

**MINUTES
CITY COUNCIL
REGULAR MEETING
AND
JOINT REGULAR MEETING
WITH REDEVELOPMENT AGENCY**
August 10, 2010
City Council Chamber
One Civic Center Plaza

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:07 p.m. on August 10, 2010, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

ROLL CALL

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

CONVENED TO THE IRVINE REDEVELOPMENT AGENCY MEETING - 4:09 p.m.

RECONVENED TO THE CITY COUNCIL MEETING - 4:11 p.m.

1. CLOSED SESSION

- 1.1 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) Agency Negotiators: Rick Paikoff, Director of Administrative Services; Jan Walden, Manager of Human Resources; and Jimmee Medina, Human Resources Administrator; Employee Organizations: Associated Supervisory/Administrative Personnel (ASAP); Irvine City Employees Association (ICEA); Irvine Professional Employees Association (IPEA); Irvine Police Management Association (IPMA) and Irvine Police Association (IPA)**

City Attorney Phil Kohn announced the Closed Session item following which Mayor Kang convened to Closed Session at 4:12 p.m.

RECONVENE TO THE CITY COUNCIL MEETING – 5:04 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 in honor of Jerry Roodhuyzen, Irvine resident and former Public Safety Officer, who passed away at the age of 89.

MUSICAL PRESENTATION

Mayor Kang introduced Ohmshaanti, who performed "America the Beautiful" and "Peace On The Earth."

2. PRESENTATIONS

2.1 Proclaim September 2010 as "National Child Awareness Month"

Mayor Kang introduced Sandy Segerstrom Daniels, Founder and Executive Director of the Festival of Children Foundation and Julie Hudash, Founder and Executive Director of "Team Kids"; and presented them with a proclamation.

2.2 Proclaim September 2010 as Irvine Unified School District "PTA Membership Month"

Mayor Kang introduced Parent Teacher Association (PTA) Boardmembers and representatives; and presented them with a proclamation in honor of their commitment to enriching the lives of school children.

2.3 Irvine Chamber of Commerce

Mayor Kang introduced Talia Hart, Irvine Chamber of Commerce Chief Executive Officer and Chris Lynch, Vice President of Economic Business Development; who provided a fiscal year-end report of the Irvine Chamber's Economic Development and Tourism Program.

INTRODUCTIONS

There were none.

CITY MANAGER'S REPORT

City Manager Joyce announced that on July 31, 2010 the City Council hosted the grand re-opening of the University Park Community Center which was the first community center built in 1976, and now the first City building to achieve LEED (Leadership in Energy and Environmental Design) certification from the U.S. Green Building Council.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Kang made the following announcements:

- In August, Irvine will host three prestigious swim championships, bringing some of the world's best swimmers to the William Woollett Jr. Aquatics Center. The competitions kicked-off with the 2010 ConocoPhillips National Championships; the 2010 Speedo Junior National Championships; and the 2010 Mutual of Omaha Pan Pacific Championships.
- Hoag Hospital Irvine will open its doors to the public on Wednesday, September 1 with the latest technology, enhanced aesthetics and interior design elements to meet the needs of the Irvine community. For more information, visit hoaghospital.org.
- Western Digital is consolidating its Orange County Operations and will move more than 1,200 employees into Park Place, located in the Irvine Business Complex. We are proud to welcome Western Digital back to Irvine.
- The Orange County Great Park's third season of the "Flights & Sounds Summer Festival" began August 6 and will run every weekend through September in partnership with the Irvine Barclay Theatre. Parking is \$10 and admission is free. For information, visit www.ocgp.org.
- The Ninth Annual Pet Trek Walkathon on September 25th is a great fundraiser benefitting the Irvine Animal Care Center, which provides extraordinary care to thousands of homeless animals every year. Participants are encouraged to sign up early, so they have plenty of time to get their friends and family to sponsor their walk. Visit irvineshelter.org or call 949-724-7740 for more information.

ADDITIONS AND DELETIONS

There were none.

3. CONSENT CALENDAR

Consent Calendar Items consisted of Item Nos. 3.1 through 3.17.

ACTION: Moved by Councilmember Choi, seconded by Councilmember Krom, and unanimously carried to approve Consent Calendar Items 3.1 through 3.17.

