



Steven Choi
Mayor / Chair

Jeffrey Lalloway
Mayor Pro Tem / Vice Chair

Larry Agran
Councilmember / Boardmember

Beth Krom
Councilmember / Boardmember

Christina Shea
Councilmember / Boardmember

MINUTES

**CITY COUNCIL
REGULAR MEETING
AND
REGULAR JOINT MEETING
WITH THE CITY OF IRVINE AS
SUCCESSOR AGENCY TO THE
DISSOLVED
IRVINE REDEVELOPMENT AGENCY**

November 12, 2014
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council and regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency was called to order at 4:00 p.m. on November 12, 2014 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California;
Mayor / Chair Choi presiding.

ROLL CALL

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

* Councilmember Shea arrived at 4:05 p.m. and joined Closed Session. Mayor Pro Tempore Lalloway arrived at 5:17 p.m. and did not participate in Closed Session.

1. CLOSED SESSION

Assistant City Attorney Melching announced the following Closed Session items:

- 1.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
*Initiation of Litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One Case***

- 1.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
*Significant Exposure to Litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One Case***

There were no requests to speak to the Closed Session items.

RECESS

Mayor Choi convened the regular City Council meeting to Closed Session at 4:04 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the regular City Council meeting at 5:05 p.m. Assistant City Attorney Melching, on behalf of the City Council, announced that with respect to Closed Session Item No. 1.1, the City Council voted 4-0 (Mayor Pro Tempore Lalloway absent) to authorize the City's participation in an amicus brief effort in the California Supreme Court with regard to water law issues. No reportable action was taken on Closed Session Item No. 1.2.

Mayor Pro Tempore Lalloway arrived at 5:17 p.m.

PLEDGE OF ALLEGIANCE

Mayor Choi led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Pastor Jack West from Mariners Church in Irvine to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced the Amati Strings, under the guidance of Ms. Judy Yoo, who performed "America the Beautiful" and "Passacaglia."

2. PRESENTATIONS

2.1 *Irvine Global Village Festival 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 Choi expressed his appreciation to those who participated and voted in the recent election.

Mayor Choi also made the following announcements:

- The Irvine Animal Care Center is hosting the 8th annual "Home for the Holidays" Pet Adoption Fair on Sunday, December 7 from 10 a.m. to 3 p.m. For information, visit *irvineshelter.org*.
- The "Joyful Jingles" holiday concert will be held on Sunday, December 7 from 3 to 5 p.m. at the Irvine Barclay Theatre. For information, visit *cityofirvine.org*.
- The City of Irvine, in partnership with the Irvine 2/11 Marine Adoption Committee, is collecting new, unwrapped gifts for infants and children 12 years of age through December 12. For information, visit *cityofirvine.org*.
- The FBI released its annual crime report this past week for 2013. For the 10th consecutive year, the City of Irvine has reported the lowest per capita violent crime rate in the nation for cities with a population of more than 100,000. Irvine has also recorded the lowest per capita violent crime rate in the City's history.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

CONVENE TO THE REGULAR JOINT MEETING

Mayor / Chair Choi convened to the regular joint meeting with the Successor Agency at 5:39 p.m.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember/Boardmember Shea, seconded by Mayor Pro Tempore/Vice Chair Lalloway, and unanimously carried to approve City Council Consent Calendar Item Nos. 3.1 through 3.11 and Successor Agency Consent Calendar Item Nos. 4.1 and 4.2 with noted abstentions.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the Irvine City Council held on October 22, 2014.
- 2) Approved the minutes of an adjourned regular meeting of the Irvine City Council held on October 28, 2014.

3.2 PROCLAMATIONS / COMMENDATIONS

ACTION:

- 1) Proclaimed the month of November 2014 as "American Diabetes Month."
- 2) Commended the A. Gary Anderson Family Foundation as "2014 Outstanding Foundation" by the National Association of Fundraising Professionals.
- 3) Commended Selma (Sally) Mitchell in recognition of her 110th birthday.

