



MINUTES

IRVINE CITY COUNCIL REGULAR MEETING

February 28, 2006

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order on February 28, 2006 at 4:05 p.m., in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California, by Mayor Krom, presiding officer

ROLL CALL

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

Also present were City Manager, Sean Joyce; City Attorney, Philip Kohn; CEO Orange County Great Park, Wally Kreutzen; Director of Public Safety/Chief of Police, David L. Maggard; Director of Administrative Services, Rick Paikoff; Director of Public Works, Marty Bryant; Director of Community Services, John A. McAllister; Director of Community Development, Tina Christiansen; City Clerk, Pamyla Means; Deputy City Clerk, Teri Beach; and Tom Goodbrand, Sgt. At Arms

RECESS TO CLOSED SESSION

Mayor Krom recessed the meeting to Closed Session at 4:06 p.m.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6)

Agency Negotiators: Rick Paikoff, Director of Administrative Services; Jan Walden, Manager of Human Resources; Neil Bodine, Attorney
Employee Organizations: Irvine City Employees Association (ICEA); Irvine Professional Employees Association (IPEA); Associated Supervisory/Administrative Personnel (ASAP)

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Krom reconvened the meeting to regular session at 5:06 p.m.

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 Darrell Tuntland, Justin Martin, Nick Gaspar, and Bob Cossentine of The California Promise Chorus an Irvine Chapter of the Barbershop Harmony Society, who sang "The National Anthem," and "Hello, Mary Lou"

PRESENTATIONS AND PROCLAMATIONS

The following items were presented:

1. Mayor Krom introduced Tim Shaw, CEO - Irvine Public Schools Foundation; Jose Alkon, Southern California Vice President, Taylor Woodrow Homes; and San Chaalan, Manager - Irvine BMW; who gave a brief presentation on the Irvine Public Schools Foundation House Raffle
2. Mayor Krom introduced Mike LeBlanc, Senior Vice President of Entitlement; Roger McElane, Senior Vice President; and Ken Coulter, Senior Vice President – Community Development; representing The Irvine Company who reported receiving the National Award for the "Best Master Planned Community - The Village of Woodbury"
3. Mayor Krom introduced Tony Johnson, President – Irvine Youth Basketball League; Paul Boyer, Treasurer – Irvine Youth Basketball League; Dan Chmielewski, Boys 8th Grade League Commissioner; and Cary Lambeth, Girls 3rd and 4th Grade League Commissioner and Boys All-Net Coordinator; and presented them with a Proclamation entitled, "Irvine Youth Basketball League, 25th Season - March 12, 2006"
4. Mayor Krom introduced Tom Wall, and presented him with a commendation recognizing him for his 21 years of service and involvement in the Irvine Chamber of Commerce and the community

INTRODUCTIONS

There were no introductions.

CITY MANAGER'S REPORT

There was no City Manager's report.

ANNOUNCEMENTS

Mayor Krom announced on Saturday, March 4, from 11 a.m. – 2:00 p.m. at the Irvine One Stop located at 125 Technology, (Irvine Spectrum) there will be an earned income tax credit tax preparation open house for any community members interested in attending.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

CONSENT CALENDAR (Item Nos. 5 through 10.4)

Mayor Krom implemented a new process as follows:

The member that makes a motion will be given five minutes to introduce the motion and provide information to the City Council relative to the motion; if there is a staff report, time will be allotted for that presentation; each member of the City Council will have 5 minutes to address the matter on the table; if necessary, each member will be given a second and third opportunity if requested to speak on the matter; finally, the maker of the motion will be given an additional 3 minutes to make concluding remarks before the matter is voted upon

City Council discussion relative to the new process ensued

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

10.3 PROPERTY TAX EXCHANG AGREEMENT FOR THE ANNEXATION OF PLANNING AREAS 5B AND 9B

10.4 WARRANT AND WIRE TRANSFER RESOUTION – BANK OF AMERICA

Councilmember Agran requested his vote on this item be recorded as an abstention. Please see page 7 for action on this item.

ACTION: It was moved by Councilmember Choi, seconded by Mayor Pro Tempore Kang, and unanimously carried by those members present to approve Consent Calendar Item Nos. 5 through 10.4, with the exception of items as noted above.

