



**MINUTES
CITY COUNCIL
SPECIAL MEETING
January 8, 2008
City Council Chamber
One Civic Center Plaza**

CALL TO ORDER

A special meeting of the Irvine City Council was called to order at 3:34 p.m., on January 8, 2008, 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

1. CLOSED SESSION

The City Council convened in Closed Session at 3:35 p.m.

- 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.**

- 1.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -
Government Code § 54956.9(b); significant exposure to litigation
(one potential case).**

Prior to convening, Phil Kohn, City Attorney clarified that Closed Session Item No. 1.2 is relative to significant exposure to litigation relating to the Maguire Bosa Development and a dispute concerning the applicability of affordable housing requirements to the Park Place development project.

RECONVENE

Mayor Krom reconvened the meeting at 5:10 p.m.

City Attorney Phil Kohn offered the following comments with respect to Item No. 1.1, relating to the Closed Session concerning Newpath Networks:

The City Council, by unanimous vote determined to notice and conduct a public hearing on an appeal of a matter that the Planning Commission acted on concerning an application by Newpath Network and that appeal hearing will be held by the City Council at a public meeting on February 12, 2008.

City Attorney Phil Kohn stated the following relative to the Maguire Bosa dispute, and two actions taken by the City Council as follows:

- 1) By unanimous vote of those members present, (Councilmembers Choi and Shea excused themselves from the Closed Session) the City Council approved a settlement agreement between the City and those parties and also authorized the Mayor to execute that settlement agreement. Upon the full execution of the settlement agreement, it will become a public document.

Sean Joyce, City Manager announced key deal points regarding the Park Place Settlement Agreement as follows:

- a) **Payments:** The City will receive up to \$9,814,280 which will come in the form of per unit fees of \$4,000 per unit to be paid by the property owner to the City upon the issuance of building permits for 1,520 dwelling units. Assuming full build out, per unit fee total is \$6,080,000. The funds can be used toward the construction of infrastructure improvements in the IBC. The City and property owner intend to discuss the early payment options (either in funds or improvements constructed by property owner) to facilitate the early construction of key infrastructure. Additionally, payments would come in the form of the IBC Transportation Fees, which are \$10,373 per unit to be paid on the last 360 units developed on the property, to compensate for transportation fees attributable to density bonus units already approved for the property. Assuming full build out, IBC transportation fees will total \$3,734,280.
- b) **Implementation Guidelines:** The City will document and agree to maintain its historic practice concerning residential development applications on the Park Place property, including its historic practices relating to the consideration of major and minor modifications.
- c) **Waiver of Legal Rights:** Parties mutually agree to waive and suspend claims associated with the underlying dispute, which

concerned the application of affordable housing requirements to the Park Place property.

Phil Kohn, City Attorney, noted that the principal purpose of report of action in Closed Session is to report action that has already been taken by the City Council, so it is not a subject of further debate or decision making. In addition, he noted that it is within the prerogative of individual councilmembers, if they wish to do so, to offer any comments or observations they may wish on the announced settlement.

Councilmember Shea noted that she attended the first Closed Session meeting on this matter, however became very troubled about certain aspects of the discussion in Closed Session. After further review, she determined that this is not a settlement agreement to be discussed in Closed Session. She also noted that in her opinion this should have been treated as an amendment to an existing development agreement and should have been discussed clearly and openly in open session. Additionally, she stated that she chose not to attend the last two Closed Sessions pertaining to this item and in her opinion the process is illegal. She further stated that the City has waived its rights with the action taken in Closed Session as well as the ability to control future development and the right of the public to review future development projects in a public meeting as prescribed by law.

Councilmember Choi commented that his position to not participate in the last two Closed Sessions pertaining to this subject matter, and after the initial Closed Session discussion, was for the same reasons as Councilmember Shea noted in her comments. Additionally, he stated his opinion that the process was improper and illegal; and therefore the deal points made by the City Manager should have been discussed in public forum.

Phil Kohn, City Attorney made the following comments in response to comments made by Councilmembers Choi and Shea; and announced the second action taken in Closed Session on the Maguire Bosa dispute as follows:

- 2) At the time of the prior Closed Session, he reiterated his opinion that the strongly held and absolutely confident opinion of the City Attorney's Office in the calling of the Closed Session for this purpose was entirely proper and noted that the advice of the City Attorney's Office has been called into question as far as its correctness. In addition, questions have arisen as to the obligation for the preservation of confidential information and in light of those questions, the City Council voted unanimously, with Councilmembers Shea and Choi having excused themselves, to direct the City Manager to secure the services of independent special counsel to investigate and report back to the City Council his/her findings and conclusions with respect to the following two matters: a) whether it was appropriate for the City Council to discuss and deliberate in Closed

Session regarding this particular subject matter; and 2) whether there were any unauthorized disclosures of confidential information arising from those Closed Sessions.

