

MINUTES
IRVINE
CITY COUNCIL
SPECIAL MEETING
May 24, 2005

RECEPTION FOR CITY MANAGER ALLISON HART

A reception was held on May 24, 2005, at 4:00 p.m., in the Conference & Training Center of City Hall to honor retiring City Manager Allison Hart for her years of service.

CALL TO ORDER

A special meeting of the Irvine City Council was called to order on May 24, 2005 at 5:03 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 Kreutzen; 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 Stately; Deputy City Clerk, Teri Beach; and Sergeant At Arms, Christine D'Alena.

*City Manager Allison Hart left the meeting at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Krom introduced Mayor Pro Tempore Kang, who lead the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Krom noted the City Council meeting would be adjourned in memory of Dr. Kevin Lance Armstrong.

MUSICAL PRESENTATION

Mayor Krom introduced Boy Scout Troop 675 who performed "America."

PRESENTATIONS

- 1) Mayor Krom recognized City Manager Allison Hart for her years of service and contributions to the community. She presented her with a Resolution of Commendation, a key to the City, and a special laser crystal replica of City Hall.

The following individuals were invited forward to congratulate and make presentations to City Manager Allison Hart on her accomplishments and retirement:

- John Withers and Mary Eileen Mathias, Board Members - Irvine Ranch Water District;
- Irvine City's Employee Association, Kevin Moynihan, President and Dennis Ruvolo;
- Orange County Fire Chief Chip Prather, representing the Orange County Fire Authority;
- Sharon Wallen, President - Irvine Unified School District Board of Trustees;
- Carolyn McInerney representing Supervisor Tom Wilson; Orange County Board of Supervisors;
- Tim Shaw, Executive Director of the Irvine Public Schools Foundation; and
- Mike LeBlanc, representing The Irvine Company.

- 2) Mayor Krom recognized the High School Youth Action Team

Linda Lang Pierce and Joanne Slobodien, organizers of the Relay for Life event held in Irvine on May 21 – 22, recognized and presented the High School Youth Action Team with the Spirit of Irvine Award for their leadership and participation in the event.

INTRODUCTIONS

There were no introductions

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Shea made the following announcements:

- OC Family Magazine has recognized 20 of Orange County's best and brightest students including Irvine residents Paul Zaich attending St. Margaret's Episcopal School, and Anna Bet-Lachin of University High School and Roni Yadlin of Woodbridge High School.
- On Friday, May 27, the Irvine Chamber of Commerce will present a seminar entitled, "The Power of Public Relations: Masters of P-R and Media Reveal Publicity Techniques."
- The Irvine Company has presented it's 2005 Annual Student Leadership Awards to Irvine Unified School District Students:
 - Javier Castro and Lakshimi Reddy of Irvine High School;
 - Amit Arora and Heidi Kim of Northwood High School;
 - Max Eulenstein and Katie Quilligan of University High School; and
 - Olga Belogolova and Justin Saks of Woodbridge High School.
- The Chamber of Commerce will be hosting their 22nd Annual Golf Tournament, the Jim Ellis Memorial Golf Classic, on Wednesday, June 8, at Strawberry Farms Golf Club.

Mayor Pro Tempore Kang made the following announcement:

- The Government Finance Officers Association of the U.S. and Canada has awarded the prestigious Certificate of Achievement to the Fiscal Services Division of Administrative Services for Excellence in Financial Reporting for the 26th consecutive year.

Councilmember Choi made the following announcements:

- On May 13, 2005, his 83-year old mother received her U.S. citizenship at a citizenship award ceremony in Montebello.
- Recognized graduating students who will be pursuing military careers in the fall:
 - Attending the Air Force Academy: Jane Wong, Irvine High School, Miles McMillan, Northwood High School and Roni Yadlin from Woodbridge High School;
 - Attending West Point Academy: Christopher Chatelier Woodbridge High School, Christopher Chen, Irvine High School and James Long, Northwood High School; and
 - Pursuing a naval career, Sam Ansel, Woodbridge High School

Mayor Krom made the following announcements:

- The Irvine Fine Arts Center is hosting its annual fundraiser, the "Studio Arts Festival," on Saturday, June 4.

