

MINUTES

IRVINE CITY COUNCIL SPECIAL MEETING

April 26, 2005

CALL TO ORDER

A special meeting of the Irvine City Council was called to order on April 26, 2005 at 3:00 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

*Councilmember Agran and Shea arrived to the meeting at 3:05 p.m.

Also present were Assistant City Manager, Sean Joyce; 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, David Tran.

RECESS

Mayor Krom recessed the meeting to Closed Session at 3:01 p.m.

CLOSED SESSION

1. PUBLIC EMPLOYMENT (Pursuant to Government Code Section 54957)

1.1 CITY MANAGER RECRUITMENT

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

- 2.1** Agency Negotiators: Rick Paikoff, Director of Administrative Services; Jan Walden, Manager of Human Resources; Dave Larsen, Rutan & Tucker
Employee Organizations: Irvine Police Association (IPA); Irvine Police Management Association (IPMA)

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Krom reconvened the meeting to regular session at 4:03 p.m.

City Attorney, Joel Kuperberg announced that the City Council would be recessing to Closed Session after the Scoping Session to continue discussion of items.

SCOPING SESSION

PLANNING AREAS 18, 33, 34, AND 39 GENERAL PLAN AMENDMENT SCOPING SESSION AND PROJECT OVERVIEW (Submitted by Community Development/ Planning Services)

Barry Curtis, Principal Planner, and Brian Fisk, Manager of Planning Services, presented the report. (Exhibit No. 1, PowerPoint presentation on file in the City Clerk's Department.)

City Council discussion included connectivity of trails to the southern open space and the Great Park; confirmation of preservation of open space; clarification that PA 39 will be replaced with residential; impact on schools the potential development will have; clarification whether high-density of residential development will require additional educational facilities; conversion of the use from recreation/commercial to residential; cost of environmental consultants; agreement with School District that students, which are currently estimated at 750 in PA 18 will be attending Quail Hill; traffic studies related to change in use and the EIR; and long-term lease on the amphitheatre.

No action was taken.

RECESS TO CLOSED SESSION (CONTINUED)

Mayor Krom recessed the meeting to Closed Session at 4:34 p.m.

RECONVENE

Mayor Krom reconvened the meeting to regular session at 5:16 p.m.

PLEDGE OF ALLEGIANCE

Mayor Krom introduced the Irvine Police Department Color Guard. The Pledge of Allegiance was led by Director of Public Safety/Chief of Police, Dave Maggard.

MOMENT OF SILENCE

Mayor Krom requested a moment of silence.

MUSICAL PRESENTATION

Mayor Krom introduced Stonecreek Elementary School Second Graders who performed "Hard Knock Life."

PRESENTATIONS

- 1) Mayor Krom introduced and presented a commendation to Lars-Ake Skager, former Lord Mayor of Gothenburg and Chairman of the Aspen Accord.
- 2) Mayor Krom introduced Mary Earl Spencer, President of the Assistance League of Irvine who spoke on the Young Masters Art Exhibit. She introduced Michelle Nie, a 4th grade student who won the "2005 Young Masters Cover Artist," award.
- 3) Mayor Krom introduced Police Officers Walid Abdul-Samad, Frank Caruso, Paul Gooder, Dave Husted, Pat Ryan, Johanna Soto and Ray Velarde who accepted a proclamation on behalf of "National Police Week - May 15-21, 2005."
- 4) Mayor Krom introduced Chief Dave Maggard, Orange County Fire Authority Chief Matt Vadala, UCI Police Chief Al Brown, Nancy Colocino and representatives from Irvine Community Drug Prevention, Community Services staff and High School Youth Action Team who participated in the 2004 Pizza Night Event. Nancy Colocino presented a check in the amount of \$3,000 to the City of Irvine High School Youth Action Team.

INTRODUCTIONS

There were no introductions.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Shea announced the following:

- University High School Drama Department continues it's presentation of Beauty and the Beast on Thursday, April 28 – May 1;
- Congratulate the South Coast Chinese Cultural Association for an outstanding grand opening celebration on Sunday, April 24; and
- David and Thomas Michon, students at Northwood High School, won a \$10,000 scholarship each for their entry in the "Westpoint Academy Bridge Building Contest."

