



Steven Choi
Mayor

Jeffrey Lalloway
Mayor Pro Tempore

Larry Agran
Councilmember

Beth Krom
Councilmember

Christina Shea
Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

April 8, 2014
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 4:05 p.m. on April 8, 2014 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

1. CLOSED SESSION

**1.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –
CITY OF IRVINE V. MICHAEL COHEN, ET AL., SACRAMENTO
SUPERIOR COURT, CASE NO. 34-2013-8001682 (Pursuant to
Government Code Section 54956.9(d)(1))**

City Attorney Litfin announced the Closed Session item, following which Mayor Choi convened to Closed Session at 4:06 p.m. There were no public comments related to the Closed Session item.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the City Council meeting at 5:03 p.m. City Attorney Litfin, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Choi led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Pastor Paige Eaves from University United Methodist Church in Irvine to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced Catherine Song who performed the National Anthem, followed by "God Bless America."

2. PRESENTATIONS

2.1 Proclaim April 1, 2014 as "Mayors Day of Recognition for National Service"

Mayor Choi introduced Greg Ericksen and representatives from the Corporation for National and Community Services, and presented a proclamation recognizing April 1, 2014 as "Mayors Day of Recognition for National Service."

2.2 Commend Suzanne Dame Porter, Founding Member of Rainbow Rising Child Development Centers

Mayor Choi introduced Rick Porter, founding member of Rainbow Rising Child Development Centers, and presented a commendation recognizing his late wife, Suzanne Dame Porter, for her dedication to the children and youth of Irvine during her 35-year career.

2.3 Proclaim April 13-19, 2014 as "National Public Safety Telecommunicators Week"

Mayor Choi introduced Chief Maggard and members of the Public Safety Department's Communications Center staff, and presented them with a proclamation in recognition of "National Public Safety Telecommunicators Week."

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore Lalloway announced that the Orange County Transit Authority would be hosting a Bike Safety Workshop on April 14, 2014 from 5:00 to 7:00 p.m. at the Irvine Civic Center.

Mayor Choi made the following announcements:

- Throughout April, the Public Safety Department is participating in the National Distracted Driving Awareness Campaign. The campaign is part of the City's commitment to safety and Public Safety's ongoing efforts to educate those who live, work or drive through Irvine about distracted and hazardous driving. To learn more, visit cityofirvine.org/publicsafety.
- April is Earthquake Preparedness Month. The Irvine Police Department's Office of Emergency Management is encouraging Irvine residents to be prepared by making a family plan, stockpiling emergency supplies and knowing how to stay connected to the City. For more emergency preparedness information, visit cityofirvine.org/prepare.
- The U.S. Department of Energy Solar Decathlon 2015 now has its official dates at the Orange County Great Park – October 8-11 and October 15-18, 2015. For eight days, the public will be able to tour the solar houses and talk to the university students who will design and build them between now and then.
- 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 2013. 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, 2014. For more information or to schedule an appointment, call 888-434-8248 or visit myfreetaxes.com/Irvine.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to approve the Consent Calendar Item Nos. 3.1 through 3.10, with the exception of Consent Calendar Item No. 3.7, which was removed for separate discussion.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on March 25, 2014.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed April 13 - 19, 2014 as "Animal Control Officer Appreciation Week."
- 2) Proclaimed April 2014 as "Fair Housing Month."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 14-30 - 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. 14-31 - 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. 14-32 - 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.

3.6 LETTER OF CREDIT SUBSTITUTIONS FOR ASSESSMENT DISTRICTS**ACTION:**

- 1) Adopted RESOLUTION NO. 14-33 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE ASSESSMENT DISTRICT NO. 97-17 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A LETTER AGREEMENT, AND A SECOND AMENDMENT TO PROTOCOL AGREEMENT, APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A REMARKETING MEMORANDUM AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS
- 2) Adopted RESOLUTION NO. 14-34 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE ASSESSMENT DISTRICT NO. 03-19 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A LETTER AGREEMENT, AND A FIRST AMENDMENT TO PROTOCOL AGREEMENT, APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A REMARKETING MEMORANDUM AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS
- 3) Adopted RESOLUTION NO. 14-35 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE SUBSTITUTION OF AN ALTERNATE LETTER OF CREDIT FOR AN EXISTING LETTER OF CREDIT FOR THE REASSESSMENT DISTRICT NO. 05-21 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REIMBURSEMENT, CREDIT AND SECURITY AGREEMENT, A LETTER AGREEMENT, AND A FIRST AMENDMENT TO PROTOCOL AGREEMENT, APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A REMARKETING MEMORANDUM AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

Mayor Choi abstained.