- The Irvine Global Village Festival will be held on Saturday, June 11, 12:00 to 5:00 p.m., at Colonel Bill Barber Marine Corps Memorial Park; and
- The Irvine Fine Arts Center, in collaboration with the Legacy Project and the Great Park Corporation, will host the “Edge of Air: An Exhibition of Photography of the Final Days of the Marine Corps Air Station at El Toro.” The public is invited to attend the artist reception on Sunday, June 12, from 6:00 to 8:00 p.m. at the Irvine Fine Arts Center. The exhibition will be on display through July 16.

ADDITIONS AND DELETIONS

Assistant City Manager Sean Joyce, noted that Councilmember Choi had previously abstained from discussion and voting on an item concerning the Irvine Business Complex (IBC) due to a purchase deposit he had made on a condominium in the area. Councilmember Choi has since revoked his purchase offer and thus will elect and can participate in discussion and a vote on Consent Calendar Item No. 4.4, “Encroachment Permit for a Tower Crane to Erect a 13-Story Building at 8000 Scholarship.”

Assistant City Manager Sean Joyce recommended that action on Item No. 3.1, “City of Irvine and Tustin Unified School District Joint Use of Facilities Agreement: Lower Peters Canyon Community Park and Beckman High School,” be tabled until the meeting of June 14, 2005.

CONSENT CALENDAR

Hearing no objections from other Councilmember’s, Mayor Krom removed the following item from the Consent Calendar:

- 3.1 CITY OF IRVINE AND TUSTIN UNIFIED SCHOOL DISTRICT JOINT USE OF FACILITIES AGREEMENT: LOWER PETERS CANYON COMMUNITY PARK AND BECKMAN HIGH SCHOOL – To table until the meeting of June 14, 2005.**
- 4.2 I-5/CULVER/TRABUCO INTERCHANGE IMPROVEMENT PROJECT – To receive public comment, please see page 6.**

ACTION: It was moved by Councilmember Shea, seconded by Mayor Pro Tempore Kang, and unanimously carried to approve Consent Calendar Item Nos. 1 through 5.1, with exceptions as noted above.

PUBLIC COMMENTS

Please see Item No. 4.2, I-5/Culver/Trabuco Interchange Improvement Project, for public comments.

1. CITY COUNCIL MINUTES

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

ACTION: Approved the minutes of a regular meeting of the City Council held on May 10, 2005.

2. PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS

2.1 RESOLUTION OF COMMENDATION:

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-53 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPOINTING ALLISON HART AS CITY MANAGER EMERITUS AND COMMENDING AND CONGRATULATING HER UPON RETIREMENT FROM PUBLIC SERVICE**

2.2 PROCLAIMED THE FOLLOWING:

a) Arbor Day - May 24, 2005

2.3 RATIFIED THE FOLLOWING:

a) Congratulating Ms. Shirin Ebadi, Recipient of the University of California, Irvine 2005 Citizen Peacebuilding Award.

3. AGREEMENTS

3.1 CITY OF IRVINE AND TUSTIN UNIFIED SCHOOL DISTRICT JOINT USE OF FACILITIES AGREEMENT: LOWER PETERS CANYON COMMUNITY PARK AND BECKMAN HIGH SCHOOL (Submitted by Community Services/Athletic Services)

This item was tabled to the meeting of June 14, 2005.

3.2 APPROVE A GRANT OF EASEMENT TO IRVINE RANCH WATER DISTRICT FOR A SEWER PIPELINE LOCATED EAST OF JEFFREY ROAD BETWEEN O.C.T.A. RAILROAD AND WALNUT AVENUE (PLANNING AREA 12, OAKCREEK) (Submitted by Public Works/Development Engineering)

ACTION: DEED NO. 999 - Approved a Grant of Easement to Irvine Ranch Water District, and authorized the Mayor to execute and the City Clerk to attest the Grant of Easement, subject to the City Attorney approval as to form.

4. RESOLUTIONS

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

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-54 - 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.**

4.2 I-5/CULVER/TRABUCO INTERCHANGE IMPROVEMENT PROJECT (Submitted by Public Works/Transportation Development)

Dave Melvold, representing NIVA, noted concern with the expansion of the northbound lanes to start at Scottsdale; and widening of the lanes in the underpass between the I-5 southbound off ramp and Trabuco to accommodate the left turn traffic exiting the off ramp.

Andy Zelinko, Irvine resident, echoed David Melvold's concerns and added landscaping the Culver center divider north and south of the interstate freeway; setback of the Northwood Village entry sign located at Culver and Trabuco due to the adding of an east bound Trabuco lane at Culver; limiting construction to hours not affecting Culver traffic; and identify cost of each off ramp project.

