



CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:07 p.m. on September 14, 2010, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

ROLL CALL

Present:	4	Councilmember:	Steven Choi
		Councilmember:	Beth Krom
		Councilmember:	Christina Shea
		Mayor:	Sukhee Kang

Absent:	1	Mayor Pro Tempore:	Larry Agran (excused)
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Mayor Kang announced that the public hearing for Item 4.1 (Verizon Wireless) will be continued two weeks to September 28, 2010 at the request of the applicant, who is looking into alternative locations for its facility.

CONVENE TO THE REDEVELOPMENT AGENCY MEETING – 4:09 p.m.

RECONVENE TO THE CITY COUNCIL MEETING – 4:22 p.m.

1. CLOSED SESSION

**1.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Pursuant to subdivision (a) of Government Code Section 54956.9) one
case: *Tippens v. City of Irvine*, Orange County Superior Court Case
No. 30-2009-00288824**

City Attorney Phil Kohn announced the Closed Session item following which Mayor Kang convened to Closed Session at 4:23 p.m.

RECONVENE TO THE CITY COUNCIL MEETING – 5:07 p.m.

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

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kang requested a moment of silence to honor the 2,800 people, including 60 police officers and 343 firefighters, who lost their lives on September 11, 2001.

MUSICAL PRESENTATION

Mayor Kang introduced Amber Sun, Young Musicians Ensemble and University High School student, who performed the National Anthem and "Cantabile."

2. PRESENTATIONS

2.1 *Grant by Kaiser Permanente to the Irvine Community Alliance Fund*

Mayor Kang introduced John Stratman, Director of Public Affairs, Orange County Kaiser Permanente, who presented a \$25,000 grant to Irvine Community Alliance Fund to help support the Irvine Children's Health Program.

INTRODUCTIONS

There were none.

CITY MANAGER'S REPORT

City Manager Joyce introduced Craig Reem, Director of Public Affairs and Communications, who made a brief presentation on relief efforts for victims of flooding in Pakistan and the City's efforts to promote public awareness.

Mayor Kang introduced the Honorable Riffat Masood, Consul General of Pakistan, who spoke about the impacts of the current flooding on the citizens of her country.

The following individuals spoke about various outreach efforts to flood victims:

Najma Quader, Irvine Senior Councilmember
Armando Cervantes, Diocese of Orange, Catholic Relief Services
Laila Karmally, Shine Humanity

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Choi announced that both he and Councilmember Shea will be attending the League of California Cities Annual Meeting from Wednesday, September 15-17.

Mayor Kang made the following announcements:

- The Orange County Great Park's "Flights and Sounds Summer Festival" will continue every weekend through September on Friday and Saturday nights. For more information, visit ocgp.org.
- Irvine has been selected as the host city of the 11th Annual Travel Media Showcase from September 21-24. This three-day event, in collaboration with the Irvine Chamber Visitors Bureau, will bring together more than 150 leading travel print and broadcast journalists from around the world. For information, visit irvinechamber.com.
- Irvine Animal Care Center's Ninth Annual Pet Trek event will take place on Saturday, September 25 from 8 a.m. to 1 p.m. at Woodbridge Community Park. For information, visit IrvineShelter.org.
- The City of Irvine, in partnership with local schools and businesses, will participate in the National Cans for Cash City Recycling Challenge. Residents and businesses are encouraged to donate their aluminum cans by taking them to a designated drop-off site or to the buyback center located at 16122 Construction Circle East in Irvine. For information, visit cityofirvine.org.

ADDITIONS AND DELETIONS

There were none.

3. CONSENT CALENDAR

Consent Calendar Items consisted of Item Nos. 3.1 through 3.12.

ACTION: Moved by Councilmember Choi, seconded by Councilmember Krom, and unanimously carried by those members present to approve Consent Calendar Items 3.1 through 3.12.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council and joint regular meeting with the Irvine Redevelopment Agency held on August 10, 2010.

