

MINUTES

CITY COUNCIL REGULAR MEETING June 12, 2012

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:05 p.m. on June 12, 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

1. CLOSED SESSION

- 1.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –
Government Code § 54956.9(a) (one item): *City of Irvine v. Matosantos*
(Sacramento County Superior Court Case No. 34-2012-80001161).

Assistant City Attorney Melching announced the Closed Session item, following which Mayor Kang convened to Closed Session at 4:06 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Kang reconvened the City Council meeting at 5:09 p.m. Assistant City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kang requested a moment of silence in honor of Hamid Malik, a devout supporter of Irvine, who passed away suddenly on May 23, 2012. The Mayor presented a certificate of recognition to his family.

MUSICAL PRESENTATION

Mayor Kang introduced Cathy Park and Eunice Lee, who performed "The Star Spangled Banner" and "Zigeunerweisen" by Sarasate.

2. PRESENTATIONS

2.1 Recognition of University of California, Irvine Men's Volleyball Team NCAA Division I National Championship Winners

Mayor Kang introduced members of University of California, Irvine Men's Volleyball 2012 Championship Team, and presented them each with certificates of recognition.

2.2 Proclaim June 18-24, 2012 as "Amateur Radio Week."

Mayor Kang introduced members of the Irvine Disaster Emergency Communications Team and Public Safety advisors, and presented them a proclamation.

CITY MANAGER'S REPORT

There was none.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Choi reported on the 2012 Aspen Accord Study and Discussion Tour which he attended with the City Manager in Hong Kong, Shenzhen and Shanghai China. He stated that valuable discussions were held regarding solutions to increase energy efficiency and to generate clean energy.

Mayor Kang made the following announcements:

- Irvine was named the Safest City in America for its size for an unprecedented eighth straight year, based upon FBI statistics on violent crime. He stated the well-being of our community is the cornerstone of our success.

- Families are invited to the DARE Lounge Chair Movie & Carnival Night at 4 p.m. on Saturday, June 16 at Bill Barber Park, next to the Civic Center. This free event includes the movie “Dolphin Tale,” which will air at dusk, and the 25th anniversary of Irvine’s DARE program, including a meet and greet with current and former DARE officers and field games led by officers.
- The City of Irvine, in partnership with the Legal Aid Society of Orange County, is hosting a series of free informational workshops designed to: help individuals and families gain a better understanding of their health care options, learn how to access available health services and programs, and understand their rights as health care consumers. The next workshop, Health Care Reform Basics, will be held on June 27 from 10-11:30 a.m. at the Lakeview Senior Center. For additional information, or for a list of workshop topics, times and locations, visit cityofirvine.org or call 949-724-6680.

ADDITIONS AND DELETIONS

There were none.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tem Krom, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.12, with the exceptions of Items 3.6 and 3.9, which were removed for separate discussion; and to approve Successor Agency Consent Calendar Item Nos. 4.1 through 4.3.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on May 22, 2012.

3.2 PROCLAMATIONS

ACTION:

Proclaimed July 1, 2012 as the official dedication date of the Mark Daily Athletic Field.

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 12-64 - 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

3.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopted RESOLUTION NO. 12-65 - 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.

3.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 12-66 - 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.

3.6 FISCAL YEAR 2012-2013 LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENTS

This item was removed for separate discussion at the request of Councilmember Choi, who expressed concerns over the increase of residential assessments.

City Council discussion included: clarification of the rate increase for residential customers and process for implementing the assessment.

ACTION: Moved by Councilmember Choi to reject staff's recommendation. Motion failed due to lack of a second.

ACTION: Moved by Mayor Kang, seconded by Mayor Pro Tem Krom to:

ACTION:

Adopt RESOLUTION NO. 12-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS, APPROVING 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 2012- 2013

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: AGRAN, KROM and KANG

NOES: 2 COUNCILMEMBERS: CHOI and LALLOWAY

3.7 ROADWAY REHABILITATION GRANT PROGRAM

ACTION:

Adopted RESOLUTION NO. 12-68 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS FOR THE STATE-LOCAL PARTNERSHIP FORMULA GRANT PROGRAM UNDER THE PROPOSITION 1B HIGHWAY, SAFETY, TRAFFIC REDUCTION, AIR QUALITY, AND PORT SECURITY BOND ACT OF 2006

3.8 CALIFORNIA ENVIRONMENTAL QUALITY ACT MANUAL UPDATE

ACTION:

Adopted RESOLUTION NO. 12-69 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE REPEALING RESOLUTION NO. 1194 AND ADOPTING AN UPDATED MANUAL FOR CITY IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

3.9 DAVID G. SILLS RECOGNITION PLAQUE

This item was removed by Councilmember Lalloway to recognize the life and service of former Mayor and Justice David G. Sills.

ACTION: Moved by Councilmember Lalloway, seconded by Councilmember Agran, and unanimously carried to:

ACTION:

Approve installation of a plaque on the Hicks Canyon Trail Pedestrian Bridge honoring former Irvine Mayor and Councilmember, Justice David G. Sills.