Mayor Krom made the following comments: She noted regrettably the City Council had to take the action that they have; however, when issues are raised challenging the propriety of the actions of the City Council and the actions of the City Attorney, it undermines the credibility of the work that the City Council undertakes. Closed Sessions are proper and for specific purposes. She also stated that the City Attorney assured that it was proper to discuss the matter due to pending litigation. And, in the end, it's important to have a confirmed opinion about the propriety of taking up the matter in Closed Session. Additionally she noted, given the fact that assertions have been made by Councilmembers that Councilmembers who participated in these Closed Sessions have done so illegally or improperly and that the City Attorney's opinion has been called into question, and that the only legitimate way for the City Council to ascertain whether or not this was a proper action for the City Council to take is by engaging special counsel to do so.

Councilmember Shea made additional comments stating that she was concerned that the City Council had violated the Brown Act. She stated that the law prescribes for any elected official that is in a Closed Session meeting and feels where they are dealing with something that should not be a Closed Session item, that the elected officials are to go to the Grand Jury or their district attorney to get an opinion and have it investigated. Instead of hiring a special counsel, she suggested that the Grand Jury be contacted to investigate.

In response to Mayor Krom's question whether there is anything in California law or statute that precludes the engagement of special counsel to look into the matter, and whether the City Council was obliged to follow the course of action that Councilmember Shea was recommending, Phil Kohn, City Attorney responded in the negative. Additionally he noted, it is the prerogative of any councilmember to place on a future agenda if desired, a different course of action.

PLEDGE OF ALLEGIANCE

Mayor Krom led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Krom requested a moment of silence.

MUSICAL PRESENTATION

Mayor Krom introduced Michele Lovenduski, Senior Management Analyst, who performed "America, (My Country, 'Tis of Thee)."

2. PRESENTATIONS

The following presentations were made:

2.1 *Employee Service Recognition: 30 Years of Service: Al Murray, Public Safety.*

2.2 *Trauma Intervention Programs: Recognition of community member and Irvine Police Officers regarding a recent incident.*

2.3 *January 21, 2008 as "Martin Luther King, Jr. Day."*

2.4 *January 13, 2008 as "Korean American Day."*

INTRODUCTIONS

There were no introductions.

CITY MANAGER'S REPORT

There was no City Manager's Report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

The following announcements were made:

- Orange County Waste Management is offering curbside recycling service pick up for residents who wish to recycle their Christmas Trees by placing trees curbside on scheduled pick up days. Residents that do not have curbside recycling service can take their trees to Sunset Environmental located at 16122 Construction Circle West.
- The Irvine 211 Marine Adoption Committee is hosting a family day event at Boomers located in Irvine, on Saturday, January 12, 11:00 a.m. - 4:00 p.m., for marines and sailors scheduled to deploy to Iraq in early 2008.
- The State of the City Address will be presented on Tuesday, January 22, at Irvine Civic Center, City Council Chamber beginning with a reception at 5:00 p.m. and the presentation at 6:00 p.m.
- The Presidential Primary Election will be conducted on Tuesday, February 5, 2008, 7:00 a.m. - 8:00 p.m.; the last day to register to vote in the Presidential Primary Election is Tuesday, January 22, 2008. In addition, early voting will take

place at Irvine Civic Center on January 22 - 24; and January 28-29, 2008 from 7:30 a.m. - 5:30 p.m.

- The Earned Income Tax Credit Outreach Program kick off event will be held on January 17 at Irvine Civic Center, 9:00 - 10:00 a.m. The program is designed to assist eligible low income individuals who live or work in Irvine in claiming their earned income tax credit.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CITY COUNCIL REORGANIZATION

Moved by Mayor Krom, and seconded by Councilmember Agran, to nominate Councilmember Kang as Mayor Pro Tempore.

Moved by Councilmember Shea, and seconded by Councilmember Choi to nominate Councilmember Choi as Mayor Pro Tempore.

