



## **MINUTES**

# **CITY COUNCIL ADJOURNED REGULAR MEETING January 8, 2013**

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 5:06 p.m. on January 8, 2013 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Choi presiding.

### **ROLL CALL**

Present:	5	Councilmember:	Larry Agran
		Councilmember:	Beth Krom
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Jeffrey Lalloway
		Mayor:	Steven Choi

### **PLEDGE OF ALLEGIANCE**

Mayor Choi led the Pledge of Allegiance.

### **INVOCATION**

Mayor Choi invited Pastor Pete McKenzie, the Western Director of "The Influencers," and Pastor of the "Men's Ministry" in Irvine, to provide the invocation.

### **MUSICAL PRESENTATION**

Mayor Choi introduced performers from the Irvine School of Music. Brandon Leung and

Coral Lee performed the National Anthem as a piano duet; and faculty members George Macias and Daniel De Arakel performed "El Marabino" by Antonio Lauro.

**1. PRESENTATIONS**

**1.1 Recognition of Arnold O. Beckman High School's David Goldenberg as " 2013 California Teacher of the Year"**

Mayor Choi introduced the 2013 California Teacher of the Year, David Goldenberg, a 10th and 11th grade history teacher at Beckman High School, and presented him with a commendation.

**1.2 Proclaim January 13, 2013 as "Korean American Day"**

Mayor Choi introduced members of the Korean American community and presented a proclamation to Sang Won Park, President of the Korean-American Foundation of United States of America. Joe Pac representing the Korean American Day Committee, read aloud a letter from President Obama recognizing Korean American Day.

**1.3 Proclaim January 21, 2013 as "Dr. Martin Luther King, Jr. Day"**

Mayor Choi introduced Bill Lewis, President of the 100 Black Men of Orange County, and presented a proclamation.

**1.4 Orange County Human Relations Annual Report**

Mayor Choi introduced Dr. Ellen Oshansky, UCI Nursing Science Director and Professor; and Lin Fujitsubo, Development Director, Boys & Girls Clubs of Garden Grove representing the Orange County Human Relations Board of Directors who provided an Annual Report.

**CITY MANAGER'S REPORT**

The City Manager made the following announcements:

- Over the next two-three years, the Irvine Police Department will gradually start to replace our existing fleet with the new Ford Police Interceptor, a purpose-built vehicle designed to meet the needs of police officers.
- The interim Marine Way entrance roadway and landscaping project to the Orange County Great Park was completed on time for the Great Park New Year's Eve Event through a diligent team effort by the Irvine Public Works Department.

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

Mayor Choi made the following announcements:

- On January 15, the City's annual Healthy Food Drive, in partnership with the Second Harvest Food Bank, will come to a close. The main drop-off location is in the Civic Center lobby. For more information about the food drive, including a list of drop-off locations or to make a donation online, visit [cityofirvine.org](http://cityofirvine.org).
- The City of Irvine, in partnership with the United Way of Orange County, is offering tax preparation services at no cost to taxpayers who earned less than \$58,000 in 2012. Qualifying taxpayers who live, work or attend school in Irvine are eligible to receive help completing and electronically filing their tax returns through April 15, 2013. For more information or to schedule an appointment, call 888-434-8248.

## **ADDITIONS AND DELETIONS**

There were no additions or deletions.

City Manager Joyce announced that the staff report for Item 3.1 failed to identify the proposed dissolution of the City of Irvine/Irvine Unified School District Strategic Planning Liaison Committee. This committee is inactive due to its role being transitioned to the Irvine Liaison and Coordinating Committee.

## **2. CONSENT CALENDAR**

**ACTION:** Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to approve Consent Calendar Item Nos. 2.1 through 2.5; Item 2.6 was removed from the Consent Calendar for separate discussion.

### **2.1 MINUTES**

**ACTION:**

Approved the minutes of a regular meeting of the Irvine City Council held on December 11, 2012.

### **2.2 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 13-01 - 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

**2.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T**

**ACTION:**

Adopted RESOLUTION NO. 13-02 - 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.

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

**ACTION:**

Adopted RESOLUTION NO. 13-03 - 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.

**2.5 LANDSCAPE ENHANCEMENT GRANT APPLICATION FOR ALTON PARKWAY FROM IRVINE BOULEVARD TO COMMERCENTRE DRIVE**

**ACTION:**

Adopted RESOLUTION NO. 13-04 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM UNDER SECTION 164.56 OF THE STREETS AND HIGHWAYS CODE FOR THE ALTON PARKWAY LANDSCAPE ENHANCEMENT PROJECT

**2.6 ACCEPTANCE OF CALIFORNIA HIGHWAY PATROL GRANTS FOR THE EVERY 15 MINUTES PROGRAM AT BECKMAN AND UNIVERSITY HIGH SCHOOLS**

Mayor Pro Tem Lalloway removed this item for further clarification on the program details. He also announced that Supervisor Todd Spitzer will participate in a symposium on February 27, 2013 at Concordia University.

