



**MINUTES
CITY COUNCIL
SPECIAL MEETING**

January 13, 2009
City Council Chamber
One Civic Center Plaza

CALL TO ORDER

A special meeting of the Irvine City Council was called to order at 3:36 p.m. on January 13, 2009, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Krom presiding.

ROLL CALL

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

* Councilmember Agran arrived at 3:39 p.m.

1. SCOPING SESSION

1.1 SCOPING SESSION FOR PLANNING AREA 33 (LOTS 107, 108, 112, AND 113) GENERAL PLAN AMENDMENT AND ZONE CHANGE

Tim Gehrich, Manager of Development Services; Steven Higa, Principal Planner; Mark Asturias, Housing Manager; and Bill Rodriguez, Senior Planner; presented the staff report.

City Council discussion included clarification of providing additional residential units without minimizing the commercial development square footage; appeal of the community village design; proximity of housing and childcare facility to major freeways; traffic impacts from the I-405, 133 Freeway and Spectrum area; clarification on the ratio of apartments, condos, owner-occupied and affordable

housing in Planning Area 33; current and projected demographics of residents and student population living in the area; access points to open space and parks; potential of mass transit thoroughfares within the development and area; anticipated schools serving this location include Alderwood Basics Plus school, Rancho San Joaquin, and University High School; and future project schedules with additional information transmitted to Council by TW2.

ACTION: Received and filed staff report.

2. CLOSED SESSION

Sean Joyce, City Manager, announced that item 2.2 should be removed and not considered because no new information was available concerning the four cases. Phil Kohn, City Attorney, announced that the City Council will recess to Closed Session to discuss item 2.1 as follows:

2.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to Government Code Section 54956.9): City of Tustin and City of Newport Beach v. City of Irvine, City Council of the City of Irvine, and Does I-X; Starpointe Ventures, Hines, and Does XI-L (Case # 30-2008-00228855)

2.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to Government Code Section 54956.9(a)(4 cases))

- 1) Allergan, Inc. v. City of Irvine, et al. Orange County Superior Court Case No. 06CC11295
- 2) Allergan, Inc. v. City of Irvine, et al. Orange County Superior Court Case No. 07CC01267
- 3) Allergan, Inc. v. City of Irvine, et al. Orange County Superior Court Case No. 07CC01268
- 4) Allergan, Inc. v. City of Irvine, Orange County Superior Court Case No. 07CC01282

(Closed Session Item 2.2 not held.)

RECESS

Mayor Kang convened to Closed Session at 4:21 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Kang reconvened the City Council meeting at 5:08 p.m.

City Attorney Phil Kohn, on behalf of the City Council, announced no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Kang led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kang requested a moment of silence in honor of Saeed Danosian, Founder and Publisher of Orange County Persian Community Magazine and OC Life, a multicultural magazine, who unexpectedly passed away on December 21, 2008.

MUSICAL PRESENTATION

Mayor Kang introduced South Lake Middle School's "South Lake Octet," who performed the "America the Beautiful" and "Hornpipe" from George Fredic Handel's Water Music.

3. PRESENTATIONS

The following presentations were made:

3.1 Proclaim January 13, 2009 as "Korean American Day"

Mayor Kang introduced the following individuals who were present to help celebrate the federal and local recognition of Korean American Day and the outstanding contributions of Korean Americans. He presented the proclamation for Korean American Day to Dr. Sammy Lee.

Edward Sohn, President of the Korean American Chamber of Commerce of Irvine;
Jae Joon Chung, President, Korean American Federation of Orange County;
James Ro, former president of the Korean American Foundation of Orange County;
Carol Choi, President of the Irvine Korean Parents Association;
Dr. Sammy Lee, two-time Olympic Gold Medalist;
Soon Ja Chu, Korean Brush Artist; and
Diane Yoo, Miss Asia USA 2008

3.2 Proclaim January 19, 2009 as "Martin Luther King Jr. Day"

Mayor Kang introduced the following individuals: Howard Charlop, Irvine Multicultural Association Board Member; Ron Guyer, member of Christ Our Redeemer African Methodist Episcopal Church; and Kevin Huie, University of Irvine Cross Cultural Center; and presented them a proclamation honoring Martin Luther King Jr. Day and scheduled celebratory events.

