

**MINUTES OF A
REGULAR MEETING
OF THE IRVINE CITY COUNCIL HELD**

April 12, 2005

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order on April 12, 2005 at 4:04 p.m., in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California, by Mayor Krom, presiding officer.

ROLL CALL

PRESENT:	5	COUNCILMEMBER:	Larry Agran
		COUNCILMEMBER:	Steven Choi*
		COUNCILMEMBER:	Christina Shea
		MAYOR PRO TEM:	Sukhee Kang
		MAYOR:	Beth Krom

ABSENT:	0	COUNCILMEMBER:	None
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*Councilmember Choi left the meeting at 9:06 p.m.

Also present were Assistant City Manager, Sean Joyce; City Attorney, Joel Kuperberg; Director of Public Safety, David L. Maggard, Director of Administrative Services, Rick Paikoff; Director of Public Works, Marty Bryant; Acting Director of Community Services, John McAllister; Director of Community Development, Tina Christiansen; City Clerk, Jeri L. Stately; Deputy City Clerk, Susan Dahlgren, and Dave Tran, Sgt. At Arms.

PRESENTATIONS/WORKSHOPS/SCOPING SESSIONS

A) Mayor Krom introduced Tim Shaw and Tom McDonough, representing the Irvine Public Schools Foundation who gave an update on the Irvine Public Schools Foundation Mid-Year 2004/2005 Strategic Plan and Upcoming House Raffle - June 11, 2005 (Exhibit Nos. 1 (PowerPoint) and 2 on file in the City Clerk's Department)

B) Mayor Krom introduced Paul Jones, General Manager, and Darryl Miller, President of the Board, from the Irvine Ranch Water District, who presented their Annual Report and gave an overview of upcoming projects throughout the City. (Exhibit No. 3 (PowerPoint) on file in the City Clerk's Department)

C) Mayor Krom introduced Dr. Tim Brown who gave an update on the Leadership Tomorrow program. (Exhibit No. 4 on file in the City Clerk's Department)

RECESS

Mayor Krom recessed the meeting to Closed Session at 4:43 p.m.

CLOSED SESSION

1. LIABILITY CLAIMS (Pursuant to Government Code Section 54956.95)

1.1 Jane Doe vs. City of Irvine

CONVENE TO THE IRVINE REDEVELOPMENT AGENCY MEETING

Mayor Krom convened the Irvine Redevelopment Agency meeting at 5:12 p.m.

Please see Irvine Redevelopment Agency Minutes.

RECONVENE TO THE IRVINE CITY COUNCIL MEETING

Mayor Krom reconvened to the City Council meeting at 5:15 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Shea.

MOMENT OF SILENCE

Mayor Krom asked for a moment of silence.

MUSICAL PRESENTATION

Mayor Krom introduced Acclaim, the Concordia College Women's Quartet, who performed "You Are The Answer" followed by "Benediction."

PRESENTATIONS

1) Assistant City Manager, Sean Joyce, presented Employee Service Recognition Awards for Twenty-five Years of Service to the following City employees, and also recognized Sherry Lynn Richardson who was not present.

- Alfred Campbell
- Carol Ann Lazar
- Ross Moodie
- Jan Noce
- Rolf L. Parkes
- Robert K. Richardson
- Jeanette M. Viggiani
- Michael T. Weiss
- Michael Wiechman

2) Mayor Krom introduced Mary and Nick Gutierrez with Mothers Against Drunk Driving (MADD) who recognized Officer Mike Hallinan, Officer Mark Andreozzi and Officer Tom Goodbrand for their efforts in the area of impaired driving enforcement.

3) Mayor Krom introduced Susi Thayer, Public Safety Communications Supervisor, who introduced several members of the Public Safety Dispatcher staff, and presented her with a proclamation for National Public Safety Telecommunicator's Week - April 10-16, 2005.

INTRODUCTIONS

There were none.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Shea recognized and announced:

Paul Marriage for his \$30 million contribution to the University of California Irvine College of Business;

On May 5 the Exchange Club of Irvine and the Irvine Teachers Association will be hosting the 19th Annual Excellence in Teaching Award to honor Irvine's Teachers of the Year;

Craig Curren of Irvine based Smart Systems was recently honored as the California Small Business Person of the Year by the United States Small Business Administration;

An election for two Senior Citizen Councilmembers will be held on August 2, 2005. Interested candidates may request a Nomination Packet between April 11 and May 5, 2005.