Jon Toolson, Project Development Administrator and Katie Berg, Supervising Transportation Analyst responded to public input and Council questions. (PowerPoint Presentation and Exhibit No. 1 on file in the City Clerk's Department).

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

Adopt a resolution entitled: **RESOLUTION NO. 05-55 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE PROJECT REPORT/PROJECT STUDY REPORT AND CERTIFYING THE MITIGATED NEGATIVE DECLARATION FOR THE I-5/CULVER/TRABUCO INTERCHANGE IMPROVEMENT PROJECT**

With the understanding that staff will return to the City Council at a future date to discuss the possibility of conducting a staff analysis on the widening of the lanes as related to Scottsdale, and determine the need for a traffic study at that time.

4.3 PROPERTY TAX EXCHANGE FOR THE ANNEXATION OF PLANNING AREA 1 (Submitted by Community Development/Planning Services)

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-56** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE USE OF THE MASTER PROPERTY TAX TRANSFER AGREEMENT EXCHANGE RATE FOR THE ANNEXATION OF THE PLANNING AREA 1 FROM THE COUNTY OF ORANGE IN CONJUNCTION WITH ANNEXATION CA-05-03 INITIATED BY THE IRVINE COMPANY

4.4 ENCROACHMENT PERMIT FOR A TOWER CRANE TO ERECT A 13-STORY BUILDING AT 8000 SCHOLARSHIP (Submitted by Community Development/Building and Safety)

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-57** - A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AN ENCROACHMENT PERMIT FOR A PERIOD OVER 6 MONTHS FOR THE PURPOSE OF OPERATING A TOWER CRANE TO ERECT A 13 STORY BUILDING AT 8000 SCHOLARSHIP

4.5 REQUEST BY Z WEST AMERICA CORPORATION FOR CITY COUNCIL TO APPROVE OF ASSIGNMENT OF CRESCENT IRVINE, LLC TO BE A PARTY TO THE APPROVED DEVELOPMENT AGREEMENT (00032520-PDA) (Submitted by Community Development/Development Services)

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-58** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE ASSIGNMENT OF THE EXISTING DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF IRVINE AND Z WEST AMERICA CORPORATION TO CRESCENT IRVINE, LLC FOR THE KOLL CENTER IRVINE DEVELOPMENT LOCATED AT 1850 VON KARMAN

5 LEGISLATIVE ISSUES

5.1 LETTER OF SUPPORT FOR GOVERNOR SCHWARZENEGGER'S REVISED 2005-06 BUDGET TO INCLUDE \$1.3 BILLION IN TRANSPORTATION FUNDS UNDER PROPOSITION 42 (Submitted by City Manager's Office)

ACTION: Authorized the Mayor to send a letter supporting Governor Schwarzenegger's revised 2005-06 budget proposal to include \$1.3 billion in restored transportation funds under Proposition 42.

END OF CONSENT CALENDAR

PUBLIC COMMENTS

Andy Zelinko, Irvine resident, spoke on the Northwood Memorial – 2005 event at Northwood Community Park to be displayed between Memorial Day and 4th of July.

Asher Milgram, Irvine resident, spoke on the proposed plan to build a permanent memorial at Northwood Community Park to celebrate the community coming together and noted a desire to have the larger memorial constructed at the Orange County Great Park site.

Laurie Truman, Irvine resident, spoke in opposition to the approval by the Planning Commission on May 19 of a convenience store/gas station, which will be located in the Quail Hill area. She requested the City Council appeal the item.

Mayor Krom announced her intent to appeal the item on behalf of the residents.

ORDINANCES

6 SECOND READING OF ORDINANCES

6.1 SECOND READING OF ORDINANCE: AN AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE ORANGE COUNTY GREAT PARK (PLANNING AREAS 30 AND 51)

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

Adopt and read by title only, an ordinance entitled: **ORDINANCE NO. 05-10 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE ORANGE COUNTY GREAT PARK (PLANNING AREAS 30 AND 51)**

COUNCIL BUSINESS

7 REPORTS

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

John McAllister, Acting Director of Community Services and Sid Gardner, Child and Family Futures, presented the staff report.

The following individuals spoke in support of the item:

Margie Wakeham, Families Forward, (Exhibit No. 2 on file in the city Clerk's Department); and

Nancy Coloscino, Coordinator Guidance Resources - Irvine Unified School District.

