



**MINUTES
CITY COUNCIL
REGULAR MEETING
January 26, 2010
City Council Chamber
One Civic Center Plaza**

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:05 p.m. on January 26, 2010, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

ROLL CALL

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

1. CLOSED SESSION

**1.1 CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
Pursuant to Government Code Section 54956.9 (a): City of Irvine v.
Irvine Unified School District (Orange County Superior Court Case
No. 30-2009-00283517)**

City Attorney Phil Kohn announced the Closed Session item to be discussed, following which Mayor Kang convened to Closed Session at 4:06 p.m.

RECONVENE TO THE CITY COUNCIL MEETING – 5:04 p.m.

City Attorney Phil Kohn, on behalf of the City Council, announced that no reportable action was taken in Closed Session on Item No. 1.1.

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kang requested a moment of silence for the citizens of Haiti, who were victims of a major earthquake on January 12, 2010.

MUSICAL PRESENTATION

Mayor Kang introduced the third grade class from Springbrook Elementary School, who performed "We Shall Overcome," "Free to be You and Me," and "You're a Grand Old Flag."

2. PRESENTATIONS

2.1 Legal Aid Society of Orange County

Mayor Kang introduced Robert Cohen, Executive Director of Legal Aid Society of Orange County, who provided an update of Legal Aid's efforts to serve the Irvine community, including those needing home loan modifications, free of charge.

INTRODUCTIONS

There were none.

CITY MANAGER'S REPORT

- The City of Irvine's Community Service Department received two Awards of Excellence from the California Parks and Recreation Society. Community Services was honored for its Lunch Time Activities and Financial Literacy Initiative programs. Both awards are given to select agencies that represent the finest in community service programming, park and facility design, and park maintenance in California.
- City Manager Joyce highlighted some of the efforts that were made by the City of Irvine staff as a result of last week's series of storms that struck Southern California, and expressed his appreciation for those efforts.
- Police Chief Maggard reported that Officer Joshua Assayag, a C-17 pilot in the Air Force reserve, has been called upon to provide relief efforts in Haiti, and expressed his appreciation to the City Council for its continued support in compensating employees who are enlisted in reserve programs.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

The City Council made the following announcement:

- Councilmember Shea thanked the Orange County Fire Authority from Station #47 and the Irvine Police Department for quickly responding to a flooding situation that occurred at her neighbor's house last week, which also caused additional damage to neighboring units. Without their quick response, additional extensive damage would have occurred.
- Councilmember Choi expressed his appreciation to those who attended the first annual Korean American Day event at City Hall on January 16 and thanked everyone for their support.

Mayor Kang made the following announcements:

- The City of Irvine is hosting a town hall discussion on Building Healthy Dating and Family Relationships on Wednesday, January 27 from 6:30 p.m. to 8:30 p.m. at the Irvine Civic Center. This free symposium will highlight the differences between healthy, unhealthy or even abusive relationships while offering guidance and resources for promoting healthy relationships. For more information, call 949-724-6690 or visit the City's web site at www.cityofirvine.org.
- The Orange County Great Park will kick off its Great Skate winter series with Snow Day on January 30. Snow Day is open from 11 a.m. to 4 p.m. This free activity will continue through February 28 on Fridays, Saturdays, and Sundays from 11 a.m. to 10 p.m. in historic Hanger 244. For more information, visit www.ocgp.org or call 866-829-3829.
- Last week, Mayor Kang attended the United States Conference of Mayors Winter Meeting in Washington, D.C. Mayors from throughout the country attended and had the opportunity to meet with and discuss issues affecting our cities with President Obama and Vice President Biden, as well as Administration officials and legislative leaders.
- For the third consecutive year, the City of Irvine won the Cans for Cash Recycling Challenge for the "Most Innovative Campaign." The City received a \$5,000 reward, which will be donated to the Irvine 2/11 Marine Adoption Committee to support the Organization's efforts to help our military troops and their families.

