



MINUTES

CITY COUNCIL REGULAR MEETING

Steven Choi
Mayor

Jeffrey Lalloway
Mayor Pro Tempore

Beth Krom
Councilmember

Lynn Schott
Councilmember

Christina Shea
Councilmember

September 22, 2015
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 4:20 p.m. on September 22, 2015 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Choi presiding.

ROLL CALL

Present:	4	Councilmember:	Lynn Schott
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Jeffrey Lalloway
		Mayor:	Steven Choi
Absent:	1	Councilmember:	Beth Krom

PLEDGE OF ALLEGIANCE

Mayor Choi led the Pledge of Allegiance.

Mayor Choi reordered the agenda so that the Consent Calendar, Public Hearing Item No. 3.1, and Council Business Item No. 4.1 would precede the "Moment of Silence" and "Presentation" portion of the agenda.

MOMENT OF SILENCE

Mayor Choi requested a Moment of Silence in memory of Jim Dunning, founding Dean of Admissions at University of California, Irvine and former City Cultural Affairs Commissioner, who recently passed away.

INVOCATION

Mayor Choi invited Reverend Mark Whitlock from Christ Our Redeemer Church in Irvine to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced Payton Aurora Jones, fourth grade student from Myford Elementary School, who performed the National Anthem followed by "Home" from the Wiz.

Mayor Choi noted that Payton was currently undergoing treatment for an acute skin condition that could potentially develop into lymphoma, and presented her with a proclamation recognizing September 2015 as "Childhood Cancer Awareness Month."

1. PRESENTATIONS

1.1 Proclaim September 20-26, 2015 as "Community Emergency Response Team Program Appreciation Week"

Mayor Choi introduced members of the Community Emergency Response Team (CERT) and presented a proclamation recognizing September 20-26, 2015 as "Community Emergency Response Team Program Appreciation Week."

1.2 Recognition of Northwood 16U Boys Red Junior Olympics Water Polo Team Championship

Mayor Choi introduced members of the Northwood 16U Boys Red Junior Olympics Water Polo Team as first place champions in the 2015 USA Water Polo National Junior Olympics Platinum Division, and presented each player with a Certificate of Recognition. Councilmember Schott also expressed her congratulations to the team.

CITY MANAGER'S REPORT

City Manager Joyce noted the upcoming departure of Cindy Collins, Interim Director of Community Services, and expressed his appreciation for her service while a recruitment for a permanent Director was conducted. He also announced the resignation of Ken Brown, Director of Administrative Services, and presented him with a City tile plaque recognizing his years of service to the City.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Schott made the following announcements:

- On Saturday, September 26, Tanaka Farms will be hosting the "Farm Walk for Childhood Cancer," a fundraising event that will promote the benefits and cancer fighting properties of farm fresh crops, with proceeds benefitting five non-profit organizations that sponsor pediatric cancer patients and their families. For information or to register for the event, visit farmwalkforchildhoodcancer.org.
- The 34th Annual Thanksgiving Community Prayer Breakfast will be held on November 19 at 7:30 a.m. at the Irvine Marriot Hotel. Proceeds from the Prayer Breakfast benefit the Child Abuse Prevention Center. For information or to purchase tickets, visit irvinechamber.com or call 949-262-3210.
- Members of the community are encouraged to visit the Orange County Mosquito and Vector Control District website at ocvcd.org for information on the prevention of West Nile Virus.

Mayor Choi made the following announcements:

- The University of California, Irvine, was ranked Number 1 in the 2015 New York Times College Access Index.
- The City of Irvine was ranked as one of the top 100 best "small to midsized" cities in the nation to live in by Livability.com.
- Irvine Unified School District's state standardized test scores ranked highest in the State in Math, and second highest in the State in English Language Arts/Literacy, for school districts of 25,000 or more students.
- The City's signature event, Irvine Global Village, will be held on September 26 from 10 a.m. to 6 p.m. at Bill Barber Park. For information, visit irvinefestival.org.
- The Solar Decathlon 2015 will be held at the Orange County Great Park from October 8-11 and October 15-18 from 11 a.m. to 7 p.m. For information, visit cityofirvine.org and solardecathlon.gov.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

2. CONSENT CALENDAR

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Schott, and unanimously carried by those members present (Councilmember Krom absent) to approve Consent Calendar Item Nos. 2.1 through 2.12, with the exception of Item No. 2.5, which was removed for separate discussion.

2.1 MINUTES

ACTION:
Approved the minutes of a regular meeting of the Irvine City Council, regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency, and special joint meeting with the Orange County Great Park Board held on September 8, 2015.

