

## MINUTES

### CITY COUNCIL ADJOURNED REGULAR MEETING July 10, 2012

City Council Chamber  
One Civic Center Plaza  
Irvine, CA 92606

#### CALL TO ORDER

An adjourned regular meeting of the Irvine City Council was called to order at 5:12 p.m. on July 10, 2012 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      |

#### PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

#### MOMENT OF SILENCE

Mayor Kang requested a moment of silence in memory of Reuben Agran, father of Councilmember Agran, who passed away at the age of 98; and Irwin Adolph Kohn, father of City Attorney Kohn, who passed away at the age of 87.

## **MUSICAL PRESENTATION**

Mayor Kang introduced Yu-chieh Lee, 11<sup>th</sup> Grade Student at Woodbridge High School, who performed the National Anthem and "Battle Hymn of the Republic."

### **1. PRESENTATIONS**

#### **1.1 Employee Recognition - 25 and 30 Years of Service**

City Manager Joyce recognized Farideh Lyons, Senior Transportation Analyst; and Tina Reist, Senior Accounting Technician, for over 25 years of service to the City and presented each with a Certificate of Recognition.

#### **1.2 Recognition of Retiring Public Safety Personnel**

City Manager Joyce recognized Jeff Noble, Deputy Chief of Police; Vivien Hedgepeth, Manager of Business Services; and Diane Lawrence, Administrative Coordinator, for their many years of service to the City and congratulated them on their upcoming retirement. He also presented each with a Certificate of Recognition.

#### **1.3 Presentation by the American Cancer Society-Relay for Life**

Mayor Kang invited Anne Jonas, Taryn McDonald, and Linda Pierce from the American Cancer Society – Relay for Life, who made a brief presentation on the latest Relay for Life event.

## **CITY MANAGER'S REPORT**

There was no report.

## **ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

Mayor Pro Tempore Krom invited the community to the Annual "State of the Park" address on Thursday, July 12 at 10:00 a.m. in the Council Chamber. A reception will be held prior at 9:00 a.m. in the main lobby.

Mayor Kang made the following announcements:

- Several free City concerts are planned at the Orange County Great Park and Woodbridge Community Park from July 29 through September 1. For a complete list of entertainment, visit [cityofirvine.org](http://cityofirvine.org) or [ocgp.org](http://ocgp.org).

- The Orange County Great Park will host the 7<sup>th</sup> Annual "Growing the Park" celebration on Saturday, July 14 from 3-9:30 p.m. Admission is free. Parking is \$10.00. For information, visit [ocgp.org](http://ocgp.org).

## **ADDITIONS AND DELETIONS**

City Manager Joyce announced that Item No. 4.2 (Consideration of Policy Initiative to Provide Continuing Support for Education) was withdrawn from the agenda at the request of Councilmember Lalloway.

## **2. CONSENT CALENDAR**

**ACTION:** Moved by Mayor Pro Tempore Krom, seconded by Councilmember Choi, and unanimously carried to approve Consent Calendar Items 2.1 through 2.6, with the exception of 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 June 26, 2012.

### **2.2 PROCLAMATIONS**

**ACTION:**

Proclaimed July 2012 as "Parks Make Life Better Month."

### **2.3 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 12-100 - 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. 12-101 - 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.

**2.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA**

**ACTION:**

Adopted RESOLUTION NO. 12-102 - 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.

**2.6 ACCEPTANCE OF MARUCHAN, INCORPORATED DONATION**

This item was removed for separate discussion at the request of Councilmember Choi, who acknowledged Maruchan, Inc. for their generosity and continued support.

**ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Krom, and unanimously carried by those members present to:**

- 1) Accept a \$100,000 donation from Maruchan, Incorporated.
- 2) Approve a budget adjustment request in the amount of \$100,000, reflecting an increase in revenues and appropriations.