Mayor Pro Tempore Kang made the following announcements, (Exhibit No. 2 on file in the City Clerk's Department):

- Recognized Irvine Animal Care Center for an article written in Japan Pet Care Association. The author, Maki Darr, wrote the article after her pleasant experience in adopting a pet;
- Recognized Eric Tolls, Chief Building Official and Russ Helmick, Supervising Inspector, for providing relocation assistance to the Spectrum to Mr. James Nagle, President – JSM;
- Expressed appreciation to the Public Works Department staff, Marty Bryant, Director of Public Works; Manual Gomez, Deputy Director of Public Works; Ken Louie, City Traffic Engineer; Jim Lizzi, Senior Transportation Engineer; and Michelle Lovenduski Senior Management Analyst; for initiating and hosting the "Irvine Streets and Traffic: Where We Are and Where We Are Going" forum on Wednesday, April 20. He noted the forum would be replayed on ICTV Channel 30;
- Expressed appreciation to Stella Cardoza, Sister Cities Coordinator, who organized the trip to Hermosillo, Mexico, the City's Sister City. He noted the celebration of the 15 year anniversary of the relationship with Hermosillo was very warm and heartfelt; and
- Announced the Irvine Multicultural Association (IMA) and the Korean American Coalition of Orange County (KACOC), will be hosting the IMA's Foreign Film Series on Thursday, April 28, at 6:45 p.m., in the City Council Chamber, located at One Civic Center Plaza.

Councilmember Choi spoke on his recent trip to Hermosillo, Mexico, to celebrate the City's 15 Year Anniversary and relationship with the Sister City. He acknowledged Stella Cardoza for her role in organizing and coordinating the trip.

Mayor Krom made the following announcements (Exhibit No. 3a through 3d on file in the City Clerk's Department):

- Participation by the Public Works Irvine Recycles Team, on Earth Day, 2005, at events including the Woodbridge Village Association Street Faire, and the UCI Earth Day Celebration. She noted that for the second consecutive year, the City of Irvine is teaming up with the South Coast Air Quality Management District for a one day lawn mower exchange on Saturday, June 4, 2005, at the Lakeview Senior Center parking lot to promote the use of non-polluting electric mowers;
- On Saturday, April 30, from 8:00 a.m. – 12:00 p.m., the City, Irvine Unified School District, UCI, Families Forward, Irvine Community Drug Prevention Coalition and Partners in the Irvine Prevention Coalition will host the annual Irvine Family Fun Faire;
- Announced that Irvine will be conducting it's second annual photo contest, "Only in Irvine Photo Contest. She noted amateur photographers of all ages are invited to participate and the deadline for submissions is May 31, 2005;
- Announced the City's ribbon cutting ceremony to launch it's new online Inspection Scheduling System on Thursday, May 5, at 10:00 a.m. in the Community Development Department lobby;
- Announced the 15th Annual Young Masters Art Show, sponsored by the Assistance League of Irvine and the Irvine Unified School District, will be on display in the lobby of City Hall on May 7, and will begin airing on ICTV Channel 30, Sunday, May 2; and
- The City is hosting a Family Friendly Business forum Thursday, May 5, from 8:30 a.m. until 11:00 a.m. at the Irvine Civic Center. Forum topic will be "How Time-Flexible Work Policies Can Reduce Stress, Improve Health, and Save Money.

ADDITIONS AND DELETIONS

There were no additions or deletions.

RECESS

Mayor Krom recessed to the Irvine Redevelopment Agency meeting at 6:11 p.m.

CONVENE TO THE IRVINE REDEVELOPMENT AGENCY MEETING

Please see Irvine Redevelopment Agency Minutes.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Krom reconvened the meeting to regular session at 6:26 p.m.

CONSENT CALENDAR

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

5.6 APPROVE CONVEYANCE OF VARIOUS EASEMENTS AND A JOINT USE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY, SOUTHERN CALIFORNIA GAS COMPANY, AND KINDER-MORGAN (SFPP, L.P.), TO ACCOMMODATE RELOCATION OF UTILITY LINES FOR THE JEFFREY ROAD GRADE SEPARATION AND ROADWAY WIDENING PROJECT

***7.2 *WARRANT AND WIRE TRANSFER RESOLUTION – BANK OF AMERICA**

*Mayor Agran requested his vote on Item No. 7.2, Warrant and Wire Transfer Resolution – Bank of America, be recorded as an abstention due to a potential conflict of interest. Please see page 11.

