# MINUTES

# CITY COUNCIL
# REGULAR MEETING
# March 8, 2011

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

**CALL TO ORDER – 4:28 p.m.**

A regular meeting of the Irvine City Council was called to order at 4:28 p.m. on March 8, 2011, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

**ROLL CALL**

| | | | |
|---|---|---|---|
| Present: | 5 | Councilmember: | Larry Agran |
| | | Councilmember: | Steven Choi |
| | | Councilmember: | Jeffrey Lalloway |
| | | Mayor Pro Tempore: | Beth Krom |
| | | Mayor: | Sukhee Kang |

**1. CLOSED SESSION**

***1.1 PERFORMANCE EVALUATION OF CITY MANAGER***
***Government Code Section 54957***

City Attorney Phil Kohn announced the Closed Session item to be discussed, following which Mayor Kang convened to Closed Session at 4:29 p.m.

**RECONVENE TO THE CITY COUNCIL MEETING – 5:38 p.m.**

City Attorney Phil Kohn, on behalf of the City Council, announced that no reportable action was taken in Closed Session on City Council Item No. 1.1

**PLEDGE OF ALLEGIANCE**

Mayor Kang led the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Kang requested a moment of silence.

**MUSICAL PRESENTATION**

Mayor Kang introduced Deerfield Elementary School fourth grade chorus led by Guinevere Morones, who sang the "Star Spangled Banner" and "America the Beautiful."

## 2. PRESENTATIONS

### *2.1 Seven Seals Award and Patriot Award - Presented by National Employer Support of the Guard and Reserve*

Mayor Kang introduced Sergeant First Class Daniel King and Christina King who presented Ron Edwards, Animal Care Administrator, the Patriot Award.

The Employer Support of the Guard and Reserve (ESGR) presented the Community Services Department the Seven Seals award for its continued support of the men and women serving in the National Guard and Reserve.

### *2.2 Inaugural Business/Organization Recognition - Irvine Community Church*

Mayor Kang introduced Pastor Dennis Sherman of the Irvine Community Church and presented him with a Certificate of Recognition as one of Irvine's inaugural organizations.

### *2.3 Orange County Vector Control Update*

Mayor Kang introduced Michael Hearst, District Manager of Orange County Vector Control District, who provided a brief report on bed bugs.

**CITY MANAGER'S REPORT**

There was none.

**ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

Mayor Kang made the following announcements:

- The annual Chamber of Commerce Business Breakfast with the Mayor will be held on April 14th at the Hilton Irvine commencing at 7:30 a.m. The Mayor will address the business community, development, initiatives and the job market within Irvine.

- The Bommer Canyon Trailhead ribbon-cutting ceremony will be on April 16th at 8:30 a.m. followed by an Earth Day hike with the Mayor and City Council.

- The City of Irvine's 40th Anniversary Screening of "Promise Made...Promise Kept: Oral History of Irvine," which features interviews with Irvine's leaders, longtime residents and visionaries, is on Monday, March 14th, at 6 p.m. in the Council Chamber.

**CONVENE TO IRVINE REDEVELOPMENT AGENCY REGULAR MEETING AND JOINT MEETING WITH THE REDEVELOPMENT AGENCY – 6:15 p.m.**

**RECONVENE A REGULAR CITY COUNCIL MEETING – 6:38 p.m.**

**ADDITIONS AND DELETIONS**

City Manager Joyce requested that Item 3.12 be removed from the agenda.

**3. CONSENT CALENDAR**

The Consent Calendar consisted of Item Nos. 3.1 through 3.11.

**ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tem Krom, and unanimously carried to approve Consent Calendar Items 3.1 through 3.11 with the exception of Items 3.6 and 3.7 which were removed for further discussion.**

***3.1 MINUTES***

**ACTION:**

1) Approved the minutes of a Regular Meeting of the Irvine City Council held on February 22, 2011.
2) Approved the minutes of a Regular Joint Meeting of the Irvine City Council and Irvine Redevelopment Agency held on February 22, 2011.