Councilmember Kang was nominated and by roll call vote was selected to serve as Mayor Pro Tempore in 2008 as follows:

AYES: 3 COUNCILMEMBERS: Agran, Kang and Krom
 NOES: 2 COUNCILMEMBERS: Choi and Shea

4. APPROVAL OF APPOINTMENTS OF DELEGATES AND ALTERNATES TO AGENCIES ON WHICH THE CITY HAS REPRESENTATION

ACTION: Moved by Mayor Krom, seconded by Councilmember Agran and unanimously carried to:

- 1) Appoint delegates and alternates to agencies on which the City has representation as follows:

AGENCY	DELEGATE	ALTERNATE
Borders Committee with City of Newport Beach	Mayor Krom Mayor Pro Tem Kang	
Coastal Greenbelt Authority	Councilmember Choi	Pamela Chana, Community Services Manager
Community Energy Partnership	Mayor Pro Tem Kang	Councilmember Agran

AGENCY	DELEGATE	ALTERNATE
Discovery Science Center Board of Directors	Mayor Krom	Libby Cowan, Community Services Manager
Growth Management Area #4 & #9	Councilmember Choi	Mayor Krom
Growth Management Area #7 & #8	Councilwoman Shea	Mayor Krom
Irvine Barclay Theatre Operating Company (Board of Directors and Committees)	Rick Paikoff Sean Joyce Mary Ann Gaido	
Irvine Child Care Project (Non-Profit JPA between City and IUSD)	Mayor Pro Tem Kang	Councilwoman Shea
Irvine Community Land Trust	Mayor Krom Councilwoman Shea	
Irvine Educational Partnership Fund	Mayor Pro Tem Kang	Mayor Krom
Irvine Liaison and Coordinating Committee (IUSD)	Mayor Krom	Councilmember Agran
Irvine Liaison and Coordinating Committee (Tustin Unified School District)	Mayor Krom	Mayor Pro Tem Kang
Irvine Public Schools Foundation (Education Leadership Forum)	Councilwoman Shea	Councilmember Choi
Irvine Public Schools Foundation (Forum Action Team)	Mayor Pro Tem Kang	Mayor Krom
Irvine Ranch Water District/City of Irvine Coordinating Committee	Mayor Krom	Mayor Pro Tem Kang
Laguna Canyon Foundation	Mayor Krom	Pamela Chana, Community Services Manager

AGENCY	DELEGATE	ALTERNATE
League of California Cities	Mayor Krom	Mayor Pro Tem Kang
Library Advisory Board (LAB) (Previously County-Wide Library Task Force, name-change in 2006)	Councilmember Choi	Councilwoman Shea
National League of Cities	Mayor Krom	Mayor Pro Tem Kang
Newport Bay Watershed Executive Committee	Councilmember Choi	Mike Loving, Water Quality Administrator
Non-Profit Corporation for Central and Coastal NCCP/HCP	Paula Burrier-Lund, Director of Community Services	Pamela Chana, Community Services Manager
Orange County City Selection Committee	Mayor Krom	Mayor Pro Tem Kang
Orange County Council of Government (COG)	Mayor Krom	Mayor Pro Tem Kang
Orange County Fire Authority	Councilmember Agran	Councilwoman Shea
Orange County Housing Authority Advisory Committee	Councilmember Choi	
Orange County Sanitation Districts #7 & #14	Councilwoman Shea	Councilmember Choi
South County Major Investment Study Working Group (OCTA)	Mayor Pro Tem Kang	
Orange County Vector Control District	Rosemary Dugard (2 year term, expires 12-31-09)	Councilmember Choi
San Joaquin Marsh Wildlife Sanctuary	Mayor Krom	Councilwoman Shea

AGENCY	DELEGATE	ALTERNATE
Santa Ana River Flood Protection Agency Commission	Councilmember Choi	Councilwoman Shea
Southern California Association of Governments	Mayor Krom	Mayor Pro Tem Kang
Transportation Corridor Agency - Foothill/Eastern	Mayor Krom	Councilmember Agran
Transportation Corridor Agency - San Joaquin Hills	Mayor Krom	Councilwoman Shea
Transportation Corridor System Board of Directors	Mayor Krom	Mayor Pro Tem Kang

- 2) Appoint Mayor Pro Tem Kang to serve as delegate and Mayor Krom to serve as alternate on the Irvine Educational Partnership Fund.
- 3) Dissolve the Multicultural Programs Task Force and the Environmental Management Task Force.

