



Steven Choi  
Mayor/Chairman

Jeffrey Lalloway  
Mayor Pro Tem/Vice Chairman

Beth Krom  
Councilmember/Boardmember

Lynn Schott  
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

July 14, 2015  
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 4:03 p.m. on July 14, 2015 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor/Chairman Choi presiding.

### ROLL CALL

Present:	5	Councilmember/Boardmember:	Beth Krom
		Councilmember/Boardmember:	Lynn Schott
		Councilmember/Boardmember:	Christina Shea
		Mayor Pro Tempore/Vice Chair:	Jeffrey Lalloway
		Mayor/Chairman:	Steven Choi

City Attorney Litfin announced the following Closed Session items:

**1. CLOSED SESSION**

- 1.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - SAND CANYON SERVICE STATION, INC. V. ORANGE COUNTY TRANSPORTATION AUTHORITY, ET AL., ORANGE COUNTY SUPERIOR COURT, CASE NO. 30-2014-00748674 (Pursuant to Government Code Section 54956.9(a))**
  
- 1.2 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) Agency Negotiators: Ken Brown, Director of Administrative Services; Steve Berliner, Liebert, Cassidy, Whitmore; Jimmie Medina, Human Resources Administrator; Employee Organizations: Associated Supervisory/ Administrative Personnel (ASAP); Irvine City Employees Association (ICEA); Irvine Professional Employees Association (IPEA); Irvine Police Association (IPA); and Irvine Police Management Association (IPMA)**

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 CITY COUNCIL MEETING**

Mayor Choi reconvened the regular City Council meeting at 5:36 p.m. City Attorney Litfin, on behalf of the City Council, announced that by a 5-0 vote, the City Council authorized a settlement on Closed Session Item No. 1.1. There was no reportable action for Closed Session Item No. 1.2.

**PLEDGE OF ALLEGIANCE**

Mayor Choi led the Pledge of Allegiance.

**INVOCATION**

Mayor Choi invited Pastor John Thomas from Mariners Church in Irvine to provide the invocation.

**MUSICAL PRESENTATION**

Mayor Choi introduced Catherine Song, who performed "God Bless America" followed by "You Raise Me Up."

## 2. PRESENTATIONS

### 2.1 *Exchange Club of Irvine Donations to The Raise Foundation, The Joyful Child Foundation and The Child Abuse Prevention Center of Orange County*

Mayor Choi introduced Carlos Carney, representing the Exchange Club of Irvine, who presented donation checks from money raised at the Thanksgiving Prayer Breakfast to representatives from The Raise Foundation, The Joyful Child Foundation and The Child Abuse Prevention Center for continued efforts in preventing child abuse.

Erin Runnion, founder of The Joyful Child Foundation, expressed her appreciation to the City of Irvine, Irvine Chamber of Commerce, and the Exchange Club of Irvine for their support on behalf of all three organizations.

## CITY MANAGER'S REPORT

City Manager Joyce noted that staff would be providing a report on traffic mitigation in two weeks based on the City Council's desire and commitment to address traffic related concerns citywide.

## ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore made the following announcements:

- Members of the community are invited to join Mayor Pro Tempore Lalloway, as Chairman of the Orange County Transportation Authority Board, on Friday, July 17 at 10:30 a.m. at the Irvine Station to celebrate the return of the OC Fair Express. The first 100 people on the first bus will receive an OC Fair Express backpack.
- Mayor Pro Tempore Lalloway's staff will be providing Mobile Office Hours from 11 a.m. – 1 p.m on Tuesday, July 28 at University Park Library, 4512 Sandburg Way. Mobile Office Hours provides residents and business owners the opportunity to discuss city-related issues, ask questions, and share ideas or concerns.

Councilmember Krom provided a brief report on the Dalai Llama's recent visit to the University of California, Irvine campus.

Mayor Choi made the following announcements:

- The City of Irvine will host a free Affordable Housing Community Forum on Thursday, July 23 at Bethel Korean Church from 6-8 p.m. Two additional forums will be held on Thursday, August 13 at the Irvine Civic Center and Thursday, August 27 at the South Coast Chinese Cultural Center from 6-8 p.m. For information, call 949-724-7444 or visit *cityofirvine.org*.
- The Symphony in the Cities free summer concert will be performed by the Pacific Symphony on Sunday, July 19 at 7 p.m. at Mike Ward Community Park-Woodbridge. The evening begins at 5:30 p.m. with a musical playground for children. The Sizzlin' Summer Concert Series resumes on Sunday, July 26 at 5:30 p.m. at Mike Ward Community Park. For information, visit *cityofirvine.org*.
- The City of Irvine, in conjunction with the Irvine Host Town Committee, will welcome a delegation of Special Olympics athletes, coaches, team staff and liaisons from Korea on Tuesday, July 21. The public is invited to meet and cheer on the athletes as they march in a welcome parade at 1:15 p.m. on Wednesday, July 22 in front of the Edwards 21 Theatre at the Irvine Spectrum Center. For information, visit *la2015.org*.