3.3 Employee Service Recognition: 30 Years of Service: William Sellin, Community Services

City Manager Sean Joyce recognized William Sellin for his many years of service with the City.

INTRODUCTIONS

Mayor Kang introduced the Danosian family who were present in the audience.

City Manager Sean Joyce introduced Stacy Blackwood as the newly appointed Community Services Manager.

Councilmember Choi commented on the Korean American Day proclamation. He also introduced his newly appointed commissioners David Sparks, Planning Commission; Dr. Francis Lee, Investment Advisory Committee; Eric Johnson, Community Services Commission; Francis Agave, Irvine Children, Youth and Families Advisory Committee; and Douglas Holte, Green Ribbon Committee.

CITY MANAGER'S REPORT

Sean Joyce, City Manager, announced for the 5th year in a row the City of Irvine continues to be the safest city in the country of populations of over 100,000.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Kang made the following announcements:

- The City's Cash for Cans campaign surpassed last year's record by collecting nearly one million aluminum cans during the month of October; representing a 6% increase over the previous year. The City has been selected as one of the winners of the Sixth Annual "Flex Your Power" award and will receive the award in San Francisco on Monday, December 15th.
- The Welcome Home Defenders of Freedom event will be held at the Rose Bowl in Pasadena on Saturday, January 17, from 9 a.m. to 4 p.m. to welcome home veterans from all war campaigns. For more information please visit [www.Welcome Home Defenders Of Freedom .org](http://www.WelcomeHomeDefendersOfFreedom.org).
- On January 20 the Public Works Department will begin the rehabilitation of Culver Drive between the 405 Freeway and Barranca Parkway. Workers will be on site Monday-Friday from 7:00 a.m. to 3:30 p.m. along with occasional Saturdays from 9:00 a.m. to 5:00 p.m. The project is expected to be completed in mid-April.
- The City of Irvine, in partnership with the Legal Aid Society of Orange County, Internal Revenue Service, Orange County United Way, Orange County One-Stop

and Coastline Community College, is offering free tax preparation services for taxpayers who earned less than \$56,000 in 2008.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

4. CITY COUNCIL APPOINTMENTS

4.1 CITY COUNCIL REORGANIZATION-SELECTION OF MAYOR PRO TEMPORE

ACTION: Moved by Councilmember Shea, and seconded by Councilmember Choi to nominate Councilmember Choi as Mayor Pro Tempore.

The motion failed as follows:

AYES: 2 **COUNCILMEMBERS:** Choi and Shea

NOES: 3 **COUNCILMEMBERS:** Agran, Krom and Kang

ACTION: Moved by Mayor Kang, and seconded by Councilmember Krom to nominate Councilmember Agran as Mayor Pro Tempore.

The motion carried as follows:

AYES: 4 **COUNCILMEMBERS:** Agran, Krom, Shea and Kang

NOES: 1 **COUNCILMEMBERS:** Choi

4.2 APPROVAL OF APPOINTMENTS OF CITY COUNCIL DELEGATES AND ALTERNATES TO GOVERNMENTAL AGENCIES AND CITY ADVISORY COMMITTEES

ACTION: Moved by Mayor Pro Tem Agran, seconded by Mayor Kang and unanimously carried to:

- 1) Appoint delegates and alternates to outside governmental agencies on which the City has representation as follows. Current staff assignments remain the same.