***3.2 COMMENDATION/PROCLAMATION***

**ACTION:**

1) Recognized of the California State Society Daughters of the American Revolution 103rd Annual Conference
2) Proclaimed March 13 - 19, 2011 as "Childhood Cancer Awareness

Week."

### 3.3 *WARRANT AND WIRE TRANSFER RESOLUTION*

**ACTION:**
Adopted RESOLUTION NO. 11-25 - 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. 11-26 - 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

Mayor Pro Tem Krom abstained.

### 3.5 *TREASURER'S REPORT FOR THE QUARTER ENDED DECEMBER 31, 2010*

**ACTION:**
Received and filed.

### 3.6 *SAN DIEGO CREEK RESTORATION PROJECT ENVIRONMENTAL DOCUMENT CERTIFICATION*

This item was removed for separate discussion by Councilmember Choi.

City Council discussion included: clarification of the scope of work and cost to the City of the creek restoration for transfer to the County of Orange and implications of the City maintaining ownership of this portion of the creek.

**ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tem Krom, to:**

**ACTION:**
Adopt RESOLUTION NO. 11-27 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CERTIFYING THE MITIGATED NEGATIVE DECLARATION FOR THE SAN DIEGO CREEK RESTORATION PROJECT

**The motion carried as follows:**

| | | | |
|---|---|---|---|
| AYES: | 4 | COUNCILMEMBERS: | Agran, Choi, Krom and Kang |
| NOES: | 1 | COUNCILMEMBERS: | Lalloway |
| ABSENT: | 0 | COUNCILMEMBERS: | None |

### *3.7 VACATION OF LANDSCAPED AREAS ADJACENT TO AMALFI DRIVE IN TURTLE ROCK*

This item was removed for separate discussion by Councilmember Choi.

City Council discussion included: the purpose of the proposed vacation and ongoing maintenance responsibilites of the landscaped area.

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

**ACTION:**

1) Adopt RESOLUTION NO.11-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE TO ORDER THE VACATION OF A PORTION OF AMALFI DRIVE WITHIN TRACT 6298 IN TURTLE ROCK (PLANNING AREA 21) PURSUANT TO CHAPTER 4, SUMMARY VACATION, STREETS AND HIGHWAYS CODE SECTION 8330 ET. SEQ.
2) Adopt RESOLUTION NO. 11-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE TO ORDER THE VACATION OF A PORTION OF AMALFI DRIVE WITHIN TRACT 6328 IN TURTLE ROCK (PLANNING AREA 21) PURSUANT TO CHAPTER 4, SUMMARY VACATION, STREETS AND HIGHWAYS CODE SECTION 8330 ET. SEQ.

### *3.8 GRANT EASEMENTS TO IRVINE RANCH WATER DISTRICT FOR A GROUNDWATER DESALTER WELL ALONG THE I-5 FREEWAY WEST OF CULVER*

**ACTION:**
Authorized the Mayor to execute the Easements to Irvine Ranch Water District for a desalter well site.

### *3.9 FINAL TRACT MAP NO. 17403 NOTICE OF REVIEW FOR RESIDENTIAL CONDOMINIUMS IN STONEGATE*

**ACTION:**
Received and filed.

### *3.10 PAYMENT BY IRVINE REDEVELOPMENT AGENCY TO CITY OF IRVINE UNDER THE PURCHASE AND SALE AND FINANCING AGREEMENT BY AND BETWEEN THE AGENCY AND CITY*

**ACTION:**
Authorized receipt of a payment by the Irvine Redevelopment Agency to the City of Irvine in the amount of $5,500,000 for partial repayment of interest accrued to date under the Purchase and Sale and Financing Agreement by and between the Agency and City, dated August 14, 2007, with the repayment amount deposited into the City's Great Park Fund pursuant to Section 2.4 of the Agreement.