5. CONSENT CALENDAR

ACTION: Moved by Mayor Krom, seconded by Councilmember Choi, and unanimously carried to approve Consent Calendar Item Nos. 5.1 through 5.14, with exception of items as noted below:

- 5.7 City of Irvine 2008 State and Federal Legislative Platform and 2009 Federal Agenda
- 5.11 2007 Secure Our Schools Grant Award
- 5.14 Great Park Design Studio 30% Major Milestone Review

5.1 MINUTES

ACTION: Approved the minutes of a regular meeting of the City Council held on December 11, 2007.

5.2 PROCLAMATIONS

ACTION: Proclaimed the month of January 2008, as "National Blood Donor Month."

5.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION: Adopted RESOLUTION NO. 08-01 - 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.

5.4 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION: Adopted RESOLUTION NO. 08-02 - 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

Councilmember Agran abstained.

5.5 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted RESOLUTION NO. 08-03 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

5.6 GRANT OF EASEMENT TO PACIFIC BELL TELEPHONE COMPANY FOR COMMUNICATION FACILITIES, LOWER PETERS CANYON (PLANNING AREA 4)

ACTION: Authorized the Mayor to execute and the City Clerk to attest the Grant of Easement to Pacific Bell Telephone Company. **(Deed No. 1141.)**

5.7 CITY OF IRVINE 2008 STATE AND FEDERAL LEGISLATIVE PLATFORM AND 2009 FEDERAL AGENDA

This item was removed from the Consent Calendar at the request of Councilmember Choi who noted concern with the financial impact associated with traveling costs for the Mayor and designee to attend the congressional delegation.

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

- 1) Adopt and approve the 2008 State and Federal Legislative Platform.
- 2) Adopt and approve the 2009 Federal Agenda.

5.8 FISCAL YEAR 2008-09 TRANSPORTATION PLANNING GRANTS

ACTION: Adopted Resolution NO. 08-04 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE GRANT APPLICATIONS FOR THE FISCAL YEAR 2008-09 TRANSPORTATION PLANNING GRANTS

5.9 ORDINANCE NO. 08-01, ORDINANCE TO EFFECT CHANGES AND ADDITIONS TO POSTED SPEED LIMITS

ACTION: Read by title and adopt ORDINANCE NO. 08-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE DETERMINING AND DECLARING PRIMA FACIE SPEED LIMITS ON VARIOUS STREETS WITHIN THE CITY OF IRVINE, AND OFFICIALLY ESTABLISHING THESE DECLARATIONS THROUGH AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE CITY TRAFFIC ENGINEER AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

5.10 LEASE EXTENSION FOR ALL STAR SERVICES

ACTION:

- 1) Approved a one year extension of the Recreational Vehicle Storage Lease with All Star Services through January 31, 2009. **(Contract No. 5063E)**
- 2) Approved a one year extension of the existing office building lease with All Star Services through January 31, 2009. **(Contract No. 5275A)**
- 3) Approved a Budget Adjustment Request increasing revenue in Fund 180 to \$51,000.

5.11 2007 SECURE OUR SCHOOLS GRANT AWARD

This item was removed from the Consent Calendar to receive public comment.

Steven Furgerson, an Irvine high school student spoke in support of this item.

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

- 1) Authorize the City Manager and the Director of Public Safety to accept and execute a 2007 Secure Our Schools Grant Award from the United States Department of Justice.
- 2) Authorize the Director of Public Safety to submit for reimbursement up to \$185,000 in approved expenses through the 2007 Secure Our Schools Grant.
- 3) Approve a budget adjustment request form in the amount of \$370,000 in grant revenues and expenditures for the Secure Our Schools Grant.

5.12 AGREEMENT FOR TRANSFER OR PURCHASE OF EQUIPMENT/SERVICES OR FOR REIMBURSEMENT OF TRAINING COSTS FOR FISCAL YEAR 2007 URBAN AREAS SECURITY INITIATIVE (UASI)

ACTION:

- 1) Accepted the agreement for transfer or purchase of equipment/services or for reimbursement of training costs for FY07 Urban Areas Security Initiative Grant.
- 2) Authorized the Director of Public Safety to execute, and the City Clerk to attest to the agreement for the FY07 Urban Areas Security Initiative between the City of Irvine and the City of Santa Ana. **(Contract No. 5818)**
- 3) Authorized the Director of Public Safety to accept any equipment, technology or services purchased by the City of Santa Ana and transferred to the City of Irvine to enhance countywide emergency preparedness.
- 4) Authorized the Director of Public Safety to use FY07 Urban Areas Security Initiative Grant funding to purchase Department of Homeland Security approved equipment for emergency response to terrorist incidents, weapons of mass destruction or natural disasters.
- 5) Accepted a FY07 Urban Areas Security Initiative Grant award for training reimbursement in the amount of \$38,069.91.
- 6) Authorized the Director of Public Safety to submit for reimbursement up to \$38,069.91 in training and \$200,000 in approved equipment through the FY07 Urban Areas Security Initiative Grant.
- 7) Approved a budget adjustment request form in the amount of \$238,069.91, reflecting \$238,069.91 in revenues and appropriations.

