



CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 4:05 p.m. on March 23, 2010, 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

*Councilmember Shea arrived at 5:12 p.m.

CONVENE TO THE IRVINE REDEVELOPMENT AGENCY MEETING – 4:06 p.m.

RECONVENE TO THE CITY COUNCIL MEETING – 4:08 p.m.

The Consent Calendar was considered at this time. See page 4.

RECESS

Mayor Kang called a recess at 4:18 p.m.

RECONVENE

Mayor Kang reconvened the City Council meeting at 5:02 p.m. Councilmember Shea arrived at 5:12 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 the men and women who have honorably served in the Armed Forces, protecting our freedom.

MUSICAL PRESENTATION

Mayor Kang introduced the Irvine Unified School District Elementary School Honor Chorus, who performed the "Star Spangled Banner" and "Grand Ole Flag."

1. PRESENTATIONS

1.1 Proclaim April 18, 2010 as "Jason Lezak Day"

The Mayor introduced Olympic Champion and Irvine resident Jason Lezak and proclaimed April 18, 2010 as "Jason Lezak Day" in the City of Irvine in recognition of his induction into the National Jewish Sports Hall of Fame.

1.2 Mother's Against Drunk Driving "Deuce Awards"

Mayor Kang introduced Larry Seja from the Tustin Police Department, who presented MADD's "Deuce Awards" to the following Irvine police officers who have made 25 to 99 DUI arrests during 2009:

- Michael Wong
- Garrett Gales
- Tanya Ayalde
- Gavin Hudson
- Shaheen Jahangard

1.3 Commend National Charity League, Inc. for 30 Years of Service to Irvine Meals on Wheels

Mayor Kang introduced boardmembers and representatives from Irvine Meals on Wheels, supported by the Irvine Chapter of the National Charity League; and presented them with a commendation for 30 years of service to the senior community.

1.4 Proclaim March 21, 2010 as "Persian New Year"

Mayor Kang introduced members of the Persian New Year Committee and other community members, and presented a proclamation recognizing March 21, 2010 as commencement of the "Norooz" Persian New Year.

Ralph Shapiro; Professor Touraj Daryaei from UCI, Center of Persian Study; and Dr. Ardeshir Babaknia, spoke about the importance and significance of "Norooz" Persian New Year.

INTRODUCTIONS

There were none.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Kang made the following announcements:

- The Orange County Great Park, in partnership with Chess Palace, will host the Southern California Super State Chess Championship from March 26-28 at the Great Park. For information, visit www.ocgp.org.
- The City of Irvine has partnered with the U.S. Census Bureau to support the 2010 Census and the effort to achieve a complete and accurate count of Irvine's growing population. Questionnaires began arriving in homes last week and should be completed by April 15, 2010. For information, visit www.cityofirvine.org or www.2010census.gov.
- The City of Irvine is offering tax preparation services at no cost for taxpayers who earned less than \$58,000 in 2009. Assistance is available Monday through Thursday from 4 to 6 p.m. at the Orange County One Stop Center in Irvine; and Lakeview Senior Center from 9 a.m. to noon on Saturdays. For information, call (888) 434-8248.
- On Saturday, March 20, nearly 100 residents gathered for the opening of the Quail Hill Trail Connector. The opening connects the Irvine Open Space Preserve to the Laguna Coast Wilderness Park and Crystal Cove State Park trail systems. For information on Irvine open space, visit www.irvineranchconservancy.org.

- Governor Schwarzenegger signed legislation (Assembly Bill x8 11) allowing the California Transportation Commission to authorize \$140 million in agreements with local transportation agencies to seek state reimbursement later for projects they jumpstart today. The passage of the bill will help the City of Irvine with the Sand Canyon Grade Separation project. The bill was sponsored by Assemblyman Jose Solorio and Senators Lou Correa and Bob Huff.

ADDITIONS AND DELETIONS

There were none.

2. CONSENT CALENDAR

Consent Calendar Items consisted of Item Nos. 2.1 through 2.11.