City Council discussion included Indicators Report to be conducted on an annual basis; concern with providing Earned Income Tax Credit services; implementation of program to focus on Irvine residents; importance of exploring funding opportunities available from state or other agencies; importance of collaborating with IUSD, UCI and other agencies; concern with the expenditure by the City to hire a consultant to conduct a pilot program for the Earned Income Tax Credit; direction to staff to return to the Council within 30 days to evaluate the pilot programs to be used at IUSD and TUSD in the fall; and importance of making the Indicator's Report widely available to the public as well as posted on the web site;

Councilmember Choi submitted written remarks for the record and are on file in the City Clerk's Department as Exhibit No. 4.

It was moved by Councilmember Agran, seconded by Mayor Krom, to:

- 1) Receive and filed the first Indicators Report on The Conditions of Children, Youth and Families in Irvine 2005.
- 2) Approve a scope of work to complete a second Indicators Report on the Conditions of Child, Youth and Families in Irvine and direct staff to develop a contract for City Council approval.
- 3) Approve a scope of work to implement a program for Earned Income Tax Credit outreach and direct staff to prepare a contract for City Council approval.
- 4) Direct staff to develop a comprehensive list of programs and services provided by community organizations regarding current and future youth health and fitness programs.

With the understanding that the Council will receive a report back from Professor Sid Gardner and Community Services as to what the future youth health and fitness programs might be.

- 5) Direct staff to include funding for the FY 05/06 Budget to complete a second Indicators Report on the Conditions of Child, Youth and Families in Irvine, Earned Income Tax Credit pilot program and the youth and fitness program.

A substitute motion was moved by Councilmember Shea, seconded by Councilmember Choi, to support the following staff recommendations:

- 1) Receive and file the first Indicators Report on The Conditions of Children, Youth and Families in Irvine 2005.
- 2) Approve a scope of work to complete a second Indicators Report on the Conditions of Child, Youth and Families in Irvine and direct staff to develop a contract for City Council approval.
- 4) Direct staff to develop a comprehensive list of programs and services provided by community organizations regarding current and future youth health and fitness programs.

To include a funding source to provide for the recommended actions 1, 2 & 4 including recommended action 5 excluding earned income tax credit.

The motion failed as follows:

AYES:	2	COUNCILMEMBERS:	Choi and Shea
NOES:	3	COUNCILMEMBERS:	Agran, Kang and Krom
ABSENT:	0	COUNCILMEMBERS:	None

A substitute motion was moved by Councilmember Choi, seconded by Councilmember Shea, to:

- 1) Receive and file the first Indicators Report on The Conditions of Children, Youth and Families in Irvine 2005.
- 2) Approve a scope of work to complete a second Indicators Report on the Conditions of Child, Youth and Families that is limited to

residents of Irvine and direct staff to develop a contract for City Council approval.

- 3) Direct Children and Family Futures to develop meaningful and measurable outcomes with appropriate evaluation instruments for Community Services programs that target at-risk children and families living in Irvine.
- 4) Direct Children and Family Futures to return to City Council in four months for a review, accompanied by proposed programs to benefit at-risk children and families living in Irvine and that can be implemented as soon as possible.
- 5) The total 2005-06 budget for this initiative should not exceed \$130,000. At least half of the allocation should be spent on direct service to children and families, with no more than half spent on administration, studies, and/or consultants.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Choi and Shea
NOES: 3 COUNCILMEMBERS: Agran, Kang and Krom
ABSENT: 0 COUNCILMEMBERS: None

The City Council restated the original motion as follows:

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

- 1) Receive and file the first Indicators Report on The Conditions of Children, Youth and Families in Irvine 2005.
- 2) Approve a scope of work to complete a second Indicators Report on the Conditions of Child, Youth and Families in Irvine and direct staff to develop a contract for City Council approval.
- 3) Approve a scope of work to implement a program for Earned Income Tax Credit outreach and direct staff to prepare a contract for City Council approval.
- 4) Direct staff to develop a comprehensive list of programs and services provided by community organizations regarding current and future youth health and fitness programs.

With the understanding that the Council will receive a report back from Professor Sid Gardner and Community Services as to what the future youth health and fitness programs might be.