Mayor Choi also introduced high school students participating in the City of Irvine Internship Program working with members of the City Council.

### **ADDITIONS AND DELETIONS**

There were no additions or deletions to the agenda.

### **CONVENE TO THE REGULAR JOINT MEETING**

Mayor Choi convened to the regular joint meeting with the City of Irvine as Successor Agency to the dissolved Redevelopment Agency at 6:10 p.m.

### **3. CONSENT CALENDAR – CITY COUNCIL**

**ACTION:** Moved by Mayor Pro Tempore/Vice Chair Lalloway, seconded by Councilmember/Boardmember Shea, and unanimously carried to approve City Council Consent Calendar Item Nos. 3.1 through 3.9 and Successor Agency Consent Calendar Item Nos. 4.1 and 4.2, with the exception of Item No. 3.8, which was removed for separate discussion. Councilmember Krom abstained on Item No. 3.3.

**3.1 MINUTES**

**ACTION:**

1. Approved the minutes of a special meeting of the Irvine City Council held on June 16, 2015.
2. Approved the minutes of a 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 held on June 23, 2015.

**3.2 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 15-56 - 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

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

**ACTION:**

Adopted RESOLUTION NO. 15-57 - 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.

**3.4 ADOPTION OF RESOLUTIONS OF INTENT TO INITIATE CHANGE PROCEEDING AND FORM COMMUNITY FACILITIES DISTRICT NO. 2013-3 IMPROVEMENT AREA NO. 6 AND IMPROVEMENT AREA NO. 7, SET TIME AND PLACE FOR PUBLIC HEARING, AND ESTABLISH TIME, PLACE, AND PROCEDURES FOR ELECTION**

**ACTION:**

1. Adopted RESOLUTION NO. 15-58 - A RESOLUTION OF CONSIDERATION AND INTENTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS THE LEGISLATIVE BODY OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), TO CHANGE AND MODIFY AN EXISTING IMPROVEMENT AREA AND THEREBY DESIGNATE AN ADDITIONAL IMPROVEMENT AREA, IMPROVEMENT AREA NO. 6, WITHIN CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES

2. Adopted RESOLUTION NO. 15-59 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS THE LEGISLATIVE BODY OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), DECLARING ITS INTENTION TO INCUR BONDED INDEBTEDNESS FOR IMPROVEMENT AREA NO. 6 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)
3. Adopted RESOLUTION NO. 15-60 - A RESOLUTION OF CONSIDERATION AND INTENTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS THE LEGISLATIVE BODY OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), TO CHANGE AND MODIFY AN EXISTING IMPROVEMENT AREA AND THEREBY DESIGNATE AN ADDITIONAL IMPROVEMENT AREA, IMPROVEMENT AREA NO. 7, WITHIN CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES
4. Adopted RESOLUTION NO. 15-61 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS THE LEGISLATIVE BODY OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), DECLARING ITS INTENTION TO INCUR BONDED INDEBTEDNESS FOR IMPROVEMENT AREA NO. 7 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

**3.5 AMENDMENT TO FREEWAY MAINTENANCE AGREEMENT WITH CALTRANS FOR ROADWAY AND BICYCLE TRAIL CROSSINGS**

**ACTION:**

Authorized the Mayor to execute Amendment No. 1 to Freeway Maintenance Agreement ORA-30-3166 between the State of California Department of Transportation (Caltrans) and the City of Irvine updating the list of freeway crossing locations contained in the agreement.

**3.6 REHABILITATION OF STREETScape AND PARK IRRIGATION SYSTEMS**

**ACTION:**

1. Approved the plans, specifications, and contract documents for the Rehabilitation of Streetscape and Park Irrigation Systems, Capital Improvement Projects (CIP) 351401 and 381501.
2. Approved the Engineer's Estimate, Construction Contingency and Funding Summary.