3.1 MINUTES

ACTION:

Approved the minutes of an adjourned regular meeting of the Irvine City Council held on July 27, 2010.

3.2 PROCLAMATIONS/COMMENDATIONS

ACTION:

- 1) Proclaimed the week of September 17-23, 2010 as "Constitution Week."
- 2) Commended Yu-Na Kim, 5th Korean-American Leadership Award.
- 3) Commended Dr. Sammy Lee, 5th Korean-American Leadership Award.

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 10-88 - 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. 10-89 - 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 QUITCLAIM OF PORTIONS OF ACCESS EASEMENTS IN WOODBURY

ACTION:

Authorized the Mayor to execute a Quitclaim Deed for unneeded access easements within the Village of Woodbury.

3.6 DEFINED BENEFIT AND DEFINED CONTRIBUTION PENSION PLAN AUDITS FOR THE YEAR ENDED DECEMBER 31, 2009

ACTION:

Received and file the Defined Benefit Pension Plan and the Defined Contribution Pension Plan audits for the year ended December 31, 2009.

3.7 SUBLEASE AGREEMENT WITH THE COUNTY OF ORANGE FOR 100 ACRE PARCEL IN PLANNING AREA 51

ACTION:

- 1) Adopted RESOLUTION NO. 10-90 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE POTENTIAL PAYMENT BY THE IRVINE REDEVELOPMENT AGENCY OF CERTAIN COSTS FOR THE POTENTIAL FUTURE RECONSTRUCTION OR REPLACEMENT OF CERTAIN FLOOD CONTROL FACILITIES LOCATED ON CERTAIN REAL PROPERTY LOCATED WITHIN THE REDEVELOPMENT PROJECT AREA, AND MAKING FINDINGS UNDER HEALTH AND SAFETY CODE SECTION 33445 FOR THE EXPENDITURE OF AGENCY FUNDS THEREFOR as amended to include revisions for Exhibit D-1 to include a proposed sewer and reclaimed water easement along the westerly edge of the property and Exhibit D-2 to depict an existing reclaimed water line across the property.
- 2) Authorized the Mayor to execute a Sublease Agreement and Implementation Agreement No. 2 with the County of Orange to provide the County with a 100 acre parcel in accordance with the 2003 Property Tax Transfer and Pre-Annexation Agreement as amended to include revisions for Exhibit D-1 to include a proposed sewer and reclaimed water easement along the westerly edge of the property and Exhibit D-2 to depict an existing reclaimed water line across the property.
- 3) Authorized the Mayor to execute a Reciprocal License Agreement with the County of Orange and Heritage Fields as amended to include revisions for Exhibit D-1 to include a proposed sewer and reclaimed water easement along the westerly edge of the property and Exhibit D-2 to depict an existing reclaimed water line across the property.

3.8 DESIGNATION OF CITY CONSULTANT AS AUTHORIZED CITY REPRESENTATIVE TO EXAMINE SALES AND USE TAX RECORDS

ACTION:

Adopted RESOLUTION NO. 10-91 - A RESOLUTION OF THE CITY

COUNCIL OF THE CITY OF IRVINE AUTHORIZING
EXAMINATION OF SALES, USE AND TRANSACTIONS TAX
RECORDS

**3.9 COLLECTION OF DELINQUENT SPECIAL TAXES AND ASSESSMENTS
FISCAL YEAR 2010-11**

ACTION:

- 1) Adopted RESOLUTION NO. 10-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2005-2 (COLUMBUS GROVE) AUTHORIZING AND ORDERING JUDICIAL FORECLOSURE OF CURRENT AND FUTURE DELINQUENT SPECIAL TAXES IN SAID DISTRICT PURSUANT TO THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982 AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH
- 2) Adopted RESOLUTION NO. 10-93 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACTING AS THE GOVERNING BODY OF THE ASSESSMENT DISTRICTS SET FORTH HEREIN AUTHORIZING AND ORDERING JUDICIAL FORECLOSURE OF CURRENT AND FUTURE DELINQUENT SPECIAL ASSESSEMENTS IN SAID DISTRICTS PURSUANT TO THE IMPROVEMENT BOND ACT OF 1915 AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH
- 3) Authorized and order the City Attorney to prosecute the foreclosure actions and to collect, in the name of the City and on behalf of the owners of the Bonds, all amounts due on account of the delinquent special taxes and special assessments with respect to the property identified in the submitted resolutions.
- 4) Authorized and order City personnel, in conjunction with the City Attorney and other City consultants, pursuant to Government Code Section 53356.2(a) and Section 8833(a)(1) to record notices of intent to remove the delinquent special taxes and special assessments from the tax rolls, and Section 53356.2(b) and Section 8833(a)(1)(A) to request that the applicable Orange County officials remove current and future delinquent special taxes and special assessments from the tax rolls.