- 5) Direct staff to include funding for the FY 05/06 Budget to complete a second Indicators Report on the Conditions of Child, Youth and Families in Irvine, Earned Income Tax Credit pilot program and the youth and fitness program.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Kang and Krom

NOES: 2 COUNCILMEMBERS: Choi and Shea

ABSENT: 0 COUNCILMEMBERS: None

PUBLIC HEARINGS

- 8 **PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE TO RECONCILE INTENSITY CAPS WITH EXISTING BUILDING DEVELOPMENT, PLANNING AREA 35 (SPECTRUM) (Community Development/Development Services)**

Mayor Krom declared the public hearing open at 8:48 p.m.

ACTION: At 8:49 p.m., it was moved by Councilmember Shea, seconded by Mayor Pro Tempore Kang, and unanimously carried to:

Continue the public hearing to July 12, 2005.

RECESS

Mayor Krom recessed the meeting at 8:50 p.m.

RECONVENE

Mayor Krom reconvened the meeting at 9:02 p.m.

9 PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR PLANNING AREAS 1 AND 2 AND A PORTION OF PLANNING AREA 9 (AREA 9B) (Submitted by Community Development/Planning Services)

Mayor Krom declared the public hearing open at 9:03 p.m.

Barry Curtis, Principal Planner, presented the staff report. Also present was Diane Nguyen, Associate Planner and Brian Fisk Manager of Planning Services. (PowerPoint presentation and Exhibit No. 3, on file in the City Clerk's Department.)

City Council discussion included maintenance of eucalyptus trees; clarification that overcrowding exists in the Tustin Unified School District; clarification of proposed school site in Orchard Hills; clarification that negotiations between the Irvine Company and the Tustin Unified School District are progressing; dedication of 2200 acres of open space, 71 acres of park use, 508 acres of agriculture; clarification of the number of available parking spaces at proposed staging areas; concern with available planned parking at proposed staging area; expanding Portola area access; Emergency road access to schools; whether an additional access road can be included; inclusion of access to open space adjacent to Rattlesnake Reservoir; addition of a conference center as a use for the open space; concern that including facilities and amenities which have to be provided as a result of the building, such as infrastructure and lighting in open space could produce conflicts with the goal of the preservation; desire to include a hiking trail along the boundaries of the reservoir; clarification of population projections by 2015; whether there will be adequate capacity in Northwood and Beckman High Schools by 2015 to accommodate the projected population growth; whether the enrollment policy will be in place so that the kids from those areas can attend the schools of their choice; inclusion of an Irvine Police sub-station in the proposed project area; number of gates included in the private neighborhoods; necessity to include trail access for the public; facilities and amenities that will be offered at shopping center to be located at Culver and Portola; outreach to the public to prepare them for the grading of the 40% of trees that will be extracted in the grading process; concern with development of a conference facility in the open space; changing name of Rattlesnake Reservoir; including a look out point in the proposed plan; concern with allowing vehicles access in the open space area; expanding the open space to include pedestrian uses without compromising by including vehicle access; opposition to facilities in the open space; explore ways to move the gate beyond Rattlesnake Reservoir to create greater access; clarification of existence of a neighborhood park plan at school sites; clarification that low to moderate affordable housing will be available in the proposed development; creating sustainability/energy efficient measures at the home building levels; and number of orchard trees per acre.

Michael Le Blanc, The Irvine Company (Applicant), presented highlights of the proposed project.

The following individuals spoke in support of the proposed project:

- Ed Benoe, Irvine Chamber of Commerce;
- Ira Glasky, Irvine resident;
- Paul Snyder, Irvine resident;
- David Melvold, Irvine resident, also noted the lack of library services provided in North Irvine;
- Tom Glenn, Irvine resident;
- Jin Kim, Irvine resident, also requested additional access in Portola area to reduce traffic congestion; inclusion of a conference center; and inclusion of a scenic view park in the development plan; and
- James Laird, Board Member - Tustin Unified School District.

ACTION: By consensus, at 12:03 a.m., the City Council:

Continued the public hearing to the meeting of June 14, 2005.

IN MEMORIAM

Mayor Krom adjourned the meeting in memory of Dr. Kevin Lance Armstrong.

ADJOURNMENT

It was moved by Mayor Krom, seconded by Mayor Pro Tempore Kang, and unanimously carried to adjourn the meeting at 12:04 a.m., to a City Council Regular meeting, June 14, 2005, 4:00 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.



 MAYOR OF THE CITY OF IRVINE



 CITY CLERK OF THE CITY OF IRVINE

June 14, 2005

 DATE APPROVED