8.1 LETTER OF SUPPORT FOR SENATE BILL 1

ACTION: It was moved by Councilmember Choi, seconded by Councilmember Shea, and unanimously carried to approve Consent Calendar Item Nos. 1 through 8.1, with the exception of Item as noted above.

PUBLIC COMMENTS

Please see page 11 for public comment on Item No. 8.1, Letter Of Support For Senate Bill 1.

3. CITY COUNCIL MINUTES

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

ACTION: Approved the minutes of a regular meeting of the City Council held on April 12, 2005.

4. PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS

4.1 PROCLAIMED THE FOLLOWING:

- a) ALS Awareness Month - May 2005
- b) Cure Children's Cancer Month - May 2005 and 7th Annual "Reaching for the Cure" 10K Run/5K Walk - May 15, 2005
- c) National Mental Health Month - May 2005
- d) National Police Week - May 15-May 21, 2005 and Peace Officers' Memorial Day - May 15, 2005

4.2 RATIFIED THE FOLLOWING:

- a) National Youth Service Days - April 15-17, 2005

5. AGREEMENTS

5.1 APPROVAL OF MAP, BONDS, AND AGREEMENTS FOR TRACT MAP NO. 16580 (ALL OF TENTATIVE TRACT MAP NO. 16580, PLANNING AREA 38, WESTPARK II) (Submitted by Public Works/Development Engineering)

ACTION:

- 1) Approved Tract Map No. 16580.
- 2) Approved the agreements and accepted the security from Tustin Vistas Partners, LLC, guaranteeing improvements for Tract Map No. 16580.
- 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 Map No. 16580 for the following street right-of-way: Sweet Shade.
- 5) Accepted the dedication of an easement for emergency and public service vehicular ingress-egress as shown on the map.

- 6) Accepted the dedication of storm drain easements as shown on the map.
- 7) Adopted a resolution entitled: **RESOLUTION NO. 05-38 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE STREET NAMED SWEET SHADE, WITHIN TRACT MAP NO. 16580 INTO THE SYSTEM OF CITY STREETS**

5.2 APPROVAL OF BOND AND AGREEMENT FOR CONDITIONAL USE PERMIT NO. 352083-PCPU FOR THE MODIFICATION OF PHASE TWO OF THE KAISER PERMANENTE MEDICAL CENTER (PLANNING AREA 13, IRVINE SPECTRUM 4) (Submitted by Public Works/Development Engineering)

ACTION:

- 1) Approved the site improvement agreement to allow the construction of private streets and storm drain lines and accept the security from Kaiser Foundation Health Plans guaranteeing improvements for Conditional Use Permit No. 352083-PCPU.
- 2) Authorized the Mayor to sign the agreement and the City Clerk to attest to the agreement subject to City Attorney approval as to form.

5.3 REIMBURSEMENT AGREEMENT WITH TUSTIN VISTAS PARTNERS, LLC FOR PROPOSED COMMUNITY FACILITIES DISTRICT NO. 2005-2 (COLUMBUS GROVE) (Submitted by Administrative Services/Fiscal Services)

ACTION:

- 1) **CONTRACT NO. 4997** - Authorized the City Manager to execute a Reimbursement Agreement and the City Clerk to attest to the agreement subject to City Attorney approval as to form with Tustin Vistas Partners, LLC for costs associated with proposed Community Facilities District No. 2005-2 (Columbus Grove).
- 2) Approved a budget adjustment in the amount of \$50,000 pursuant to the Reimbursement Agreement between the City of Irvine and Tustin Vistas Partners, LLC.

5.4 800 MHZ COUNTYWIDE COORDINATED COMMUNICATIONS SYSTEM JOINT AGREEMENT (Submitted by Public Safety/Administration)

ACTION: CONTRACT NO. 4998 - Approved the terms of the Joint Agreement for the Operation, Maintenance, and Financial Management of the Orange County 800 MHz Countywide Coordinated Communications System and authorized the Mayor to execute and the City Clerk to attest the Joint Agreement, subject to the City Attorney approval as to form.