- 3. Authorized staff to solicit competitive bids and award the construction contract to the lowest responsive bidder in accordance with the City's financial policies and purchasing procedures.

**3.7 NOTICE OF REVIEW FOR TRACT MAPS IN PORTOLA SPRINGS, EASTWOOD, AND GREAT PARK NEIGHBORHOODS**

**ACTION:**  
Received and filed.

**3.8 SECOND READING OF ORDINANCE NO. 15-05 AMENDING DIVISION 6 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE TO REPEAL THE BUSINESS LICENSE TAX**

This item was removed for separate discussion at the request of Russell Stein, who spoke in support of eliminating the Business License Tax; however, he proposed that the City Council table the matter and refer it back to the Finance Commission for further analysis.

City Council discussion included: noting that the Business License Tax repeal as symbolic and not good public policy; leaving the existing database intact; questioned whether the new process was cumbersome; and noted both opposition and support communications from the business community.

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

Read by title only, second reading and adoption of ORDINANCE NO. 15-05 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, REPEALING THE BUSINESS LICENSE TAX

**The motion carried as follows:**

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

**3.9 SOUTHERN CALIFORNIA EDISON STREETLIGHT ACQUISITION PROGRAM**

**ACTION:**

Directed staff to not participate in the Southern California Edison Streetlight Acquisition Program due to the uncertainty of acquisition cost and lack of data to substantiate any cost savings to the City at this time.

**4. CONSENT CALENDAR - SUCCESSOR AGENCY**

**4.1 MINUTES**

**ACTION:**

Approved the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency with the Irvine City Council held on June 23, 2015.

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

**ACTION:**

Adopted RESOLUTION NO. 15-05 – 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 Mayor/Chairman Choi, and unanimously carried to adjourn the regular joint meeting at 6:22 p.m.**

**CONVENE TO THE REGULAR JOINT MEETING**

Mayor Choi reconvened the regular City Council meeting at 6:23 p.m.

**5. COUNCIL BUSINESS**

**5.1 BOND ISSUANCE FOR REASSESSMENT DISTRICT NO. 15-1 AND REASSESSMENT DISTRICT NO. 15-2**

Mayor Choi turned to City Attorney Litfin, who noted a conflict-of-interest for Councilmember Shea with respect to Reassessment District No. 15-1, and for Mayor Choi with respect to Reassessment District No. 15-2, due to the proximity of their residences. Both Mayor Choi and Councilmember Shea recused themselves and left the dais at 6:24 p.m. with Mayor Pro Tempore Lalloway serving as presiding officer.

Teri Washle, Interim Manager of Finance, and Tom Johnson, representing Fieldman Rollap, provided the staff report and responded to questions. City Manager Joyce also noted that this cost-saving measure was one of many that offered more favorable terms and savings to taxpayers, and that staff would continue to look for similar cost-saving measures in the future.

City Council discussion included: cost-saving measures over the years for taxpayers; and whether the net present value was reflective of both districts combined.

**ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Schott, to:**

1. Adopt RESOLUTION NO. 15-62 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DECLARING ITS INTENTION TO LEVY REASSESSMENTS AND TO ISSUE REFUNDING BONDS UPON THE SECURITY THEREOF IN REASSESSMENT DISTRICT NO. 15-1
2. Adopt RESOLUTION NO. 15-63 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE REASSESSMENT REPORT FOR REASSESSMENT DISTRICT NO. 15-1, CONFIRMING AND ORDERING THE REASSESSMENT PURSUANT TO SUMMARY PROCEEDINGS THEREFOR AND DIRECTING ACTIONS WITH RESPECT THERETO

3. Adopt RESOLUTION NO. 15-64 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$49,265,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE LIMITED OBLIGATION IMPROVEMENT BONDS, REASSESSMENT DISTRICT NO. 15-1, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST, AN ESCROW AGREEMENT, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO
4. Adopt RESOLUTION NO. 15-65 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DECLARING ITS INTENTION TO LEVY REASSESSMENTS AND TO ISSUE REFUNDING BONDS UPON THE SECURITY THEREOF IN REASSESSMENT DISTRICT NO. 15-2
5. Adopt RESOLUTION NO. 15-66 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE REASSESSMENT REPORT FOR REASSESSMENT DISTRICT NO. 15-2, CONFIRMING AND ORDERING THE REASSESSMENT PURSUANT TO SUMMARY PROCEEDINGS THEREFOR AND DIRECTING ACTIONS WITH RESPECT THERETO
6. Adopt RESOLUTION NO. 15-67 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$53,120,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE LIMITED OBLIGATION IMPROVEMENT BONDS, REASSESSMENT DISTRICT NO. 15-2, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST, AN ESCROW AGREEMENT, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO

**The motion carried as follows:**

AYES: 3 COUNCILMEMBERS: Krom, Lalloway, and Schott

NOES: 0 COUNCILMEMBERS: None

ABSTAIN: 2 COUNCILMEMBERS: Shea and Choi

**5.2 IRVINE BUSINESS COMPLEX PLANNING COMMISSION RECOMMENDATIONS**

Barry Curtis, Manager of Planning and Development Services, and Bill Jacobs, Principal Planner, presented the staff report and responded to questions.

Pamela Sapetto, representing Sapetto Real Estate Solutions, expressed her support, noting the necessity for adjustments to the Irvine Business Complex (IBC) Vision Plan to accommodate future growth and encouraging more retail, infrastructure, park space and traffic mitigation.

Bill Vardoulis noted three primary concerns which included direct access to parks, access to retail, and traffic circulation within the IBC.

Anthony Kuo, Chair of the Planning Commission, also spoke in favor of the Planning Commission recommendations, noting the two-year process by the Irvine Business Complex (IBC) subcommittee, and that the first eight recommendations were passed unanimously by Planning Commission.

Elena Byington, Irvine resident, spoke in support of increasing public parks and additional retail without developer incentives, and in opposition to increasing the number of units in the IBC.

Mary Ann Gaido, Planning Commissioner, spoke in support of Planning Commission Recommendation Nos. 1 through 8, and in opposition to Recommendation No. 9 (lifting the unit cap).

Mimi Johnson, Irvine resident, expressed concern about providing credits to developers for on-site amenities in lieu of park space, lifting the existing unit cap, incentivizing developers to provide additional retail, and traffic circulation in the IBC.

Michael Baker, Irvine resident, noted concerns about traffic, spoke in support of park space for businesses and residents, and in opposition to increasing the unit cap in the IBC.

Luis Alemán, Irvine resident, spoke in opposition to developer credits for adding additional onsite amenities in lieu of additional park space and increasing the unit cap in the IBC.

Greg Smith, Planning Commission Vice Chair, reiterated that no discussion ensued related to the raising of the unit cap; and further noted the importance of looking at the future outside of the overlay to ensure that the IBC remains vibrant.

City Council discussion included: recognizing the Planning Commission for its efforts and recommendations; noted that the City Council establishes policy; Irvine as one of the most successful master planned communities; uniqueness of the IBC and its transition from commercial to mixed-use; incorporating residential with the overall goal of shortening commute times, which includes the ability to walk to work; the need for traffic mitigation; overall vision to protect existing businesses as residential units are developed; challenge of planning based on Irvine standards for an area already in existence; developer requirements for park fees; prior approval of the unit cap; conducting a traffic study to mitigate traffic concerns; dropping the density limit; challenge and need for further analysis of incorporating parks and retail as infill projects; need for a bridge connecting Central Park West with Park Place utilizing money from IBC fees; identifying park space south of Interstate 405; number of remaining units to be built; questioned the subcommittee process and noted that the recommendations were generated at the Planning Commission level and not by staff; whether the City has an adopted policy regarding development fees in the IBC and if fee reductions were a requirement of a density bonus; number of existing residents in the IBC; providing IBC residents with the highest quality of life; establishing an official residents advisory board for the IBC and seeking its feedback; prioritizing benefits for residents; noted the vision of the IBC was to keep the IBC safe and vibrant through mixed use; efficiency of creating a Planning Commission subcommittee; noted the formality of the process for bringing forward the Planning Commission recommendations to the City Council; challenge of trips in the IBC; clarity of transfer of development rights (TDR) and alternatives if TDR was eliminated; benefits of providing credits and incentivizing developers to create more onsite recreation; state mandated housing; reduction of minimum high density requirements in 2013; alternative of providing more smaller community parks in lieu of a larger regional park; amount of square footage remaining for commercial development; continued need for planning; managing growth as a priority; if the elimination of TDR would interrupt a microeconomic system; change made in 2010 regarding public access to private internal parks as part of the original IBC Vision Plan; consistency of not waiving fees; lack of recommendations regarding sidewalks and directing staff to analyze

additional sidewalks in the IBC; need for a General Plan update and including the unit cap as part of the update; incorporating the IBC Vision Plan into the General Plan to address unit and trip caps; looking at trip count for retail; questioned Planning Commission oversight of aesthetics; delaying any decision on traffic until traffic analysis is conducted in November; questioned how interests are met by community members if waivers were granted for neighborhood parks; constraining the ability to collect community park fees; other incentives and accommodations made as part of the recent economic downturn; need to balance interests of developers and community members; noted that there would be outreach to community members as part of the General Plan update process; and need for clarity with respect to the role of the Planning Commission as the only state-mandated commission.