### *3.11 CONVEYANCE OF REAL PROPERTY TO THE CITY OF IRVINE*

**ACTION:**
Approved conveyance of real property owned by the Irvine Redevelopment Agency to the City of Irvine, pursuant to authority granted in the California Community Redevelopment Law.

### *3.12 IMPLEMENTATION AGREEMENT PERTAINING TO PLEDGE OF REDEVELOPMENT TAX INCREMENT FUNDS*

**ACTION:**
This item was removed from the Agenda. There was no discussion or action taken.

**END CONSENT CALENDAR**

## 4. COUNCIL BUSINESS

### *4.1 2011 STRATEGIC BUSINESS PLAN*

City Manager Joyce and Ken Brown, Budget Officer presented the staff report.

City Council discussion included: the clarification of the System Development Charge funds, retiring of the Civic Center debt service, and the use of Contingency Reserve funds as part of the Bridge Plan; facility rehabilitation and maintenance planning; and future CalPers funding.

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

**ACTION:**

1) Adopt the 2011 Strategic Business Plan amended to include the additional narrative provided in Attachment 1 to the staff report.
2) Approve the budget adjustment to amend the adopted budget and

make all associated accounting entries to:

a. Transfer $2.9 million of System Development Charge (SDC) funds from the closure of the Public Safety Facility capital improvement project, to the Infrastructure Authority Debt Service Fund (to be used toward this year's final debt service payment for the Civic Center facility) and correspondingly reduce $2.9 million in budgeted Civic Center debt service costs in the General Fund;

b. Transfer $2.9 million from the General Fund to the City's Contingency Reserve Fund.

### *4.2 CONSIDERATION OF BUSINESS FRIENDLY INITIATIVES*

City Manager Joyce introduced Gina Park, Assistant to the City Manager, who presented the staff report.

Public Comments in support of the Business Friendly Initiatives included:

Tallia Hart, Irvine Chamber of Commerce
John Sackrison, Executive Director, Orange County Automobile Dealers Association
Sam Klein, Orange County Nissan/Irvine Auto Center
Reed Chesworth, Irvine Chevrolet
Michael Michota, Chota Media
Mark Dersham, Irvine Chevrolet

City Council discussion included: vehicle purchasing incentive programs, new business communication methods, clarification of Business Improvement Districts, quantifying success and long term sustainability of the initiatives, clarification of the role and relationship of the City and Chamber of Commerce, and implementation plans to illustrate tangible feedback and resources needed.

ACTION: Moved by Councilmember Choi to direct staff to further study the recommended Business Friendly Initiatives and return to the City Council at next council meeting. Motion failed due to lack of a second.

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

**ACTION:**

1) Approve the following business friendly initiatives for implementation:

2. Development Fee Deferral Program
3. Permit Fee Waiver for Solar Photovoltaic Systems
4. Local Vendor Preference Policy for City Goods Procurement

5. Consultant Team Program
8. Online Business License Applications

2) Approve the following business friendly initiatives for implementation with the stipulation to include maximum feasible participation by the Irvine Chamber of Commerce:

7. Shop, Dine and Play in Irvine Campaign
9. New Business Welcome Program
10. Business Industry Forums
11. International Company Orientation Program
12. International Trade Relations Outreach/Familiarization Tour

3) Direct staff to further study and develop the following business friendly initiatives and return to the City Council within 30 days.

1. Temporary Permit Fee Reduction for Commercial Tenant Improvements
6. You Auto Buy Irvine Campaign

4) Direct staff to do a long term study of the following business friendly initiatives and return to the City Council in 90 days to 6 months.

13. Business Improvement Districts (BID)
14. Public Financing Policies
15. Assessment District Fund

**PUBLIC COMMENTS**

There were none.

**ADJOURNMENT – 9:15 p.m.**

**Moved by Mayor Pro Tempore Krom, seconded by Councilmember Agran, and unanimously carried to adjourn the meeting at 9:15 p.m.**

MAYOR OF THE CITY OF IRVINE

CITY CLERK OF THE CITY OF IRVINE

March 22, 2011