

**MINUTES
CITY COUNCIL
ADJOURNED
REGULAR MEETING
October 23, 2007
City Council Chamber
One Civic Center Plaza**

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 5:13 p.m., on October 23, 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 Tem:	Larry Agran
		Mayor:	Beth Krom

PLEDGE OF ALLEGIANCE

Mayor Krom led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Krom requested a moment of silence for those who have been affected by the recent fires in Southern California.

MUSICAL PRESENTATION

Mayor Krom introduced Brownie Troop 131 from Westpark Elementary School, who performed "You're a Grand Old Flag" and a Girl Scout Song.

INTRODUCTIONS

City Manager Joyce introduced Paula Burrier-Lund, newly appointed as Community Services Director.

CITY MANAGER'S REPORT

City Manager Joyce reported on the City's actions in response to the wildfire that broke out in North Irvine on October 21, including the activation of the Emergency Operation Center. He thanked the Irvine Police Department, the Orange County Fire Authority, staff and volunteers for their efforts.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

The following announcements were made:

- An update was provided on the Santiago Canyon Fire; Lakeview Senior Center has been designated as an evacuation center.
- A Winter Youth Job Fair will be held on Saturday, October 27 from 9:00 a.m. – 12:30 p.m. at the Lakeview Senior Center.
- The Boo Bash Family Carnival will be held on Saturday, October 27 from 3:00 - 6:30 p.m. at University Community Park.
- The Irvine Holiday Faire will be held on Friday, November 2 from 5:00 - 9:00 p.m. and on Saturday, November 3 from 9:00 a.m. – 4:00 p.m. at the Irvine Fine Arts Center.
- Irvine Democracy Day will be held on Tuesday, November 6 at 6:30 p.m. in the City Council Chambers.
- A Veterans Day Ceremony will be held on Sunday, November 11 from 10:00 - 11:00 a.m. at Bill Barber Memorial Park in the formal garden area.

ADDITIONS AND DELETIONS

City Manager Joyce noted that after the posting of the agenda, an urgency matter to ratify and confirm the existence of a local emergency due to the wildfires was necessary.

By unanimous vote, the City Council added Item No. 3.2 to the agenda (see Item No. 3.2 for City Council action).

1. CONSENT CALENDAR

ACTION: Moved by Councilmember Choi, seconded by Councilmember Kang, and unanimously carried to approve Consent Calendar item nos. 1.1 through 1.10.

1.1 MINUTES

ACTION: Approved the minutes of a regular City Council meeting held on October 9, 2007.

1.2 PROCLAMATIONS

ACTION: Proclaimed October 2007 as "National Disability Employment Awareness Month."

1.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted RESOLUTION NO. 07-122 - 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

1.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION: Adopted RESOLUTION NO. 07-123 - 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.

1.5 CULVER / TRABUCO IMPROVEMENTS - CIP 314220

ACTION:

- 1) Approved the plans, specifications, and contract documents for the Culver/Trabuco project, Capital Improvement Project (CIP) 314220, on file with the Public Works Department.
- 2) Authorized the Mayor to execute Cooperative Agreement No. 12-578 between the City of Irvine and Caltrans (**Contract No. 5788**).
- 3) Approved a Budget Adjustment to transfer \$4.3 million of North Irvine Transportation Mitigation (NITM) funds to CIP 314220.

1.6 RESPONSE TO ORANGE COUNTY GRAND JURY REPORT

ACTION: Authorized the Mayor to sign the response letter, on behalf of the City Council, to the Orange County Grand Jury report on "ICE in Orange County" for submittal to the Presiding Judge of the Superior Court of Orange County by the statutory deadline of November 16, 2007.

1.7 TRANSPORTATION ENHANCEMENT ACTIVITIES AND TRANSPORTATION DEVELOPMENT ACT GRANT APPLICATIONS

ACTION:

- 1) Adopted RESOLUTION NO. 07-124 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FUNDS FOR THE TRANSPORTATION ENHANCEMENT (TE) ACTIVITIES PROGRAM UNDER THE 2005 SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT, TRANSPORTATION ACT - LEGACY FOR USERS
- 2) Adopted RESOLUTION NO. 07-125 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FUNDS FOR THE TRANSPORTATION DEVELOPMENT ACT (TDA) PROGRAM

1.8 JUSTICE ASSISTANCE GRANT AGREEMENT TO TRANSFER FUNDS

ACTION: Authorized the City Manager to approve and execute, and the City Clerk to attest to, the Agreement to Transfer Funds for the 2007 Edward Byrne Memorial Justice Assistance Grant Program between the City of Irvine and the County of Orange for the transfer of funds relative to a Justice Assistance Grant (Contract No. 5789).