Councilmember Kang recognized and announced:

Bruce Carleton in Public Works who followed up with tree replacement for an Irvine resident;

Donna Mullally in Administrative Services who has earned the designation of Certified Public Finance Officer;

On April 13, the City of Irvine will host a Community Forum on "Streets and Traffic and Where We are Going," to be held in the Council Chamber beginning at 6 p.m.

Councilmember Choi recognized and announced:

The Irvine Police Officers who received awards for their work with drunk driver enforcement;

Woodbridge Village Street Festival that was held on Saturday, April 9 that he attended;

The Youth Action Team that held a conference at the Civic Center on April 2, to help solve teen issues in the community.

His concern with issues regarding the development of the Great Park and receiving a letter from Congressman Christopher Cox regarding working together to address common interests, including a Veteran's Memorial Cemetery.

April is Earthquake Preparedness Month and presented a short video on being prepared. (Exhibit No. 5 - on file on the video in the City Clerk's Department)

Councilmember Agran recognized and announced:

The beautiful wild flowers now blooming at Col. Bill Barber Marine Corps Park and thanked staff for seeding the area. (Exhibit No. 6 on file in the City Clerk's Department)

Mayor Krom recognized and announced:

The City will host a Family Friendly Business forum on Thursday, May 5 from 8:30 a.m. until 11 a.m. at the Irvine Civic Center;

The City will hold an electric lawnmower exchange event on Saturday, June 4 at Irvine Lakeview Senior Center parking lot to promote the use of non-polluting electric mowers;

April 15-17 are International Youth Service Days

Saturday, April 16, the University of California at Irvine is holding an Open House and Earth Day Celebration;

In connection with Earth Day which is April 22, the City of Irvine Public Works Department is holding an Irvine Recycles event in the lobby of the City Hall from April 18 through the 22, where information on recycling in Irvine is available

From April 18 to May 24, the Irvine Fine Arts Center will have an art exhibit of Irvine High School students;

Saturday, April 23, from 8 a.m. to 1 p.m. the Irvine Summer Job Fair for Youth will be held at the Lakeview Senior Center.

ADDITIONS AND DELETIONS

There were none.

CONSENT CALENDAR (Item Nos.2 through 9.2)

Hearing no objections from other Councilmembers, Mayor Krom removed the following item from the Consent Calendar for separate discussion and action:

9.2 LETTER OF OPPOSITION FOR AB 991

Councilmember Agran requested his vote on Item No.8.2, Warrant and Wire Transfer – Bank of America, be recorded as an abstention due to a potential conflict of interest. Please see page 8.

It was moved by Councilmember Choi, seconded by Councilmember Shea , and unanimously carried to approve Consent Calendar items 2 through 9.2 , with the exception of the items as noted above.

PUBLIC COMMENTS

There were none.

2. CITY COUNCIL MINUTES

2.1 APPROVAL OF CITY COUNCIL MINUTES (Submitted by City Clerk)

ACTION: Approved the minutes of a regular meeting of the City Council held on March 22, 2005.

3. PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS

3.1 COMMENDED THE FOLLOWING:

a) Employee Service Recognition - Twenty-five Years of Service

Alfred Campbell
Carol Ann Lazar
Ross Moodie
Jan Noce
Rolf L. Parkes
Robert K. Richardson
Sherry Lynn Richardson
Jeanette M. Viggiani
Michael T. Weiss
Michael Wiechman

b) Forty-First Annual Mayors' Prayer Breakfast - April 19, 2005

3.2 PROCLAIMED THE FOLLOWING:

a) Fair Housing Month - April 2005

b) National Public Safety Telecommunicator's Week - April 10-16, 2005

c) Days of Remembrance - May 1 - May 8, 2005

d) Clean Air Month - May 2005

e) Financial Literacy Month - May 2005

3.3 RATIFIED THE FOLLOWING:

a) In Celebration of Noruz - March 20, 2005

b) National Crime Victims' Rights Week - April 10-16, 2005

4. AGREEMENTS

4.1 APPROVAL OF COUNTY OF ORANGE AGREEMENT NO. D03-014, PETERS CANYON CHANNEL BIKEWAY AND RIDING AND HIKING TRAIL IMPROVEMENTS (PLANNING AREAS 14 AND 38) (Submitted by Public Works / Development Engineering)

ACTION:

- 1) **CONTRACT NO. 4477** - Authorized the Mayor to execute and the City Clerk to attest Agreement No. D03-014, Peters Canyon Channel Bikeway and Riding and Hiking Trail Improvements, subject to the City Attorney approval as to form.
- 2) Approved the Budget Adjustment appropriating funds pursuant to Agreement No. D03-014.