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 14-127 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, 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. 14-128 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, 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. 14-129 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, 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 MASTER MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE COUNTY OF ORANGE FOR ENHANCED PUBLIC SAFETY SERVICES RELATED TO PUBLIC SAFETY REALIGNMENT (ASSEMBLY BILL 109) FOR FISCAL YEAR 2014-15

ACTION:

- 1) Authorized the Director of Public Safety to enter into the Master Memorandum of Understanding between the City of Irvine and the County of Orange for enhanced public safety services related to Public Safety Realignment (Assembly Bill 109) for Fiscal Year 2014-15.
- 2) Approved a budget adjustment request in the amount of \$17,569.53 reflecting \$17,569.53 in revenues and appropriations for training costs and necessary overtime, equipment and supplies for enhanced public safety services related to Public Safety Realignment (Assembly Bill 109).

3.7 UNIVERSITY DRIVE WIDENING PROJECT

ACTION:

Adopted RESOLUTION NO. 14-130 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA APPROVING THE PROJECT REPORT AND CERTIFYING THE MITIGATED NEGATIVE DECLARATION FOR THE UNIVERSITY DRIVE WIDENING PROJECT

3.8 COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM GRANT APPLICATIONS AND ADMINISTRATIVE AMENDMENTS

ACTION:

- 1) Adopted RESOLUTION NO. 14-131 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA APPROVING THE SUBMITTAL OF FUNDING APPLICATIONS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM
- 2) Approved an administrative amendment to the City of Irvine Fiscal Year 2014-15 through Fiscal Year 2020-21 Renewed Measure M Seven-Year Capital Improvement Program to add the Campus Drive Bus Stop Improvement Project.
- 3) Authorized the Mayor to sign Amendment No. 2 to Comprehensive Transportation Funding Program (CTFP) Master Funding Agreement No. C-1-2766 with the Orange County Transportation Authority.

3.9 AGREEMENT WITH EDWARDS LIFESCIENCES FOR EXEMPTION OF NEW EMPLOYEE CAFETERIA FROM IRVINE BUSINESS COMPLEX TRAFFIC IMPROVEMENT FEES

ACTION:

Authorized the City Manager to sign an Agreement for Partial Waiver of Irvine Business Complex Traffic Improvement Fees for the Edwards Lifesciences campus in Planning Area 36 pursuant to Zoning Code Section 9-36-14.H.1.

3.10 SECOND READING AND ADOPTION OF ORDINANCE NO. 14-03 LEVYING SPECIAL TAXES IN IMPROVEMENT AREA 5, COMMUNITY FACILITIES DISTRICT NO. 2013-3

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 14-03 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 5 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

(Unless otherwise directed by a member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading /adoption, the vote will be reflected as absent.)

Approved 5-0

3.11 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Choi's request for Community Partnership Fund Grant nomination to the American Lung Association in the amount of \$500, Irvine Community Drug Prevention/ Irvine Prevention Coalition in the amount of \$500 and Symphony Irvine in the amount of \$1000 in support of program costs.
- 2) Approved Councilmember Shea's request for Community Partnership Fund Grant nomination to the Silent River Film Festival in the amount of \$750 in support of program costs.
- 3) Approved Councilmember Krom's request for Community Partnership Fund Grant nomination to the Ektaa Center in the amount of \$500 in support of program costs.
- 4) Authorized the City Manager to prepare and sign funding agreements for each organization listed in Actions 1 through 3.

4. CONSENT CALENDAR - SUCCESSOR AGENCY

4.1 MINUTES

ACTION:

Approved the minutes of an adjourned regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency and the Irvine City Council held on October 14, 2014.

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

ACTION:

Adopted RESOLUTION NO. 14-05 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, 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

There were no public comments.

ADJOURNMENT – REGULAR JOINT MEETING

Moved by Mayor Pro Tempore / Vice Chair Lalloway, seconded by Councilmember / Boardmember Shea, and unanimously carried to adjourn the regular joint meeting with the Successor Agency at 5:41 p.m.

RECONVENE TO THE REGULAR CITY COUNCIL MEETING

Mayor Choi reconvened the regular City Council meeting at 5:42 p.m.

