

MINUTES
CITY COUNCIL
REGULAR MEETING
July 11, 2006
City Council Chamber
One Civic Center Plaza

ROLL CALL – 4:05 p.m.

Present:	5	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; Orange County Great Park Manager of Communications, Marsha Burgess; 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, Douglas Williford; Director of Redevelopment, Tina Christiansen; City Clerk, Pamyla Means; Deputy City Clerk, Teri Beach; and Irvine Police Officer Dale Lawrence, Sergeant At Arms.

1. CONSENT CALENDAR

The following items were removed from the Consent Calendar for separate discussion:

1.6 Families Forward Request for Funding

1.12 Conditional Use Permits for Ten Wireless Communications Facilities Located in the Public Rights-of-Way and/or Public Utility Easements in Turtle Rock (Planning Area 21)

ACTION: Moved by Mayor Pro Tempore Kang, seconded by Councilmember Choi, and unanimously carried to approve Consent Calendar Item Nos. 1.1 through 1.12, with the exception of items as noted above.

1.1 CITY COUNCIL MINUTES

ACTION: Approved the minutes of a regular meeting of the City Council held on June 27, 2006.

1.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted **RESOLUTION NO. 06-90** – 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

1.3 BARRANCA PARKWAY LANDSCAPE ENHANCEMENTS FROM JEFFREY ROAD TO SAND CANYON

ACTION: Approved the plans, specifications, and contract documents for Barranca Parkway Landscape Enhancements from Jeffrey Road to Sand Canyon, CIP 354210, on file with the Public Works Department.

1.4 AGREEMENT FOR SECURITY SERVICES BETWEEN THE CITY OF IRVINE AND HERITAGE FIELDS EL TORO, LLC, A DELAWARE LIMITED LIABILITY COMPANY

ACTION: Authorized the City Manager to approve and execute and the City Clerk to attest to an extension of Agreement No. 5115 between the City of Irvine and Heritage Fields El Toro, LLC, a Delaware Limited Liability Company, the successor-in-interest to Heritage Fields, LLC, for security services at the former El Toro Marine Corps Air Station commencing July 1, 2006. **(Contract No. 5115A)**

1.5 UNIVERSITY COMMUNITY PARK LANDSCAPE REHABILITATION

ACTION: Approved the plans, specifications, and contract documents for University Park Landscaping, CIP 385000, on file with the Public Works Department.

1.6 FAMILIES FORWARD REQUEST FOR FUNDING

City Council discussion included: Concern with nature of request; concern that this request is not being handled through the carryover process; concern that letter of request from Families Forward is in the form of an invoice; clarification whether funding is mandatory; and City Manager to communicate with Families Forward on questions raised.

Dave Tungate, Budget Officer responded to Council questions.

ACTION: Moved by Mayor Krom, seconded by Councilmember Agran and unanimously carried to: Continue to July 25, 2006.

1.7 ORDINANCE NO. 06-06 AMENDING DIVISION 7 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE RELATING TO THE REGULATION OF LOBBYING ACTIVITIES

ACTION: Adopted ORDINANCE NO. 06-06 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING DIVISION 7 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE RELATING TO THE REGULATION OF LOBBYING ACTIVITIES

1.8 ORDINANCE NO. 06-07 ADDING CHAPTER 5 OF DIVISION 9 OF TITLE 5 TO THE IRVINE MUNICIPAL CODE REGARDING CONSTRUCTION SITE AND VACANT PROPERTY SECURITY

ACTION: Adopted ORDINANCE NO. 06-07 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADDING CHAPTER 5 OF DIVISION 9 OF TITLE 5 TO THE IRVINE MUNICIPAL CODE REGARDING CONSTRUCTION SITE AND VACANT PROPERTY SECURITY

1.9 ORDINANCE NO. 06-08, 17421 MURPHY AVENUE ZONE CHANGE (PLANNING AREA 36)

ACTION: Adopted ORDINANCE NO. 06-08 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00390311-PZC TO REVISE TEXT IN THE ZONING CODE AND CHANGE THE ZONING ON LOT 17 OF TRACT 8018, AS SHOWN ON MAP FILED IN BOOK 435, PAGE 7, FROM 5.1 IBC MULTI-USE TO 5.3D IBC RESIDENTIAL; LOCATED ON THE NORTHWEST CORNER OF KELVIN AND MURPHY; PLANNING AREA 36; FILED BY STARPOINTE VENTURES ON BEHALF OF JAMBOREE HOUSING CORPORATION

1.10 DESIGNATION OF VOTING DELEGATES FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

ACTION: Appointed Mayor Beth Krom as the voting delegate and Councilmember Choi as the voting delegate alternate for the League of California Cities Conference Annual Business Meeting.