4.2 APPROVAL OF MAP, BOND, AND AGREEMENT FOR TRACT MAP NO. 16676 (ALL OF VESTING TENTATIVE TRACT MAP NO. 16676, PLANNING AREA 9A, WOODBURY) (Submitted by Public Works/Development Engineering)

ACTION:

- 1) Approved Tract Map No. 16676.
- 2) Approved the agreement and accepted the security from The Irvine Company, guaranteeing improvements for Tract Map No. 16676.
- 3) Authorized the Mayor to sign the agreement and the City Clerk to attest to the agreement subject to City Attorney approval as to form.
- 4) Accepted the dedication of an easement for public street and public utility purposes within Tract Map No. 16676 for the following street right-of-way: Arboretum, Costa Brava, Iceberg Rose, Mission Bell, Nature, and Talisman.
- 5) Accepted the dedication of an easement for storm drain purposes as shown on the map.
- 6) Accepted the dedication of an easement for sidewalk and access purposes as shown on the map.
- 7) Accepted the dedication of an easement for emergency access and public service vehicular ingress and egress purposes as shown on the map.

- 8) Adopted a Resolution entitled: **RESOLUTION NO. 05-31 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE STREETS NAMED ARBORETUM, COSTA BRAVA, ICEBERG ROSE, MISSION BELL, NATURE, AND TALISMAN, WITHIN TRACT MAP NO. 16676 INTO THE SYSTEM OF CITY STREETS**

4.3 APPROVAL OF MAP, BOND, AND AGREEMENT FOR TRACT MAP NO. 16755 (A PORTION OF VESTING TENTATIVE TRACT MAP NO. 16339, PLANNING AREA 9A, WOODBURY) (Submitted by Public Works/Development Engineering)

ACTION:

- 1) Approved Tract Map No. 16755.
- 2) Approved the agreement and accepted the security from The Irvine Company, guaranteeing improvements for Tract Map No. 16755.
- 3) Authorized the Mayor to sign the agreement and the City Clerk to attest to the agreement subject to City Attorney approval as to form.
- 4) Accepted the dedication of an easement for public street and public utility purposes within Tract Map No. 16755 for the following street right-of-way: City Stroll, Crossland, Hallmark, Iceberg Rose, Irvine Boulevard, Landmark, Regal, Sand Canyon Avenue, Towngate, and Trabuco Road.
- 5) Accepted the dedication of an easement for storm drain purposes as shown on the map.
- 6) Accepted the dedication of an easement for sidewalk and access purposes as shown on the map.
- 7) Accepted the dedication of a non-exclusive easement for public trail purposes as shown on the map.
- 8) Adopted a Resolution entitled: **RESOLUTION NO. 05-32 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE STREETS NAMED CITY STROLL, CROSSLAND, HALLMARK, ICEBERG ROSE, IRVINE BOULEVARD, LANDMARK, REGAL, SAND CANYON AVENUE, TOWNGATE, AND TRABUCO ROAD, WITHIN TRACT MAP NO. 16755 INTO THE SYSTEM OF CITY STREETS**

5. PROJECTS - BIDS AND SPECIFICATIONS

5.1 FY 2004/2005 SLURRY SEAL AND CAPE SEAL OF VARIOUS STREETS WITHIN THE COMMUNITIES OF COLONY, EL CAMINO REAL, WESTPARK II, WESTPARK III, WOODBRIDGE (N.W. QUADRANT), AND VARIOUS ARTERIALS AND COLLECTORS (Submitted by Public Works/Project Management)

ACTION: Approved the specifications and contract documents for FY 2004/2005 Slurry Seal and Cape Seal of Various Streets within the Communities of Colony, El Camino Real, Westpark II, Westpark III, Woodbridge (N.W. Quadrant), and various Arterials and Collectors

6. ALLOCATION OF FUNDS

6.1 BUDGET ADJUSTMENT FOR COUNCIL ACTION ON TRIPS PROGRAM UPDATE - FEBRUARY 8, 2005 (Community Services/Business Services)

ACTION: Approved the budget adjustment for \$70,000.00, as directed at the City Council meeting on February 8, 2005.