2.2 PROCLAMATIONS

ACTION:
1) Proclaimed September 2015 as "Childhood Cancer Awareness Month."
2) Proclaimed October 4, 2015 in recognition of the University of California, Irvine's 50th Anniversary.
3) Proclaimed October 4-10, 2015 as "Fire Prevention Week."

2.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:
Adopted RESOLUTION NO. 15-100 - 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

2.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:
Adopted RESOLUTION NO. 15-101 - 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

2.5 CONTRACT AMENDMENTS AND BUDGET ADJUSTMENT FOR THE GREAT PARK CONTRACT COMPLIANCE REVIEW

This item was removed for separate discussion by Anthony Taylor, Special Counsel, Aleshire & Wynder, who asked that the City Council consider his comments made earlier at the Orange County Great Park Board meeting.

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Lalloway, and unanimously carried by those members present (Councilmember Krom absent), to:

- 1) Approve a contract amendment with Aleshire & Wynder and a corresponding budget adjustment, appropriating \$30,000 from the Orange County Great Park 180 Fund balance, arising from additional work in the matter of the "Agran Orange County Superior Court petition."
- 2) Approve a contract amendment with Aleshire & Wynder and a corresponding budget adjustment, appropriating \$26,174 from the Orange County Great Park 180 Fund balance, for past work performed at the request of staff with Public Records Act requests associated with the Great Park contract compliance review.

The City Council denied approval of the following:

- 3) Approval of a contract amendment requested by Aleshire & Wynder in the amount of \$114,672.09 for past work performed to complete the Great Park audit report.
- 4) Approval of a contract amendment requested by Hagen, Streiff, Newton & Oshiro in the amount of \$67,257.09 for past work performed to complete the Great Park audit report.

2.6 ACCEPTANCE OF DONATION FROM HOAG HOSPITAL IRVINE FOR CHILDREN'S ACTIVITIES AT THE ORANGE COUNTY GREAT PARK IN SUPPORT OF THE U.S. DEPARTMENT OF ENERGY SOLAR DECATHLON 2015

ACTION:

- 1) Accepted a \$5,000 donation from Hoag Hospital Irvine to help fund the City of Irvine's Children's Activities area at the Orange County Great Park in support of the U.S. Department of Energy Solar Decathlon 2015.

- 2) Approved a budget adjustment appropriating \$5,000 in Fund 180 for Children's Activities at the Solar Decathlon 2015.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 4-0 (Councilmember Krom absent)

2.7 JOINT USE AGREEMENT WITH SOUTHERN CALIFORNIA GAS COMPANY FOR A GAS LINE WITHIN IRVINE BOULEVARD

ACTION:

Approved a Joint Use Agreement with Southern California Gas Company for the relocation of a gas line from City property south of Irvine Boulevard, adjacent to Great Park Neighborhoods District 4, to Irvine Boulevard, and authorize the Mayor to execute the Joint Use Agreement.

2.8 NOTICE OF REVIEW FOR TRACT MAPS IN EASTWOOD AND GREAT PARK NEIGHBORHOODS

ACTION:

Received and filed.

2.9 SECOND READING AND ADOPTION OF ORDINANCE NO. 15-06 LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 6, COMMUNITY FACILITIES DISTRICT NO. 2013-3

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 15-06 - 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. 6 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 4-0 (Councilmember Krom absent)

**2.10 SECOND READING AND ADOPTION OF ORDINANCE NO. 15-07
LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 7,
COMMUNITY FACILITIES DISTRICT NO. 2013-3**

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 15-07 - 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. 7 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 4-0 (Councilmember Krom absent)

**2.11 SECOND READING AND ADOPTION OF ORDINANCE NO. 15-08
AMENDING CHAPTERS 2 AND 4 OF DIVISION 9 OF SECTION 5 OF
THE IRVINE MUNICIPAL CODE ESTABLISHING A STREAMLINED
PERMIT PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR
ENERGY SYSTEMS**

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 15-08 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING CHAPTERS 2 AND 4 OF DIVISION 9 OF SECTION 5 OF THE IRVINE MUNICIPAL CODE PERTAINING TO ESTABLISHING A STREAMLINED PERMIT PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS

(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 4-0 (Councilmember Krom absent)

2.12 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Councilmember Shea's request for Community Partnership Fund Grant nomination to the National Alliance Mental Illness - Orange County in support of program costs.
- 2) Approved Mayor Pro Tempore Lalloway's request for Community Partnership Fund Grant nomination to Pugs 'N Pals in support of program costs.
- 3) Authorized the City Manager to prepare and sign funding agreements listed in Actions 1 and 2.

