

**MINUTES OF A
REGULAR MEETING
OF THE
IRVINE CITY COUNCIL
March 28, 2006**

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order on March 28, 2006 at 4:01 p.m., in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California, by Mayor Krom, presiding officer.

ROLL CALL

PRESENT:	3	COUNCILMEMBER:	Steven Choi
		MAYOR PRO TEM:	Sukhee Kang
		MAYOR:	Beth Krom
ABSENT:	2	COUNCILMEMBER:	Christina Shea
		COUNCILMEMBER	Larry Agran*

*Councilmember Agran was noted present at 4:02 p.m.

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, Susan Dahlgren; and Irvine Police Officer, Michael Tu, Sgt. At Arms.

CLOSED SESSION – Council met in Closed Session in Conference Room L-103 at 4:02 p.m.

- 1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to Government Code Section 54956.9(b) One Case**

RECESS

Mayor Krom declared a recess at 4:20 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Krom reconvened the meeting to regular session at 5:05 p.m.

REPORT ON CLOSED SESSION

City Attorney, Phil Kohn, reported that no action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Krom introduced Irvine resident Captain Christian Werthmuller, Commander of the 163rd Ordnance Company of the United States Army Reserve, who led The Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Krom asked for a moment of silence in memory of B.J. Lusk, former Community Services Commissioner and long-time resident and active citizen of Irvine, and requested that the City Council meeting be adjourned in her memory.

MUSICAL PRESENTATION

Mayor Krom introduced guitarist Payam Larijani who performed "A Minor Invention" by J.S. Bach followed by an original song entitled, "Play the Game."

PRESENTATIONS AND PROCLAMATIONS

2. Family Friendly Business Awards

Mayor Krom introduced and presented plaques to the following winners of the Family Friendly Business Awards:

Small Business Winner – Celtic Leasing Corporation and Mark Campbell, Senior Vice President

Medium-Sized Business Winner – Standard Pacific Homes and Todd Palmaer, Orange County Division President and Matt Wheelwright, Project Manager

Large Business Winner – Taco Bell Corporation and Connie Colao, Chief People Officer

3. Disability Friendly Business Award for 2005

Mayor Krom introduced and presented plaques to the following winners of the 2005 Disability Friendly Business Awards:

Orange County Fire Authority - Fire Chief Chip Prather; and employees Tom Christian, Tim Johnson, Jeanine Latshaw, Kevin Yonker, and job coach Tracy Haysom.

Albertson's Store #6507 – Francesca Juarez, member of the Irvine Residents with Disabilities Advisory Board, accepted the award for Albertsons.

4. Special Military Awards Event to Honor the City of Irvine and its Citizens

Mayor Krom introduced Brad White, National Chairman of Yellow Ribbon America, and members of the California National Guard who presented awards for support of California's military and their families to:

The City of Irvine

Real Estate Partners, Inc.
Tuttle Click Automotive Group
Robert Tuttle, United States Ambassador to the United Kingdom
United States Representative John Campbell, 48th Congressional District
California State Assemblyman Chuck DeVore, 70th Assembly District
Ms. Gabrielle Avedian, "Outstanding Citizen Award"
The Orange County Association of Realtors, "Operation Christmas for our Troops"

Captain Noland Flores, and Sergeant First Class Jesus Munoz, presented the Mayor and each Councilmember with individual awards for their support of the military and their families.

5. Red Ribbon Pizza Fundraiser Check Presentation to the City of Irvine Youth Action Team

Mayor Krom introduced Debra Bianchi and Nancy Colocina of Irvine Community Drug Prevention; Irvine Police Chief Dave Maggard; Community Services Director John McAllister; Fire Chief Matt Valada; UCI Police Chief Paul Hennisey; IVC Police Chief Owen Dreza; Kay Kearney from Doctors Ambulance; and representatives from the High School Youth Action Team.

Nancy Colocina presented the Youth Action Team with a check for the monies raised from their annual Pizza Night to be used to promote their upcoming Teen Summit.

6. Presentation of a proclamation entitled, "Honoring Cesar Chavez"

Mayor Krom introduced Bill Ford and Bette Weinberg, members of the Volunteer Center of Orange County and presented them with a proclamation entitled "Honoring Cesar Chavez."

7. Presentation of proclamation entitled, "April 2 - 8, 2006 - Week of the Young Child"

Mayor Krom introduced Sandy Klein, member of the Irvine Child Care Committee, and presented her with a proclamation for the Week of the Young Child.