3.7 ACCEPTANCE OF AN AFFORDABLE HOUSING SITE IN PORTOLA SPRINGS (PLANNING AREA 6), PURSUANT TO THE TERMS OF A DEVELOPMENT AGREEMENT WITH THE IRVINE LAND COMPANY, LLC DATED SEPTEMBER 29, 2006

This item was removed for separate discussion at the request of Councilmember Krom who acknowledged some of the challenges of providing affordable housing. She encouraged the Irvine Company to work collaboratively with the City to secure locations for affordable housing near retail, jobs, and transit.

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

Adopt RESOLUTION NO. 14-36 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE AFFORDABLE HOUSING SITE IN PORTOLA SPRINGS (PLANNING AREA 6), PURSUANT TO THE TERMS OF A DEVELOPMENT AGREEMENT WITH THE IRVINE LAND COMPANY, LLC DATED SEPTEMBER 29, 2006

3.8 NOTICE OF REVIEW AND PENDING APPROVAL FOR TRACT MAPS IN CYPRESS VILLAGE

ACTION:
Received and filed.

3.9 ORANGE COUNTY GREAT PARK INTERIM INFRASTRUCTURE CAPITAL IMPROVEMENT PROJECT

ACTION:
Established a new Capital Improvement Project and approved the budget adjustment attached to the staff report appropriating \$150,000 for design services from the Orange County Great Park Fund 180 balance, for design services for interim infrastructure at the Orange County Great Park.

(Approved 5-0)

3.10 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS**ACTION:**

- 1) Approved Mayor Choi's request for Community Partnership Fund Grant nominations to the Irvine Girls Softball Association to assist with program support and Irvine 2/11 Marine Adoption Committee for the benefit and welfare of the United States Marines and their families assigned to Camp Pendleton, California, with special emphasis on the Marines and families of the 2nd Battalion, 11th Marines ("2/11 Marines").
- 2) Approved Councilmember Shea's request for Community Partnership Fund Grant nomination to the Fisher House Southern California in support of program costs.
- 3) Approved Councilmember Agran's Community Partnership Fund Grant nominations to Human Options, Veterans First, Irvine 2/11 Marine Adoption Committee and Fisher House Southern California in support of our community.
- 4) Authorized the City Manager to prepare and sign funding agreements for each organization listed in Actions 1 through 3.

4. PUBLIC HEARINGS**4.1 ASSESSMENT DISTRICT NO. 13-25 (PLANNING AREA 5B)**

Kenneth Quon, Senior Civil Engineer, provided the staff report and responded to questions.

Mayor Choi opened the public hearing at 6:46 p.m. There were no public comments.

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to close the public hearing at 6:47 p.m.

There was no City Council discussion.

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

- 1) Adopt RESOLUTION NO. 14-37 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CONFIRMING THE ASSESSMENTS IN ASSESSMENT DISTRICT NO. 13-25 (PLANNING AREA 5B), ORDERING THE IMPROVEMENTS AND ACQUISITIONS TO BE MADE, AUTHORIZING ENTRY INTO CERTAIN AGREEMENTS, AND DESIGNATING THE CITY TREASURER TO COLLECT AND RECEIVE MONEY

- 2) Adopt RESOLUTION NO. 14-38 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, DETERMINING UNPAID ASSESSMENTS IN ASSESSMENT DISTRICT NO. 13-25 (PLANNING AREA 5B) AND THE MANNER OF PAYMENT THEREOF

4.2 APPROVAL OF REVENUE BOND ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR PAVILION PARK SENIORS

Valaya Chitchakkol, Finance Administrator, provided the staff report and responded to questions.

Mayor Choi opened the public hearing at 6:49 p.m. There were no public comments.

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to close the public hearing at 6:50 p.m.

There was no City Council discussion.

