



CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:00 p.m., on September 11, 2007, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Krom presiding.

ROLL CALL

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

*Mayor Pro Tempore Agran arrived at 4:02 p.m.

The City Council convened as follows:

1. CLOSED SESSION

- 1.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Pursuant to Government Code Section 54956.9(a))
Newpath Networks, LLC v. City of Irvine, U.S. District Court Case No. SACV06-550-JVS

RECONVENE TO THE CITY COUNCIL MEETING

The City Council reconvened at 5:08 p.m.; no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE/COLOR GUARD PRESENTATION

The Mayor introduced the Irvine Police Color Guard, the Orange County Fire Authority Honor Guard, and the 2nd Battalion, 11th Marine Regiment, First Marine Division Color Guard, Camp Pendleton to lead the Pledge of Allegiance.

Mayor Krom announced the City of Irvine's official adoption of the 2nd Battalion, 11th Marine Regiment, First Marine Division and introduced Sergeant Major Pyle who accepted a proclamation from the City.

Mayor Krom asked Sergeant Major Pyle to retire the Colors.

MOMENT OF SILENCE

Mayor Krom requested a moment of silence on behalf of our fallen heroes, and Kenny Wilson, a Beckman High School football player.

MUSICAL PRESENTATION

Mayor Krom introduced Lisa Naulls who performed the National Anthem.

2. PRESENTATIONS

The following presentations were made:

- 2.1 *University of California Irvine's Vice Chancellor Wendell Brase presented information about UC Irvine's sustainability and green energy effort.***
- 2.2 *Recognition of the dedication of the Donald Bren Hall at the University of California, Irvine.***
- 2.3 *Irvine Unified School District and City of Irvine "Cans for Cash" recycling contest promotion.***
- 2.4 *October 3, 2007 as "International Walk-to-School Day."***

INTRODUCTIONS

City Manager, Sean Joyce, introduced Joyce Amerson, Deputy Director of Public Works.

Councilmember Choi introduced his new Council Executive Assistant, Hyemi Choo.

CITY MANAGER'S REPORT

City Manager, Sean Joyce, recognized Mark Asturias, Amy Mullay, and Steve Holtz for their efforts in securing work force/affordable housing grant funds. He also gave an update on the Amended Overlay Plan for Heritage Fields.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

The following announcements were made:

- Updates on the League of California Cities Annual Conference.
- Adoption ceremony and reception for the Marines and Sailors of 2nd Battalion, 11th Marine Regiment, 1st Marine Division (2/11) based at Camp Pendleton will take place on Saturday, September 15 at 10:30 a.m. at the Irvine Civic Center.
- "Unexpected Vistas of Irvine" by local artist Tom Brown at the Fine Arts Center will be displayed from September 14 through October 27, 2007 with a reception on September 14, 2007 from 5:30 to 8:00 p.m.
- Emergency Preparedness Month is September 1 – 30, 2007.
- National Pollution Week is September 17 – 23, 2007.
- The 6th Annual Irvine Global Festival will take place on Saturday, September 29 from 10:00 a.m. – 6:00 p.m. at Bill Barber Memorial Park.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Choi, seconded by Councilmember Shea, and unanimously carried to approve Consent Calendar items 3.1 through 3.9.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a regular meeting of the Irvine City Council held on August 14, 2007.
- 2) Approved the minutes of an adjourned regular meeting of the Irvine City Council held on September 4, 2007.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed honoring the commitment and sacrifice of the United States Armed Forces.
- 2) Proclaimed the recognition of the dedication of "Donald Bren Hall."

- 3) Proclaimed the celebration of the 50th Anniversary of California State University, Fullerton.
- 4) Proclaimed September 17-23, 2007 as "Constitution Week."
- 5) Proclaimed September 17-23, 2007 as "Pollution Prevention Week."
- 6) Proclaimed September 24, 2007 as "Family Day – A Day to Eat Dinner with Your Children."
- 7) Proclaimed October 3, 2007 as "Walk to School Day."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION: Adopted RESOLUTION NO. 07-105 – 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 Krom abstained.

3.4 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION: Adopted RESOLUTION NO. 07-106 – 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

Mayor Pro Tempore Agran abstained.

3.5 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted RESOLUTION NO. 07-107 – 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 IRVINE ANIMAL CARE CENTER SHELTERING SERVICES TO CITY OF COSTA MESA AND AMENDMENTS TO THE POSITION CONTROL RESOLUTION, THE MANAGEMENT RESOLUTION AND THE SALARY GRADE RESOLUTION TO ADD FULL-TIME VETERINARIAN TO STAFF

ACTION:

- 1) Approved contract to provide sheltering services to the City of Costa Mesa. **(Contract No. 5761)**
- 2) Adopted RESOLUTION NO. 07-108 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING FULL-

TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR THE 2007-2008 FISCAL YEAR AND REPEALING RESOLUTION NO. 07-83 AUTHORIZING FULL-TIME POSITIONS.

- 3) Adopted RESOLUTION NO. 07-109 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR MANAGEMENT AND NON-REPRESENTED EMPLOYEES (EXEMPT) OF THE CITY OF IRVINE, AND REPEALING RESOLUTION NO. 06-78, EFFECTIVE THE PAY PERIOD THAT INCLUDES AUGUST 14, 2007.
- 4) Adopted RESOLUTION NO. 07-110 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING RESOLUTION NO. 07-82 WHICH IS INCONSISTENT THEREWITH, EFFECTIVE THE PAY PERIOD THAT INCLUDES AUGUST 14, 2007 UNLESS OTHERWISE NOTED.
- 5) Approved Budget Adjustment to FY 07-08 Budget Section 346 to increase the revenue projections for the Animal Care Center by \$120,000 and the staffing expenditures by \$98,000.