INTRODUCTIONS

There were no introductions.

CITY MANAGER'S REPORT

City Manager Sean Joyce announced that the City would be holding a two-day Electronic Waste Recycling Collection Event on April 7 and 8 from 8:30 a.m. to 2:30 p.m. at the Irvine Civic Center.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

There were no announcements.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

CONSENT CALENDAR

The following item was removed from the Consent Calendar for separate discussion and action:

9.5 HARDSCAPE RECYCLING AGREEMENT

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. 8.1 through 12.5, with the exception of item as noted above.

8. CITY COUNCIL MINUTES

8.1 APPROVAL OF CITY COUNCIL MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the City Council held on March 14, 2006.
- 2) Approved the minutes of a regular meeting of the City Council held on March 14, 2006.

9. AGREEMENTS

9.1 APPROVAL OF MAP, BONDS, AND AGREEMENTS, FOR PARCEL MAP NO. 2004-143 (PLANNING AREA 31, IRVINE MEDICAL AND SCIENCE COMPLEX II)

ACTION:

- 1) Approved Parcel Map No. 2004-143;
- 2) Approved the agreements and accept the security from The Irvine Company, guaranteeing improvements for Parcel Map No. 2004-143;
- 3) Accepted the dedication of an easement for public street and public utility purposes within Parcel Map No. 2004-143 for the following street right-of-way: Endeavor;
- 4) Adopted a resolution entitled: RESOLUTION NO. 06-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE

ACCEPTING THE STREET NAMED ENDEAVOR, WITHIN PARCEL MAP NO. 2004-143 INTO THE SYSTEM OF CITY STREETS.

9.2 APPROVAL OF MAP, BOND, AND AGREEMENT, FOR TRACT MAP NO. 16953 (PLANNING AREA 6, PORTOLA SPRINGS)

ACTION:

- 1) Approved Tract Map No. 16953;
- 2) Approved the agreement and accept the cash bond security from Taylor Woodrow Homes, Inc., guaranteeing survey monumentation for Tract Map No. 16953;
- 3) Accepted the dedication of an easement for emergency access and public service vehicle ingress and egress purposes as shown on the map.

9.3 AMENDMENT NO. 1 TO AGREEMENT NO. D03-014, PETERS CANYON CHANNEL TRAIL IMPROVEMENTS, ADJACENT TO COLONEL BILL BARBER PARK (PLANNING AREAS 14 AND 38)

ACTION:

- 1) **CONTRACT NO. 4477A** - Authorized the Mayor to sign, and the City Clerk to attest to Amendment No. 1 to Agreement No. D03-014, Peters Canyon Channel Bikeway and Riding and Hiking Trail Improvements, subject to City Attorney approval as to form;
- 2) Approved the Budget Adjustment appropriating additional funds pursuant to Amendment No. 1 to the Agreement.

9.4 AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT D99-128 TO FUND TOTAL MAXIMUM DAILY LOAD STUDIES IN THE NEWPORT BAY WATERSHED

ACTION: CONTRACT NO. 4562A - Authorized the Mayor to sign and the City Clerk to attest to Amendment No. 1 to Cooperative Agreement D99-128 to fund Total Maximum Daily Load (TMDL) Studies in The Newport Bay Watershed, subject to City Attorney approval as to form.

9.5 HARDSCAPE RECYCLING AGREEMENT

This item was removed from the Consent Calendar by Councilmember Choi who asked for clarification and information on cost and procedures including noise and dust impact, to which Glen Worthington, Great Park Manager of Planning, responded.

ACTION: It was moved by Councilmember Choi, seconded by Mayor Pro Tempore Kang, and unanimously carried by those members present to: Authorize the City Manager to enter into a Hardscape Recycling Agreement to have Heritage Fields El Toro LLC administer and control the removal and recycling of hardscape from the base property.

10. PROJECTS - BIDS AND SPECIFICATIONS

10.1 CAMPUS DRIVE REHABILITATION FROM CULVER DRIVE TO TURTLE ROCK DRIVE - APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS – CIP 315050

ACTION: Approved the plans, specifications, and contract documents for Campus Drive Rehabilitation from Culver Drive to Turtle Rock Drive, CIP 315050.

11. REPORTS

11.1 TREASURER'S REPORT FOR THE QUARTER ENDED DECEMBER 31, 2005

ACTION: Received and filed the Treasurer's Report for the Quarter Ended December 31, 2005.