5.5 APPROVE GRANT OF EASEMENT TO THE COUNTY OF ORANGE FOR RIDING AND HIKING TRAIL PURPOSES ALONG THE EASTERN TRANSPORTATION CORRIDOR (SR 261) BETWEEN IRVINE BOULEVARD AND BRYAN AVENUE (PLANNING AREA 4, LOWER PETERS CANYON) (Submitted by Public Works/Development Engineering)

ACTION: DEED NO. 993 - Authorized the Mayor to execute and the City Clerk to attest an Easement Deed to the County of Orange for riding and hiking trail purposes, subject to approval of the City Attorney as to form.

5.6 APPROVE CONVEYANCE OF VARIOUS EASEMENTS AND A JOINT USE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY, SOUTHERN CALIFORNIA GAS COMPANY, AND KINDER-MORGAN (SFPP, L.P.), TO ACCOMMODATE RELOCATION OF UTILITY LINES FOR THE JEFFREY ROAD GRADE SEPARATION AND ROADWAY WIDENING PROJECT (Submitted by Public Works/Development Engineering)

This item was removed from the Consent Calendar at the request of Councilmember Choi who had questions relative to relocation of power lines to the underground during the street widening project and associated costs, to which Mark Carroll, City Engineer, responded.

City Council discussion included difference between power lines that can be relocated underground vs. those maintained above ground.

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

- 1) **CONTRACT NO. 5002** - Approve Southern California Edison Company Joint Use Agreement No. 66097A, and authorize the Mayor to execute and the City Clerk to attest the agreement, subject to the City Attorney approval as to form.

- 2) **DEED NO. 994** - Approve Southern California Edison Company Anchor Easement No. 65946A, and authorize the Mayor to execute and the City Clerk to attest the easement, subject to the City Attorney approval as to form.
- 3) **DEED NO. 995** - Approve Assignment and Assumption of Easements to Southern California Gas Company, and authorize the Mayor to execute and the City Clerk to attest the easement, subject to the City Attorney approval as to form.
- 4) **DEED NO. 996** - Approve Assignment and Assumption of Easement to SFPP, L.P., and authorize the Mayor to execute and the City Clerk to attest the easement, subject to the City Attorney approval as to form.

5.7 ACCEPT AN EASEMENT AND APPROVE A RESOLUTION FOR A PUBLIC STREET AND PUBLIC UTILITY PURPOSES WITHIN TRACT MAP NO. 16676 (PLANNING AREA 9A, WOODBURY) (Submitted by Public Works/Development Engineering)

ACTION:

- 1) Accepted the dedication of an easement for public street and public utility purposes within Tract Map No. 16676 for the following street right-of-way: Pink Sage.
- 2) Adopted a Resolution entitled: **RESOLUTION NO. 05-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE STREET NAMED PINK SAGE, WITHIN TRACT MAP NO. 16676 INTO THE SYSTEM OF CITY STREETS**

6. ALLOCATION OF FUNDS

6.1 JUSTICE ASSISTANCE GRANT (Submitted by Public Safety/Administration)

ACTION:

- 1) Accepted a Justice Assistance Grant award in the amount of \$11,341.
- 2) Approved a budget adjustment request in the amount of \$14,065, authorizing appropriation of grant funds and related City matching funds in the amount of \$2,724.

7. RESOLUTIONS

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

ACTION: Adopted a Resolution entitled: **RESOLUTION NO. 05-40 - 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.**

7.2 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: Adopted a Resolution entitled: **RESOLUTION NO. 05-41 - 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.**

8. LEGISLATIVE ISSUES

8.1 LETTER OF SUPPORT FOR SENATE BILL 1 (Submitted by City Manager's Office/Legislative Program)

Dan Jung, Director of Strategic Programs, presented the staff report.

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

Sarah Hill, District Representative, Senator John Campbell;
Aaron Thompson, Irvine resident (Exhibit Nos. 4a and 4b on file in the City Clerk's Department); and
Elaine Booth, Irvine resident.

City Council discussion included California Public Interest Research Group (CALPIRG) compiling information and returning to the City Council at a future date with information on what the City can do to improve environmental and economic performance efficiently.