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

Adopt RESOLUTION NO. 14-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS FOR PAVILION PARK SENIORS

5. COUNCIL BUSINESS

5.1 CONSIDERATION OF COUNCILMEMBER AGRAN'S FRIENDSHIP CITY RECOMMENDATIONS

This item was agendized by Councilmember Agran, who requested that consideration be given to establish Friendship City relationships with Baoji, China, and Karachi, Pakistan. He advised that he had withdrawn his original request to also include Nha Trang, Vietnam from the list of cities for consideration.

The following individuals expressed opposition to the establishment of a Friendship City relationship with Nha Trang, Vietnam:

Janet Nguyen, Supervisor, County of Orange
Lou Correa, State Senator 34th District
Tri Ta, Mayor, City of Westminster (accompanied by Councilmember Diana Carey and Councilmember Sergio Contreras)
Chris Phan, Councilmember, Garden Grove
Tyler Diep, Director, Orange County Sanitation District
Dina Nguyen, Mayor Pro Tem, Garden Grove
Michael Vo, Mayor, Fountain Valley
Van Tran, former State Assemblymember
Huu Vo, President, Vietnamese American Community of the USA
Asha Harris, Representative for Assemblymember Donald Wagner
Todd Spitzer, Supervisor, County of Orange
Phat Bui, Vietnamese American Cultural Center
Lan Quoc Nguyen, Garden Grove Unified School District
Joe Carchio, Councilmember, Huntington Beach
Ken Nguyen, Ambassador to Vietnamese Community
Chad Morgan, Representative for Assemblymember Allan Mansoor
Hugh Nguyen, Clerk-Recorder, County of Orange
Jose Solario, Board President, Rancho Santiago Community College District
Long Pham, Candidate for State Senate
Emanuel Patrascu, Representative for Assemblymember Travis Allen

The following individuals also spoke in opposition to establishing a Friendship City relationship with Nha Trang, Vietnam:

Leslie Le	Phong Ly	Ronnie Guyer
Laura Tran	Diedre Nguyen	Stan Yang
Quynh Chau Le	David Huyng	Lanvy Tran
Quyen Le	John Duong	Hoa Vo
Quy Ly	Trung Nguyen	Anh-Dao Nguyen
Anthony Cao	Zhijun Wang	Allan Bartlett
Kathy Nguyen	Steve Greenberg	Shanda Phung
Quang Tran	Phuong Vo	Lynn Schott
Nina Tran	Kim-Trang Dang	Le Giao
Neil Nguyen	Chi Charlie Nguyen	Tom Vo
Luong Phan	Hieu Nghiem	Quynh Nguyen
Danh Tran Bui	Vincent Dinh	Hai Vu
Tim Nguyen	Lana Tran	

The following individuals spoke in support of establishing a Friendship City relationship with Baoji, China:

Alice (Jianyun) Ren	June Yang	Don Chukiat
Wen Shan Jia	Helen Han	
Nicholas Wu	Clara Lin	

The following individuals spoke in support of establishing a Friendship City relationship with Karachi, Pakistan:

Fathi Yousef	Farhan Aziz	Sabeeh Haris
Ifra Khoso	Tahir Yasin	
Sarah Vakil	Jibran Samla	

Miriana Blaskova and John Wong spoke in support of establishing Friendship City relationships with Karachi, Pakistan and Baoji, China:

The following individuals submitted speaker cards regarding Item No. 5.1; however, they were not present when called upon to speak:

Lien Nguyen	Davis Huynh	Sandrine Ho
Nick Lecong	Jacqueline Can	Truong Hai Thanh
Victoria Kim	Travis	Kim Pao
Hong Nguyen	Gai Tran Pham	Kelvin Nguyen
Thien Thanh Nguyen	Hung Nguyen	Sudershan Jatana
Larry Nguyen	Trang Nguyen	Nancy Cheng
Robert Banuelos	Be Dang	Nasir Javed
Kristy Nguyen	Huang Pham	Chau Le
Lap Trang Hua	Amie Pham	Sande Hart
Nam Pham	Christina Tran	

Mayor Choi read a letter into the record from Regina expressing opposition to establishing a Friendship City relationship with Nha Trang, Vietnam.