7. REPORTS

7.1 WAIVER OF 60-DAY NOTICE REQUIREMENT FOR COUNTY OF ORANGE LEASE OF AN OFFICE SPACE IN IRVINE (Submitted by Community Development)

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-33 -A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE WAIVING THE REQUIREMENT FOR A 60-DAY NOTIFICATION PERIOD FOR LEASING OF REAL PROPERTY FOR OFFICE USE PURSUANT TO SECTION 25351(d) OF THE CALIFORNIA GOVERNMENT CODE**

7.2 LEAGUE OF CALIFORNIA CITIES DUES(Submitted by the City Manager's Office)

ACTION: Approved payment of the City's 2005 dues to the Orange County Division of the League of California Cities.

7.3 CERTIFICATES OF RECOGNITION (Submitted by City Manager's Office)

ACTION: Approved the issuance of Certificates of Recognition by the Mayor and City Council members.

8. RESOLUTIONS

8.1 WARRANT AND WIRE TRANSFER RESOLUTION (Submitted by Administrative Services/Fiscal Services)

ACTION: Adopted a resolution entitled: **RESOLUTION NO.05-34 RESOLUTION NO. - 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.**

8.2 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA (Submitted by Administrative Services/Fiscal Services)

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 true by the City Attorney.

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-35- 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.**

9. LEGISLATIVE ISSUES

9.1 LETTER OF SUPPORT FOR SB 459, AB 888, AND AB 1222 (Submitted by CMO/Legislative Program)

ACTION: Authorized the Mayor to send a letter supporting SB 459 (Romero), AB 888 (De La Torre), and AB 1222 (Jones).

9.2 LETTER OF OPPOSITION FOR AB 991

This item was removed from the Consent Calendar at the request of Councilmember Choi who stated he would not support this item because he supports AB 991.

Council discussion included how to best address the letter to include concern that this item should have been brought before the League of California Cities for their input, before consideration by the Assembly; maintaining the City interests; and cost savings.

ACTION: **It was moved by Mayor Krom, seconded by Councilmember Agran to:** Authorize the Mayor to send a letter opposing AB 991.

The motion carried as follows:

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

END OF CONSENT CALENDAR

ORDINANCES

10. FIRST READING OF ORDINANCES

10.1 REVISION TO THE FREE SPEECH RIGHTS CODE (Submitted by CMO/Legislative Program)

Councilmember Agran presented the staff report.

A motion was made to by Councilmember Choi to amend the ordinance to increase the penalty fee schedule and also include "person/company" in the body of the ordinance.

After the City Attorney clarified the necessity of the proposed fee schedule fitting within the parameters of state law, and the use of "person" as it is interpreted in the ordinance, Councilmember Choi withdrew his motion.

Council discussion included clarification of the necessity to educate the public before issuing fines; how the Police Department handles each incident individually after assessing the problem; and advising the community of the intent of this ordinance.

ACTION: It was moved by Councilmember Agran , seconded by Councilmember Choi, and unanimously carried to: Introduce for first reading and read by title only, an ordinance entitled: **ORDINANCE NO. 05-08 - AN ORDINANCE OF THE CITY OF IRVINE AMENDING CHAPTER 6 OF DIVISION 14 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE RELATING TO FREE SPEECH RIGHTS**

11. SECOND READING OF ORDINANCES

11.1 REVISION TO THE TRANSIENT OCCUPANCY TAX CODE (Submitted by City Clerk)

ACTION: It was moved by Mayor Pro Tempore Kang, seconded by Councilmember Shea, and unanimously carried to: Adopt and read by title only, an ordinance entitled: **ORDINANCE NO. 05-07 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING CHAPTER 4 OF DIVISION 9 OF TITLE 2 OF THE IRVINE MUNICIPAL CODE RELATING TO TRANSIENT OCCUPANCY TAXES**

PUBLIC HEARINGS

12. PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) FUNDS, AND AMERICAN DREAM DOWN PAYMENT INITIATIVE (ADDI) (Submitted by Community Development/Planning Services)

Mayor Krom opened the public hearing at 7.25 p.m.

Assistant City Manager, Sean Joyce, introduced Brian Fisk, Manager of Planning Services; Barry Curtis, Principal Planner; Cynthia Ricks-Maccotan, Grants Coordinator, who presented staff report, and a PowerPoint presentation, and answered Council questions. (Exhibit Nos. 8, 9 and 10 on file in the City Clerk's Department)

The following people spoke on receiving CDBG funds for their organizations:

John Rooney, Saddleback Community Outreach
Becky Anderson, Laura's House League of Irvine
Roe Piccoli, Human Options
Carol Carlson, CSP Youth Shelter
Kimberly Beeson, and Becky Lomaka, Irvine Adult Day Health Services
Terria Jefferson, Young Ladies with Potential
Jeanne Flint, Women Helping Women
Sara Bell, Irvine Children's Fund
Mary Earl Spencer, Assistance League of Irvine
Tom Sakai, Lennar Communities (Exhibit No. 11 on file in the City Clerk's Department)

Council discussion included clarification on the number of applicants; the process used to score the applicants; the administrative costs imposed by HUD; and the desire for the Council to have some percent of the money available to award at their discretion.