AGENCY	DELEGATE	ALTERNATE
Borders Committee with City of Newport Beach	Mayor Kang Mayor Pro Tem Agran	N/A

Coastal Greenbelt Authority	Councilmember Choi	Community Services Manager
Community Energy Partnership	Councilmember Krom	Mayor Pro Tem Agran
Discovery Science Center Board of Directors	Councilmember Krom	N/A
Growth Management Area #4 & #9	Councilmember Choi	Mayor Pro Tem Agran
Growth Management Area #7 & #8	Councilwoman Shea	Mayor Pro Tem Agran
Irvine Barclay Theatre Operating Company (Board of Directors and Committees)	Mary Ann Gaido, Planning Commissioner	N/A
Irvine Child Care Project (Non-Profit JPA between City and Irvine Unified School District)	Councilmember Choi	Councilwoman Shea
Irvine Community Land Trust	Councilmember Krom Mary Ann Gaido	N/A
Irvine Liaison and Coordinating Committee (Irvine Unified School District)	Mayor Kang Mayor Pro Tem Agran	N/A
Irvine Liaison and Coordinating Committee (Tustin Unified School District)	Mayor Kang Councilmember Krom	N/A
Irvine Public Schools Foundation (Education Leadership Forum)	Mayor Pro Tem Agran	Councilmember Choi
Irvine Public Schools Foundation (Educational Leadership Forum Action Team)	Mayor Kang	Councilmember Krom
Irvine Ranch Water District/City of Irvine Coordinating Committee (ADHOC)	Mayor Kang (Mayor Required)	N/A
Laguna Canyon Foundation	Councilmember Krom	Community Services Manager
League of California Cities	Mayor Kang (Mayor required)	Mayor Pro Tempore Agran (Mayor Pro Tem required alternate)
Library Advisory Board (LAB) of Orange County Library System	Councilmember Shea	Councilmember Choi

National League of Cities	Mayor Kang (Mayor required)	Mayor Pro Tempore Agran (Mayor Pro Tem required alternate)
Newport Bay Watershed Executive Committee	Councilmember Choi	Water Quality Administrator
Nature Reserve of Orange County	Assistant City Manager	Director of Community Services
Orange County City Selection Committee	Mayor Kang (Mayor required)	N/A
Orange County Council of Governments	Mayor Kang *See Attached Letter	Councilwoman Shea
Orange County Fire Authority	Councilmember Choi	Councilwoman Shea
Orange County Housing Authority Advisory Committee	Councilwoman Shea	N/A
Orange County Sanitation Districts #7 & #14	Councilwoman Shea	Councilmember Choi
South County Major Investment Study Working Group (OCTA)	Mayor Kang	
Orange County Vector Control District Board of Trustees	Rosemary Dugard (Serving 2-year term, which expires 12/31/09)	Councilmember Choi
San Joaquin Marsh Wildlife Sanctuary	Mayor Pro Tem Agran	Councilwoman Krom
Santa Ana River Flood Protection Agency Commission	Councilwoman Shea	Mayor Pro Tem Agran
Southern California Association of Governments Regional Council	Councilmember Krom	N/A
Transportation Corridor Agency - Foothill/Eastern	Councilmember Krom	Mayor Pro Tem Agran
Transportation Corridor Agency - San Joaquin Hills	Councilmember Krom	Mayor Pro Tem Agran
Transportation Corridor System Board of Directors (Foothill/Eastern and San Joaquin Hills Transportation Corridor Agencies)	Councilmember Krom	Mayor Pro Tem Agran

- 2) Appoint Councilmembers to City Advisory Committees and Task Forces as follows:

CITY ADVISORY COMMITTEE AND TASK FORCE	APPOINTEE
Project Lightspeed (AT & T Telecommunications Committee)	Mayor Kang Mayor Pro Tem Agran
Irvine Educational Partnership Fund	Mayor Kang Councilmember Krom
Library Services Advisory Committee	Councilmember Choi Councilwoman Shea
Orange County Great Park Development Agreement Committee	Mayor Pro Tem Agran Councilmember Krom
IBC Task Force	Mayor Kang Mayor Pro Tem Agran
HCG Irvine (Hines) Development Agreement Committee	Mayor Kang Mayor Pro Tem Agran
Green Ribbon Committee	Mayor Kang Councilmember Krom

5. CONSENT CALENDAR

Consent Calendar Items consist of Item Nos. 5.1 through 5.15.

Moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried to approve Consent Calendar Item Nos. 5.1 through 5.15, with the exception of Item No. 5.7 and 5.9, which were removed for separate discussion.

5.1 MINUTES

ACTION: Approved the minutes of a regular meeting of the City Council held on December 9, 2008.

5.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted RESOLUTION NO. 09-01 - 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

5.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T

ACTION: Adopted RESOLUTION NO. 09-02 - 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.

5.4 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION: Adopted RESOLUTION NO.09-03 - 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 Tem Agran abstained.

5.5 BUDGET ADJUSTMENT FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM AND GROWTH MANAGEMENT AREA FUNDING ALLOCATIONS

ACTION:

- 1) Accepted \$399,150 from the Federal Highway Safety Improvement Program for Fiscal Year 2008-09.
- 2) Accepted \$50,000 from the Measure M Growth Management Area Program for Fiscal Year 2008-09.

5.6 EXTENSION TO AGREEMENT FOR BUS SHELTER SERVICES

ACTION:

- 1) Authorized the City Manager to execute the Amendment to the Agreement for Bus Shelter Services with Clear Channel Outdoor, Inc. to extend the agreement for one year. **(Contract 3393E)**
- 2) Authorized the City Manager to execute future contract Amendments subject to contractor compliance with the terms and conditions contained in the Agreement.

5.7 ORANGE COUNTY GREAT PARK FISCAL YEAR 2008-09 PROGRAM MANAGER SCOPE OF WORK

This item was removed from the Consent Calendar at the request of Councilmember Choi who requested clarification on the scope of work of the Program Manager and expressed concern over the increase in project costs.

Michael Ellzey, CEO of OCGP and Glen Worthington, Manager of Planning and Environmental Services responded to questions posed by the City Council.

City Council discussion included: the clarification of the oversight and review processes of the schematic design, ability to minimize program manager costs with modified methodology, and reporting by program manager of the schematic design reviews.

ACTION: Moved by Mayor Pro Tem Agran, seconded by Mayor Kang to:

- 1) Approve a scope of work for the Program Manager, Bovis Lend Lease, to implement the 70% Major Milestone, review conditions of approval and provide extended staff support for the Priority Program Feasibility Studies and Project Implementation Work Program.
- 2) Approve an increase to the Fiscal Year 2008-2009 budget in the amount of \$1,955,090.

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Agran, Krom, Shea and Kang

NOES: 1 COUNCILMEMBERS: Choi

5.8 AGREEMENT FOR TRANSFER OR PURCHASE OF EQUIPMENT/SERVICES OR FOR REIMBURSEMENT OF TRAINING COSTS FOR FISCAL YEAR 2008 URBAN AREAS SECURITY INITIATIVE (UASI) GRANT

ACTION:

- 1) Authorized the Director of Public Safety to accept the Agreement for Transfer or Purchase of Equipment/Services or for Reimbursement of Training Costs for Fiscal Year 2008 Urban Areas Security Initiative (UASI) Grant. **(Contract 6073)**
- 2) Authorized the Director of Public Safety to accept any equipment, technology or services purchased by the City of Anaheim and transferred to the City of Irvine to enhance countywide emergency preparedness.
- 3) Approved a budget adjustment request in the amount of \$270,000 in grant revenues and appropriations for any training costs, any necessary overtime for backfill, and equipment/services.
- 4) Authorized the Director of Public Safety to submit for reimbursement up to \$70,000 in training and overtime costs, and \$200,000 in approved equipment/services through the Fiscal Year 2008 Urban Areas Security Initiative Grant Program.

5.9 ORANGE COUNTY GREAT PARK COMMUNITY EVENTS, CULTURAL ACTIVITIES, AND PROGRAMMING FOR CALENDAR YEAR 2009

Councilwoman Shea removed this item for further discussion.