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

- 1) Accept a California Highway Patrol grant award in the amount of \$9,999.99 for an Every 15 Minutes program at Beckman High School.
- 2) Accept a California Highway Patrol grant award in the amount of \$9,999.99 for an Every 15 Minutes program at University High School.
- 3) Approve a budget adjustment request in the amount of \$19,999.98 reflecting \$19,999.98 in revenues and appropriations.

### **3. COUNCIL BUSINESS**

#### **3.1 APPROVAL OF APPOINTMENTS OF CITY COUNCIL REPRESENTATIVES TO CITY ADVISORY COMMITTEES AND GOVERNMENTAL AGENCIES**

Sharie Apodaca, City Clerk presented the staff report.

Public comments included:

Carolyn Inmon, resident, spoke against reducing the membership of the Irvine Children, Youth and Families Advisory Committee.

Diane Gale, resident, spoke against the dissolution of the volunteer committees, and reducing the membership of the Irvine Children, Youth and Families Advisory Committee.

Shiva Farivar, Community Services Commissioner, spoke against reducing the membership of the Irvine Children, Youth and Families Advisory Committee.

Nancy Neudorf, Planning Commissioner, spoke in support of the continuation of the Green Ribbon Environmental Committee, and sustaining the membership of the Irvine Children, Youth and Family Advisory Committee.

Anthony Kuo, Planning Commissioner, spoke in support of reporting procedures for City committees.

City Council discussion included: requests that the appointment process of City Council representatives include the opportunity to share interests and time restrictions to serve on different boards; clarification of the proposed dissolutions and change in composition of committees; clarification of the Green Ribbon Environmental Committee's mission, role and responsibilities; and the programs and proposals that have resulted from the various boards and committees.

**\*ACTION:** Original motion by Mayor Pro Tem Lalloway, seconded by Mayor Choi, to approve the proposed recommendations 1 through 5; and, to allow Councilmembers Agran and Krom to switch Delegate and Alternate designations for Orange County Vector Control District Board and Newport Bay Watershed Executive Committee, and other assigned advisory bodies where needed to resolve conflicts with calendars.

Following further discussion, Mayor Pro Tempore Lalloway moved to amend his motion to defer the recommended action regarding the Green Ribbon Environmental Committee and the Irvine Children, Youth and Families committee to the next meeting.

**ACTION: A Substitute motion by Councilmember Krom, seconded by Councilmember Agran, and unanimously carried to:**

- 1) Appoint City Council delegates and alternates to outside governmental agencies on which the City has representation for the 2013 calendar year, as reflected in Attachments 1 and 2 to the staff report, as amended to allow Councilmembers Agran and Krom to switch delegate and alternate designations for Orange County Vector Control District Board and Newport Bay Watershed Executive Committee, and other assigned advisory bodies where needed to resolve calendar conflicts.

Adopt RESOLUTION NO. 13-05 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE AND ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS

- 2) Adopt Fair Political Practices Commission Public Official Appointment Form 806 and direct the City Clerk to post an amended form to the City website to report any change in appointments to the governmental agencies providing stipends as determined by the City Council.
- 3) Appoint City Council representatives to various City of Irvine advisory committees and task forces for the 2013 calendar year as reflected in Attachment 3 to the staff report.
- 4) Approve staff appointments as identified in the respective rosters attached to the staff report.
- 5) Dissolve the Borders Ad Hoc Committee with City of Newport Beach, the Irvine Train Station Expansion Ad Hoc Subcommittee, the Irvine Technology Center Subcommittee, the Orange County Transportation Authority (OCTA) South County Major Investment Study Working Group, City of Irvine/Irvine Unified School District

Strategic Planning Liaison Committee, and the Redevelopment Agency Subcommittee; and expire the current appointment to the Discovery Science Center Board of Directors and cease future appointments thereto.

- 6) The Green Ribbon Environmental Committee to be sustained and to meet four times a year. The Irvine Children, Youth and Families Committee to be sustained with no change in membership. Staff to report back in six months on merits of both committees.