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

Authorize the Mayor to send a letter supporting Senate Bill 1 (Campbell/Murray)

END OF CONSENT CALENDAR

ORDINANCES

9. FIRST READING OF ORDINANCES

9.1 FIRST READING OF ORDINANCE: ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CREATING SECTION 5-9-601 THROUGH 5-9-606 OF THE IRVINE MUNICIPAL CODE, REGARDING PUBLIC SAFETY RADIO SYSTEM COVERAGE (Submitted by Public Safety/Administration)

Jeff Love, Police Lieutenant – Irvine Police Department, presented the staff report. (PowerPoint presentation and Exhibit No. 5 available by viewing the video of City Council meeting.)

City Council discussion included compatibility of proposed system with future technology; clarification whether technology exists that can block radio frequency; concern with costs associated to developer to install proposed radio system coverage; how radio frequency is distributed through buildings; clarification of involvement of an FCC technician in the process; procedure to dispatch if a “dead” spot in transmission is encountered; statistics on number of accidents due to break down of communication; applies to newly constructed buildings; whether procedures are in place to work with existing building owners to retrofit with the proposed radio system coverage; whether additional funding opportunities from state or federal government exist; and whether meetings have been conducted with Irvine building owners to educate them on the proposed ordinance.

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

Introduce for first reading and read by title only an ordinance entitled: **ORDINANCE NO. 05-09 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CREATING SECTION 5-9-601 THROUGH 5-9-606 OF THE IRVINE MUNICIPAL CODE, REGARDING PUBLIC SAFETY RADIO SYSTEM COVERAGE**

PUBLIC COMMENTS

Virginia Read, Irvine resident, spoke on hiring procedures.

10. SECOND READING OF ORDINANCES

10.1 SECOND READING OF ORDINANCE: REVISION TO THE FREE SPEECH RIGHTS CODE (Submitted by the City Clerk's Department)

City Council discussion included request that a task force be formed to educate business owners on the proposed ordinance; concern that the formation of a task force will exacerbate the need to conduct meetings to educate the public on future ordinances adopted by the City Council; necessity to ensure compliance with the proposed ordinance; forms of public outreach; and importance of forwarding a letter to businesses in the community and the Chamber of Commerce which explains the intent of the proposed ordinance.

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

Adopt and read by title only, an ordinance entitled: **ORDINANCE NO. 05-08 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING CHAPTER 6 OF DIVISION 14 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE RELATING TO FREE SPEECH RIGHTS**

PUBLIC HEARINGS

11. PUBLIC HEARING: ASSESSMENT DISTRICT NO. 04-20 (PORTOLA SPRINGS), PLANNING AREA 6 (Submitted by Public Works / Development Engineering)

Mayor Krom opened the public hearing at 7:32 p.m.

Shawn Thompson, Senior Civil Engineer, presented the staff report.

City Council discussion included clarification of the exclusion of Lambert Ranch from the assessment; clarification that the City will be able to determine the benefit from the improvements to Lambert Ranch and reassess them at a later date; and clarification that the bonds issued are separate from the Irvine Unified School District.

ACTION: At 7:34 p.m., it was moved by Councilmember Shea, seconded by Mayor Krom, and unanimously carried to close the public hearing.

Mayor Krom requested the City Clerk announce the ballot results.

City Clerk, Jeri Stately, announced one Assessment Ballot had been received and the vote was affirmative. (Exhibit No. 6 on file in the City Clerk's Department.)

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

- 1) Adopt a Resolution entitled: **RESOLUTION NO. 05-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CONFIRMING THE ASSESSMENTS IN ASSESSMENT DISTRICT NO. 04-20 (PORTOLA SPRINGS), PLANNING AREA 6, ORDERING THE PROPOSED IMPROVEMENTS AND ACQUISITIONS TO BE MADE, AND DESIGNATING THE CITY TREASURER TO COLLECT AND RECEIVE MONEY**
- 2) Receive and file
 - a. City Clerk's declaration of mailing notice and ballot.
 - b. Property owners' waivers of the cash collection period.
 - c. The Treasurer's list of unpaid assessments.
- 3) Adopt a Resolution entitled: **RESOLUTION NO. 05-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DETERMINING UNPAID ASSESSMENTS IN ASSESSMENT DISTRICT NO. 04-20 (PORTOLA SPRINGS), PLANNING AREA 6, AND THE MANNER OF PAYMENT THEREOF AND LISTING BONDS ISSUED ON THE SECURITY THEREOF**
- 4) Adopt a Resolution entitled: **RESOLUTION NO. 05-44 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, AUTHORIZING THE ISSUANCE OF IRVINE ASSESSMENT DISTRICT NO. 04-20 LIMITED OBLIGATION IMPROVEMENT BONDS, ADJUSTABLE RATE SERIES A, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A REIMBURSEMENT AGREEMENT, A BOND PURCHASE AGREEMENT, A REMARKETING AGREEMENT AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO**