Anthony Kuo, Planning Commission Chair, clarified that the Planning Commission did not seek to have the current unit cap lifted. He further noted that the Planning Commission sought to bring the IBC parks policy consistent with the overall park policy of the City.

Greg Smith, Planning Commission Vice Chair, noted that bike paths and sidewalks should be considered as part of the future of the IBC.

**ACTION: Moved by Mayor Choi, seconded by Councilmember Schott, and unanimously carried to:**

Direct staff to review the nine recommendations submitted by the Planning Commission, consider said recommendations in context with a General Plan update, and return to the City Council for approval at a date to be determined.

**5.3 CONSIDERATION OF FUTURE SCHOOL SUPPORT FUNDING FOR IRVINE UNIFIED SCHOOL DISTRICT, TUSTIN UNIFIED SCHOOL DISTRICT, AND IRVINE VALLEY COLLEGE**

This item was agendaized at the request of Mayor Choi and Councilmember Shea, who suggested that the City Council direct staff to work with Irvine Unified School District, Tustin Unified School District, and Irvine Valley College to develop a simplified Educational Partnership Fund implementation approach with in light of the upcoming expiration of Measure BB (The Irvine Support Our Schools Initiative of 2012, Initiative Ordinance No. 12-13). Michelle Grettenberg, Assistant to the City Manager, responded to City Council questions.

City Council discussion included: Irvine's excellence in education, extending Measure BB with more flexibility for recipients; whether \$1.5 million included grant match funding for both Irvine and Tustin Unified

School Districts, and apportionment based on population; accountability of recipients to ensure funding is properly expended; complexity and restrictiveness of terms in Measure BB and how to implement its requirements; eliminating certain structures of categories while providing the same amount of funding; whether leftover Challenge Match Grant funding has occurred in the past, and amending the ratio to ensure all money goes to schools and eliminating any rollover funds from year to year; noted that the existing ratio encourages and incentivizes recipients to raise money; waiting until the closing of the fiscal year to consider ways to expend any remaining funding; noted that overall goal was to help the school districts; amount of funding provided to school districts in the past; why funding was segregated into three categories for enhanced academic performance programs and services; providing funding to school districts without limitations; breakdown of funding between Irvine Valley College scholarships and the Early College programs; whether a need existed for additional school resource officers for middle schools; noted Measure BB's indication of public desire and accountability; recent elimination of the Business License Tax and Living Wage; including a mechanism for accountability for recipients; and conducting an annual review of how recipients used the allocated funding.

Russell Stein, Finance Commissioner, spoke in support of school funding, noting that while indirect funding has remained in line with growth, direct funding per student decreased; and recommended that the City Council consider funding based on levels of enrollment. Commissioner Stein also provided a handout reflecting direct and indirect school support for Fiscal Years 2013-14, 2014-15 and 2015-16, on file with the City Clerk's Office.

**ACTION: Moved by Mayor Choi, seconded by Councilmember Shea, and unanimously carried to:**

1. Direct staff to return with a resolution early this fall to continue the Challenge Match Grant program for Fiscal Year 2016-17 and Fiscal Year 2017-18, for \$1.5 million per year in the same manner and for the same purpose as currently implemented.
2. Allocate \$2.5 million in Educational Partnership Fund (EPF) funds in Fiscal Year 2016-17 and Fiscal Year 2017-18 for enhanced academic performance programs and services, as follows:

- a. Three program categories instead of 12 for Irvine Unified School District (IUSD) and Tustin Unified School District (TUSD). Honor the original EPF program with the first two programs; and honor voter approved programs with flexible use of funds with the third program:
    - i. Program #1 – For school nurses & health clerks (\$300,000)
    - ii. Program #2 – For guidance counselors and assistants (\$300,000)
    - iii. Program #3 – For any/all of 10 programs funded in FY 16 (\$1.6M)
  - b. Program #4 – \$100,000 to Irvine Valley College (IVC)/ IVC Foundation for scholarships and early college programs at IUSD and TUSD.
  - c. Program #5 – \$200,000 to Irvine Public Safety for the School Resource Officer middle school program at IUSD & TUSD (in City’s annual budget)
3. Direct staff to work with IUSD, TUSD and IVC/IVC Foundation and return with a resolution early this fall providing the details of the Educational Partnership Fund program implementation based on the program outline in Recommendation #2.