ACTION: It was moved by Mayor Krom, seconded by Councilmember Agran and unanimously carried to adopt recommendations of funding for FY 2005 CDBG Public Services by the Community Services Commission as follows:

Irvine Children’s Fund	26,900
Women Helping Women	9,600
Family Forward	38,000
Saddleback Community	17,000
Straight Talk, Inc	8,000
Assistance League	25,400
Community Services Program	8,000
Fair Housing Council of OC	18,792
Irvine Adult Day Health Service	20,760
National Charity League (Meals)	15,500
Human Options	16,000
Laura’s House	10,000
Project Independence	7,620
Laguna Beach Community	<u>16,021</u>
Total Award	218,801

As amended to allocate \$5,000 to Young Ladies with Potential from the carry over funds, and direction to staff to withhold 10% of available funds in future years to be used at Council discretion.

ACTION: It was moved by Councilmember Agran, seconded by Councilmember Shea and unanimously carried to adopt recommendations of funding for FY 2005 Home & CDBG Capital Expenditures by the Community Services Commission as follows:

Jamboree Housing – Operating Expense	30,000
Families Forward – Rehab	120,000
Families Forward – Pay Down Debt	155,624
Irvine Adult Day – Repair Shade	70,025
Rebuilding Together	25,000
Sutton Irvine – Rehab for Disabled	97,800
Ability First	550,000
Jamboree HC – Central Park	300,000
Jamboree HC- Planning Area 9C	<u>300,000</u>
Total Award	1,068,449

ACTION: It was moved by Councilmember Agran, seconded by Councilmember Shea , and unanimously carried to close the public hearing at 8:52 p.m.

ACTION: It was moved by Councilmember Shea, seconded by Mayor Pro Tempore Kang, and unanimously carried to:

Adopt a resolution entitled: **RESOLUTION NO. 05-36 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE ANNUAL ACTION PLAN WHICH IS PART OF THE CONSOLIDATED PLAN, AND THE PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) FUNDS AND AMERICAN DREAM DOWN PAYMENT INITIATIVE (ADDI) FOR FY 2005-2006**

As amended to include the recommendations of the Community Services Commission and City Council.

COUNCIL BUSINESS

13. REPORTS

13.1 IRVINE BUSINESS COMPLEX RESIDENTIAL/ MIXED-USE DEVELOPMENT STRATEGY (Submitted by Community Development/Development Services)

Councilmember Choi noted he would be abstaining from participation in this matter and referred to the City Attorney Joel Kuperberg.

City Attorney Joel Kuperberg noted that due to ownership of property in the IBC area, Councilmember Choi would not participate on this item. This was deemed to be a true abstention by the City Attorney.

Councilmember Choi left the dais at 9:06 p.m.

Assistant City Manager, Sean Joyce, introduced Tina Christiansen, Director of Community Development; and Michael Haack, Manager of Development Services, who presented staff report and answered Council questions. (Exhibit Nos. 13 and 15 on file in the City Clerk's Department)

Michael Haack, Manager of Development Services, introduced Planning Commissioner Cameron Cosgrove who gave a PowerPoint presentation on the Planning Commission recommendations on Strategic Goals. (Exhibit No. 14 on file in the City Clerk's Department)

Mary Ann Desmond, DEFT, Inc., spoke of her concern with the issue of compatibility of manufacturing and residential uses.

Martin Reiner, representing General Investment Funds, owner of the property in the IBC, offered support of Planning Commission recommendations.

Tim Strader, Jr., Starpoint Ventures, spoke in support of the Planning Commission recommendations with the exception of a development agreement, and also with support of a proposed project already approved for development on his property. (Exhibit No. 16 on file in the City Clerk's Department)

Rich Salter, Irvine resident, spoke of concern by manufacturers in the area, and thanked staff for their outreach to the owners. (Exhibit No. 17 on file in the City Clerk's Department)

Karen Gulley, The Planning Center, representing twenty-five land owners in the IBC area, spoke of their concern with the proposed actions. (Exhibit No. 18 on file in the City Clerk's Department)

Pam Sapetto, representing a number of property owners in the IBC area, spoke of their support of the Planning Commission recommendations

Alex Wong, representing Trammel Crow Residential, spoke in support of the recommendations of the Planning Commission and staff.

