

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

**February 8, 2005**

**CALL TO ORDER**

A regular meeting of the Irvine City Council was called to order on February 8, 2005 at 4:03 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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Also present were City Manager, Allison Hart; Assistant City Manager, Sean Joyce; Assistant City Manager, Wally Kruetzen; 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 Officer Stephen Wolf, Sgt. At Arms.

**RECESS**

Mayor Krom recessed the meeting to Closed Session at 4:05 p.m.

**CLOSED SESSION**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code Section 54956.8)**

1. **Property: USMCAS El Toro Negotiating Parties: Allison Hart, City Manager; Department of the Navy; Under Negotiation: Price and Terms**

**RECONVENE TO THE CITY COUNCIL MEETING**

Mayor Krom reconvened the meeting to regular session at 5:04 p.m.

City Attorney Joel Kuperberg announced that no action was taken in Closed Session.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilmember Choi.

**MOMENT OF SILENCE**

Mayor Krom asked for a moment of silence.

**MUSICAL PRESENTATION**

Mayor Krom introduced The North Orange County Children's Choir who performed "Make A Joyful Noise" followed by "Let's Make Music America."

**PRESENTATIONS**

- 1) Mayor Krom introduced representatives from the American Cancer Society and Irvine volunteers for the American Cancer Society Relay For Life - May 21-22, 2005, and presented them with a proclamation for the event.
- 2) Mayor Krom introduced Sergeant Eric Bianchi and announced that he is retiring after 27 years of service with the Irvine Police Department. (Exhibit No. 1 on file in the City Clerk's Department)
- 3) Mayor Krom introduced Dan Kornychuk who presented information and a PowerPoint presentation on the upcoming performance of the African Children's Choir - February 13, 2005 (Exhibits No. 2 and 3 on file in the City Clerk's Department)

**INTRODUCTIONS**

There were none.

**ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

Mayor Pro Tempore Kang thanked Henry Canales and Ron De Tal from the Public Works Department for their quick response to a drainage issue that threatened to flood an Irvine residence.

Mayor Pro Tempore Kang announced:

On April 13, from 6 to 8 p.m., the City will be hosting a community forum, "City of Irvine Streets and Traffic; Where We Are and Where We Are Going" regarding traffic signal coordination and neighborhood traffic programs.

The 2<sup>nd</sup> Annual Irvine Public School Foundation House Raffle will be held until May 13 and the winners will be drawn on June 11, 2005 at Oak Creek School.

Mayor Krom announced:

On Sunday, February 27, the City of Irvine will be holding a "Music of Love Fundraising Event" benefiting Tsunami victims, sponsored by the Irvine Cares Program.

Northwood High vs. University High School Mens and Womens Basketball Game replays on ICTV-30.

**ADDITIONS AND DELETIONS**

There were none.

**CONSENT CALENDAR**

**PUBLIC COMMENTS (Limited to three (3) minutes per speaker)**

There were none.

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

- 4.1 AGREEMENT FOR PARATRANSIT VEHICLE SERVICE FOR IRVINE ADULT DAY HEALTH SERVICES, INC. (Submitted by Community Services/TRIPS)

Councilmember Agran requested his vote on Item No.6.2, Warrant and Wire Transfer – Bank of America, be recorded as an abstention due to a potential conflict of interest. Please see page 6.

**It was moved by Councilmember Shea, seconded by Mayor Pro Tempore Kang, and unanimously carried to approve Consent Calendar items 2 through 6.2 , with the exception of item as noted above**

## **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 January 25, 2005.

## **3. PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS**

### **3.1 COMMENDED THE FOLLOWING:**

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

Jewell Gaynor  
Carl "Bill" Scofield

### **3.2 PROCLAIMED THE FOLLOWING:**

- a) "Stop in the Name of Love" Month - February 2005
- b) American Cancer Society "Relay For Life" - May 21-22, 2005

## **4. AGREEMENTS**

- 4.1 AGREEMENT FOR PARATRANSIT VEHICLE SERVICE FOR IRVINE ADULT DAY HEALTH SERVICES, INC. (Submitted by Community Services/TRIPS)

This item was removed from the Consent Calendar at the request of Councilmember Choi who requested clarification on this program, to which Superintendent George Searcy responded.