- The United States is coordinating with the United Nations and a number of nongovernmental organizations to get much needed resources to the citizens of Haiti. The National League of Cities has created an informational page on its web site at www.nlc.org/haiti containing links to relief organizations, federal resources, as well as some information the White House asked cities to distribute. The City of Irvine has also posted information on the City's website at www.cityofirvine.org.

ADDITIONS AND DELETIONS

There were none.

3. CONSENT CALENDAR

Consent Calendar Items consisted of Item Nos. 3.1 through 3.10.

ACTION: Moved by Councilmember Choi, seconded by Councilmember Krom, and unanimously carried to approve Consent Calendar Items 3.1 through 3.10, with the exception of Item No. 3.6, which was removed for separate discussion.

3.1 MINUTES

ACTION: Approved the minutes of a regular meeting of the Irvine City Council held on January 12, 2010.

3.2 COMMENDATION

ACTION: Commended Rosemary Dugard.

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted RESOLUTION NO. 10-09 - 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. 10-10 - 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.

3.5 WARRANT AND WIRE TRANSFER RESOLUTION – BANK OF AMERICA

ACTION: Adopted RESOLUTION NO. 10-11 - 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.

3.6 CITY OF IRVINE 2010 STATE AND FEDERAL LEGISLATIVE PLATFORM AND CITY OF IRVINE AND ORANGE COUNTY GREAT PARK CORPORATION'S 2011 FEDERAL AGENDA

This item was removed at the request of Councilmember Shea, who expressed concern about an aggressive platform and securing funding for development and infrastructure at the Orange County Great Park using State and/or Federal dollars.

City Manager Joyce introduced Pamela Baird, Senior Management Analyst, who wrote the staff report and was available for questions.

City Council discussion included: updating the public on a timeline and projected costs for developing the Orange County Great Park; clarification that pursuing State and/or Federal funding does not create additional taxes for design and construction of the park; assurance that no General Fund monies will be used to develop the Orange County Great Park; why adoption of the 2011 Federal Agenda is necessary at this time; and annual review of the State and Legislative Platform.

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

ACTION:

- 1) Adopt and approve the 2010 State and Federal Legislative Platform as amended to include the following section under "I. City Manager's Office:"

D. International Trade

1. Monitor legislation and support policies and agreements promoting international trade that has been beneficial to businesses, employees and consumers in Irvine.

Section D (Orange County Great Park) now becomes Section E and Section E (Government Affairs) becomes Section F.

- 2) Adopt and approve the 2011 Federal Agenda for the City of Irvine and Orange County Great Park Corporation.

3.7 FINAL TRACT MAP NO. 17343, NOTICE OF REVIEW FOR RESIDENTIAL CONDOMINIUMS IN WOODBURY EAST

ACTION: Received and filed.

3.8 FINAL TRACT MAP NOS. 17302 AND 16798, NOTICE OF PENDING APPROVALS IN THE AREAS OF SAN JOAQUIN MARSH AND PORTOLA SPRINGS

ACTION: Received and filed.

3.9 CITY OF IRVINE EDUCATIONAL PARTNERSHIP FUND GRANT RECOMMENDATIONS

ACTION: Approved the Irvine Educational Partnership Fund Advisory Committee recommended program funding levels for the Fiscal Year 2010-11 Irvine Educational Partnership Fund Program.

3.10 EXTENSION OF THE ALL STAR SERVICES, INC. RV STORAGE LEASE AGREEMENT

ACTION:

- 1) Approved extension of the lease with All Star Services, Inc. on a month-to-month basis.
- 2) Approved a budget adjustment modifying RV Storage revenues for Fiscal Year 2009-10.

END CONSENT CALENDAR

4. COUNCIL BUSINESS

4.1 2010 STRATEGIC BUSINESS PLAN

Prior to the presentation of the staff report, Mayor Kang provided a brief history of how and why the Strategic Business Plan was developed and how it is used to help the City develop its short and long term general fund and capital improvement goals. He also provided a brief overview of the proposed plan for 2010.

City Manager Joyce and Ken Brown, Budget Officer, provided the staff report and responded to questions.

