



MINUTES

CITY COUNCIL REGULAR MEETING March 26, 2013

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:11 p.m. on March 26, 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

2. *COUNCIL BUSINESS*

2.1 APPOINTMENT OF INTERIM CITY ATTORNEY

City Manager Joyce provided a brief summary of the action taken by the City Council at its special meeting of March 21, 2013 to terminate the existing contract for legal services with Rutan & Tucker. As a result, he requested that the City Council consider the appointment of Jones & Mayor in the interim to provide legal services until a permanent successor is appointed.

City Manager Joyce noted that Dan Slater of Rutan & Tucker would continue to serve as primary counsel to the Successor Agency. He further noted that Bill Ihrke of Rutan & Tucker would continue serving as general counsel to the Irvine

Community Land Trust (ICLT) pursuant to an independent agreement with the ICLT, which was not impacted by the City Council's action to terminate its contract with Rutan & Tucker.

City Council discussion included: legal fee structure of Jones & Mayer in relation to Rutan & Tucker; sudden dismissal of Rutan & Tucker; need to maintain continuity involving pending litigation; request for proposals to select a law firm to provide permanent city attorney services; and transition costs during the start-up period.

ACTION: Moved by Mayor Choi, seconded by Mayor Pro Tempore Lalloway, to:

- 1) Authorize the Mayor to execute the agreement attached to the staff report with the law firm, Jones & Mayer, LLP to serve as Interim City Attorney.
- 2) Direct the City Manager to prepare and distribute a request for proposals for city attorney services so that the Mayor and City Council may subsequently consider the resulting proposals when selecting a law firm to provide permanent city attorney services.
- 3) Authorize the City Manager or his designee to compensate Rutan & Tucker for work performed by the firm to complete existing work assignments and enable the transition of assignments to be performed by the successor attorney(s).

The motion carried as follows:

AYES:	4	DIRECTORS:	Agran, Lalloway, Shea and Choi
NOES:	1	DIRECTORS:	Krom

Mayor Choi provided a brief bio on Richard Jones of Jones & Mayer and asked Mr. Jones to take his place at the dais.

ADDITIONS AND DELETIONS

City Manager Joyce had requested that Item No. 3.10 ("Budget Adjustment to Capital Improvement Project 369030 for Modernization and Expansion of the Community Center at Northwood Community Park") be removed from the agenda at the time the Consent Calendar was considered. He noted that this item would be considered at the next meeting.

3. CONSENT CALENDAR

Moved by Councilmember Shea, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.9, with the exception of Item No. 3.2 (Action Item No. 2), which was removed for separate discussion, and Item No. 3.10 which was deferred to the next meeting.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the Irvine City Council held on March 12, 2013.
- 2) Approved the minutes of a special meeting of the Irvine City Council held on March 21, 2013.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed the week of April 7 through 13, 2013 as "Childhood Cancer Awareness Week."

Action Item No. 2 was removed for separate discussion at the request of Carolyn McInerney, who expressed her appreciation for the City Council's continued support of "DMV Donate Life California Month."

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

- 2) Proclaim April 2013 as "DMV Donate Life California Month."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 13-31 - 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. 13-32 - 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 ANNUAL SLURRY SEAL AND PAVEMENT REHABILITATION

ACTION:

Approved the specifications and contract documents for the Annual Slurry Seal and Pavement Rehabilitation Project, on file with the Public Works Department.

3.6 NOTICE OF REVIEW FOR FINAL TRACT MAPS IN STONEGATE AND PORTOLA SPRINGS AND PENDING APPROVAL FOR FINAL TRACT MAPS IN PORTOLA SPRINGS AND UNIVERSITY PARK

ACTION:

Received and filed.

Mayor Choi abstained.

3.7 UTILITY ON-BILL FINANCING PROGRAMS

ACTION:

Approved the City of Irvine's participation in utility on-bill financing programs.