City Council discussion included: human rights violations in all three proposed countries, the current Friendship City Policy and potential amendments to it, involvement in non-municipal matters, potential benefits to such Friendship City relationships, meetings with the Chamber of Commerce, past Sister City relationships, and meeting with the Consul General of Vietnam.

ACTION: Moved by Councilmember Agran, seconded by Councilmember Krom, to*:

Approve Friendship City Agreements with Baoji, China and Karachi Pakistan, in accordance with the City's Friendship City Program, and direct staff to return with agreements for those two cities for approval.

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

- 1) Note that the City Council made no such Friendship City proposal to the City of Nha Trang, Vietnam; and direct City staff not to prepare a Friendship City Agreement with Nha Trang, Vietnam.
- 2) Since the cities of Karachi, Pakistan and Baoji, China were not processed or vetted through the Multicultural Affairs Office as required by the Friendship City Program Policy, the City Council does not support taking further action tonight regarding possible Friendship City status with those two cities.
- 3) Direct City staff to return to the City Council within 60 days with proposed amendments to the Friendship Cities Policy, which provides that cities located in countries that sponsor or participate in human rights violations, or do not support values of freedom and democracy, be precluded from inclusion in the Friendship Cities Program.
- 4) Include criteria for future selections of proposed Friendship Cities which only foster activities of peace and human rights.

Before providing a second to the substitute motion, Mayor Pro Tem Lalloway asked Councilmember Shea as the maker of the substitute motion for consideration of a fifth action item as follows:

- 5) Direct the City Manager to draft a letter (with Mayor Pro Tem Lalloway's assistance) to the Consul General of Vietnam declaring that the City of Irvine: a) supports freedom and not communism; and b) condemns all human rights violations, which include holding political prisoners, promoting child prostitution rings or human trafficking, disallowing full and fair media, and the inability to worship with complete religious freedoms.

ACTION: Following discussion, the amended substitute motion was agreed to by Councilmember Shea as the maker of the motion, seconded by Mayor Pro Tem Lalloway, to*:

- 1) Note that the City Council made no such Friendship City proposal to the City of Nha Trang, Vietnam; and direct City staff not to prepare a Friendship City Agreement with Nha Trang, Vietnam.

- 2) Since the cities of Karachi, Pakistan and Baoji, China were not processed or vetted through the Multicultural Affairs Office as required by the Friendship City Program Policy, the City Council does not support taking further action tonight regarding possible Friendship City status with those two cities.
- 3) Direct City staff to return to the City Council within 60 days with proposed amendments to the Friendship Cities Policy, which provides that cities located in countries that sponsor or participate in human rights violations, or do not support values of freedom and democracy, be precluded from inclusion in the Friendship Cities Program.
- 4) Include criteria for future selections of proposed Friendship Cities which only foster activities of peace and human rights.
- 5) Direct the City Manager to draft a letter (with Mayor Pro Tem Lalloway's assistance) to the Consul General of Vietnam declaring that the City of Irvine: a) supports freedom and not communism; and b) condemns all human rights violations, which include holding political prisoners, promoting child prostitution rings or human trafficking, disallowing full and fair media, and the inability to worship with complete religious freedoms.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Shea, Lalloway and Choi

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.

5.2 DISCUSSION REGARDING POTENTIAL LOSS OF \$71,308,257 IN CITY ASSETS TO STATE OF CALIFORNIA

ACTION: Motion by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried by the members present (Councilmember Krom absent for vote) to:

Continue Item No. 5.2 to the meeting of April 22, 2014.

PUBLIC COMMENTS

Steve Greenberg spoke about the City Council proposals to ban various items, and that the iShuttle buses were not being utilized by the public and were a waste of money.

Jacob Cheng, Boy Scout Troop 616, spoke about the need to improve and increase the number of bicycle lanes in the City of Irvine.

Eric Armstrong, Boy Scout Troop 616, expressed opposition to forming a Friendship City relationship with Nha Trang, Vietnam.

Michael Klubnikin and Ilya Tseglin spoke regarding recent activities and practices of the Orange County Regional Center.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to adjourn the meeting at 10:44 p.m.


MAYOR OF THE CITY OF IRVINE


INTERIM CITY CLERK OF THE CITY OF IRVINE

April 22, 2014