**ACTION:** It was moved by Councilmember Choi, seconded by Councilmember Shea, and unanimously carried to:

**CONTRACT NO. 4960** Authorize the Acting Director of Community Services to renew an agreement with Irvine Adult Day Health Services, Inc. for City provision of paratransit vehicle services.

**4.2 APPROVAL OF PLANNING AREA 12 (PA 12) /JEFFREY ROAD IMPROVEMENT FUNDING AGREEMENT (Submitted by Public Works/Development Engineering)**

**ACTION:**

- 1) **CONTRACT NO. 4961** Approved the Planning Area 12/Jeffrey Road Improvement Funding Agreement.
- 2) Authorized the Mayor to execute and the City Clerk to attest said Agreement subject to approval by the City Attorney.
- 3) Approved the Budget Adjustment Request in the amount of \$3,759,506.

**4.3 APPROVAL OF MAP, BONDS, AND AGREEMENTS FOR TRACT MAP NO. 16552 (ALL OF TENTATIVE TRACT MAP NO. 16552, PLANNING AREA 33, SPECTRUM CENTER 1) (Submitted by Public Works/Development Engineering)**

**ACTION:**

- 1) Approved Tract Map No. 16552.
- 2) Approved the agreements and accepted the security from The Irvine Company, guaranteeing improvements for Tract Map No. 16552.
- 3) Authorized the Mayor to sign the agreements and the City Clerk to attest to the agreements subject to City Attorney approval as to form.
- 4) Accepted the dedication of an easement for public street and public utility purposes within Tract 16552 for the following street rights-of-way: Irvine Center Drive, Meridian, and Pacifica.
- 5) Accepted an easement for emergency and public service vehicle ingress and egress purposes as shown on the map.

- 6) Accepted an easement for pedestrian access purposes as shown on the map.
- 7) Accepted an easement for public utility purposes as shown on the map.
- 8) Accepted an easement for traffic signal loop purposes as shown on the map.
- 9) Accepted the vehicular access rights to Pacifica, Meridian, and Irvine Center Drive as released and relinquished.
- 10) Adopted a resolution entitled: **RESOLUTION NO. 05-11 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE STREETS NAMED IRVINE CENTER DRIVE, MERIDIAN, AND PACIFICA, WITHIN TRACT MAP NO. 16552 INTO THE SYSTEM OF CITY STREETS**

## 5. REPORTS

### 5.1 APPROVE ACCEPTANCE AND SPECIFIED DISTRIBUTION OF TSUNAMI RELIEF DONATIONS (Submitted by City Manager's Office)

**ACTION:** Approved the acceptance of donations intended for the "Irvine Cares" tsunami relief effort and the distribution of the same to the Relief International for this expressed purpose.

## 6. RESOLUTIONS

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

**ACTION:** Adopted a resolution entitled: **RESOLUTION NO. 05-12 - 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.**

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

Mayor 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:** Adopt a resolution entitled: **RESOLUTION NO. -05-13 - 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.**

**END OF CONSENT CALENDAR**

**ORDINANCES**

**7. FIRST READING OF ORDINANCES**

**7.1 ADOPTION OF THE REDEVELOPMENT PLAN FOR THE ORANGE COUNTY GREAT PARK REDEVELOPMENT PROJECT AREA**

**ACTION:** It was moved by Councilmember Shea, seconded by Councilmember Choi, and unanimously carried to:

Introduce for first reading and read by title only an ordinance entitled: **ORDINANCE NO. 05-04 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE ORANGE COUNTY GREAT PARK REDEVELOPMENT PROJECT AREA**

**8. SECOND READING OF ORDINANCES**

**8.1 ZONING TEXT CHANGE FOR THE 6.1 INSTITUTIONAL DISTRICT (Submitted by City Clerk's Department)**

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

Adopt and read by title only an ordinance entitled: **ORDINANCE NO. 05-05 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING A ZONING TEXT CHANGE FOR THE 6.1 INSTITUTIONAL DISTRICT**

**PUBLIC HEARINGS**

**9. PUBLIC HEARING: GENERAL PLAN AMENDMENT AND MUNICIPAL CODE AMENDMENT (NOISE ORDINANCE) - NOISE STANDARDS FOR MULTI-FAMILY BALCONIES (Continued from December 14, 2004) (Submitted by Community Development/Planning Services)**

Mayor Krom reopened the public hearing at 5:45 p.m.