Michael Ellzey, Chief Executive Officer of the Orange County Great Park; and Rod Cooper, Director of Operations, responded to City Council questions.

City Council discussion included: the need for future policy discussion on revenue opportunities for park and infrastructure maintenance costs; cost of use and park programs of City community parks; opportunities to beta test the facilities, traffic circulation, parking and other aspects of the Park; objectives of Great Park Board to design, build, activate, and generate revenue; holding high caliber events which add value to the community and the Park; ability to propose nominal fees for future events and increasing sponsorship opportunities.

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

- 1) Approve an increase to the Fiscal Year 08-09 budget in the amount of \$2,000,000 to fund the proposed programs for calendar year 2009.
- 2) Authorize the Chief Executive Officer of the Orange County Great Park Corporation to enter into an agreement at the not-to-exceed amount of \$500,000 with the Irvine Barclay Theatre to secure talent and provide production assistance for the 2009 programming, plus up to an additional \$100,000 of reimbursable expenses.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Krom and Kang

NOES: 2 COUNCILMEMBERS: Choi and Shea

5.10 ORANGE COUNTY GREAT PARK 2009 CAPITAL IMPROVEMENT PROJECTS

ACTION:

- 1) Approved an increase to the Great Park Fiscal Year 08-09 budget in the amount of \$4,228,500 to provide funding for design and construction of the 2009 Capital Improvement Projects.
- 2) Authorized the Chief Executive Officer to negotiate and execute professional consultant services agreements with the Great Park Design Studio or Consultants on the City's On-Call Consultant Team for the necessary services to implement the Great Park 2009 Capital Improvement Projects.

5.11 EXTENSION OF LEASES WITH ALL STAR SERVICES, INC.

ACTION: Approved a one year extension of the Recreational Vehicle Storage and Building Leases with All Star Services through January 31, 2010.

5.12 FUNDING AGREEMENT WITH CLEARWATER, LLC.

ACTION:

- 1) Approved, in substantial final form, the Feasibility Study Funding Agreement with Clearwater, LLC.
- 2) Authorized the Chief Executive Officer of the Orange County Great Park to execute the Feasibility Study Funding Agreement with Clearwater, LLC.
- 3) Approved a Great Park budget adjustment increasing Fiscal Year 2008-2009 revenues in the amount of \$320,000 and increasing Fiscal Year 2008-2009 expenses in the amount of \$320,000.

5.13 LICENSE AGREEMENT BETWEEN THE COUNTY OF ORANGE AND THE IRVINE POLICE DEPARTMENT REGARDING USE OF THE KATELLA TRAINING FACILITY FOR FIREARMS TRAINING

ACTION: Authorized the Director of Public Safety to execute and the City Clerk to attest to a license agreement between the County of Orange and the Irvine Police Department to utilize the Katella Training Facility. **(Contract 6072)**

5.14 IRVINE ANIMAL CARE CENTER NAMED AS BENEFICIARY OF THE CODY FAMILY TRUST

ACTION: Authorized the City Manager to sign the "Approval of First and Final Account Current of Trustee Gene L. Ludtke; Waiver of Claim Against Trustee for Breach of Trust" to allow disbursement of funds to the Irvine Animal Care Center from The Cody Family Trust. **(Contract 6075)**

5.15 AUTHORIZATION TO NEGOTIATE AND ENTER INTO LAND LEASE AGREEMENTS FOR AUTOMOBILE STORAGE

ACTION: Authorized the Chief Executive Officer of the Orange County Great Park to negotiate and enter into land lease agreements for short-term automobile storage.

END CONSENT CALENDAR

6. PUBLIC HEARINGS

**6.1 COST OF SERVICES ANALYSIS AND RELATED FEE
RECOMMENDATIONS FOR PUBLIC SAFETY, CITY CLERK AND
DEVELOPMENT-RELATED SERVICES**

Valerie Larenne, Senior Management Analyst and Katie Wilson, Consultant representing Willdan, presented the staff report.

Mayor Kang opened the public hearing at 7:35 p.m.