ACTION: Moved by Councilmember Choi, seconded by Councilmember Krom, to approve Consent Calendar Items 2.1 through 2.11, with the exception of Item No. 2.10, which was removed for separate discussion.

The motion carried as follows:

AYES:	4	COUNCILMEMBERS:	Agran, Choi, Krom and Kang
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Shea

2.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on March 9, 2010.

2.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 10-27 - 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

2.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION:

Adopted RESOLUTION NO. 10-28 - 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.

2.4 WARRANT AND WIRE TRANSFER RESOLUTION – BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO.10-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ALLOWING CERTAIN CLAIMS AND DEMANDS OF BANK OF AMERICA AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

Mayor Pro Tempore Agran abstained.

2.5 TREASURER'S REPORT FOR THE QUARTER ENDED DECEMBER 31, 2009

ACTION:

Received and filed.

2.6 THE RANCH NEIGHBORHOOD STREET REHABILITATION PROJECT, CIP 310040

ACTION:

Approved the specifications and contract documents for The Ranch Neighborhood Street Rehabilitation Project , Capital Improvement Project (CIP) 310040, on file with the Public Works Department.

2.7 FISCAL YEAR 2010-11 TRANSPORTATION PLANNING GRANTS

ACTION:

Adopted RESOLUTION NO.10-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GRANT APPLICATIONS FOR FISCAL YEAR 2010-11 TRANSPORTATION PLANNING GRANT PROGRAM

2.8 TRANSFER OF IRVINE STATION WATER AND SEWER FACILITIES TO IRVINE RANCH WATER DISTRICT

ACTION:

Authorized the Mayor to execute the Bills of Sale for sewer and water facilities located at Irvine Station.

2.9 SAND CANYON GRADE SEPARATION FUNDING AGREEMENT

ACTION:

- 1) Approved the Sand Canyon Grade Separation Funding Term Sheet agreement between the City of Irvine and the Orange County Transportation Authority.
- 2) Authorized the City Manager to jointly submit the Sand Canyon Grade Separation Project with the Orange County Transportation Authority to the California Transportation Commission for approval and allocation.
- 3) Authorized the City Manager to execute a cooperative agreement between the City of Irvine and the Orange County Transportation Authority for implementation of the Funding Term Sheet agreement.

2.10 ORDINANCE NO. 10-02, ORDINANCE ADDING CHAPTER 7 TO TITLE 4, DIVISION 11 OF THE IRVINE MUNICIPAL CODE TO ESTABLISH REGULATIONS RELATING TO SHOPPING CARTS

This item was removed by Councilmember Choi for separate discussion, who expressed concern that store owners would be required to patrol and retrieve carts within a two-mile radius as opposed to a one-mile radius.

City Council discussion included: collaboration between store owners to enter into a single contract with one vendor to collect all abandoned shopping carts; and the requirement for another first reading if amendments are made to the ordinance.

ACTION: Moved by Councilmember Krom, seconded by Mayor Pro Tempore Agran, to:

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 10-02 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADDING CHAPTER 7 TO TITLE 4, DIVISION 11 OF THE IRVINE MUNICIPAL CODE TO ESTABLISH REGULATIONS RELATING TO SHOPPING CARTS as amended at first reading to allow existing businesses 180 days to submit a retrieval or containment plan for City review and approval, and an additional 180 days to implement the plan

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Krom and Kang
NOES: 1 COUNCILMEMBERS: Choi
ABSENT: 1 COUNCILMEMBERS: Shea

2.11 TIERRA VERDE INDUSTRIES AMENDED LEASE AGREEMENT

ACTION:

Approved and authorized the City Manager to execute, in substantial final form, the attached amended land lease agreement with Tierra Verde Industries to continue to operate a recycling facility at the Orange County Great Park.

END CONSENT CALENDAR

3. PUBLIC HEARINGS

3.1 ZONING ORDINANCE UPDATE FOR THE ORANGE COUNTY GREAT PARK

City Manager Joyce introduced Tim Gehrich, Manager of Planning and Development Services; Barry Curtis, Community Development Project Administrator; and Glen Worthington, Great Park Manager of Planning, who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 6:05 p.m. There were no public comments.

