

The seal of the City of Irvine, featuring a shield with a tree and a sun, surrounded by the text "CITY OF IRVINE" and the year "1971".

**MINUTES  
CITY COUNCIL  
REGULAR MEETING  
April 14, 2009  
City Council Chamber  
One Civic Center Plaza**

**CALL TO ORDER**

A regular meeting of the Irvine City Council was called to order at 4:04 p.m., on April 14, 2009, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

**ROLL CALL**

Present:	5	Councilmember:	Steven Choi
		Councilmember:	Beth Krom
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Larry Agran
		Mayor:	Sukhee Kang

Mayor Kang recessed the meeting at 4:25 p.m. after conducting the Consent Calendar and the Public Hearing.

**RECESS**

**RECONVENE TO THE CITY COUNCIL MEETING**

Mayor Kang reconvened the City Council meeting at 5:02 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Kang led the Pledge of Allegiance.

## **MOMENT OF SILENCE**

Mayor Kang requested a moment of silence in memory of long time Irvine resident Ken Puma.

## **MUSICAL PRESENTATION**

Mayor Kang introduced the Concordia Men's Quartet, Witness, who performed the "Star Spangled Banner" and "Everybody Said."

### **1. PRESENTATIONS**

The following presentations were made:

#### **1.1 Proclaim April 12-18, 2009 as "National Public Safety Telecommunicator's Week"**

Mayor Kang presented the proclamation to the Public Safety Dispatch team and commended them on their excellent and committed service to the City.

#### **1.2 Proclaim April 19-25, 2009 as "Week of the Young Child"**

Mayor Kang presented the proclamation to Sandy Klein representing the Irvine Child Care Committee.

#### **1.3 Proclaim April 2009 as "DMV/Donate Life California Month"**

Mayor Kang presented the proclamation to Roger Weninger, Managing Partner of Moss Adam LLP and Carolyn McInerney, representative of Donate Life.

## **INTRODUCTIONS**

There were no introductions.

## **CITY MANAGER'S REPORT**

Assistant City Manager Sharon Landers reported on the concerns raised by several residents at a recent City Council meeting regarding the plume containing TCE, which emanates from the former El Toro Base, now the Great Park. The US Environmental Protection Agency (EPA) has been the oversight agency for the Navy's remediation work since the 1980s. The EPA has determined that the water quality monitoring program does not show TCE present at detectable concentrations in the water table monitoring wells. Where TCE has not been detected in ground water at the water table, as is the case in the City of Irvine, no quantifiable levels of TCE are available to

vaporize into the air. Based upon the data, there is no potential threat to indoor air quality in the neighborhoods of the City of Irvine.

Councilmembers Choi, Shea and Agran commented on the City Manager's report.

### **ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

Councilmember Krom reported on her attendance at the 2009 Winter Aspen Accord Conference held in Aspen, Colorado on March 30 and 31.

Councilmember Choi reported his attendance at the upcoming League of Cities Legislative Action Day Conference.

Mayor Kang made the following announcements:

- The exhibition, titled Technotronic, will feature student artwork from Irvine high schools including drawing, painting, photography, digital media, and more. The exhibition runs April 24 through May 30.
- Youth Job Fair on Saturday, April 25 from 8 a.m. to 12:30 p.m. at the Lakeview Senior Center. Employers will be on-site conducting interviews for full-time, part-time, temporary, seasonal and permanent employment opportunities.
- The last concert of the City's annual "Sounds of Spring" concert series will be an afternoon of instrumental and vocal performances by the Young Musicians Ensemble and Fluid Dynamics, an *a cappella* group from Caltech, on Sunday, April 26 at 4:00 p.m.
- The City of Irvine is once again holding a "Healthy Food Drive," now through May 1. Collected items will be donated to three of Irvine's food pantry programs to help feed families and seniors in need. Donation boxes are available at most city facilities.
- In the City's ongoing effort to promote voter registration and participation, all eligible residents who are not registered to vote are encouraged to do so by the May 4 deadline in order to vote in the upcoming May 19 California Special Election. This special California election will include six important statewide propositions dealing with the State budget, including funding for education, children's services, and mental health. Voter registration cards are available at City Hall and at all community centers throughout Irvine.
- Senior Citizen Council meeting on April 19, 2009 at the Northwood Community Center.

## ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

### 2. CONSENT CALENDAR

Consent Calendar Items consist of Item Nos. 2.1 through 2.9.

**Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried to approve Consent Calendar Item Nos. 2.1 through 2.9.**

#### 2.1 MINUTES

**ACTION:**

- 1) Approved the minutes of a special meeting of the Irvine City Council held on March 19, 2009.
- 2) Approved the minutes of a regular meeting of the Irvine City Council held on March 24, 2009.

#### 2.2 PROCLAMATIONS

**ACTION:**

- 1) Proclaimed April 30, 2009 as "Working Students Day."
- 2) Proclaimed April 2009 as "National Records & Information Management Month."