5. PUBLIC HEARINGS

5.1 APPEAL OF THE PLANNING COMMISSION ACTION APPROVING 360° FUSION RESIDENTIAL PROJECT LOCATED AT THE NORTHWEST CORNER OF MCGAW AVENUE AND MURPHY AVENUE IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX)

Tim Gehrich, Deputy Director of Community Development, and Steve Weiss, Principal Planner, provided the staff report and responded to questions.

Bill Vardoulis, on behalf of the applicant, spoke about the engineering process for the project and highlighted some of the mitigation measures that have been taken to reduce noise, dust and traffic impacting nearby residents. He also noted housing opportunities for veterans.

Mayor Choi opened the public hearing at 6:15 p.m.

The following individuals spoke in opposition to the project based on noise, dust levels, traffic, and other construction related concerns:

Naser Tafreshnia
TR Black
Francisco Anduaga
Mabell Hernandez

Luis Aleman spoke in support of the project and in opposition to the appeal.

Ruth Arce and Manuel Jin submitted speaker slips but did not speak.

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Mayor Choi, and unanimously carried to close the Public Hearing at 6:34 p.m.

City Council discussion included: approximate completion date of the special counsel report; basis of the appeal; scope of the report to be provided by special counsel; campaign contributions made by lobbyist Pamela Sapetto to

candidates; whether the appeal was valid if the campaign contribution limit was not exceeded; statements made in campaign materials; why demolition of the existing building had continued during the appeal process; timeframe of opportunity of the appeal; findings that would have to be proven in order to uphold the appeal; noise and health concerns impacting nearby residents; and design of the project in comparison to the Watermarke project.

Councilmember Agran suggested that the applicant meet with nearby residents to work collaboratively at mitigating their substantive concerns prior to the November 25 City Council meeting.

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

Continue the public hearing to the November 25, 2014 meeting.

6. COUNCIL BUSINESS

6.1 ***IRREVOCABLE OFFER OF DEDICATION AND AGREEMENT REGARDING MARINE WAY BRIDGE OWNERSHIP AND MAINTENANCE FOR BUSINESS CAMPUS IN PLANNING AREA 51***

Assistant City Attorney Melching provided the staff report. He noted that the item before the City Council was a maintenance agreement, which also addressed liability concerns, and that the issue of aesthetics would be addressed at a later date.

There was no City Council discussion.

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

ACTION*:

Approve and authorize City Engineer to execute Irrevocable Offer of Dedication and Agreement Regarding Marine Way Bridge Ownership and Maintenance.

* The recommended action was modified per the errata memo dated November 12, 2014, which previously authorized the Mayor to execute the irrevocable offer of dedication and agreement. The modification clarified that the irrevocable offer of dedication would be approved by the City Council, and that the City Engineer would be the person to ultimately accept the irrevocable offer of dedication on the City's behalf.

PUBLIC COMMENTS

Sarah Delaney spoke about election statements made by candidates, placement of political signs, campaign contributions by special interest groups and big business to support future growth and development in the City of Irvine.

Judith Dalbert expressed her support of a Veterans Cemetery at the Orange County Great Park.

Jane Olinger recommended that the City Council expand its Code of Ethics to address campaign contributions by special interest groups and suggested the formation of a committee comprised of Irvine residents.

Carolyn Inmon and Debrah Cunningham-Skurnik noted accomplishments made by Councilmember Agran and thanked him for his years of service to the community. Ms. Cunningham-Skunik also thanked Councilmember Krom for her contributions to the community.

Jeff Eshman noted concerns related to Ware Disposal and suggested that the City Council look at other options for commercial refuse services in the City of Irvine.

Harvey Liss spoke about rules of conduct for Planning Commissioners.

Allan Bartlett congratulated the successful candidates in the recent election and expressed concern about high-density housing.

Ken Wyant spoke on campaign contribution limits for candidates in City elections.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Mayor Choi, and unanimously carried to adjourn the regular meeting in memory of Irvine resident John Roger Alcorn at 9:15 p.m.


MAYOR OF THE CITY OF IRVINE


CITY CLERK OF THE CITY OF IRVINE

November 25, 2014