1.11 REVISION OF THE NAVY'S CONVEYANCE TO SECOND HARVEST FOOD BANK

ACTION: Approved the revision to the Second Harvest conveyance and authorized the City Manager to sign a letter to the Department of the Navy accepting the modification to the current conveyance.

1.12 CONDITIONAL USE PERMITS FOR TEN WIRELESS COMMUNICATIONS FACILITIES LOCATED IN THE PUBLIC RIGHTS-OF-WAY AND/OR PUBLIC UTILITY EASEMENTS IN TURTLE ROCK (PLANNING AREA 21)

The following individuals spoke on this item: Tom Merritt; Michael Schonenfelt; and Ray Bukaty

ACTION: Moved by Mayor Krom, seconded by Councilmember Agran and unanimously carried to: Direct the City Manager to provide an update on this item at the September 12, 2006 City Council meeting.

END OF CONSENT CALENDAR

2. COUNCIL BUSINESS

2.1 APPOINTMENT OF A CITY COUNCIL REPRESENTATIVE TO THE SOUTH COUNTY MAJOR INVESTMENT STUDY WORKING GROUP

ACTION: Moved by Councilmember Agran, seconded by Mayor Krom and unanimously carried, to: Appoint Mayor Pro Tempore Kang to the Policy Working Group for the South Orange County Major Investment Study.

2.2 DISCUSSION AND POSSIBLE DIRECTION REGARDING CHILD CARE IN IRVINE

ACTION: Moved by Mayor Pro Tempore Kang, seconded by Councilmember Shea and unanimously carried to: Direct staff to compile a report on the state of child care in Irvine and return to City Council for consideration. The report should include: Existing policies and procedure on child care programs in Irvine; current inventory of child care accommodations in the City and standards and guidelines in the General Plan; the impacts of growth on the child care program; opportunities available to increase child care options and recent and projected activities of the child care committees at the City level.

RECESS

Mayor Krom declared a recess at 4:47 p.m.

RECONVENE

Mayor Krom reconvened the meeting at 5:12 p.m.

2.3 REPORT OF THE ORANGE COUNTY GRAND JURY

The following individuals spoke on this item: Barbara Pape and Sam Castelo

City Council discussion included: Grand Jury Report and City's response; and discussion of the "Vote 2006" program at the meeting of July 25, 2006.

Moved by Councilmember Choi, seconded by Councilmember Shea to:

Rescind City Council Resolution No. 06-42 adopted on April 25, 2006.

The motion failed as follows:

AYES:	2	COUNCILMEMBERS:	Choi and Shea
NOES:	3	COUNCILMEMBERS:	Agran, Kang and Krom

Moved by Councilmember Shea, seconded by Councilmember Choi to:

Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACKNOWLEDGING THE WORK OF THE 2005-2006 ORANGE COUNTY GRAND JURY IN ITS EVALUATION OF THE ORANGE COUNTY GREAT PARK CORPORATION AND ITS FUNCTIONS

The motion failed as follows:

AYES:	2	COUNCILMEMBERS:	Choi and Shea
NOES:	3	COUNCILMEMBERS:	Agran, Kang and Krom

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

- 1) Direct the City Manager to prepare a comprehensive response to the recommendations set forth in the Grand Jury's Report on the Orange County Great Park. The draft response prepared by the City Manager shall correct the record as to matters of history, fact, law, and errors of analysis in the Grand Jury Report.