5. CITY COUNCIL MINUTES

5.1 APPROVAL OF CITY COUNCIL MINUTES

ACTION: Approved the minutes of a regular meeting of the City Council held on February 14, 2006

6. AGREEMENTS

6.1 APPROVAL OF MAP, BONDS, AND AGREEMENTS, FOR TRACT MAP NO. 16907 (PLANNING AREA 6, PORTOLA SPRINGS)

ACTION:

- 1) Approved Tract Map No. 16907

- 2) Approved the agreements and accepted the security from California Pacific Homes, guaranteeing improvements for Tract Map No. 16907 and authorize the Mayor to sign and the City Clerk to attest to the agreements subject to City Attorney approval as to form
- 3) Accepted the dedication of an easement for sidewalk, emergency access and public service vehicle ingress and egress purposes as shown on the map
- 4) Accepted the dedication of an easement for public street and public utility purposes within the following street right-of-way: Pathway
- 5) Adopted a resolution entitled: **RESOLUTION NO. 06-17 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE STREET NAMED PATHWAY, WITHIN TRACT MAP NO. 16907, INTO THE SYSTEM OF CITY STREETS**

7. PROJECTS - BIDS AND SPECIFICATIONS

7.1 NEIGHBORHOOD PARK LANDSCAPE REHABILITATION - SAN CARLO, SAN LEANDRO, AND SAN MARCO NEIGHBORHOOD PARKS APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS - CIP 385010

ACTION: Approved the plans, specifications, and contract documents for Neighborhood Park Landscape Rehabilitation (San Carlo, San Leandro, Canyon, and San Marco neighborhood parks), CIP 385010

8. ALLOCATION OF FUNDS

8.1 APPROVE BUDGET ADJUSTMENT FOR PRELIMINARY WORK FOR ASSESSMENT DISTRICT NO. 05-21 (PLANNING AREA 1, ORCHARD HILLS)

ACTION: Approved a budget adjustment to record a revenue and expenditure appropriation of \$100,000 from The Irvine Company for preliminary work associated with proposed Assessment District No. 05-21

9. REPORTS

9.1 ANNUAL REVIEW OF DEVELOPMENT AGREEMENT COMPLIANCE

ACTION: Received staff report

9.2 STATUS REPORT ON AD HOC LIBRARY TASK FORCE

ACTION: Received and filed update on Ad Hoc Library Task Force

9.3 CITY CO-SPONSORSHIP OF THE AMERICAN CANCER SOCIETY RELAY FOR LIFE - MAY 13-14, 2006

ACTION: Approved the co-sponsorship by the City of Irvine for the American Society's Relay for Life event at Irvine Valley College on May 13 – 14, 2006

10. RESOLUTIONS

10.1 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 06-18 - 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**

10.2 REQUEST TO SUBMIT AN APPLICATION FOR STATE FUNDS FOR THE WORKFORCE HOUSING REWARD PROGRAM

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 06-19 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE WORKFORCE HOUSING REWARD PROGRAM (WFH) FOR AFFORDABLE HOUSING DEVELOPMENT**

10.3 PROPERTY TAX EXCHANGE AGREEMENT FOR THE ANNEXATION OF PLANNING AREAS 5B AND 9B

This item was removed from the Consent Calendar at the request of Councilmember Choi who requested clarification on the negotiation process with the County as it relates to the Property Tax Exchange Agreement to which Brian Fisk, Manager of Planning Services and Diane Nguyen, Associate Planner responded.

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

Adopt a resolution entitled: **RESOLUTION NO. 06-20** - 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 PLANNING AREAS 5B AND 9B FROM THE COUNTY OF ORANGE IN CONJUNCTION WITH ANNEXATION CA 05-61 INITIATED BY THE IRVINE COMPANY

10.4 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

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 a true abstention by the City Attorney.

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 06-21** - 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

END OF CONSENT CALENDAR

COUNCIL BUSINESS

11. ORDINANCES

11.1 FIRST READING OF ORDINANCE: ORDINANCE AND RESOLUTION TO COMPLY WITH NEW STATE LAW BY DISSOLVING THE IRVINE TRANSPORTATION AUTHORITY AND RESOLUTION AMENDING THE EXPENSE POLICY FOR CITY COUNCIL MEMBERS AND MEMBERS OF CITY LEGISLATIVE BODIES

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

- 1) Introduce for first reading and read by title only an ordinance entitled: **ORDINANCE NO. 06-03** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE REPEALING CHAPTER 4 OF DIVISION 3 OF TITLE 6 OF THE IRVINE MUNICIPAL CODE RELATING TO THE IRVINE TRANSPORTATION AUTHORITY
- 2) Adopt a resolution entitled: **RESOLUTION NO. 06-22**- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING SETTING FORTH THE EXPENSE POLICY FOR CITY COUNCIL MEMBERS AND MEMBERS OF CITY LEGISLATIVE

BODIES, AND SUPERCEDING ALL PREVIOUS RESOLUTIONS WHICH ARE INCONSISTENT THEREWITH

12. PUBLIC HEARINGS

12.1 PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE TO INCREASE INTENSITY IN OLD TOWN IRVINE, PLANNING AREA 31, ZONE CHANGE TO MODIFY BUILDING HEIGHTS IN PLANNING AREA 33 AND REQUIRE PARKING FOR RESIDENTIAL SECOND UNITS CITYWIDE

Mayor Krom declared the public hearing open at 6:20 p.m.