**The motion carried as follows:**

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

NOES: 0 COUNCILMEMBERS: None

ABSENT: 1 COUNCILMEMBERS: Agran (not present at vote)

**3. PUBLIC HEARINGS**

**3.1 GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR LOTS 105 AND 107/108 IN PLANNING AREA 33 (IRVINE SPECTRUM CENTER)**

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

Mayor Kang opened the public hearing at 5:57 p.m.

Michael LeBlanc, Irvine Company (applicant), provided a brief overview of the project and responded to City Council questions.

City Council discussion included: proposed funding by the applicant for the expansion of future unfunded *iShuttle* routes and whether or not an analysis was conducted to ensure the needs and interests of the City; potential air quality issues in relation to the nearby proposed child care facility; affordable housing and in-lieu fees; proximity to schools and libraries; bike routes; current occupancy rates adjacent to the proposed project; and future updates on the transportation plan as it relates to project.

**ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Krom, and unanimously carried to close the public hearing at 6:45 p.m.**

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

- 1) Adopt RESOLUTION NO. 12-103 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CERTIFYING ENVIRONMENTAL IMPACT REPORT (SCH NO. 2011121054, 00536567-PCLE) AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ADDITION OF UP TO 1,206 ATTACHED UNITS IN PLANNING AREA 33 (IRVINE SPECTRUM CENTER)
- 2) Adopt RESOLUTION NO. 12-104 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00529481-PGA TO INCREASE THE ALLOWABLE RESIDENTIAL UNITS FROM 3,150 TO 4,356 AND CONVERTING THE SUBJECT PROPERTIES FROM 4.7 AND 4.8 TO 4.7C, ON LOT 105 AT THE NORTHEAST CORNER OF ALTON PARKWAY AND MERIDIAN, AND LOTS 107/108 ON THE SOUTHWEST CORNER OF ALTON PARKWAY AND PACIFICA, IN PLANNING AREA 33 (IRVINE SPECTRUM CENTER)
- 3) Introduce for first reading and read by title only ORDINANCE NO. 12-11 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00529482-PZC TO REZONE THE SUBJECT PROPERTIES FROM 4.7 URBAN COMMERCIAL AND 4.8 IRVINE CENTER GARDEN COMMERCIAL TO 4.7C URBAN COMMERCIAL ZONING DISTRICT; AND AMENDING RELATED MAPS, TEXTS, TABLES, AND EXHIBITS OF THE CITY'S ZONING ORDINANCE TO ADD UP TO 1,206 RESIDENTIAL UNITS ON LOT 105, ON THE NORTHEAST CORNER OF ALTON PARKWAY AND MERIDIAN, AND LOTS 107/108 ON THE SOUTHWEST CORNER OF ALTON PARKWAY AND PACIFICA, IN PLANNING AREA 33 (IRVINE SPECTRUM

CENTER) as amended to include the following provision per the errata dated July 10, 2012:

*Prior to the issuance of the first certificate of occupancy for residential development on Lots 105, 107 and/or 108, the applicant shall, in cooperation with City representatives, submit and have approved by the City Council an iShuttle expansion plan to increase iShuttle service in the near term within Spectrum and the Great Park. The plan will assess and make recommendations relative to (a) introducing a new weekend or event service connecting the Irvine Station to the Great Park; (b) increasing and/or modifying peak hour weekday service to Spectrum residential and employment areas, and (c) adding off peak weekday and/or weekend service for residential, retail and/or employment areas in Spectrum. The plan will include a financing plan for operation of the recommended service additions. The applicant's financial contribution is limited to the development of the expansion plan and \$500,000 toward the capital, operations and maintenance of the City's iShuttle program within Spectrum and for any interim stop costs at or near the Irvine station providing service to the Great Park. Any Spectrum contribution over and above present funding levels to the Spectrum iShuttle program up to \$100,000 will be a credit towards the \$500,000 financial cap.*

- 4) Authorize the City Manager to accept dedication of one acre of land in satisfaction of Affordable Housing Plan specifications.
- 5) Consider the Planning Commission's additional project recommendations as detailed within the staff report.