12. PUBLIC HEARING: IRVINE BUSINESS COMPLEX FEE UPDATE REPORT (Submitted by Public Works/Transportation Development)

Mayor Krom opened the public hearing at 7:40 p.m.

Marty Bryant, Director of Public Works presented the staff report. Also present were Jon Toolson, Project Development Administrator; and Timor Rafiq, Fafiq and Associates. (PowerPoint Exhibit No. 7 on file in the City Clerk's Department.)

City Council discussion included clarification that fees are only applicable to new development and expanding existing development; clarification of a "current project"; clarification that the proposed fee adjustment is due to the increase in construction costs and land values and based upon the Construction Cost Index; appropriateness of including an annual increase; and the need for clarity in the final resolution regarding fees.

The following individuals spoke on this item:

W.A. Desmond, suggested re-evaluation of land speculators contribution and peak hour fees.

Steve Zuckerman, representing a developer in Jamboree Park, spoke in support of the proposed fee program.

ACTION: At 8:18 p.m., it was moved by Councilmember Choi, seconded by Mayor Krom, and unanimously carried to close the public hearing.

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

- 1) Adopt a resolution entitled: **RESOLUTION NO. 05-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING ADJUSTMENTS TO THE IRVINE BUSINESS COMPLEX (IBC) DEVELOPMENT FEE PROGRAM**
- 2) Direct staff to return to the City Council with zone change to facilitate automatic, annual updates of the IBC fees within 120 days.

13. PUBLIC HEARING: CONSIDERATION OF HUD-REQUIRED CONSOLIDATED PLAN FOR THE USE OF HUD FUNDS FOR FISCAL YEARS 2005-2009 (Submitted by Community Development/Planning Services)

Mayor Krom opened the public hearing at 8:20 p.m.

Cynthia Ricks-Maccotan, Grants Coordinator; presented the staff report. Also present were Barry Curtis, Principal Planner; and Brian Fisk, Manager of Planning Services. (PowerPoint Exhibit No. 8 on file in the City Clerk's Department.)

City Council discussion included clarification that the funding for American Dream Downpayment Initiative, is based upon a formula from HUD; clarification that funding for Emergency Shelter Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA), is completed through a competitive application process.

ACTION: At 8:25 p.m., it was moved by Councilmember Shea, seconded by Mayor Pro Tempore Kang, and unanimously carried to:

Continue the public hearing to the City Council meeting of May 10, 2005.

COUNCIL BUSINESS

14. REPORTS

14.1 CITIZEN SATISFACTION SURVEY PROGRAM (Submitted by City Manager's Office/Public Information Office)

Sean Joyce, Assistant City Manager, presented the staff report.

Dr. Timothy McLarney, President, True North Research, Inc. gave a PowerPoint presentation on the proposed survey. (PowerPoint Exhibit No. 9 on file in the City Clerk's Department)

City Council discussion included ensuring the validity of the survey; structure of questions contained in survey; maintaining integrity of questions contained in survey; clarification of random 500 phone numbers dialed; and general response rate of annual surveys.

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

- 1) Direct staff to negotiate a contract with True North Research, Inc., to design and conduct annual citizen survey and dynamic web survey offering Irvine resident's enhanced opportunity to provide feedback on a wide variety of issues of importance.
- 2) Direct the Assistant City Manager to work with the consultant to develop a process, for City Council review when approval of contract is brought back, by which survey questions will be selected for inclusion in the dynamic survey.

ADJOURNMENT

It was moved by Councilmember Choi, seconded by Mayor Pro Tempore Kang, and unanimously carried to adjourn the meeting at 9:35 p.m., to a CITY COUNCIL REGULAR meeting, May 10, 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

May 10, 2005
DATE APPROVED