3.10 IRVINE CHILD DEVELOPMENT CENTER LEASE AGREEMENT

ACTION:

Approved ten-year Lease Agreement between the City of Irvine and Irvine Child Development Center Operating Corporation for operation of the Irvine Child Development Center located at 2 Civic Center Plaza, and authorize the City Manager to sign and execute all necessary documents.

3.11 APPLICATION FOR ACQUISITION OF FEDERAL REAL PROPERTY LOCATED WITHIN THE FORMER MARINE CORPS AIR STATION EL TORO FOR PUBLIC PARK USE

ACTION:

Adopted RESOLUTION NO. 10-94 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING AN APPLICATION TO THE U.S. DEPARTMENT OF INTERIOR FOR THE PUBLIC BENEFIT CONVEYANCE OF BUILDING 746 AND APPROXIMATELY 1.6 ACRES OF LAND LOCATED WITHIN THE FORMER MCAS EL TORO FOR PUBLIC PARK USE

3.12 STANDARD PACIFIC CORP. REQUEST FOR AN ENCROACHMENT PERMIT FOR TEMPORARY USE OF THE PUBLIC RIGHT-OF-WAY ON THE SOUTHERLY SIDE OF PATHWAY TO THE EAST OF THE INTERSECTION WITH SILVERADO IN THE VILLAGE OF PORTOLA SPRINGS (PLANNING AREA 6)

As amended to correctly note in the resolution and supporting material the name "Standard Pacific Corp."

ACTION:

Adopted RESOLUTION NO. 10-95 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE ISSUANCE OF AN ENCROACHMENT PERMIT TO STANDARD PACIFIC CORP. FOR THE TEMPORARY USE OF AN EXISTING SIDEWALK AND CONSTRUCTION OF AN INTERIM PUBLIC SIDEWALK WITH ANCILLARY LANDSCAPE AND FENCING IMPROVEMENTS, ON THE SOUTHERLY SIDE OF PATHWAY BEGINNING APPROXIMATELY 85.5 FEET TO THE EAST OF THE INTERSECTION WITH SILVERADO AND EXTENDING APPROXIMATELY 106 FEET TO THE EAST IN THE VILLAGE OF PORTOLA SPRINGS (PLANNING AREA 6); FILED BY STANDARD PACIFIC HOMES as amended

3.13 AGREEMENT FOR ROADWAY IMPROVEMENTS IN PLANNING AREA 34

ACTION:

Authorized the Mayor to execute an agreement between the City of Irvine, the Orange County Flood Control District and the Irvine Company for the improvement of Bake Parkway and Lake Forest Drive.

3.14 RESOLUTION ADOPTING THE REVISED PUBLIC WORKS RECORDS RETENTION SCHEDULE

ACTION:

Adopted RESOLUTION NO 10-96- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING AN AMENDMENT TO CITY COUNCIL RESOLUTION NO. 09-58, TO REVISE THE PUBLIC WORKS DEPARTMENT RECORDS RETENTION SCHEDULE

3.15 PROPOSITION 84 SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM

ACTION:

Adopted RESOLUTION NO. 10-97- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)

3.16 COLLECTIVE BARGAINING AGREEMENT WITH THE IRVINE POLICE ASSOCIATION (IPA)

ACTION:

Adopted RESOLUTION NO. 10-98- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE POLICE ASSOCIATION (IPA) AND SUPERSEDING ALL PREVIOUS TERMS AND CONDITIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES AUGUST 11, 2010

3.17 DESIGNATION OF VOTING DELEGATES FOR LEAGUE OF CALIFORNIA CITIES 2010 ANNUAL CONFERENCE

ACTION:

Appointed Councilmember Choi to serve as the voting delegate and Councilmember Shea to serve as the voting alternate for the Annual Business Meeting at the League of California Cities 2010 Annual Conference.