#### 2.3 WARRANT AND WIRE TRANSFER RESOLUTION

**ACTION:** Adopted RESOLUTION NO. 09-28 - 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

#### 2.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

**ACTION:** Adopted RESOLUTION NO. 09-29 - 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

Councilmember Krom abstained.

**2.5 WESTPARK IRRIGATION AND LANDSCAPE IMPROVEMENTS - CIP 359010**

**ACTION:** Approved the plans, specifications, and contract documents for the Westpark Irrigation and Landscape Improvements, Capital Improvement Project (CIP) 359010, on file with the Public Works Department

**2.6 BRIDGE MAINTENANCE AND REPAIR - CIP 329020**

**ACTION:** Approved the specifications and contract documents for Bridge Maintenance and Repair, Capital Improvement Project (CIP) 329020, on file with the Public Works Department

**2.7 JEFFREY/SMOKETREE TRAFFIC SIGNAL - CIP 333110**

**ACTION:** Approved the plans, specifications, and contract documents for Jeffrey/Smoketree Traffic Signal - Capital Improvement Project (CIP) 333110, on file with the Public Works Department.

**2.8 AGREEMENT FOR PURCHASE OF 700 MHZ PORTABLE RADIOS TO ESTABLISH A COUNTY-WIDE EMERGENCY COMMUNICATIONS SYSTEM USING PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS GRANT FUNDING**

**ACTION:**

- 1) Accepted the agreement for purchase of radio equipment for FY07 Public Safety Interoperable Communications.
- 2) Authorized the Director of Public Safety to execute and the City Clerk to attest to the agreement for the FY07 Public Safety Interoperable Communications between the City of Irvine and the City of Santa Ana.
- 3) Authorized the Director of Public Safety to use FY07 Public Safety Interoperable Communications Grant funding to purchase 35 Astro Digital XTS 5000 Model III portable radios with chargers.
- 4) Accepted an FY07 Public Safety Interoperable Communications Grant award for equipment reimbursement in the amount of \$124,475.12.
- 5) Authorized the Director of Public Safety to submit for reimbursement up to \$124,475.12 in approved equipment through the FY07 Public Safety Interoperable Communications Grant.
- 6) Authorized the Director of Public Safety to reallocate \$31,118.78 from the General Fund to provide the matching funds required by the FY07 Public Safety Interoperable Communications Grant.

- 7) Approved a budget adjustment in the amount of \$124,475.12, reflecting \$124,475.12 in revenues from the grant and appropriations.
- 8) Approved a budget adjustment request in the amount of \$31,118.78, reflecting \$31,118.78 in revenues and appropriations transferred from the general fund.

**2.9 AGREEMENT FOR TRANSFER OF SILKWOOD PARK PROPERTY**

**ACTION:** Approved an Agreement for Transfer of Silkwood Park Property and authorize the City Manager to sign the Agreement and Certificate of Acceptance on behalf of the City of Irvine.

**END CONSENT CALENDAR**

**3. PUBLIC HEARINGS**

**3.1 CITY-INITIATED AMENDMENTS TO IRVINE SUBDIVISION ORDINANCE AND MANUAL**

Tim Gehrich, Manager of Planning and Development Services; Pam Davis, Senior Planner; and Steve Weiss, Principal Planner; presented the staff report.

Mayor Kang opened the public hearing at 4:09 p.m.

Susan Whittaker, Sapetto Group, spoke on behalf of Maguire Properties about the proposed ordinance amendments and read a letter into the record, which is on file with the City Clerk’s office.

**ACTION: Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried to close the public hearing at 4:12 p.m.**

City Council discussion included: clarification of the implementation and exemptions to the proposed ordinance, clarification of tentative and subdivision maps and governing rules and regulations, review process of new developments, and clarification of the subdivision ordinance and manual process with respect to wireless facilities.

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

- ACTION:**
- 1) Introduce for first reading and read by title only ORDINANCE NO. 09-03- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY

OF IRVINE ADOPTING A NEGATIVE DECLARATION AND AMENDING DIVISION 5 OF TITLE 5 OF THE IRVINE MUNICIPAL CODE RELATING TO SUBDIVISIONS

- 2) Adopted RESOLUTION NO. 09-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE IRVINE SUBDIVISION MANUAL

**4. COUNCIL BUSINESS**

**4.1 REVISION OF CHAPTER 3 OF THE IRVINE MUNICIPAL CODE RELATING TO MASSAGE ESTABLISHMENTS**

Vivienne Hedgepeth, Manager Business Services and Cris Gaiennie, Regulatory Affairs Supervisor, presented the staff report.