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

	<b>AGENCIES/BOARDS/ COMMITTEES (NO STIPEND)</b>	<b>DESIGNATED MEMBER</b>	<b>ALTERNATE/ MEMBERS</b>
1.	<b>Coastal Greenbelt Authority</b>	Jeffrey Lalloway	Community Services Manager
2.	<b>Community Energy Partnership (Aspen Accord)</b>	Steven Choi	Christina Shea
3.	<b>Irvine Barclay Theatre Operating Company (Board of Directors and Committees)</b>	Mary Ann Gaido, Planning Commissioner (At-large appointee)  Gary Burton, Director of Admin. Svcs.  Michelle Grettenberg, Asst. to the City Manager	N/A
4.	<b>Irvine Child Care Project (Non-Profit JPA between City and Irvine USD)</b>	Larry Agran	Beth Krom
5.	<b>Irvine Liaison and Coordinating Committee** (Irvine USD)</b>	Steven Choi Christina Shea	N/A
6.	<b>Irvine Liaison and Coordinating Committee (Tustin Unified School District)</b>	Jeffrey Lalloway Beth Krom	N/A
7.	<b>Irvine Public Schools Foundation (Education Leadership Forum (ELF))</b>	Beth Krom	Larry Agran
8.	<b>Irvine Public Schools Foundation (Educational Leadership Forum Action Team (ELFAT))</b>	Beth Krom	Larry Agran
9.	<b>Irvine Ranch Water District/City of Irvine Coordinating Committee (Ad Hoc)</b>	Steven Choi (Mayor required) Jeffrey Lalloway (Mayor Pro Tem required)	

10.	<b>Laguna Canyon Foundation</b>	Beth Krom	Meredith Reynolds, Environmental Programs Administrator
11.	<b>League of California Cities</b>	Steven Choi (Mayor required)	Jeffrey Lalloway (Mayor Pro Tem required)
12.	<b>Library Advisory Board (LAB) of Orange County Library System</b>	Steven Choi	Christina Shea
13.	<b>National League of Cities</b>	Steven Choi (Mayor required)	Jeffrey Lalloway (Mayor Pro Tem required)
14.	<b>Newport Bay Watershed Executive Committee</b>	Beth Krom	Amanda Carr, Water Quality Administrator
15.	<b>Nature Reserve of Orange County (NROC)</b>	Brian Fisk, Director of Community Services	Community Services Manager
16.	<b>One Water One Watershed (OWOW) Steering Committee (Santa Ana Watershed Project Authority "SAWPA")</b>	Beth Krom (Reappointed 3/24/11 – 4 yr term by OCCOG)	N/A
17.	<b>Orange County City Selection Committee (Local Agency Formation Commission)</b>	Steven Choi (Mayor required)	N/A
18.	<b>Orange County Council of Government</b>	Steven Choi (Mayor Required) (Serving balance of a 2 yr term expiring 3/31/14)	Jeffrey Lalloway (Serving a 2 yr term expiring 3/31/14)
19.	<b>Orange County Housing Authority Advisory Committee</b>	Beth Krom	N/A
20.	<b>San Joaquin Marsh Wildlife Sanctuary</b>	Beth Krom	Larry Agran
21.	<b>Santa Ana River Flood Protection Agency Commission</b>	Beth Krom	Larry Agran

	<b>AGENCIES/BOARDS/ COMMITTEES (STIPEND)</b>	<b>DESIGNATED MEMBER</b>	<b>ALTERNATE/ MEMBERS</b>
1.	<b>Orange County Fire Authority</b>	Jeffrey Lalloway	Steven Choi

2.	<b>Orange County Sanitation District</b>	Steven Choi	Christina Shea
3.	<b>Orange County Transportation Authority Board of Directors</b>	Jeffrey Lalloway (Appointed on 11/14/12 by OCTA to a two year term commencing January 2013)	N/A
4.	<b>Orange County Vector Control District Board of Trustees</b>	Beth Krom (serving balance of 2-year term expiring 12/31/13)	Larry Agran (non-voting, no stipend)  (serving balance of 2-year term expiring 12/31/13)
5.	<b>Southern California Association of Governments Regional Council</b>	Steven Choi** (Serving balance of term expiring 3/31/14)  **By virtue of the SCAG bylaws, the Delegate to SCAG automatically serves as the OCCOG Delegate.	Bylaws do not permit any other alternate appointment. (Staff Report: 4-22-08)
6.	<b>Transportation Corridor Agency - Foothill/Eastern</b>	Christina Shea	Steven Choi
7.	<b>Transportation Corridor Agency - San Joaquin Hills</b>	Christina Shea	Steven Choi
8.	<b>Transportation Corridor System Board of Directors (Foothill/Eastern and San Joaquin Hills Transportation Corridor Agencies)</b>	Christina Shea	Steven Choi