3.7 AUTHORIZE AN APPLICATION FOR STATE BUILDING EQUITY AND GROWTH IN NEIGHBORHOODS PROGRAM FUNDS

ACTION: Adopted RESOLUTION NO. 07-111 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE STATE OF CALIFORNIA, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE BUILDING EQUITY AND GROWTH IN NEIGHBORHOODS PROGRAM FOR A FIRST-TIME HOMEBUYER, DOWN PAYMENT ASSISTANCE PROGRAM AT THE 62-UNIT AFFORDABLE HOUSING COMMUNITY KNOWN AS TRIBECA FLATS IN THE CENTRAL PARK DEVELOPMENT OF THE IRVINE BUSINESS COMPLEX

3.8 TARGET GRANT DONATION

ACTION:

- 1) Accepted a \$2,000 grant donation from Target.
- 2) Approved a budget adjustment request form in the amount of \$2,000, reflecting an increase in revenues and appropriations.

3.9 401A DEFERRED COMPENSATION PLAN

ACTION: Adopted RESOLUTION NO. 07-112 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING THE 401A PLAN AND TRUST FOR EMPLOYEES COVERED BY THE CITY OF IRVINE'S CLASSIFICATION AND COMPENSATION POLICY FOR MANAGEMENT AND NON-REPRESENTED PERSONNEL

END OF CONSENT CALENDAR

4. PUBLIC HEARINGS

4.1 APPEAL OF PLANNING COMMISSION ACTION TO DENY CONDITIONAL USE PERMITS FOR TEN WIRELESS COMMUNICATIONS FACILITIES LOCATED IN THE PUBLIC RIGHTS-OF-WAY AND/OR PUBLIC UTILITY EASEMENTS IN TURTLE ROCK (PLANNING AREA 21)

Mayor Krom declared the public hearing open at 6:48 p.m.

ACTION: At 6:50 p.m., moved by Councilmember Kang, seconded by Councilmember Choi, and unanimously carried to continue the public hearing to November 27, 2007 at 4:00 p.m.

5. COUNCIL BUSINESS

5.1 AMEND THE BYLAWS OF THE SENIOR CITIZENS COUNCIL

John McAllister, Community Services Director, and Sheila Driscoll, Community Services Superintendent, presented the staff report.

Moved by Mayor Krom, seconded by Mayor Pro Tempore Agran, to:

Adopt RESOLUTION NO. – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CITY COUNCIL RESOLUTION NO. 87-97 OUTLINING THE DUTIES, RESPONSIBILITIES AND BYLAWS OF THE IRVINE SENIOR CITIZENS COUNCIL TO INCREASE THE SENIOR CITIZENS COUNCIL TO NINE MEMBERS, AND REPLACE THE TWO ELECTED POSITIONS WITH FOUR APPOINTMENTS FROM SENIOR-SERVING ORGANIZATIONS AND IMPLEMENT AN EMERITUS AND AMBASSADOR PROGRAM

City Council discussion included: lack of representation from other City groups; possible complaints from non-represented groups; possibility of longer meetings and inefficiency due to larger membership; engaging seniors in more dynamic ways; importance of Emeritus and Ambassador

programs; setting up a \$15,000 discretionary fund for the Senior Council in lieu of costs for a Senior Council election; clarification of the new resolution for the public; future appointees to include new group representation; clarification of task force's function; and the importance of a unanimous Council decision.

***ACTION: Following discussion, a substitute motion was moved by Councilmember Shea, seconded by Councilmember Choi and unanimously carried to:**

Amend the resolution such that the Senior Citizens Council shall remain comprised of seven members, five members to remain appointed by the City Council and two members to be appointed at-large through a public recruitment process by a collaborative effort of the four Senior-Serving organizations identified in the resolution; and, \$15,000 shall be allocated annually for use at the discretion of the Senior Council due to budget savings realized from the suspension of the election process, and:

Adopt RESOLUTION NO.113 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CITY COUNCIL RESOLUTION NO. 87-97 OUTLINING THE DUTIES, RESPONSIBILITIES AND BYLAWS OF THE IRVINE SENIOR CITIZENS COUNCIL TO REPLACE THE TWO ELECTED POSITIONS WITH TWO SELECTED BY SENIOR-SERVING ORGANIZATIONS THROUGH A PUBLIC RECRUITMENT PROCESS, ALLOCATE FUNDS ANNUALLY FOR SENIOR COUNCIL USE AND IMPLEMENT AN EMERITUS AND AMBASSADOR PROGRAM

*Approval of substitute motion takes precedence over original motion.

5.2 CONSIDERATION OF SPONSORSHIP FOR NATIONAL TAE KWON DO "ATU HEALTH KICK" FUNDRAISER EVENT

Councilmember Kang presented this item to the Council.

Alyssa Sanjongod spoke on this item.

ACTION: Moved by Councilmember Kang, seconded by Councilmember Choi, and unanimously carried to:

Approve a non-economic sponsorship of American Tae Kwon Do United for "Health Kick 2007."

END OF COUNCIL BUSINESS

PUBLIC COMMENTS

Bill Turner spoke on the display information for the Great Park balloon ride. Montgomery Norton and Gabriella Brockhoff spoke on the U.S. Mayor's Climate Protection Agreement and the "Focus the Nation" event.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Councilmember Kang, and unanimously carried to adjourn at 8:05 p.m. in memory of Kenny Wilson, a Beckman High School student and football player who recently died.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

September 25, 2007