City Council discussion included: funding other service gaps rather than increasing reserve funding; utilizing Debt Service Payment savings to decrease projected shortfalls or for other General Fund expenditures rather than recommitting for new City facilities; increase in homebuilding activity; components of the three-year "Bridge Plan"; Park In-Lieu Fees; realized cost of deferring street and other types of maintenance; availability of funds in the Asset Management Plan; lag time between national local economic recovery; revenue forecast for the Bee Canyon Landfill; wear and tear on local streets by large trucks and whether or not policy standards are in place for such use; and the City's ability to sustain core services despite no tax increases.

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

ACTION: Adopt the 2010 Strategic Business Plan, amended to include the additional narrative provided in Attachments 1, 2, and 3 of the report.

4.2 PARTIAL LIVING WAGE ORDINANCE EXCEPTION FOR WACKENHUT CORPORATION

City Manager Joyce introduced Vivienne Hedgpeth, Manager of Business Services, who provided the staff report.

City Council discussion included: lack of bids received for professional custody services due to inability to comply with the Living Wage Ordinance (LWO); whether or not the LWO is meeting the needs of the City; and guidelines/requirements of the LWO.

Mayor Kang noted for the record that pursuant to the LWO, a 4/5 vote is required to grant an exception.

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

ACTION: Approve a partial exception of the Living Wage Ordinance for Wackenhut Corporation to provide professional custody services.

4.3 ORDINANCE TO AFFECT CHANGES AND ADDITIONS TO POSTED SPEED LIMITS

City Manager Joyce introduced Jim Lizzi, Senior Transportation Engineer, who provided the staff report and responded to questions.

City Council discussion included: whether the City or Caltrans conducts the engineering and traffic survey and how often; how survey guidelines are established; and who is responsible for costs for the survey.

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

ACTION: Introduce for first reading, and read by title only
ORDINANCE NO. 10-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, TO DETERMINE AND DECLARE PRIMA FACIE SPEED LIMITS ON VARIOUS STREETS WITHIN THE CITY OF IRVINE, AND OFFICIALLY ESTABLISH THESE DECLARATIONS THROUGH AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE CITY TRAFFIC ENGINEER AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

4.4 PROPOSAL TO ADOPT A CITY COUNCIL RESOLUTION SUPPORTING THE UNITED STATES - KOREA FREE TRADE AGREEMENT

This item was agendaized at the request of Mayor Kang and Councilmember Choi.

Prior to City Council discussion, Mayor Kang provided a brief introduction on the history of the proposed agreement; how it will help stimulate our local, state, and national economy and the benefits to the City of Irvine; and why he now considers this item a municipal matter.

Councilmember Choi expressed his appreciation that the item was reconsidered as a municipal matter and reaffirmed his support for a free trade agreement between the United States and the Republic of Korea.

City Council discussion included: support from local businesses for a free trade agreement; elimination of certain tariffs if agreement is reached and the benefits to local businesses and the community; whether or not City support of an agreement is considered a non-municipal matter as defined in Section 1-2-317 of the Irvine Municipal Code; and the need to re-visit the Municipal Code language.

Tefere Gebre, Orange County Labor Federation, spoke in opposition to a free trade agreement.

ACTION: Moved by Mayor Kang, seconded by Councilmember Choi, to adopt the recommended resolution.

Mayor Pro Tempore Agran proposed a revised resolution which urges Congressional consensus of a United States – Korea Free Trade Agreement, which emphasized and identified the benefits to the City of Irvine.

ACTION*: A substitute motion for adoption of an amended resolution was moved by Mayor Pro Tempore Agran, seconded by Councilmember Choi, and unanimously carried to:

ACTION: Adopt RESOLUTION NO. 10-12 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, URGING ACTION TO REACH A BENEFICIAL CONSENSUS REGARDING A UNITED STATES – KOREA FREE TRADE AGREEMENT

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

END COUNCIL BUSINESS

PUBLIC COMMENTS

Stephanie Barger, Earth Resource, spoke about the importance of banning Styrofoam.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried to adjourn at 9:01 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

February 9, 2010