	<b>CITY COMMITTEES AND TASK FORCES</b>	<b>DESIGNATED MEMBERS</b>
1.	<b>Great Park Neighborhoods Subcommittee</b>	Steven Choi Jeffrey Lalloway
2.	<b>Green Ribbon Environmental Committee</b>	Beth Krom (non-voting) Larry Agran (non-voting) (appt 4/26/11 by Minute Action)

3.	<b>Irvine Community Land Trust (ICLT)</b>	Jeffrey Lalloway Christina Shea
4.	<b>Irvine Educational Partnership Fund Advisory Committee</b>	<u>City Council Appointees:</u> Jeffrey Lalloway Christina Shea  <u>Member at Large (2-yr term):</u> Cynthia Kole
5.	<b>Wildlife Corridor Technical Ad Hoc Working Group</b>	Jeffrey Lalloway

**3.2 CONSIDERATION OF PROPOSED AMENDMENT OF ORANGE COUNTY GREAT PARK CORPORATION ARTICLES OF INCORPORATION**

Mayor Choi agendized this item for further clarification on the composition and governance of the Orange County Great Park Board.

City Council comments included: clarification of Great Park activation and development; board composition and financing; historical evolution of the El Toro Marine Air Station reuse project; clarification of the public visitation to the Great Park; complication of balancing regional needs with City standards and planning; a letter from Ken Smith, Master Designer, was read into the record by Councilmember Krom; clarification of the expenditures used to build the current Great Park features; and elimination of boardmember compensation.

The following individuals spoke in favor of the proposed recommendations:

- |                    |                  |
|--------------------|------------------|
| Todd Spitzer       | Lynn Schott      |
| Carol Littschwager | David Robinson   |
| Craig Alexander    | Peter A. Tariche |

The following individuals spoke in opposition of the proposed recommendations:

- |                       |                |
|-----------------------|----------------|
| Marian Bergeson       | Debbie Cook    |
| Ellen Olshansky       | Melissa Fox    |
| Walkie Ray            | Sandy Stiassni |
| William Kogerman      | Greg Conway    |
| Brad Jenkins          | Benjamin Muz   |
| Celia Kutcher         | Jane Olinger   |
| Susan Sayer           | Ed Pope        |
| Melanie Schlotterbeck | Harvey Liss    |
| Dr. Elisabeth Brown   | Mrs. Schmidt   |
| Sharon Toji           | Beverly Jacobs |
| Brandon Morad         | Gail Lewis     |

Stephanie Pacheco

Jackie Hartfield

**\*ACTION:** Original motion by Mayor Choi, seconded by Mayor Pro Tem Lalloway, to approve the recommendations 1 through 4 as proposed.

City Council comments included: clarification of Great Park programing and development, board composition and compensation; importance of collaboration with non-profits and the citizens throughout the County.

**ACTION:** Motion made by Councilmember Agran, seconded by Councilmember Krom, to amend the original motion to include: Direct the City Attorney to prepare appropriate documentation to 1) provide the means and ways, by which board compensation can be reduced to zero for continuing boardmembers; and, 2) amend underlying resolutions as required to remove any conflicting language related therto.

**\*ACTION: A substitute motion made by Mayor Pro Tem Lalloway, seconded by Mayor Choi, to:**

- 1) Adopt the Certificate of Amendment of Articles of Incorporation attached to the memorandum dated December 31, 2012 establishing the composition of the Orange County Great Park Board of Directors to be five directors, who shall be the persons serving as the duly elected or appointed members of the Irvine City Council.
- 2) Reiterate that the personnel of the Orange County Great Park Corporation are employees of the City and, consistent with previously adopted City Council resolutions and a voter-approved initiative ("Measure R," effective 2008-2012), shall operate under the general supervision of the City Manager.
- 3) Direct the City Manager and City Attorney to prepare documents effectuating a change of meeting times and days of regularly scheduled meetings of the Orange County Great Park Board of Directors, as recommended in the memorandum dated December 31, 2012, for the Board of Directors' approval at the earliest possible date.
- 4) Direct the City Manager to direct Orange County Great Park Corporation President/CEO Ellzey to immediately schedule a special meeting of the Orange County Great Park Board of Directors at 8:30 a.m. on January 10, 2013 in the City Council Chamber for the purposes of 1) removing the Chair and Vice Chair of the Board and electing a new Chair and Vice Chair; and 2) adjusting meeting times and days for all future regular meetings of the Orange County Great Park Board of Directors.
- 5) Direct the City Attorney to prepare the necessary resolutions

pertaining to the governing structures and responsibilities of the Orange County Great Park to eliminate conflicts with existing underlying resolutions resulting from tonight's actions; and called a special meeting of the Irvine City Council for 8:30 a.m. on January 10, 2013 in the City Council Chamber.