**3.10 PURCHASE OF TICKETS FOR AMERICAN DIABETES ASSOCIATION
“FATHER OF THE YEAR” AWARDS TRIBUTE DINNER**

ACTION:

Approved the purchase of a maximum of ten individual tickets for the June 14, American Diabetes Association “Father of the Year” Awards Tribute Dinner.

**3.11 BUDGET ADJUSTMENTS FOR THE IRVINE BUSINESS COMPLEX AND
IRVINE BUSINESS COMPLEX VISION PLAN FUNDS FOR FISCAL
YEARS 2011-12 AND 2012-13**

ACTION:

- 1) Approved a budget adjustment request in the amount of \$1,144,186 to increase Irvine Business Complex Vision Plan Fund (150) revenues and decrease Irvine Business Complex Fund (123) revenues for Fiscal Year 2011-12.
- 2) Approved a budget adjustment request in the amount of \$40,000 to increase Irvine Business Complex Vision Plan Fund expenditures and reduce General Fund expenditures for Fiscal Year 2011-12.
- 3) Approved a budget adjustment in the amount of \$1,638,388 to the proposed Fiscal Year 2012-13 budget to increase Irvine Business Complex Vision Plan Fund revenues and decrease Irvine Business Complex Fund revenues.
- 4) Approved a budget adjustment request in the amount of \$40,000 to the proposed Fiscal Year 2012-13 budget to increase Irvine Business Complex Vision Plan expenditures and reduce General Fund expenditures.

**3.12 RE-ENTERED AGREEMENTS BETWEEN THE CITY OF IRVINE AND
THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED
IRVINE REDEVELOPMENT AGENCY**

ACTION:

- 1) Adopted RESOLUTION NO. 12-70 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING A RE-ENTERED 2007 PURCHASE AND SALE AND FINANCING AGREEMENT
- 2) Adopted RESOLUTION NO. 12-71 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING A RE-ENTERED 2005 FINANCING AGREEMENT
- 3) Adopted RESOLUTION NO. 12-72 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING A RE-ENTERED 2006 FINANCING AGREEMENT

4. CONSENT CALENDAR - SUCCESSOR AGENCY TO DISSOLVED IRVINE REDEVELOPMENT AGENCY

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

ACTION:

Adopted RESOLUTION NO. 12-73- 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

4.2 RE-ENTERED AGREEMENTS BETWEEN THE CITY OF IRVINE AND THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

- 1) Adopted RESOLUTION NO. 12-74 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDVELOPMENT AGENCY APPROVING A RE-ENTERED 2007 PURCHASE AND SALE AND FINANCING AGREEMENT
- 2) Adopted RESOLUTION NO. 12-75 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDVELOPMENT AGENCY APPROVING A RE-ENTERED 2005 FINANCING AGREEMENT
- 3) Adopted RESOLUTION NO. 12-76 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDVELOPMENT AGENCY APPROVING A RE-ENTERED 2006 FINANCING AGREEMENT

4.3 REVISED RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

Adoption by the City Council as Successor Agency to the dissolved Irvine Redevelopment Agency of a revised Recognized Obligation Payment Schedule of the dissolved Irvine Redevelopment Agency for July through December 2012.

5. PUBLIC HEARINGS

5.1 MUNICIPAL CODE AMENDMENT TO CONSTRUCTION WASTE RECYCLING AND DIVERSION PROVISIONS

City Manager Joyce introduced Joseph Kirkpatrick, Chief Building Official, who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 6:09 p.m.

There were no public comments.

ACTION: Moved by Councilmember Lalloway, seconded by Mayor Kang, and unanimously carried to close the public hearing at 6:10 p.m.

There was no City Council discussion.

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

ACTION:

Introduce for first reading and read by title only ORDINANCE NO. 12-10 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING CHAPTER 9 OF DIVISION 7 OF SECTION 6 OF THE IRVINE MUNICIPAL CODE PERTAINING TO RECYCLING AND DIVERSION OF CONSTRUCTION AND DEMOLITION WASTE

5.2 COMMUNITY SERVICES DEPARTMENT FISCAL YEAR 2012-2013 PROPOSED FEE CHANGES

City Manager Joyce introduced Mike Cribbin, Senior Management Analyst, who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 6:14 p.m.

There were no public comments.

ACTION: Moved by Mayor Pro Tem Krom, seconded by Councilmember Lalloway, and unanimously carried to close the public hearing at 6:14 p.m.

ACTION: Following discussion, it was moved by Councilmember Lalloway, seconded by Mayor Pro Tem Krom, and unanimously carried to:

ACTION:

Adopt RESOLUTION NO. 12-77 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING FEES FOR VARIOUS COMMUNITY SERVICES DEPARTMENT ACTIVITIES FOR THE FISCAL YEAR 2012-13

6. COUNCIL BUSINESS

6.1 BOND ISSUANCE FOR ASSESSMENT DISTRICT NO. 07-22 GROUP THREE

City Manager Joyce introduced Valaya Chitchakkol, Finance Administrator, who provided the staff report.