5.13 AGREEMENT BETWEEN THE FEDERAL BUREAU OF INVESTIGATION AND THE IRVINE POLICE DEPARTMENT REGARDING JOINT USE OF THE EL TORO LAW ENFORCEMENT TRAINING FACILITY

ACTION: Authorized the Director of Public Safety to execute and the City Clerk to attest to an Agreement between the Federal Bureau of Investigation and the Irvine Police Department to utilize the El Toro Law Enforcement Training Facility. **(Contract No. 5819)**

5.14 GREAT PARK DESIGN STUDIO 30% MAJOR MILESTONE REVIEW

This item was removed from the Consent Calendar at the request of Councilmember Choi who requested clarification on the formation of the Community Facilities District (CFD) and whether the formation of the CFD will be effected by the timing of the development of the Schematic Design.

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

Approve the 30% Major Milestone Review submittal and issue a Notice of Approval and Authorization to Proceed, subject to the following conditions:

- a) Proposed changes shown on the 30% Major Milestone Review submittal are consistent with the regulatory restrictions that apply to the City-approved Great Park Master Plan. Changes that are not consistent with the regulatory restrictions are not approved at this time.
- b) The Great Park Corporation Board's approved Park Programs that are consistent with the Great Park Master Plan will be included into the Schematic Design within the contract budget.
- c) Any denial or inaction by the Navy or other regulatory agencies regarding requests to relocate monitoring wells that results in changes to the Schematic Design will be completed within the contract budget.
- d) The Great Park Design Studio is required to ensure that construction documents for the mass grading of the entire site, the Upper Wildlife Corridor from Irvine Boulevard to the Borrego Creek flood control channel, and the Agua Chinon remain consistent with the Schematic Design as it evolves through the design process. Any changes in the Schematic Design that result in changes to the construction documents will be completed within the contract budget.
- e) The Great Park Design Studio is also required to ensure that the Schematic Design and construction documents are consistent with the engineering parameters and assumptions used by Heritage Fields on the City-approved subdivision map (Vesting Tentative Tract Map No. 17008) for the City-designated CFD backbone infrastructure improvements and

the Heritage Fields private development.

END CONSENT CALENDAR

6. COUNCIL BUSINESS

6.1 *STRATEGIC PLAN FOR CHILDREN, YOUTH, AND FAMILIES UPDATE*

Darin Loughrey, Community Services Superintendent; and Libby Cowan, Community Services Manager presented the staff report.

City Council discussion included: Clarification of mental health services as a priority and the need to focus on this issue; and the importance of acknowledging the virtual lack of existence of underage drinking and driving in Irvine youth.

ACTION: By consensus, the City Council:

Received and filed.

6.2 *CONSIDERATION OF IMPLEMENTATION OF IRVINE CHILDREN'S HEALTH PROGRAM (I-CHP)*

Mayor Pro Tempore Kang presented a report in support of the implementation of an Irvine Children's Health Program; and acknowledged and introduced the community partners who assisted with the proposed I-CHP. He then introduced Sid Khanijou, Senior Council Executive Assistant; Mary Jo Hooper, Executive Director of Children's Health Initiative of Orange County; and Adrianna Morena, Health Care Coordinator who presented a PowerPoint presentation and responded to questions on the proposed program.

Mayor Krom read a letter in support of the proposed program from Patrick E. Kapsner, Chief Executive Officer – Bristol Park Medical Group into the record.

The following individuals spoke in support of a health program for children in Irvine: Ellen Olshansky, UCI; Vivian Clecak, Executive Director - Human Options; Kenneth Tokita, Medical Director - Cancer Center of Irvine; Dr. Nancy Bowen, Orange County Health Care Agency; Felix Schwartz, Director - Health Care Council of Orange County; Suzanne Cannata, Irvine Regional Hospital and Medical Center; Margie Wakeham, Families Forward; and Lynn Davis, Board Member – Tustin Unified School District.

Dale Jelinek, Irvine resident commented on the lack of information available to the public on the proposed program, within a reasonable time period prior to the meeting.