**The motion carried as follows:**

AYES: 3 COUNCILMEMBERS: Choi, Lalloway and Shea  
NOES: 2 COUNCILMEMBERS: Agran and Krom  
ABSENT: 0 COUNCILMEMBERS: None

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

**ACTION: Moved by Mayor Choi, seconded by Mayor Pro Tem Lalloway, and unanimously carried to continue the City Council meeting beyond 11 p.m.**

**3.3 CONSIDERATION OF PROPOSED TERMINATION OF AGREEMENTS FOR CONSULTING SERVICES WITH FORDE & MOLLRICH AND TOWNSEND PUBLIC AFFAIRS, INC.**

Mayor Pro Tem Lalloway provided clarification and background for his proposed recommendations.

City Council discussion included: clarification of the scope of the work of the contracts in question, the relationship of the contractors to current and upcoming Great Park programs and events such as the Solar Decathlon, and the need to provide alternative solutions, and transitional plans for terminated contracts.

Public comments included:

Ed Pope spoke against the proposed recommendation.

**ACTION: Moved by Mayor Choi, seconded by Councilmember Krom, and unanimously carried to allow another two minute round of City Council discussion.**

**ACTION: Following additional discussion, it was moved by Mayor Pro Tem Lalloway, seconded by Councilmember Shea, to:**

Terminate all existing contracts with Forde & Mollrich and with Townsend Public Affairs, Inc. in accordance with the termination clauses included in the respective agreements.

**The motion carried as follows:**

AYES: 3 COUNCILMEMBERS: Choi, Lalloway and Shea

NOES: 2 COUNCILMEMBERS: Agran and Krom

ABSENT: 0 COUNCILMEMBERS: None

**3.4 CONSIDERATION OF REQUEST FOR CITY COUNCIL APPROVAL TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR A CONTRACT COMPLIANCE/FORENSIC AUDIT OF ORANGE COUNTY GREAT PARK CONTRACTS, INCLUDING ALL WORK EFFORTS ASSOCIATED WITH THE ORANGE COUNTY GREAT PARK**

Councilmember Shea introduced the item and provided clarification to the proposed recommendation and scope of work, including the removal of procedural items “f” and “m” from the scope of work described in her errata memo dated January 2, 2013.

City Council comments included: clarification of the definition of a performance and forensic audit, need for an independent firm to perform the work, clarification of the funds needed to adequately perform the audit, annual audit of internal City functions, use of the Request For Proposal process for finding an auditor, request for a large and reputable firm to perform the audit, and clarification of the role of the subcommittee. Councilmember Shea and Mayor Pro Tem Lalloway indicated a desire to serve on the subcommittee.

Public comments included:

Allan Bartlett, Finance Commissioner, spoke in support of the proposed recommendations.

Ed Pope, spoke against the proposed recommendations.

P.K. Wong, Finance Commissioner, spoke against the proposed recommendations.

**ACTION: A motion by Councilmember Shea, seconded by Mayor Pro Tem Lalloway, and unanimously carried to:**

- 1) Direct staff to solicit proposals for the performance of a comprehensive contract compliance/forensic audit of Orange County Great Park contracts in excess of \$50,000, including any and all work efforts associated with the Orange County Great Park.
- 2) Appropriate \$250,000 from the Orange County Great Park reserves (Fund 180 fund balance).
- 3) Appointed a two-member City Council subcommittee consisting of Mayor Pro Tem Lalloway and Councilmember Shea (and City staff) to work with the auditor to receive periodic updates of findings, and bring information to the full City Council.
- 4) Direct staff to present the proposed Request For Proposals to the City Council for review and approval before initiating the process.

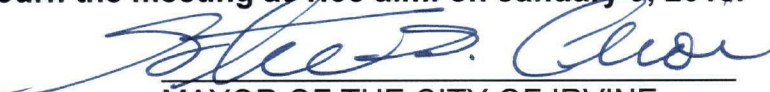
**PUBLIC COMMENTS**

Karla Westphal, Americans United for Separation of Church & State, spoke in opposition to invocations at public meetings.

East Shore Elementary students spoke in support of banning plastic bags.

**ADJOURNMENT**

**Moved by Councilmember Krom, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to adjourn the meeting at 1:35 a.m. on January 9, 2013.**

  
MAYOR OF THE CITY OF IRVINE

  
CITY CLERK OF THE CITY OF IRVINE

January 22, 2013