**5.4 CONSIDERATION OF A PERMANENT DISPLAY OF "IN GOD WE TRUST" IN THE COUNCIL CHAMBER**

This item was agendized at the request of Mayor Choi, who asked for City Council support to approve a permanent display of “In God We Trust” in a designated location in the Council Chamber.

The following individuals spoke in support of a permanent display of “In God We Trust” in the Council Chamber:

- Ronnie Guyer, Chino Hills resident
- Michael Klubniken
- Stan Jones, Irvine resident
- A.D. Zelinko, Irvine resident
- Ilya Tseglin
- Robert Tseglin

Steve Greenberg, Irvine resident  
Greg Smith, Irvine resident

The following individuals spoke in opposition:

Heina Dadabhoy, Irvine resident  
Alan Meyerson, Irvine resident  
Rebecca Singer  
Bruce Gleason, representing Backyard Skeptics  
Karen Meyers, Irvine resident  
Ken Wyant, Irvine resident  
Courtney Widerman, Intern  
Shirley Lorenz

The following individuals submitted Request to Speak forms but did not speak:

Robert Kohler, Irvine resident  
Carl Mariz, Irvine resident  
Richard Meyers, Irvine resident  
Lee Jacobi, Irvine resident  
Richard Stewart

City Council discussion included: number of existing institutions of faith in the City and respecting diversity; noted that invocations at City Council meetings are occasionally outside the Invocation Policy and uncomfortable at times; concern about incorporating religious language into a civic space and Irvine not becoming a “follow the leader” city; whether public interest would be served by incorporating such language into the Council Chamber; importance of tradition, respect and tolerance by all members of the community; religious heritage and historical perspective of “In God We Trust;” inclusion of “E Pluribus Unum” in the Council Chamber as well; display of “In God We Trust” at the U.S. Capitol; inclusion of both mottos on United States currency and the Seal of the United States; honoring the national motto; and concern for lack of respect and tolerance for those of other faiths.

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

Approve the permanent display of “In God We Trust” in a designated location in the Council Chamber and direct staff to return with specific design options and costs for implementation.

**ACTION:** A friendly amendment was made by Councilmember Schott to also include a permanent display of “E Pluribus Unum” in a designated location in the Council Chamber.

The motion failed for lack of second.

**ACTION: A substitute motion was made by Councilmember Schott, seconded by Councilmember Shea, to:**

Approve the permanent display of “In God We Trust” and “E Pluribus Unum” in a designated location in the Council Chamber and direct staff to return with specific design options and costs for implementation.

**The motion carried as follows\*:**

AYES: 4 COUNCILMEMBERS: Lalloway, Schott, Shea and Choi\*\*

NOES: 1 COUNCILMEMBERS: 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.

\*\* The initial roll call vote reflected a 3-2 vote with Mayor Choi and Councilmember Krom opposed; however, following clarification of the substitute motion, Mayor Choi requested his vote be recorded in the affirmative.

**PUBLIC COMMENT - CITY COUNCIL**

Michael Klubniken spoke on corruption in the court system and on behalf of his friend, Ilya Tseglin, who continues to have continued legal issues concerning his autistic son.

Carl Mariz, Irvine resident, spoke in opposition to the recent repeal of the City’s Living Wage Ordinance.

A.Z. Zelinko, Irvine resident, spoke in support of an overcrossing connecting the Venta Spur Trail with the Jeffrey Open Space Trail.

Ilya Tseglin and Robert Tseglin, Irvine residents, noted a domestic issue concerning an autistic family member and continued legal issues.

Luis Alemán, Irvine resident, spoke on freedom of speech and violation of such rights by certain members of the City Council.

Mary Ann Gaido, Irvine resident, asked that the City Council consider appealing a Planning Commission decision approving a Conditional Use Permit for the development of senior affordable housing units in District 1-North (Great Park Neighborhoods).

**ADJOURNMENT - CITY COUNCIL – IN MEMORIAM**

**Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to adjourn the meeting in memory of Irvine resident Sally Mitchell at 10:35 p.m.**



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

July 28, 2015