City Council discussion included: Availability of statistical data of children who are without healthcare in the City of Irvine; concern with implementation of proposed program and need for further analysis; costs associated with implementation of proposed program; clarification of funding sources for program; clarification that the City will create partnerships with community members in the implementation of the proposed program; clarification of the definition of an uninsured child; clarification of services offered by certified application assistors; and clarification that proposed program will not create new positions but rather the assistors will serve as agents of the City.

ACTION: Moved by Mayor Pro Tempore Kang, seconded by Councilmember Agran, and unanimously carried to:

- 1) Approve the City Irvine Children's Health Program (I-CHP) as a part of the Strategic Plan for Children, Youth and Families to advance the goal of ensuring that every child in Irvine has access to basic healthcare.
- 2) Facilitate the contracting of three certified application assistors (CAA's) to support the implementation of the initiative.
- 3) Allocate \$200,000 from the Unallocated Strategic Fund surplus and direct the City manager to work with City staff to draft an implementation plan and return to the City Council within 90 days for review of the draft plan and further direction.

Substitute motion moved by Councilmember Choi, to:

- 1) Make children's health a priority and commit the money from the carryover.
- 2) Make the health of children whose families earn less than 300% of the poverty level a priority from this year's CDBG funding.
- 3) Make children's mental health a priority from both sources of funds.
- 4) Direct Professor Sid Gardener to develop a measurable objective and a method of evaluating expenditures of these funds to ensure a difference is being made in children's lives.

- 5) Prominently feature on the City's website correct information and links to Cal-Optima, Medi-Cal, etc. and also certified application assistors in Irvine and provide translation resources for those families who do not speak English.

Councilmember Shea provided a second to the motion and requested that Councilmember Choi include in his motion the following:

- 6) Conduct a statistical study over the next 6 months to determine the actual number of families and children in the City that lack access to healthcare.

The substitute motion failed as follows:

AYES: 2 COUNCILMEMBERS: Choi and Shea
 NOES: 3 COUNCILMEMBERS: Agran, Kang and Krom

The main motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Kang and Krom
 NOES: 2 COUNCILMEMBERS: Choi and Shea

6.3 VENTA SPUR TRAIL/JEFFREY ROAD PEDESTRIAN/BICYCLE BRIDGE

Councilmember Choi noted that due to proximity of his residence to the project location, he would not be participating in discussion and action of this item due to a potential conflict of interest.

Alfonso Gomez, Associate Transportation Analyst; Sun-Sun Murillo Supervising Transportation Analyst; and Cindy Krebs, Manager of Transit and Transportation presented the staff report.

The following individuals spoke in opposition to staff recommendation:

A.D. Zelinko and David Melvold, Irvine residents spoke in opposition to staff recommendation.

City Council discussion included: Clarification whether Planning Commission reviewed the proposed project; clarification of the Groves residents concerns; clarification of outreach efforts and public notification process; and clarification of accessibility of residential storage area in relation to completion of the proposed bridge.

ACTION: Moved by Councilmember Shea, seconded by Mayor Krom, and unanimously carried by those members present to:

Add a Class 1 off-street trail, along the west side of Jeffrey from the Venta Spur Trail terminus to Bryan and direct staff to identify funding sources for the at-grade connection.

Councilmember Choi abstained.

6.4 CONSIDERATION OF RECOGNITION OF JANUARY 13 AS KOREAN AMERICAN DAY

Councilmember Choi introduced the item.

John Ahn, Korean American Federation of Orange County; and Byung Yoon, Korean American Foundation spoke in support of the permanent recognition of January 13 as Korean American Day in the City of Irvine

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

Approve the recognition of January 13 of each year as Korean American Day in the City of Irvine.

PUBLIC COMMENTS

A.D. Zelinko, Irvine resident, spoke on the City Council's selection of Mayor Pro Tem; pot holes located in the City which need to be repaired.

Ed Benoe, President – Irvine Chamber of Commerce Board of Directors, presented the 2008 Shop Irvine and Community Access Guide.

Kathy Eiler, and Kyle Olney, UCI, spoke on the upcoming February 5, Presidential Primary Election and invited the public to attend the UCI Vote Town Hall event at Crystal Cove Auditorium on January 14, at 6:00 p.m. and thanked the City for participating.

Montgomery Norton, UCI, invited the public to its Focus the Nation Event on January 31 at the Student Center on UCI Campus.

ADJOURNMENT

**Moved by Councilmember Choi, seconded by Councilmember Shea, and
unanimously carried to adjourn at 10:44 p.m.**



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

January 22, 2008