

**MINUTES**  
**CITY COUNCIL**  
**REGULAR MEETING**  
**May 9, 2006**  
**4:00 P.M.**

City Council Chamber  
One Civic Center Plaza

## **ROLL CALL**

A regular meeting of the Irvine City Council was called to order on May 9, 2006 at 4:05 p.m., in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California, by Mayor Krom.

Present:	5	Councilmember:	Larry Agran
		Councilmember:	Steven Choi
		Councilmember:	Christina Shea
		Mayor Pro Tem:	Sukhee Kang
		Mayor:	Beth Krom

Also present were City Manager, Sean Joyce; City Attorney, Philip Kohn; CEO Orange County Great Park, Wally Kreutzen; Director of Public Safety/Chief of Police, David L. Maggard; Director of Administrative Services, Rick Paikoff; Director of Public Works, Marty Bryant; Director of Community Services, John A. McAllister; Director of Community Development, Tina Christiansen; City Clerk, Pamyla Means; Deputy City Clerk, Teri Beach; and Irvine Police Officer Kevin Von Luft, Sgt. At Arms.

The City Council convened in Closed Session at 4:12 p.m.

### **1. CLOSED SESSION**

#### **1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code § 54956.9(b); significant exposure to litigation (two cases)**

## **RECESS**

Mayor Krom declared a recess at 4:40 pm. The regular meeting resumed at 5:11 p.m.

City Attorney, Philip D. Kohn, announced that no action was taken in Closed Session.

## **2. PRESENTATIONS**

Mayor Krom made the following presentations:

- 2.1 Elsa Trimmer and Christian French received a Proclamation, "Relay for Life-May 13-14, 2006."
- 2.2 Beverly Jacobs, Board Member – Jewish Federation of Orange County received a Proclamation, "May 21, 2006 as Israel Expo Day."
- 2.3 The Police Honor Guard received a Proclamation, "National Police Week - May 14 - 20, 2006."
- 2.4 Members of the Public Works Department received a Proclamation, "May 21-27, 2006 as National Public Works Week."

## **3. CONSENT CALENDAR**

**The following item was removed at the request of Councilmember Shea from the Consent Calendar for separate action:**

- 3.3 CONSULTANT SERVICES AGREEMENT WITH THE FERGUSON GROUP FOR FEDERAL LEGISLATIVE SERVICES

**ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Kang, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.11, with the exception of item as noted above.**

### **3.1 APPROVAL OF CITY COUNCIL MINUTES**

**ACTION:** Approved the minutes of a regular meeting of the City Council held on April 25, 2006.

### **3.2 PROCLAMATIONS**

May 3, 2006 as "Arbor Day"  
May 4, 2006 "National Day of Prayer"  
May 7-13, 2006 "California Building Safety Week"  
May 7, 2006 "Cure Children's Cancer Month"  
May as "ALS Awareness Month"

**3.3 CONSULTANT SERVICES AGREEMENT WITH THE FERGUSON GROUP FOR FEDERAL LEGISLATIVE SERVICES**

**ACTION:** Moved by Councilmember Shea, seconded by Councilmember Choi and unanimously carried to: Authorize the City Manager to enter into a consultant services agreement with The Ferguson Group. (CONTRACT NO. 5248)

**3.4 TRAFFIC SIGNAL MODIFICATION AT CAMPUS DRIVE AND CORNELL - APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS - CIP 335100**

**ACTION:** Approved the plans, specifications, and contract documents for the Traffic Signal Modification at Campus Drive and Cornell, CIP 335100, on file with the Public Works Department.

**3.5 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:** Adopted **RESOLUTION NO. 06-43** – 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

**3.6 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA**

Councilmember Agran requested his vote on this item be recorded as an abstention due to a potential conflict of interest as a stockholder in the bank. This has been deemed a true abstention by the City Attorney.

**ACTION:** Adopted **RESOLUTION NO. 06-44** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ALLOWING CERTAIN CLAIMS AND DEMANDS TO BANK OF AMERICA AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

**3.7 RESOLUTION SUPPORTING PROPOSITION 81 “CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION ACT OF 2006”**

**ACTION:** Adopted **RESOLUTION NO. 06-45** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SUPPORTING PROPOSITION 81 - CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2006

**3.8 AGREEMENT TO TRANSFER FUNDS FOR FY05 BUFFER ZONE PROTECTION PROGRAM GRANT**

**ACTION:**

- 1) Accepted the Agreement to Transfer Funds for FY05 Buffer Zone Protection Program Grant Purposes.
- 2) Authorized the Director of Public Safety to execute, and the City Clerk to attest to, the Agreement to Transfer Funds for FY05 Buffer Zone Protection Program Grant Purposes.
- 3) Approved a budget adjustment request form in the amount of \$112,915 reflecting \$112,915 in revenues and appropriations.

**3.9 LETTER OF SUPPORT AND APPOINTMENT OF REPRESENTATIVE TO COUNTY HOMELESS WORK GROUP**

**ACTION:**

- 1) Submitted a letter of support for the Orange County 2006 Federal Homeless Assistance Application and designate the Housing Manager as City staff contact for informational purposes.
- 2) Designated the Housing Manager as the City representative to work with the County on its draft 10 Year Plan to End Homelessness in Orange County.