ACTION: Moved by Councilmember Krom, seconded by Councilmember Choi, and unanimously carried to close the public hearing at 6:06 p.m.

City Council discussion included: removal of Community Services Commission review of park design applications for the Orange County Great Park (OCGP); status of pending litigation between Heritage Fields and Forest Lawn and the impacts, if any, to the City resulting from amending the Zoning Ordinance; clarification as to why conditionally permitted uses will now include retail within the OCGP; clarification of why such comprehensive changes are necessary to the Zoning Ordinance; how Measure R is incorporated into the current Zoning Ordinance; and correspondence received from Jeffer Mangels Butler & Marmaro, LLP, who indicated that the zoning ordinance map for Planning Area 51

provides inaccurate acreage, and whether or not any legal issues will result from these inaccuracies.

ACTION: Moved by Councilmember Shea, seconded by Councilmember Choi, to continue the item to the April 13, 2010 meeting to allow further review of the proposed updates to the Zoning Ordinance and map.

ACTION*: A substitute motion was moved by Councilmember Krom, seconded by Mayor Pro Tempore Agran, to:

ACTION:

Introduce for first reading and read by title only ORDINANCE NO. 10-03 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00495148-PZC TO AMEND THE ZONING CODE TO CHANGE THE APPROVAL AUTHORITY FOR PARK DESIGN APPLICATIONS WITHIN THE ORANGE COUNTY GREAT PARK, CHANGE THE PERMITTED DURATION OF APPROVED INTERIM USES WITHIN THE ORANGE COUNTY GREAT PARK, CREATE A NEW 1.9 ORANGE COUNTY GREAT PARK ZONING DISTRICT, AND PERFORM OTHER MINOR REVISIONS TO ZONING STANDARDS APPLICABLE TO THE ORANGE COUNTY GREAT PARK; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

The motion carried as follows:

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

*The substitute motion carried and takes precedence over the main motion; therefore, a vote was not taken on the main motion.

3.2 GENERAL PLAN AND ZONING CODE TECHNICAL UPDATE PHASE II

City Manager Joyce introduced Tim Gehrich, Manager of Planning and Development Services; Bill Jacobs, Principal Planner; John Ernst, Principal Planner; and Sherman Jones, Senior Planner, who presented the staff report and responded to questions.

Mayor Kang opened the public hearing at 6:38 p.m. There were no public comments.

ACTION: Moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried to close the public hearing at 6:39 p.m.

City Council discussion included: allowance for applicants to incorporate text within a company logo; building of unallocated bank units; approval of the Density Bonus agreement and deferment of CEQA review; basis for reclassification of healthcare providers; and restrictions placed upon temporary future facility signs (Sign Type No. 33).

ACTION: Moved by Councilmember Shea, seconded by Mayor Kang, and unanimously carried to:

ACTION:

- 1) Adopt RESOLUTION NO. 10-31 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00487817-PGA TO AMEND THE GENERAL PLAN TO RECONCILE INTENSITY LEVELS WITHIN VARIOUS PLANNING AREAS BASED ON PREVIOUS LAND USE APPROVALS, INCLUDING RELATED FOOTNOTES; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT
- 2) Introduce for first reading and read by title only ORDINANCE NO. 10-04 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGES 00480640-PZC AND 00487819-PZC TO AMEND CHAPTER 5-2 OF THE ZONING CODE IN ORDER TO COMPLY WITH FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REQUIREMENTS AND TO AMEND THE ZONING CODE TO RECONCILE INTENSITY LEVELS WITHIN VARIOUS PLANNING AREAS BASED ON PREVIOUS LAND USE APPROVALS AND TO CLARIFY AND UPDATE SPECIFIC ZONING CODE SECTIONS; FILED BY CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

**Moved by Councilmember Choi, seconded by Mayor Pro Tempore Agran, and
unanimously carried to adjourn at 7:03 p.m.**



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

April 13, 2010