3.8 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved community partnership grant award to Orange County Korean Cultural Center in support of its 4th Annual Irvine Korean Cultural Festival.
- 2) Approved community partnership grant award to Irvine 2/11 Marine Adoption Committee to assist with program support.
- 3) Approved community partnership grant award to Irvine Girls Softball Association to assist with program support.
- 4) Approved community partnership grant award to University of California, Irvine to assist with offsetting costs associated with Korean Cultural Night.
- 5) Approved community partnership grant award to Irvine Pony Baseball to assist with program support.
- 6) Approved community partnership grant award to Irvine Ranch Little League to assist with program support.

3.9 SECOND READING AND ADOPTION OF ORDINANCE NO. 13-01 TO ESTABLISH CHANGES AND ADDITIONS TO POSTED SPEED LIMITS

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 13-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE DIRECTING AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE PUBLIC WORKS DEPARTMENT AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

3.10 BUDGET ADJUSTMENT TO CAPITAL IMPROVEMENT PROJECT 369030 FOR MODERNIZATION AND EXPANSION OF THE COMMUNITY CENTER AT NORTHWOOD COMMUNITY PARK

This item was removed from the agenda at the request of City Manager Joyce and deferred to the next meeting. See Additions and Deletions.

PLEDGE OF ALLEGIANCE

Councilmember Krom led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Imam Jamaal Diwan from the Islamic Center of Irvine to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced Alireza Khademi, who performed "America the Beautiful" and a medley of folk songs in celebration of Persian New Year.

1. PRESENTATIONS

1.1 Proclaim March 20, 2013 as "Persian New Year."

Mayor Choi introduced Community Services Commissioner Shiva Farivar and UCI Professor Touraj Daryae, and presented them with a Proclamation in recognition of "Nowruz" Persian New Year.

CITY MANAGER'S REPORT

There was no report.

Councilmember Krom left the meeting at 5:35 p.m.

4. PUBLIC HEARINGS

4.1 FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

Gary Burton, Director of Administrative Services, presented the staff report and made a brief presentation.

Mayor Choi opened the public hearing at 5:38 p.m. Susan Sayre, Irvine resident, spoke in opposition to authorizing citywide special taxes for development of the Great Park.

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried by those members present (Councilmember Krom absent), to close the public hearing at 5:45 p.m.

City Council discussion included: clarification that only the future homeowners within the proposed Community Facilities District (CFD) will be assessed the special tax.

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried by those members present (Councilmember Krom absent), to approve Action Item Nos. 5 through 11 as follows:

- 5) Adopt RESOLUTION NO.13-33 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING FORMATION OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), DESIGNATING THREE (3) IMPROVEMENT AREAS THEREIN, AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN, APPROVING AGREEMENTS, PRELIMINARILY ESTABLISHING AN APPROPRIATIONS LIMIT THEREFOR AND SUBMITTING LEVY OF THE SPECIAL TAX AND THE ESTABLISHMENT OF THE APPROPRIATIONS LIMIT TO THE QUALIFIED ELECTORS THEREOF
- 6) Adopt RESOLUTION NO. 13-34 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS WITHIN IMPROVEMENT AREA NO. 1 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND SUBMITTING A PROPOSITION TO THE QUALIFIED ELECTORS THEREOF
- 7) Adopt RESOLUTION NO. 13-35 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DETERMINING

- THE NECESSITY TO INCUR BONDED INDEBTEDNESS WITHIN IMPROVEMENT AREA NO. 2 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND SUBMITTING A PROPOSITION TO THE QUALIFIED ELECTORS THEREOF
- 8) Adopt RESOLUTION NO. 13-36 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS WITHIN IMPROVEMENT AREA NO. 3 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND SUBMITTING A PROPOSITION TO THE QUALIFIED ELECTORS THEREOF
 - 9) Adopt RESOLUTION NO. 13-37 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CALLING A SPECIAL ELECTION FOR THE PURPOSE OF APPROVING A SPECIAL TAX IN IMPROVEMENT AREA NO. 1 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), THE ISSUANCE OF BONDS BY SAID IMPROVEMENT AREA OF THE DISTRICT AND ESTABLISHMENT OF AN APPROPRIATIONS LIMIT
 - 10) Adopt RESOLUTION NO. 13-38 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CALLING A SPECIAL ELECTION FOR THE PURPOSE OF APPROVING A SPECIAL TAX IN IMPROVEMENT AREA NO. 2 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), THE ISSUANCE OF BONDS BY SAID IMPROVEMENT AREA OF THE DISTRICT AND ESTABLISHMENT OF AN APPROPRIATIONS LIMIT
 - 11) Adopt RESOLUTION NO. 13-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CALLING A SPECIAL ELECTION FOR THE PURPOSE OF APPROVING A SPECIAL TAX IN IMPROVEMENT AREA NO. 3 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), THE ISSUANCE OF BONDS BY SAID IMPROVEMENT AREA OF THE DISTRICT AND ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