12. RESOLUTIONS

12.1 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted a resolution entitled: RESOLUTION NO. 06-30- 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.

12.2 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. 06-31- 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.

12.3 RESOLUTION OF INTENTION, CASH ADVANCE AGREEMENT, PRELIMINARY ENGINEER'S REPORT, AND PUBLIC HEARING FOR ASSESSMENT DISTRICT NO. 05-21 (PLANNING AREA 1, ORCHARD HILLS)

ACTION:

- 1) Adopted a resolution entitled: RESOLUTION NO.-6-32 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING ITS INTENTION TO ORDER THE CONSTRUCTION AND ACQUISITION OF CERTAIN IMPROVEMENTS IN PROPOSED ASSESSMENT DISTRICT NO. 05-21;
- 2) **CONTRACT NO. 5221** - Authorized the Mayor to sign, and the City Clerk to attest to the Cash Advance Agreement for improvements in Assessment District No. 05-21 between the City of Irvine and The Irvine Company, subject to the City Attorney's approval as to form;
- 3) Adopted a resolution entitled: RESOLUTION NO. 06-33 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE PRELIMINARILY ADOPTING, CONFIRMING, AND APPROVING ENGINEER'S REPORT FOR PROPOSED ASSESSMENT DISTRICT NO. 05-21 AND APPOINTING TIME AND PLACE FOR HEARING PROTEST TO PROPOSED IMPROVEMENTS.

12.4 AUTHORIZE AN APPLICATION FOR STATE BEGIN FUNDS

ACTION: Adopted a resolution entitled: RESOLUTION NO. 06-34 - 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 BUILDING EQUITY AND GROWTH IN NEIGHBORHOODS (BEGIN) PROGRAM FOR A FIRST-TIME HOMEBUYER, DOWN PAYMENT ASSISTANCE PROGRAM AT A 62-UNIT AFFORDABLE HOUSING COMMUNITY KNOWN AS TRIBECA FLATS AT CENTRAL PARK.

12.5 CITY OF IRVINE INVESTMENT POLICY FOR CALENDAR YEAR 2006

ACTION: Adopted a resolution entitled: RESOLUTION NO. 06-35 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE CITY'S ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2006.

END OF CONSENT CALENDAR

COUNCIL BUSINESS

13. REPORTS

13.1 CITY OF IRVINE EDUCATIONAL PARTNERSHIP FUND SCHEDULE AND PROCESS

Ray Silver, Executive Consultant; Libby Cowan, Community Services Manager; and Sheila Driscoll, Community Services Superintendent; presented a PowerPoint presentation and answered Council questions.

Council discussion included appreciation to staff for putting together the program; clarification on the necessity for partnership agreements with the school district for receipt of funds; the application process; and concern with the time-frame for submission of applications.

ACTION: It was moved by Mayor Pro Tempore Kang, seconded by Councilmember Agran, and unanimously carried by those members present to: Approve the schedule and process for the City of Irvine Educational Partnership Fund Program.

13.2 DELEGATION TO IRVINE SISTER CITY TAOYUAN, TAIWAN

Valerie Larenne, Community Partnership Administrator, presented staff report and answered Council questions.

Council discussion included availability of Councilmembers to travel to Taoyuan at this time.

ACTION: It was moved by Councilmember Agran, seconded by Councilmember Choi, and unanimously carried by those members present to: Authorize the City Manager, in consultation with the Mayor, to designate two Councilmembers to travel to Taoyuan, Taiwan.

13.3 COUNCIL APPOINTMENTS TO A PLANNING AREAS 18, 33 (LOT 109), 34, AND 39 DEVELOPMENT AGREEMENT COMMITTEE

Tina Christiansen, Director of Community Development, and Brian Fisk, Manager of Planning Services, presented the staff report and answered Council questions.

ACTION: It was moved by Mayor Krom, seconded by Councilmember Agran, and unanimously carried by those members present to: Appoint Councilmember Agran and Mayor Pro

Tempore Kang as representatives to Planning Areas 18, 33 (Lot 109), 34, and 39 Development Agreement Committee.

PUBLIC COMMENTS


There were no public comments.

ADJOURNMENT

It was moved by Councilmember Agran, seconded by Mayor Pro Tempore Kang, and unanimously carried by those members present to adjourn the meeting at 7:13 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

April 11, 2006
DATE APPROVED