- 2) Regarding the Grand Jury's specific recommendations, the response shall:
 - a) Describe in detail the legal and policy basis of the Orange County Great Park governing structure; the roles and responsibilities of the Irvine City Council and the Orange County Great Park Corporation; and why the current 9-member configuration of the Orange County Great Park Corporation Board of Directors is preferable to the Grand Jury's proposal 7-member Board that would transform the Orange County Great Park Corporation into a County-run entity.
 - b) Describe in detail the Orange County Great Park contracting and business practices that meet the highest standards of law protective of the citizens of Irvine; and that have enabled the City of Irvine to make extraordinary progress in the planning, design, and soon-to-begin construction of the Orange County Great Park.
 - c) Reject as completely unjustified and baseless the recommendation that the County Board of Supervisors consider a lawsuit to wrest control of the Orange County Great Park from the City of Irvine and place the County in control of the Orange County Great Park; and put the County and others on notice that the City is earmarking from the Unallocated Strategic Surplus a sum of up to \$300,000 to defend against any litigation filed by others to seize control of the Orange County Great Park.

The motion carried as follows:

AYES:	4	COUNCILMEMBERS:	Agran, Choi, Kang and Krom
NOES:	1	COUNCILMEMBERS:	Shea

3. PRESENTATIONS

The following presentations were made:

3.1 Presentation of \$66 Million Dollar Installment Check by Emile Haddad, Chief Investment Officer, Lennar Corporation and Robert Santos, President, Heritage Fields Land Division, Lennar Corporation, in Conjunction with the Development Agreement No. 5163

3.2 Irvine Relay for Life Awards

3.3 Employee Service Recognition

25 Years of Service:

Bill Sellin, Community Services; and Ron Carr, Public Safety; Alex de Haro, Public Works

30 Years of Service:

Tracy Jacobson, Public Safety; Carl Pagano, Public Safety; Pat Fierro, Community Services; and Russ Helmick, Community Development

4. COUNCIL BUSINESS (Continued)

4.1 IRVINE BUSINESS COMPLEX (IBC) RESIDENTIAL MIXED-USE VISION PLAN AND OVERLAY ZONE STRATEGY

Bill Jacobs, Principal Planner and Michael Haack, Manager of Development Services presented the staff report.

City Council discussion included: Distance of proposed residential buildings from existing commercial buildings; potential hazardous materials and toxic substances from existing businesses; Environmental Impact Report; traffic impacts; noise impacts; moratorium; and possible Closed Session with legal Counsel prior to discussion at next meeting.

The following individuals spoke on this item: Bill Connors; Tim Strader, Jr.; Robert Hawken; Eric Morris; Brad Perozzi; Rich Salter; Mary Ann Desmond; Tony Desmond; Tom Boylan; Mahir Barkho; Donn Kemble; David Marzullo; Ray Diradoorian; Mike Derderian; Pamela Sapetto; Paul Queyrel; and Patti Krebs

ACTION: Moved by Councilmember Shea, seconded by Councilmember Agran and unanimously carried to: Continue to the meeting of July 25, 2006.

Note: Item Nos. 4.1, 4.2, 5.1, and 5.2 were continued to July 25, 2006, by motion made by Councilmember Shea, seconded by Mayor Pro Tempore Kang and unanimously carried.

4.2 SISTER CITIES PROGRAM

ACTION: Continue to the meeting of July 25, 2006.

4.3 DISCUSSION AND DIRECTION REGARDING NINE IRVINE BUSINESS COMPLEX RESIDENTIAL PROJECTS

ACTION: Continue to the meeting of July 25, 2006.

5. PUBLIC HEARINGS

5.1 AMENDMENT TO THE METROPOLITAN CONDOMINIUMS AFFORDABILITY COVENANT GRANT DEED

ACTION: Continue to the meeting of July 25, 2006.

5.2 AFFORDABLE HOUSING IN-LIEU FEE INCREASE/ANNUAL ADJUSTMENT

ACTION: Continue to the meeting of July 25, 2006.

END OF COUNCIL BUSINESS

PUBLIC COMMENTS

Elaine Booth, Irvine resident; thanked the City and Orange County Great Park for all the efforts put forth to see this project through.

ADJOURNMENT

Mayor Krom adjourned the meeting in memory of Jim Arn, Irvine resident and member of the Ad-Hoc Library Task Force.

Moved by Mayor Pro Tempore Kang, seconded by Councilmember Agran, to adjourn the meeting at 12:58 a.m., Wednesday, July 12, 2006 to 10:00 a.m., on July 25, 2006.


MAYOR OF THE CITY OF IRVINE


CITY CLERK OF THE CITY OF IRVINE

July 25, 2006
DATE