Mayor Pro Tempore Lalloway left the meeting at 4:24 p.m. and was not present for Public Hearing Item No. 3.1 and Council Business Item No. 4.1.

3. PUBLIC HEARINGS

3.1 ORDINANCE GRANTING A FRANCHISE TO WICKLAND PIPELINES LLC

Mark Carroll, City Engineer, and Shohreh Dupris, Deputy Director of Public Works, presented the staff report and responded to questions. Additionally, it was noted that questions raised by local employers within close proximity of the project had been addressed.

Mayor Choi opened the public hearing at 4:29 p.m.

Roy Wickland, representing Wickland Pipeline, noted the benefits of the project to the community, which included the reduction of carbon dioxide emissions from delivery trucks to Orange County/John Wayne Airport.

City Council discussion included: whether incentives existed from the Environmental Protection Agency based on the reduction of emissions from delivery trucks; additional efforts made by Wickland to provide additional benefits to the community; concerns raised by Edwards Lifesciences Corporation; and suggested being mindful of the City's business community, specifically larger employers, and expanding outreach efforts to such employers for similar projects in the future.

ACTION: Moved by Councilmember Schott, seconded by Mayor Choi, and unanimously carried by those members present (Mayor Pro Tempore Lalloway and Councilmember Krom absent), to close the public hearing at 4:35 p.m.

ACTION: Moved by Mayor Choi, seconded by Councilmember Schott, and unanimously carried by those members present (Mayor Pro Tempore Lalloway and Councilmember Krom absent), to:

- 1) Introduce for first reading and read by title only ORDINANCE NO. 15-09 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, GRANTING A FRANCHISE TO WICKLAND PIPELINES LLC TO CONSTRUCT, MAINTAIN AND OPERATE A JET FUEL PIPELINE WITHIN CERTAIN PUBLIC ROADS, STREETS AND WAYS OF THE CITY OF IRVINE, CALIFORNIA
- 2) Approve a Budget Adjustment to receive revenue in the amount of \$209,864.46 related to the subject franchise.

4. COUNCIL BUSINESS

4.1 MAYOR CHOI REQUEST FOR CONSIDERATION OF IRVINE STATION LEASE AGREEMENT

This item was agendized at the request of Mayor Choi, who suggested that the City Council discuss options associated with a request from ASA Hospitality LLC/Strawberry Café and Bakery (Strawberry Café) to defer its monthly lease payment for an additional 12 months.

Anis Eugene Aoon, representing Strawberry Café, provided a brief PowerPoint presentation highlighting improvements made to the space since lease inception, and asked the City Council to consider deferment of a lease payment for 12 months to offset costs for improvements of the space and lack of business.

City Council discussion included: loss of revenue to the City if the request was granted; benefits provided by Strawberry Café to commuters; proposing a six-month versus a twelve-month extension of deferment of lease payment; renegotiating a long-term contract with Strawberry Café; reiterated that tenant improvements were the responsibility of the tenant, with the exception of flooring, which should be the responsibility of the City as it provides a public benefit; noted that the tenant had occupied the space rent free for the past four years; whether a real estate professional provided assistance with negotiating the lease terms; stated that there was not enough information to make a decision; expressed concern with precedent; and noted that indemnification is not the responsibility of the City.

City Attorney Litfin noted that the City Council would need to provide direction on what types of terms it would like incorporated into a new lease agreement, which would then come back within the next few months for approval.

ACTION: Moved by Mayor Choi, seconded by Councilmember Shea, to:

Defer the monthly lease payment of \$2,251 for six months beyond the September 15, 2015 expiration of the existing lease agreement between the City of Irvine and ASA Hospitality LLC/Strawberry Café and Bakery for approximately 1,095 square feet of space at the Irvine Station.

The motion carried as follows:

AYES: 2 COUNCILMEMBERS: Shea and Choi
NOES: 1 COUNCILMEMBERS: Schott
ABSENT: 2 COUNCILMEMBERS: Krom and Lalloway

PUBLIC COMMENTS

Alan Meyerson, Irvine resident, spoke in support of free speech and the display of the Irvine Community News and Views in local business venues.

Dallas Imbimbo, representing Big Rentz, provided a brief overview of his company and thanked the City Council for its support of the business community.

Michael Klubniken spoke on behalf of his friend, Ilya Tseglin, who continues to have legal issues related to his autistic son.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Mayor Choi, and unanimously carried by those members present (Mayor Pro Tempore Lalloway and Councilmember Krom absent) to adjourn the meeting at 6:14 p.m.


MAYOR OF THE CITY OF IRVINE


CITY CLERK OF THE CITY OF IRVINE

October 13, 2015