that Broadcom and FivePoint Communities had a "meeting in principal" on business terms in regards to relocating Broadcom's future campus within the Great Park Neighborhoods development.

The following individuals spoke in support of the proposed agreement:

Guy Lemmon, Build the Great Park
Mike Jones, Irvine Sports Committee
Kimberly Connell
Bo Patrick Connell
Steve Greenberg
Evan Chemers
Carolyn Cavecche
Isaiah Leslie, Irvine Chamber of Commerce

Jon Szuzuka, Build the Great Park
Dick Owens, Build the Great Park
Mike Filia, Build the Great Park
Jason Szezuka, Build the Great Park
Erik Cutter
Mary Fegraus, Laguna Greenbelt, Inc.
Deirdre Kelly, AYSO Soccer
Mike Balsamo, BIA Orange County
Ken Wyant
Brian Starr, Orange County Business Council
Ryan Farasi
Jack Kofdarali
Anthony Kuo

The following individuals spoke in opposition to the proposed agreement and/or expressed concerns with lack of time for further consideration:

Jane Olinger
Carl Mariz
Alex Gelleg
Aurom Grossman
Chris King
Sharon Toji
Michael Schwartz
Brian Cummings
WM Kent
Susan Coons
Michele Garcia
Harvey Liss
Ed Pope
Gail Lewis
Nathaniel Lewis
Teena Spindler
Claudia Shambaugh
Christina Hernandez
Hobart Taylor
Doug Sheldon
Sam Costello
Dinah Frieden
Beverly Jacobs
Jake Jacobs

Nancy Neudorf urged the City Council to encourage more public participation in the process prior to approving the proposal.

Mary Ann Gaido expressed concern whether or not the most recent version of the ALA would be made available to the public, golf course sustainability, and the relocation of the Wildlife Corridor and its proximity to the Musick Jail. She also asked whether or not the Planning Commission would have an opportunity to review the amended Master Plan for the Great Park.

Melissa Fox spoke in support of "Site B" for location of Irvine's fifth high school at the Orange County Great Park.

Marlan Globerson spoke in support of solar energy and sustainability at the Orange County Great Park.

Barbara Wartman and Carolyn Franks spoke in support of agricultural activities and expressed concern over the relocation of the agricultural component. Ms. Franks also expressed concern that funding for the relocation of agriculture had not been identified in the proposal.

Mark Lowry, Orange County Food Bank, spoke in support of agricultural activities at the Orange County Great Park.

ACTION: At 11:24 p.m., moved by Councilmember Shea, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to continue the adjourned regular meeting beyond 12:00 midnight.

City Council discussion included: public/private partnerships; overall development of the Great Park thus far; request from FivePoint Communities to develop additional housing; inclusion of a golf course; potential current and future liability and financial impacts to the City; expedited construction's effect on cash flow; whether or not guarantees are provided that construction will occur on schedule and any recourse the City may have if the schedule is not adhered to; proposed lease/maintenance term; proposed relocation of agricultural area; whether or not the 2013 Solar Decathlon site would still be available in 2015 should the City be chosen to host the event; potential commercial opportunities that may exist under the proposal; Great Park finances; proposed location for a fifth high school (Site A v. Site B); loss of redevelopment funding; traffic impacts on Irvine Blvd.; need for further analysis of the proposal by staff; and postponing a decision for two weeks to allow further analysis of the proposal by City staff.

Councilmember Shea suggested that, pending certification of the CEQA / Environmental Impact Report (EIR) listed in Item No. 5.1 (Action Item No. 5A), the City Council consider the following:

- 1) Approve the Heritage Fields, LLC Second Adjacent Landowner Agreement (ALA) in the most recent form submitted to the City on November 12, 2013, reflecting updated language changes requested by City staff in its meetings with Heritage Fields, LLC representatives on November 11 and 12, 2013, subject to the parties completing discussions on the form of lease and maintenance agreements and further refinements to/or clarifications of the second ALA regarding Items 1, 3, 6 and 7 that are outstanding issues of the items listed in the staff report as agreement review items. If mutually agreeable amendments are developed as part of that collaborative discussion, staff to return to the City Council as soon as possible with proposed modifications to the approved second ALA; and
- 2) Approve the Design Package described on Exhibit B to second ALA as a park design for an approximately 688 acre portion of the Orange County Great Park that is consistent with the Orange County Great Park Master Plan; and
- 3) Adopt findings of consistency with respect to the park design.

City Attorney Litfin suggested that certification of the EIR listed as Action Item No. 5A in Item No. 5.1 be considered and approved prior to the approval of the second ALA.

ACTION: Following further discussion, moved by Mayor Choi, seconded by Councilmember Shea, to table Item No. 4.2 to consider certification and approval of the CEQA/ EIR (Item No. 5.1, Action Item No. 5A); and then return to Item 4.2 for further consideration.

ACTION: A substitution motion was made by Mayor Pro Tempore Lalloway, seconded by Councilmember Krom, to:

ACTION:
Continue Item 4.2 to the meeting of November 26, 2013 and direct staff to continue discussions with FivePoint Communities to clarify certain provisions within the Agreement.

The motion carried as follows*:

AYES: 3 COUNCILMEMBERS: Agran, Krom and Lalloway
 NOES: 2 COUNCILMEMBERS: Shea and Choi
 ABSENT: 0 COUNCILMEMBERS: None

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

5. PUBLIC HEARINGS

5.1 GENERAL PLAN AMENDMENT AND ZONE CHANGE IN PLANNING AREAS 30 AND 51 (GREAT PARK NEIGHBORHOODS)

Mayor Choi opened the public hearing at 1:20 a.m.

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Krom, to continue the public hearing to the meeting of November 26, 2013 at 4:00 p.m.

The motion carried as follows:

AYES:	3	COUNCILMEMBERS:	Agran, Krom and Lalloway
NOES:	2	COUNCILMEMBERS:	Shea and Choi
ABSENT:	0	COUNCILMEMBERS:	None


PUBLIC COMMENTS

Susan Sayre expressed concern that, inconsistent with Measure W passed in 2002, the public has not been included in the Orange County Great Park planning process.


Gary Wambold spoke about a disagreement between City staff and the Deerfield Community Association regarding maintenance of the Association’s perimeter wall.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Mayor Choi, and unanimously carried to adjourn the meeting at 1:21 a.m.



 MAYOR OF THE CITY OF IRVINE



 INTERIM CITY CLERK OF THE CITY OF IRVINE

 November 26, 2013