**3.10 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADDING CHAPTER 5 OF DIVISION 9 OF TITLE 5 TO THE IRVINE MUNICIPAL CODE REGARDING CONSTRUCTION SITE AND VACANT PROPERTY SECURITY**

**ACTION:** Continued public hearing to May 23, 2006

**3.11 AFFORDABLE HOUSING IN-LIEU FEE INCREASE/ANNUAL ADJUSTMENT**

**ACTION:** Continued public hearing to June 13, 2006

**END OF CONSENT CALENDAR**

**4. PUBLIC HEARINGS**

**4.1 ASSESSMENT DISTRICT NO. 05-21 (ORCHARD HILLS) PLANNING AREA 1**

Mayor Krom opened the public hearing at 6:01 p.m.

Shawn Thompson, Senior Civil Engineer presented the staff report.

City Council discussion included: projected use of bonds; and strategic development of cell towers.

**ACTION: Moved by Mayor Pro Tempore Kang, seconded by councilmember Shea, and unanimously carried to close the public hearing at 6:14 p.m.**

City Clerk, Pamyla Means announced the ballot results.

**ACTION: Moved by Mayor Pro Tempore Kang, seconded by Mayor Krom, and unanimously carried to:**

- 1) Adopt **RESOLUTION NO. 06-46** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CONFIRMING THE ASSESSMENTS IN ASSESSMENT DISTRICT NO. 05-21 (ORCHARD HILLS) PLANNING AREA 1, ORDERING THE PROPOSED IMPROVEMENTS AND ACQUISITIONS TO BE MADE, AUTHORIZING ENTRY INTO CERTAIN AGREEMENTS, AND DESIGNATING THE CITY TREASURER TO COLLECT AND RECEIVE MONEY  
**Agreement No. 5259**
- 2) Receive and file:
  - a) City Clerk's declaration of mailing notice and ballot
  - b) Property Owner's waivers of the cash collection period
  - c) The Treasurer's list of unpaid assessments
- 3) Adopt **RESOLUTION NO. 06-47** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, DETERMINING UNPAID ASSESSMENTS IN ASSESSMENT DISTRICT NO. 05-21 (ORCHARD HILLS) PLANNING AREA 1 AND THE MANNER OF PAYMENT THEREOF AND LISTING BONDS ISSUED ON THE SECURITY THEREOF
- 4) Adopt **RESOLUTION NO. 06-48** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE ISSUANCE OF CITY OF IRVINE ASSESSMENT DISTRICT NO. 05-21 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A REIMBURSEMENT AGREEMENT, A BOND PURCHASE AGREEMENT, A REMARKETING AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO

## **5. COUNCIL BUSINESS**

### **5.1 PUBLIC RECOGNITION POLICY**

John McAllister, Director of Community Services and Sandy Litzie, Senior Management Analyst presented the staff report.

City Council discussion included: new programs vs. existing programs; donor program; creation of a "Walk of Fame" category; and a recognition wall at the Senior Centers.

**ACTION: Moved by Mayor Krom, seconded by Councilmember Shea, and unanimously carried to:** Direct staff to preserve the existing policy with modifications to provide a "Wall of Recognition" with a defined process for nominating individuals and costs for maintenance.

**5.2 DISCUSSION OF ACTION TAKEN ON APRIL 25, 2006, RELATIVE TO GOVERNING STRUCTURES AND RESPONSIBILITIES OF THE ORANGE COUNTY GREAT PARK**

The following individuals spoke on the item:

Mary Ann Gaido, Irvine resident; and Bill Campbell, County Supervisor.

City Council discussion included: Initial formation and role of the Orange County Great Park Corporation; and commitment not to use the Asset Management Plan or General Fund dollars to develop the Orange County Great Park.

**ACTION: Moved by Councilmember Shea, seconded by Councilmember Choi, to:** Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE RESCINDING CITY COUNCIL RESOLUTION NO. 06-42 AND AFFIRMING THE AUTHORITY OF THE ORANGE COUNTY GREAT PARK CORPORATION TO DESIGN, OPERATE AND MAINTAIN THE ORANGE COUNTY GREAT PARK

The motion failed as follows:

AYES:	2	COUNCILMEMBERS:	Choi and Shea
NOES:	3	COUNCILMEMBERS:	Agran, Kang and Krom
ABSENT:	0	COUNCILMEMBERS:	None

**No action was taken.**

**END OF COUNCIL BUSINESS**

**PUBLIC COMMENTS**

Andy Zelinko, Irvine resident, spoke on the erection of the Northwood Memorial at Northwood Park to honor the fallen troops of the Iraq War.

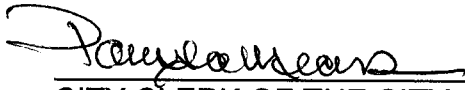
Luz Vazquez, on behalf of Girls, Inc, spoke on programs offered at local schools for young girls.

Daniel Dulac, Baker Canyon Green Recycling, spoke on re-submittal of a proposal for a lease for at the Orange County Great Park to establish a green waste recycling facility.

**ADJOURNMENT**

**Moved by Mayor Pro Tempore Kang, seconded by Councilmember Shea, and unanimously carried to adjourn the meeting at 9:33 p.m. to a City Council Adjourned Regular meeting, May 19, 2006, 8:30 a.m., Irvine Marriott Hotel, 18000 Von Karman Avenue, Board Suite 1731, Irvine, California.**

  
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MAYOR OF THE CITY OF IRVINE

  
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CITY CLERK OF THE CITY OF IRVINE

May 23, 2006  
DATE