3.2 PROCLAMATIONS / COMMENDATIONS

ACTION:

- 1) Proclaimed September 11, 2010 as "Day of Remembrance"
- 2) Proclaimed September 27, 2010 as Family Day – A Day to Eat Dinner with Your Children
- 3) Commended Western Digital Corporation
- 4) Commended Hoag Hospital Irvine

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 10-99 - 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. 10-100 - 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. 10-101 - 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

3.6 LANDSCAPE ENHANCEMENT GRANT PROGRAM

ACTION:

Adopted RESOLUTION NO. 10-102 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE APPLICATIONS FOR GRANT FUNDS FROM THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM

3.7 NEWPORT BAY WATERSHED WATER QUALITY COOPERATIVE AGREEMENT D99-128 AMENDMENT NO. 3

ACTION:

Authorized the Mayor to execute Agreement D99-128 to Fund Nutrient, Fecal Coliform and Toxics Total Maximum Daily Load Studies in the Newport Bay Watershed - Third Amendment and Full Restatement of Agreement, subject to City Attorney review as to form.

3.8 CONFLICT OF INTEREST CODE – 2010 BIENNIAL NOTICE OF REQUIRED AMENDMENTS

ACTION:

Received and filed the Fair Political Practices Commission (FPPC) 2010 Biennial Notice to amend the City of Irvine Conflict of Interest Code in accordance with the Political Reform Act.

3.9 RESOLUTION OF INTENTION, PRELIMINARY ENGINEER'S REPORT AND SET PUBLIC HEARING FOR ASSESSMENT DISTRICT NO. 10-23 (PLANNING AREA 18)

ACTION:

- 1) Adopted RESOLUTION NO. 10-103 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO ORDER THE CONSTRUCTION AND ACQUISITION OF CERTAIN IMPROVEMENTS FOR PROPOSED ASSESSMENT DISTRICT NO. 10-23
- 2) Adopted RESOLUTION NO. 10-104 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE PRELIMINARILY ADOPTING, CONFIRMING, AND APPROVING THE ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR PROPOSED ASSESSMENT DISTRICT NO. 10-23

3.10 ORANGE COUNTY GREAT PARK WESTERN SECTOR PARK DEVELOPMENT PLAN (PHASE 1) – PHASE 1 OF THE COMMUNITY GARDEN PROJECT, APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS

ACTION:

Approved the plans, specifications, and contract documents for the Orange County Great Park Western Sector Park Development Plan (Phase 1) – Phase 1 of the Community Garden project on file with the Orange County Great Park Corporation.

3.11 ORANGE COUNTY GREAT PARK WESTERN SECTOR PARK DEVELOPMENT PLAN (PHASE 1) - PALM COURT AND BUILDINGS 242 AND 245, APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS

ACTION:

Approved the plans, specifications, and contract documents for the Orange County Great Park Western Sector Park Development Plan (Phase 1) – Palm Court and Buildings 242 and 245 project on file with the Orange County Great Park Corporation.

3.12 ORANGE COUNTY GREAT PARK PURCHASE OF SEATS FOR THE SEPTEMBER 22, 2010 ORANGE COUNTY ARTS AWARDS EVENT

ACTION:

Approved the purchase of four seats at a table for the September 22, 2010 Orange County Arts Awards event at a cost of \$5,000.

END CONSENT CALENDAR

4. PUBLIC HEARINGS

4.1 APPEAL OF A PLANNING COMMISSION ACTION DENYING A CONDITIONAL USE PERMIT FOR A WIRELESS COMMUNICATION FACILITY, INCLUDING APPURTENANT AND ASSOCIATED MECHANICAL EQUIPMENT, ON A REPLACEMENT LIGHT STANDARD IN THE MEDIAN OF CULVER DRIVE BETWEEN PLANNING AREAS 21 AND 50

Mayor Kang announced that this item would be continued to September 28, 2010 at the request of the applicant, who is looking into alternative locations for its facility.

Mayor Kang opened the public hearing at 5:56 p.m.

The following individuals spoke in support of cell reception in Turtle Rock:

Joe Martinez, Irvine resident
Tore Dietrich, Irvine resident

ACTION: At 6:02 p.m., moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried by those members present to continue the public hearing to September 28, 2010 at 4:00 p.m.