1.9 AMENDMENTS TO THE SALARY GRADE ORDER STRUCTURE, POSITION CONTROL, ASSOCIATED SUPERVISORY/ ADMINISTRATIVE PERSONNEL, IRVINE CITY EMPLOYEES ASSOCIATION, CONFIDENTIAL AND MANAGEMENT RESOLUTIONS OF THE CITY OF IRVINE

ACTION:

- 1) Adopted RESOLUTION NO. 07-126 - 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. 07-119, WHICH IS INCONSISTENT THEREWITH
- 2) Adopted RESOLUTION NO. 07-127 - 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 SUPERSEDING RESOLUTION NO. 07-108 WHICH IS INCONSISTENT THEREWITH

- 3) Adopted RESOLUTION NO. 07-128 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE ASSOCIATED SUPERVISORY/ ADMINISTRATIVE PERSONNEL (ASAP), ADOPTED JUNE 27, 2006
- 4) Adopted RESOLUTION NO. 07-129 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE CITY EMPLOYEES ASSOCIATION (ICEA), ADOPTED JUNE 27, 2006
- 5) Adopted RESOLUTION NO. 07-130 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR THE CONFIDENTIAL EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING RESOLUTION NO. 06-79 WHICH IS INCONSISTENT THEREWITH
- 6) Adopted RESOLUTION NO. 07-131 - 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 SUPERSEDING RESOLUTION NO. 07-109 WHICH IS INCONSISTENT THEREWITH

1.10 PROPERTY TAX TRANSFER TO THE CITY OF LAGUNA HILLS FOR THE DETACHMENT OF 3.96 ACRES OF RIGHT-OF-WAY ON THE NORTHERLY SIDE OF LAKE FOREST DRIVE IN PLANNING AREA 34

ACTION: Adopted RESOLUTION NO. 07-132 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AGREEING TO A REDISTRIBUTION OF PROPERTY TAXES FOR A REORGANIZATION OF 3.96 ACRES OF RIGHT-OF-WAY ALONG LAKE FOREST DRIVE

As amended.

END OF CONSENT CALENDAR

2. PUBLIC HEARINGS

2.1 BUILDING AND FIRE CODE ADOPTION

Mayor Krom declared the public hearing open at 6:13 p.m.

Eric Tolles, Deputy Director/Chief Building Official, along with Laura Blaul, Fire Marshall, and Vahid Toossi, Fire Protection Engineer with the Orange County Fire Authority, presented the staff report.

City Council discussion included: fuel modification zones and whether or not they could have prevented the fire situations currently faced in Southern California; irrigation requirements; additional measures addressed in regards to other types of natural disasters; outreach to community organizations, developers, and the residents of Irvine; amendments to plan check terms and fees; fencing-in of private pools; and whether or not state codes vary significantly from city code.

ACTION: At 6:44 p.m., moved by Councilmember Shea, seconded by Councilmember Kang, and unanimously carried to close the public hearing.

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

- 1) Adopt RESOLUTION NO. 07-133 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS THAT REQUIRE CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA BUILDING STANDARDS CODE REASONABLY NECESSARY FOR BUILDING OCCUPANCIES IN THE CITY OF IRVINE
- 2) Introduce for first reading and read by title only ORDINANCE NO. 07-17 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING CHAPTERS 1, 2, 3, AND 4 OF DIVISION 9 OF SECTION 5 OF THE IRVINE MUNICIPAL CODE PERTAINING TO BUILDING AND FIRE CODE REGULATIONS

2.2 CONSTRUCTION AND DEMOLITION RECYCLING ORDINANCE

Mayor Krom declared the public hearing open at 6:53 p.m.

ACTION: At 6:54 p.m., moved by Councilmember Shea, seconded by Councilmember Kang, and unanimously carried to continue the public hearing to November 13, 2007 at 4:00 p.m.