END CONSENT CALENDAR

CALL TO ORDER –JOINT MEETING OF THE IRVINE REDEVELOPMENT AGENCY AND THE IRVINE CITY COUNCIL

A regular joint meeting of the Irvine City Council and the Irvine Redevelopment Agency was called to order at 6:30 p.m., on August 10, 2010, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor/Chair Kang presiding.

4. COUNCIL BUSINESS - JOINT MEETING WITH REDEVELOPMENT AGENCY

4.1 RESPONSE TO ORANGE COUNTY GRAND JURY REPORT

City Manager Joyce introduced Kurt Mowry, Chief Financial Officer and Dan Slater, Redevelopment Agency General Counsel; who presented the staff report and responded to questions.

City Council and Agency Board discussion included: acknowledgment of the work and study completed by the Orange County Grand Jury; clarification of the mechanics and repayment of the \$134 million loan; use of property tax increment, community facilities and assessment districts as financing tools; clarification of the projected cost to construct the Great Park; current balance and repayment plan of the \$134 million loan; and application of state statutes governing the redevelopment agency board and its membership.

ACTION: Moved by Councilmember Krom, seconded by Mayor Kang, to:

CITY COUNCIL ACTION:

Approve response of the City of Irvine and the Irvine Redevelopment Agency to the Orange County Grand Jury 2009-10 Grand Jury Report dated June 3, 2010, titled "Financing the Great Park: Now You See It, Now You Don't," and, authorize the Mayor's signature for submittal to the Presiding Judge of the Orange County Superior Court by the statutory deadline of September 1, 2010. Response to be amended to correct the name of the Grand Jury reviewing committee to the "Continuity and Special Issues Committee" and to correct page 14 – paragraph one of the response letter to read: Even over the difficult three fiscal years from FY 2008-09 through FY 2010-11, the total assessed valuation in the City of Irvine declined only 1.52% (from \$47,257,608,206 to \$46,538,576,173).

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Agran, Choi, Krom, and Kang
 NOES: 1 COUNCILMEMBERS: Shea
 ABSENT: 0 COUNCILMEMBERS: None

ACTION: Moved by Boardmember Krom, seconded by Chair Kang, to:

AGENCY ACTION:

Approve response of the City of Irvine and the Irvine Redevelopment Agency to the Orange County Grand Jury 2009-10 Grand Jury Report dated June 3, 2010, titled "Financing the Great Park: Now You See It, Now You Don't," and, authorize the Chair's signature for submittal to the Presiding Judge of the Orange County Superior Court by the statutory deadline of September 1, 2010. Response to be amended to correct the name of the Grand Jury reviewing committee to the "Continuity and Special Issues Committee" and to correct page 14 – paragraph one of the response letter to read: Even over the difficult three fiscal years from FY 2008-09 through FY 2010-11, the total assessed valuation in the City of Irvine declined only 1.52% (from \$47,257,608,206 to \$46,538,576,173).

The motion carried as follows:

AYES: 4 BOARDMEMBERS: Agran, Choi, Krom, and Kang
 NOES: 1 BOARDMEMBERS: Shea
 ABSENT: 0 BOARDMEMBERS: None

END COUNCIL BUSINESS

PUBLIC COMMENTS

Linda Behrens, resident, spoke in support of the continuation of the emeritus water aerobics class at the Woollett Aquatic Center.
 Andrew Cohen, HEI Embassy Suites Irvine Employee, spoke about the working conditions at the Irvine Embassy Suites.
 Joseph Murphy, HEI Embassy Suites Irvine Employee, spoke about the working conditions at the Irvine Embassy Suites.
 Armando Ibarra, Orange County Communities Organized for Responsible Development, spoke about the working conditions at the Irvine Embassy Suites.

Reverend Martha Korienek, Canterbury Irvine, spoke about the working conditions at the Irvine Embassy Suites.

ADJOURNMENT

Moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried to adjourn the meeting at 8:20 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

September 14, 2010