Upon adoption of the above-referenced resolutions, the City Clerk opened the ballots and disclosed the results of the Special Elections. It was announce that “yes” ballots were cast for each of the Improvement Areas 1,2 and 3.

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried by those members present (Councilmember Krom absent), to approve Action Item Nos. 13 through 15 as follows:

- 13) Adopt RESOLUTION NO. 13-40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ELECTION HELD IN IMPROVEMENT AREA NO. 1 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND DIRECTING RECORDING OF A NOTICE OF SPECIAL TAX LIEN
- 14) Adopt RESOLUTION NO. 13-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ELECTION HELD IN IMPROVEMENT AREA NO. 2 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND DIRECTING RECORDING OF A NOTICE OF SPECIAL TAX LIEN
- 15) Adopt RESOLUTION NO. 13-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ELECTION HELD IN IMPROVEMENT AREA NO. 3 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND DIRECTING RECORDING OF A NOTICE OF SPECIAL TAX LIEN

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried by those members present (Councilmember Krom absent), to approve Action Item Nos. 16 through 18 as follows:

- 16) Introduce for first reading and read by title only ORDINANCE NO. 13-02 – 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. 1 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)
- 17) Introduce for first reading and read by title only ORDINANCE NO. 13-03 - 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. 2 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)
- 18) Introduce for first reading and read by title only ORDINANCE NO. 13-04 - 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. 3 OF THE CITY OF IRVINE
COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

Mayor Pro Tempore Lalloway left the meeting at 5:52 p.m.

5. COUNCIL BUSINESS (CONTINUED)

5.1 RECONSIDERATION OF EXPANDED iSHUTTLE SERVICES

This item was agendaized at the request of Councilmember Agran, who requested that the City Council reconsider expanding iShuttle Services, including applying for Renewed Measure M grant funds for this purpose.

Mike LeBlanc, Irvine Company, provided his company's perspective on expansion of iShuttle services between UC Irvine and the Irvine Spectrum.

ACTION: Moved by Councilmember Agran to adopt a resolution (listed as Attachment 2 to the staff report presented at the March 12, 2013 City Council meeting) authorizing staff to submit three separate grant applications to the Orange County Transportation Authority (OCTA) for funding under the Project V Community-Based Transit/Circulator Programs, subject to the following modifications:

- 1) Revise the suggested route for the UCI to Irvine Spectrum weekend service to provide a direct connection with no more than two intermediate stops.
- 2) Revise the fare structure for all routes to target a 20 percent fare box recovery.
- 3) Return to the City Council for approval to accept any grant funds awarded and to request authorization prior to initiating any new service.

The motion failed for lack of a second. There was no further discussion.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Choi made the following announcements:

- On Thursday, March 28 at 6 p.m., the Irvine Police Department will host the Power of Parents meeting in the Council Chamber. For information, call (949) 724-7000.
- On Wednesday, April 17 from 6-8 p.m., the Mayor will be co-sponsoring Orange County Supervisor Todd Spitzer's "Safe Communities Meeting" alongside Tustin

Mayor Al Murray and the Orange County Health Care Agency, at Lakeview Senior Center. No RSVP is needed.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Mayor Choi, and unanimously carried by those members present to adjourn the meeting at 6:07 p.m.


MAYOR OF THE CITY OF IRVINE


CITY CLERK OF THE CITY OF IRVINE

April 9, 2013