Barry Curtis, Principal Planner, presented staff report, a PowerPoint presentation (Exhibit No. 4 on file in the City Clerk's Department), and answered Council questions.

Patrick Strader, StarPoint Ventures, spoke in support of this issue.

Matt Montgomery, spoke in support of this ordinance.

Council discussion included clarification on the effect of the new ordinance; concern with lack of ventilation; concern with uniformity of units, and safety issues.

**ACTION: It was moved by Councilmember Agran, seconded by Councilmember Shea, and unanimously carried to close the public hearing at 6:23 p.m.**

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

- 1) Adopt a resolution entitled: **RESOLUTION NO. 05-14 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00371913-PGA, GENERAL PLAN AMENDMENT CYCLE 1, TO AMEND EXTERIOR NOISE STANDARDS FOR MULTI-FAMILY BALCONIES OUTLINED IN THE NOISE ELEMENT OF THE GENERAL PLAN**
  
- 2) Introduce for first reading and read by title only an ordinance entitled: **ORDINANCE NO. 05-06 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING AMENDMENTS TO CHAPTER 2, SECTION 6-8-204(B), OF THE MUNICIPAL CODE TO AMEND EXTERIOR NOISE STANDARDS FOR MULTI-FAMILY BALCONIES**

**COUNCIL BUSINESS**

**REPORTS**

**10.1 STRATEGIC PLAN FOR CHILDREN AND FAMILIES (Submitted by Community Services/Family Services)**

Lisa Henson, For Families Specialist, presented staff report, a PowerPoint presentation, and answered Council questions. (Exhibit No. 5 on file in the City Clerk's Department)

Sid Gardner, Children and Family Futures, presented PowerPoint presentation and answered Council questions.

Council discussion included putting the report on the City's website; bringing the issue back to a Study Session in March and to the City Council with a final report in April.

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

Receive and file preliminary staff report and direct staff to return in March for a Study Session and in April with a final report.

**10.2 TRIPS PROGRAM UPDATE (Submitted by Community Services/TRIPS)**

Mayor Pro Tempore Kang introduced this item.

George Searcy, Community Services Superintendent, and Ed Weaver, Transit Program Specialist, presented staff report and answered Council questions.

Council discussion included clarification of the options presented in the staff report; difference between individual and group trips; concern with the number of residents on the waiting list; maximizing efficiency of the use of the vehicles; cost and time involved to add additional vehicles and drivers; concern with efficiency issues and drivers' salaries; feasibility of using private taxis; and possible community involvement and sponsorship.

**ACTION: It was moved by Councilmember Agran, seconded by Councilmember Shea to:**

- 1) Select Option A to allocate funds from the Unallocated Strategic Surplus effective this budget year.

- 2) Direct staff to organize a review of Option B1, as outlined by staff, to be considered by the Community Services and Finance Commissions with a review of efficiency issues and drivers' salaries, and return to Council at the earliest possible date.

A substitute motion was made by Councilmember Choi to:

Direct that no additional buses be purchased, but that staff allocate existing number of buses currently in operation for shuttle service, group service, and disability service, and the current waiting list would be permitted into the program with City issued vouchers subsidized to utilize the service on a graduated payment basis based on their ability to pay.

The substitute motion failed for lack of a second.

**The original motion carried as follows:**

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

**PUBLIC COMMENT**

Virginia Read, Irvine resident, spoke of her concerns with City employment practices and requested review of the Human Resources Department.

**ADJOURNMENT**

It was moved by Mayor Agran, seconded by Mayor Pro Tempore Kang, and unanimously carried to adjourn the meeting at 9:26 p.m., to a regular meeting to be held on February 22, 2005, 4:00 p.m., at the City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.




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MAYOR OF THE CITY OF IRVINE

ATTEST:




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CITY CLERK OF THE CITY OF IRVINE

February 22, 2005  
 DATE APPROVED