3. COUNCIL BUSINESS

3.1 IRVINE BUSINESS COMPLEX TASK FORCE REPORT ON RECOMMENDATIONS

Councilmember Kang, who served as chair of the IBC Task Force, introduced the item and provided background information on the creation and purpose of the Task Force.

Douglas Williford, Director of Community Development; and Bill Jacobs, Principal Planner; presented the staff report.

Robert C. Hawkins, Attorney for Deft, Inc., read a letter on behalf of business owner Mary Ann Desmond, who expressed opposition of residential development within the IBC without an approved Environmental Impact Report (EIR); traffic concerns; and park and recreation amenities in the IBC.

Mahir Barklio, Engineer of Deft Inc., spoke in opposition of residential development within the IBC and traffic concerns that will result.

David R. Hunt, Bingham McCutchen on behalf of Allergan, Inc., spoke about concerns regarding the location of parks and schools within the IBC, traffic concerns, and the absence of an EIR.

Todd Wright, Pacific Storage Partners in Tustin, spoke in favor of the Creekwalk development.

Robert C. Hawkins, Attorney for Deft, Inc., spoke about the Task Force process and recommendations, as well as outreach meetings to business owners.

City Council discussion included: a report by Dr. Robert Catilano in regards to land use control issues in the IBC, whether or not he was a paid consultant, and how his recommendations may or may not have influenced the recommendations being made by the Task Force; concerns raised by the Irvine Unified School District; assessment and resolution of IBC compatibility between residential and commercial uses; hazardous materials used and/or created by industrial facilities and their proximity to residential developments; revenue generated from residential development; retail development within the IBC; library needs within the IBC; outreach meetings with the residential and business communities; demographic information and the survey conducted for existing IBC residents and whether or not a survey will be distributed to business owners; capping the amount of residential units; traffic concerns; noise impacts to residents by industrial/commercial sites; existing litigation brought forth by the Cities of Tustin and Newport Beach, and many key businesses in the IBC as a result of the mixed-use development; and the addition of new business as a result of the mixed-use development.

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

Sustain the IBC Task Force and not dissolve at this time; direct staff to conduct a comprehensive survey of all businesses located in the IBC; direct staff to prepare a recommended survey work plan for the balance of the year within the next one to two weeks; direct staff to report back to the IBC Task Force and the City Council with the survey results (residential and business survey) within 90 days.

3.2 URGENCY MATTER – RATIFYING AND CONFIRMING EXISTENCE OF LOCAL EMERGENCY

City Manager Sean Joyce introduced the item and requested that the City Council adopt a resolution ratifying the Director of Emergency Services' proclamation and confirm the existence of a local emergency as a result of the Santiago Canyon wildfire that erupted on October 21, 2007.

City Council discussion included the fact that the City Council is required to review the need to continue its proclamation of a local emergency every 21 days until terminated by an official resolution as soon as conditions warrant.

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

Adopt RESOLUTION NO. 07-134 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE RATIFYING THE DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION AND CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY RESULTING FROM THE SANTIAGO CANYON WILDFIRE

END OF COUNCIL BUSINESS

PUBLIC COMMENTS

Debbie Rugani, Irvine Public Schools Foundation, and Scott Bowman, Rancho Middle School Principal, provided a recap on the "International Walk to School Day" event held on October 3, 2007.

Timothy Vance, Justin Harlan, and Hans Wendlandt, representatives of the LaRouche Political Action Committee, spoke about the current housing foreclosure crisis that the nation is facing and the effects on the banking industry.

ADJOURNMENT

**Moved by Councilmember Kang, seconded by Councilmember Shea, and
unanimously carried to adjourn at 9:10 p.m.**




MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

November 13, 2007



**MINUTES
CITY COUNCIL
REGULAR MEETING
October 23, 2007
City Council Chamber
One Civic Center Plaza**

CALL TO ORDER – 4:00 p.m.

City Clerk, Sharie Apodaca called a regular meeting of the Irvine City Council to order at 4:00 p.m., on October 23, 2007, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; she noted no Councilmembers were present and promptly adjourned the meeting to 5:00 p.m.

ADJOURNMENT – 4:01 p.m.

Refer to the Minutes of the Adjourned Regular Meeting of October 23, 2007.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

November 13, 2007