City Council discussion included: clarification of the ordinance modifications including prohibiting recording or signaling devices; exemptions of chiropractic offices from the ordinance due to state laws and regulations; need to clarify and update the current ordinance to prohibit illicit activities; clothing requirements and standards of massage technicians; guidelines for advertising massage services; current establishments processed through a full background check, regulation and approval of non-scheduled facility inspections and staff overview; and location and hours of business of massage establishments.

**Moved by Councilmember Shea, seconded by Mayor Pro Tem Agran, and unanimously carried to:**

**ACTION:** Introduce for first reading and read by title only  
ORDINANCE NO. 09-04 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CHAPTER 3 OF THE IRVINE MUNICIPAL CODE RELATING TO MASSAGE ESTABLISHMENTS

**4.2 ASSESSMENT OF AND RESPONSE TO ECONOMIC AND SOCIAL HARDSHIPS IN IRVINE**

Corrinne Schneider-Jones, Manager of Community Health and Human Services and Pamela Baird, Senior Management Analyst, presented the staff report.

The following individuals spoke on the current status of local social services and impacts caused by the economic downturn:

Kristen Lara, Public Law Center  
Susan Holt, Irvine Family Resource Center

Steve Mata, Deputy Probation Officer  
Herman Martinez, OC Social Services  
Luisa Camino, Social Worker  
Margie Wakeham, Families Forward  
Vivian Cleclak, Human Options

City Council discussion included: ability of faith-based and non-profit organizations to allocate resources to community services, use and allocation of Community Development Block Grant and federal funds for social services, funding impacts of state propositions, status of a community and county partnerships, Senate Bill 8x3 to be allocated during the Orange County Supervisor budget process; status of previously earmarked City Council funds; eligibility of the County for federal stimulus monies, compilation of current available resources by faith-based and non-profit organizations, possible business retention initiatives, City's role in economic development, pursuit of federal stimulus funding for city projects, community organizations ability to meeting growing demand for aid, and clarification of current economic impacts on Irvine residents.

**Moved by Mayor Pro Tempore Agran, seconded by Councilmember Shea, and unanimously carried to:**

**ACTION:**

- 1) Direct the City Manager to transmit a copy of the City staff report entitled "Assessment and Response to Economic and Social Hardship" to the County Board of Supervisors, to CEO Tom Mauk, and to former Supervisor and current State Senator Lou Correa, together with a cover letter expressing City council and community concern about State and County cutbacks in the face of growing social services needs in Irvine and throughout Orange County.
- 2) Direct the Mayor, in consultation with the City Manager and others, to meet with Pat Bates, Chair of the Board of Supervisors, and with Third District Supervisor Bill Campbell and State Senator Lou Correa to:
  - A) urge action, as a top priority, to ensure the continued delivery of the historical level and quality of social services to County residents for the balance of the 2008-2009 Fiscal Year; and
  - B) gain assurances of intent that the Fiscal Year 2009-2010 County Budget will include resources sufficient to meet the growing demand for social services.
- 3) Staff to report back to City Council on progress made.

**4.3 SUSTAINABILITY ANALYSIS OF THE IRVINE ADULT DAY HEALTH CENTER**

Corrinne Schneider-Jones, Manager of Community Health and Human Services and Sandy Litzie, Senior Management Analyst, presented the staff report.

The following individuals spoke in support of developing a viable economic business model for the program:

Joan Dyer, Chair of Irvine Adult Day Health Center Board  
Kimberly Beeson, Executive Director of Irvine Adult Day Health Center

City Council discussion included: clarification of the financial support provided by the City, challenge of increasing medical expenses and lack of service refunds facing the Health Care Center, development of a viable and sustainable operational model, clarification of services provided by the Irvine Adult Day Health Center, and review of possible outside funding sources.

**Moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried to:**

**ACTION:**

- 1) Approve a transfer of up to \$170,000 from the \$3.1 million FY 2007-08 Year-End Surplus (General Fund Balance) to account 01901008094127 for allocation to Irvine Adult Day Health Center. This funding is conditioned on the Irvine Adult Day Health Center replacing the existing unsustainable operation model with a model that ensures long-term viability. The funding is to support operations through August 31, 2009, subject to documentation of need.
- 2) Condition further funding of Irvine Adult Day Health Center operations (i.e., funding beyond the currently-approved level of \$100,000 cash together with in-kind support) on the Center's Board of Directors replacing the existing unsustainable operational model with a model that ensures long-term viability, such as by transitioning operations to another current service provider under a Board-managed contract or as a complete transition to a new agency.
- 3) Direct staff to return to City Council by September 2009 with a status report on progress made.

**END COUNCIL BUSINESS**

**PUBLIC COMMENTS**

There were none.

**ADJOURNMENT**

**Moved by Councilmember Choi, seconded by Councilmember Krom, and  
unanimously carried to adjourn at 8:38 p.m. in memory of Ken Puma.**

  
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MAYOR OF THE CITY OF IRVINE

\_\_\_\_\_  
April 24, 2009

  
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CITY CLERK OF THE CITY OF IRVINE