There was no City Council discussion.

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

ACTION:

Adopt RESOLUTION NO. 12-78 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$6,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 07-22 LIMITED OBLIGATION IMPROVEMENT BONDS, GROUP THREE, APPROVING THE EXECUTION AND DELIVERY OF A FOURTH SUPPLEMENTAL INDENTURE AND A BOND PURCHASE AGREEMENT

6.2 CONSIDERATION OF CITY OF IRVINE FISCAL YEAR 2012-13 BUDGET

Mayor Kang provided a brief statement before the staff report was presented.

City Manager Joyce provided the budget staff report and responded to questions.

Public Comments included:

Omar Ezzeldine, Finance Commission Chair, spoke in support of the proposed budget and Finance Commission recommendations.

City Council discussion included: clarification of the use and implementation of contingency reserve funds, clarification of facility maintenance and improvement needs, clarification of the Irvine Hotel

Improvement District review process, clarification of city revenues and expenditures and the historical trend of the budget variance, bridge plan time period, clarification of Orange County Great Park revenues and sole source contracts, clarification of the staffing changes and continuity of the City's core values and services.

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

ACTION:

- 1) Adopt the FY 2012-13 Budget.
- 2) Adopt RESOLUTION NO. 12-79 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET AND FINANCIAL POLICIES FOR THE CITY OF IRVINE FOR FISCAL YEAR 2012-2013
- 3) Adopt RESOLUTION NO. 12-80 - 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 FISCAL YEAR 2012-2013, AND SUPERSEDING RESOLUTION NO. 11-86, WHICH IS INCONSISTENT THEREWITH
- 4) Adopt RESOLUTION NO. 12-81 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2012-2013
- 5) Approve the Orange County Great Park Fiscal Year 2012-13 Budget in the amount of \$46,043,466 and authorize the execution of sole source contracts and Great Park grants as approved by the Orange County Great Park Board of Directors at its meeting of March 15, 2012.
- 6) Approve the release of the commitment of \$13.25 million of Orange County Great Park fund balance for the Wildlife Corridor in anticipation of future funding provided for in the Recognized Obligation Payment Schedule or the Adjacent Landowner Agreement and that a written assurance is made of future commitment of \$13.25 million for the Wildlife Corridor.
- 7) Approve the release of the commitment of \$2.12 million of Orange County Great Park fund balance for the O Club.
- 8) Receive and file the Strategic Technology Plan 2012-2017.
- 9) Approve the closure of Fee District 89-1 (Bake/I5 Interchange), provide refunds to claimants in proportion to the amount paid by each owner to the total fees collected, and transfer \$1,822,000 to Assessment District 87-8.

6.3 STATUS OF GREAT PARK REDEVELOPMENT FUNDING, RELATED LITIGATION AND SOUTH LAWN CONSTRUCTION PROJECT

This item was agendized by Councilmember Agran who read his memo dated June 5, 2012 into the record, regarding the status of the Orange County Great Park redevelopment litigation; the status of the South Lawn construction project; and the status of negotiations with Five Point Communities.

Mike Ellzey, Orange County Great Park CEO, and Assistant City Attorney Jeff Melching, provided staff reports and responded to questions.

City Council discussion included: clarification of the phasing of construction and historical events of the Orange County Great Park Development.

ACTION:

Received and filed.

6.4 DISCUSSION REGARDING THE WARPED TOUR

This item was agendized by Councilmember Lalloway, who read his memo dated June 5, 2012 into the record, regarding the Warped Tour concert scheduled at the Orange County Great Park. He expressed concern with numerous potential problems that may stem from the concert.

Cliff Wallace, Deputy CEO, and Randy Tolsma, AMCI Vice President, provided the staff report and responded to questions.

City Council discussion included: clarification of the site rental approval vetting process, clarification of the event logistics and projected revenue, clarification of the type of desirable events held at City parks and facilities, public safety needs for events on City property, clarification of notification procedures of residents for upcoming events, and early morning activities related to event set-up.

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

ACTION:

Direct City staff to prepare guidelines, similar to those used for events managed by the Community Services Department, for future events and acts to be held at the Orange County Great Park. The proposed guidelines to be reviewed by the Orange County Great Park Corporation and the City Council.

PUBLIC COMMENTS

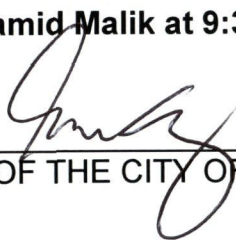
John Carr, member of the In God We Trust-America Foundation, spoke in support of displaying the "In God We Trust" motto in the Council Chamber.

ADJOURNMENT

Moved by Mayor Pro Tem Krom, seconded by Councilmember Choi and unanimously carried to adjourn the meeting in honor of Hamid Malik at 9:38 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

July 10, 2012