4.2 DRAFT 2009-10 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP, COMMUNITY DEVELOPMENT BLOCK GRANT – RECOVERY, AND HOMELESSNESS PREVENTION AND RAPID RE-HOUSING FEDERAL ENTITLEMENT GRANT PROGRAMS AND SUBSTANTIAL AMENDMENTS TO THE 2009-10 AND 2010-11 ANNUAL ACTION PLANS

City Manager Joyce introduced Mark Asturias, Housing Manager; Steve Holtz, Housing Administrator; and Tamara Campbell, Senior Planner/Grants Coordinator, who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 6:09 p.m. There were no public comments.

ACTION: Moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried by those members present to close the public hearing at 6:10 p.m.

There was no City Council discussion.

ACTION: Moved by Councilmember Krom, seconded by Councilmember Choi, and unanimously carried by those members present to:

ACTION:

- 1) Approve the 2009-10 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant and Home Investment Partnership Funding Programs.
- 2) Adopt RESOLUTION NO. 10-105 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING SUBSTANTIAL AMENDMENTS TO THE 2009-10 AND 2010-11 ANNUAL ACTION PLANS
- 3) Authorize the City Manager or his designee to sign all necessary documents to implement these programs and projects.
- 4) Authorize the City Manager or his designee to submit the report and all related documents to the U.S. Department of Housing and Urban Development.

5. COUNCIL BUSINESS

5.1 EL TORO ENVIRONMENTAL REMEDIATION UPDATE

This item was agendized by Councilmember Shea, who requested an update on environmental remediation efforts at Marine Corps Air Station (MCAS) El Toro.

City Manager Joyce provided a brief introduction of the item; and introduced Michael Ellzey, Chief Executive Officer, Orange County Great Park Corporation, who presented the staff report and responded to questions. The following individuals also contributed to the presentation:

- Cliff Wallace, Deputy Chief Executive Officer
- Jim Callian, Navy Base Realignment and Closure (BRAC) Environmental Coordinator for El Toro
- John Hills, Director of Water Quality, Irvine Ranch Water District
- Glen Worthington, Manager of Project Development, Orange County Great Park Corporation
- Richard Montevideo, Attorney at Law, Rutan and Tucker, LLP

City Council discussion included: the areas at the former MCAS El Toro under remediation and the clean-up process for these areas; potential deed restrictions placed on land transfers from the Department of the Navy to the City; whether or not contamination exists under runways; process to eliminate trichloroethylene (TCE) from the groundwater basin beneath the base; how reclaimed water is used for irrigation and not for drinking or home purposes; whether or not independent studies are conducted to verify Department of the Navy test results; process for how land is certified by the Navy and transferred to the City, and timeline for remaining parcels to be transferred; specific scope of work assigned to URS Corporation by the City Attorney's office and the relationship to the City; and assurance that multiple agencies are working collaboratively to remediate affected areas at the base.

The following individuals spoke about environmental concerns at MCAS El Toro:

Roger Von Butow, Clean Water Now
Nicole Wright
Tim King, Salem-News.com

ACTION: Received and filed.

END COUNCIL BUSINESS

PUBLIC COMMENTS

The following individuals spoke about the closure of Adventure Playground:

Nicholas Kornievsky
Mylinh Nguyen
Alex Hillenbrand

The following individuals from Workers / Unite Here II spoke about labor conditions at Embassy Suites Hotel - Irvine:

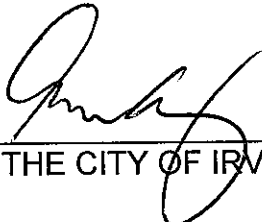
Maribel Duarte
Ana Maria Trevino
David Williamson

Andy Zelinko, Irvine resident, spoke in opposition to the Great Park Balloon; and "Remember 9-11."

John Jaeger, Irvine resident, spoke in opposition to the i-Shuttle.

ADJOURNMENT

Moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried by those members present to adjourn the meeting at 8:54 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

September 28, 2010