**3.2 APPEAL OF THE PLANNING COMMISSION ACTION DENYING A CONDITIONAL USE PERMIT WITH ADMINISTRATIVE RELIEF AND A TRANSFER OF DEVELOPMENT RIGHTS TO OPERATE A MONTESSORI CHILDCARE CENTER AT 16601 ARMSTRONG IN PLANNING AREA 36**

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

Mayor Kang opened the public hearing at 7:21 p.m.

Nancy Neudorf, Chair of the Planning Commission, provided a summary of why the applicant's request was denied by the Commission.

The following individuals spoke in support of the project and responded to City Council questions:

Tan Pham, applicant  
Tim Strader, Jr., Starpointe Ventures  
Haseeb Qureshi and Bill Piazza, Urban Crossroads

City Council discussion included: compatibility with surrounding businesses and whether or not potential health hazards could arise; measures to monitor air quality; noise and traffic impacts; air quality assessment; and other concerns raised by the Planning Commission.

**ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Krom, and unanimously carried to close the public hearing at 8:40 p.m.**

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

Adopt RESOLUTION NO. 12-105 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE GRANTING AN APPEAL THEREBY OVERTURNING THE PLANNING COMMISSION'S DECISION TO DENY CONDITIONAL USE PERMIT 00537811-PCPU TO ALLOW A CHILDCARE CENTER WITH UP TO 294 CHILDREN, INFANTS THROUGH CHILDREN AGE SIX; A TRANSFER OF DEVELOPMENT RIGHTS WITH ADMINISTRATIVE RELIEF FOR EXTERIOR PLAY AREA, AND ADOPTION OF A TRANSPORTATION MANAGEMENT PLAN AT 16601 ARMSTRONG AVENUE IN PLANNING AREA 36

#### **4. COUNCIL BUSINESS**

##### **4.1 DISCUSSION OF TEMPORARY POLITICAL CAMPAIGN SIGNS IN THE CITY RIGHT-OF-WAY**

City Manager Joyce introduced Eric Tolles, Director of Community Development, who responded to City Council questions.

Lynn Schott, Irvine resident, spoke in opposition to imposing restrictions on political campaign signs in the public right-of-way.

City Council discussion included: aesthetic impacts of political campaign signs; political campaign sign regulations in other cities; potential impacts on real estate signage; approximate timeline required to adopt an ordinance to amend the current policy; potential conflicts with free speech

rights and the Political Reform Act; and limiting political campaign signs to intersections.

**ACTION: Moved by Councilmember Lalloway, seconded by Councilmember Agran, to:**

Direct staff to survey other cities' political sign regulations and enforcement measures and explore alternatives to reduce the number of political signs in the public right-of-way; and analyze the legal and practical implications that may occur if signage is banned on long stretches of public right-of-way and confined to intersections.

**The motion carried as follows:**

|         |   |                 |                                |
|---------|---|-----------------|--------------------------------|
| AYES:   | 4 | COUNCILMEMBERS: | Agran, Krom, Lalloway and Kang |
| NOES:   | 1 | COUNCILMEMBERS: | Choi                           |
| ABSENT: | 0 | COUNCILMEMBERS: | None                           |

**4.2 CONSIDERATION OF POLICY INITIATIVE TO PROVIDE CONTINUING SUPPORT FOR EDUCATION**


This item was removed from the agenda at the request of Councilmember Lalloway. See additions and deletions.

**PUBLIC COMMENTS**

Jill Parkinson and Anne Sherman Lozano spoke in opposition to the handling of a police investigation related to a traffic collision involving Duane Parkinson.

**ADJOURNMENT**

**Moved by Mayor Pro Tempore Krom, seconded by Councilmember Choi, and unanimously carried to adjourn the meeting at 9:40 p.m. in memory of Reuben Agran, father of Councilmember Agran; and Irwin Adolph Kohn, father of City Attorney Kohn.**

  
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 MAYOR OF THE CITY OF IRVINE

  
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 CITY CLERK OF THE CITY OF IRVINE

July 24, 2012