Michael Haack, Manager of Development Services; John Ernst, Principal Planner; and Nancy Moss, Senior Planner, presented the staff report and responded to Council questions.

City Council discussion included clarification of: height restrictions on buildings located within the planning areas; on-site parking restrictions; and how parking is identified in the Master Plan.

Ginger Drennan Nguyen, Irvine business owner in Old Town Irvine, noted concern with inadequate parking in the business district.

ACTION: At 6:48 p.m., it was moved by Councilmember Agran, seconded by Councilmember Choi, to close the public hearing.

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

- 1) Adopt a resolution entitled: **RESOLUTION NO. 06-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00407068-PGA TO AMEND GENERAL PLAN LAND USE TABLE A-1 TO INCREASE THE INTENSITY CAP IN THE COMMUNITY COMMERCIAL CATEGORY TO BE CONSISTENT WITH EXISTING DEVELOPMENT AND PREVIOUS DISCRETIONARY AND ENVIRONMENTAL APPROVALS; PLANNING AREA 31; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT**
- 2) Introduce for first reading and read by title only an ordinance entitled: **ORDINANCE NO. 06-04 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00407069-PZC TO AMEND ZONING CODE SECTION 9-31-3 TO INCREASE THE ZONING CODE INTENSITY CAP IN**

THE COMMUNITY COMMERCIAL ZONE TO BE CONSISTENT WITH EXISTING DEVELOPMENT AND PREVIOUS DISCRETIONARY APPROVALS; PLANNING AREA 31; TO AMEND ZONING CODE SECTION 4-3-4 TO MODIFY THE PARKING REQUIREMENTS FOR RESIDENTIAL, SECOND UNITS; CITYWIDE; AND TO AMEND ZONING CODE SECTIONS 3-37-23, 3-37-25, 3-37-26, 3-37-27 AND 9-33-5 TO MODIFY THE BUILDING HEIGHT REQUIREMENTS; PLANNING AREA 33; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

13. REPORTS

13.1 DISCUSSION OF SPONSORSHIP FOR KOCE PRODUCTION HIGHLIGHTING THE KOREAN 2006 FESTIVAL EXPO

This item was agendized by Councilmember Choi who introduced Peter Murphy, Director of Corporate Sponsorship for KOCE who gave the presentation.

City Council discussion included: community benefit; future sponsorship; other local agency sponsorships; timing of request; coverage of expenses; cultural diversity in the community; and rebroadcast of ads on Cox Communications.

It was moved by Councilmember Choi, seconded by Councilmember Shea, to:

Approve funding in the amount of \$25,000 for KOCE production highlighting the Korean 2006 Festival Expo.

ACTION: An amended motion was accepted by Councilmember Choi, and by Councilmember Shea, and unanimously carried to:

Approve a request for funding in the amount of \$25,000 for KOCE production highlighting the Korean 2006 Festival Expo subject to preparation of a staff report that will address source of funding, benefit to the community and feasibility of re-broadcasting the ads on Cox Communications and return to the City Council on March 14 with the detailed report.

13.2 CITY COUNCIL PROTOCOL - RULES OF DEBATE (This item was continued from the meeting of January 24, 2006)

This item was agendized by Councilmember Choi

City Council discussion included: interruptions by peers during comments; and direction to the City Manager to organize an off-site meeting to discuss matters of process and protocol.

Mayor Krom directed the City Manager to coordinate an off-site retreat to discuss process and protocol

END COUNCIL BUSINESS

PUBLIC COMMENTS

David Melvold, Irvine resident, spoke on the proposed expansion of the Bowerman Landfill

Meadow Brown, Irvine resident, spoke on lack of parking spaces in surrounding apartments located in the vicinity of the UC Irvine Campus

ADJOURNMENT

It was moved by Councilmember Shea, seconded by Councilmember Choi, and unanimously carried to adjourn the meeting at 8:51 p.m. to a City Council Regular meeting, March 14, 2006, 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

March 14, 2006
DATE APPROVED