Council discussion included City Attorney clarification of requirements imposed by development agreements; need to move rapidly so as not to disrupt projects already in the development pipeline; protection of existing businesses who have been in the area for many years and the need to address business concerns; need for schools in the area; creating a Central Park and other green belts; using the San Diego Creek Channel to create open space; use of water and abandoned rail routes to connect areas together that would run throughout the City all the way to the Great Park; to consider the wet lands as a part of the overall concept and enhance the entrance to them; to encourage project proponents to be responsive to development standards; to develop a transportation/shuttle system oriented around the IBC so people could travel without private autos; and the need for computer generated visionary planning concepts showing the San Diego Creek Channel developed into a "River Walk" model; and concern with proposing an alternative fee structure or range of costs that might be used instead of a development agreement.

ACTION: It was moved by Councilmember Agran, seconded by Mayor Krom, and unanimously carried by those members present to:

- 1) Direct staff to prepare an ordinance, with accompanying documentation, and include a vision statement, principles, development standards, and guidelines for the evaluation of proposed residential and mixed-use developments in the IBC.

- 2) Direct staff to de-emphasize the residential overlay district boundary at this time. Create the development standards and design guidelines and parameters for development agreements and/or range of costs to be required in the IBC. If a residential overlay district boundary is required to support implementation of the development standards, it can be recommended by staff after development of the design standards for the overlay district with the specific rationale for the recommended location of the boundary line.
- 3) Direct staff to continue to process applications and projects currently on file with the City. Applicants should not be delayed by the process, but staff should work cooperatively with them in the spirit of the proposed standards.
- 4) Approve a scope of work for staff to follow that is consistent with achieving the five strategic goals as developed by Community Development staff and EDAW, with consideration for input provided by the Planning Commission as outlined in this report.
- 5) Approve the Budget Adjustment increasing Community Development's FY 04-05 General Fund expenditures by \$225,000 to fund this work project with the understanding that there will be parallel planning efforts to: a) move forward with the design standards and work plan as outlined by staff; and b) implement an RFQ (Request for Qualifications) for the vision plan.

13.2 USE OF IN-LIEU HOUSING FUNDS FOR AN AFFORDABLE HOUSING PROJECT WITHIN THE IRVINE BUSINESS COMPLEX (Submitted by Community Development/Planning Services)

Assistant City Manager, Sean Joyce, introduced Barry Curtis, Principal Planner, and Brian Fisk, Manager of Planning Services, who presented the staff report and PowerPoint presentation and answered Council questions. (Exhibit No. 12 on file in the City Clerk's Department)

Council discussion included clarification that this was a Jamboree Housing project; and that this project would enable many people to have income qualified housing at a very reasonable price.

ACTION: It was moved by Councilmember Agran , seconded by Councilmember Shea, and unanimously carried to: Adopt a resolution entitled: **RESOLUTION NO. 05-37 -A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE USE OF UP TO \$5.4 MILLION IN CITY IN-LIEU HOUSING FUNDS TO ASSIST IN**

THE FINANCING OF AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHWEST CORNER OF KELVIN AND MURPHY WITHIN THE IRVINE BUSINESS COMPLEX (PLANNING AREA 36)

With the understanding and direction that staff will continue to seek other funds to enable the Council to accomplish all their goals with less than the \$5.4million dollars.

PUBLIC COMMENTS

Cathy Pechstedt, Irvine resident, spoke of modification needed of the monofilament line on light poles along University Drive and Harvard to protect birds. (Exhibit No. 7 on file in the City Clerk's Department)

Suzanne Fitzpatrick and Judy Kammell spoke in support of the Leukemia and Lymphoma Society Team in Training program, and invited Irvine citizens to join the team and train for the event they choose.

James Yoon, Irvine student and resident, spoke in support of Habitat for Humanity of Orange County and the need for low income housing in Orange County.

ADJOURNMENT

It was moved Mayor Pro Tempore Kang, seconded by Councilmember Shea, and unanimously carried by those members present to adjourn the meeting at 11:35 p.m., to a regular meeting to be held on April 26, 2005, 4:00 p.m., at the City of Irvine, City Council Chambers, One Civic Center Plaza, Irvine, California.


MAYOR OF THE CITY OF IRVINE

ATTEST:


CITY CLERK OF THE CITY OF IRVINE

April 26, 2005
DATE APPROVED