There were no public requests to speak on this item.

ACTION: Moved by Councilmember Krom, seconded by Mayor Pro Tem Agran, and unanimously carried to close the public hearing at 7:35 p.m.

City Council discussion included the review process of the cost of services analysis and clarification on fees for towing services.

ACTION: Moved by Mayor Pro Tem Agran, seconded by Councilmember Krom, and unanimously carried to:

- 1) Approve the proposed hourly rate calculation methodology for Public Safety, City Clerk, and development-related services.
- 2) Defer approval and implementation of the proposed development-related fee increases until development of the Fiscal Year 2009-2010 Budget at which time the fee increases will be considered.
- 3) Adopt City Clerk Fee Resolution replacing and superseding all previous resolutions that are inconsistent therewith.
Adopted RESOLUTION NO. 09-04 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING FEES FOR SERVICES RELATED TO THE CITY CLERK SECTION
- 4) Adopt Public Safety Fee Resolution replacing and superseding all previous resolutions that are inconsistent therewith.
Adopted RESOLUTION NO. 09-05 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING FEES FOR SERVICES RELATED TO PUBLIC SAFETY

**6.2 CHANGES AND MODIFICATIONS IN THE IMPROVEMENTS FOR
VARIOUS ASSESSMENT DISTRICTS**

Mark Carroll, City Engineer and Ken Quon, Senior Civil Engineer, presented the staff report.

Councilwoman Shea left the dais at 7:42 p.m.

Mayor Kang opened the public hearing at 7:46 p.m.

There were no public requests to speak on this item.

ACTION: Moved by Councilmember Krom, seconded by Councilmember Choi, and carried to close the public hearing at 7:46 p.m.

The motion carried as follows:

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

Councilwoman Shea returned to the dais at 7:48 p.m.

City Council discussion included the clarification on the modified public hearing procedure. The City Attorney was asked to prepare a memo on the legality of the new process introduced by the Mayor.

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

- 1) Adopt RESOLUTION NO. 09-06 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ORDERING CHANGES AND MODIFICATIONS IN THE IMPROVEMENTS ORDERED FOR ASSESSMENT DISTRICT NO. 87-8 (SPECTRUM 5), ASSESSMENT DISTRICT NO. 03-19 (NORTHERN SPHERE), ASSESSMENT DISTRICT NO. 05-21 (ORCHARD HILLS), ASSESSMENT DISTRICT NO. 07-22 (STONEGATE AND STONEGATE EAST) AND OTHER MATTERS RELATED THERETO
- 2) Authorize the Mayor to execute agreements to allow for the reimbursement of costs associated with a fire station and various utility improvements within assessment district No. 03-19 (Northern Sphere), No 04-20 (Portola Springs), No. 05-21 (Orchard Hills), and No. 07-22 (Stonegate and Stonegate East).

7. COUNCIL BUSINESS

7.1 ORDINANCE TO EFFECT CHANGES AND ADDITIONS TO POSTED SPEED LIMITS

Jim Lizzi, Senior Transportation Engineer and Tom Perez, Senior Civil Engineer, presented the staff report.

City Council discussion included: clarification by the City Attorney of no conflict of interest by councilmembers for changes to speed limits in proximity to residences pursuant to the Political Reform Act.

ACTION: Moved by Councilmember Krom, seconded by Mayor Pro Tem Agran, and unanimously carried to:

ACTION: Introduce for first reading, and read by title only ORDINANCE NO. 09-01- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE TO DETERMINE AND DECLARE PRIMA FACIE SPEED LIMITS ON VARIOUS STREETS WITHIN THE CITY OF IRVINE, AND OFFICIALLY ESTABLISH THESE DECLARATIONS THROUGH AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE CITY TRAFFIC ENGINEER AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

7.2 IRVINE GUIDEWAY DEMONSTRATION PROJECT AND RELATED TRANSIT PROGRAMS

Sean Joyce, City Manager and Manuel Gomez, Director of Public Works, presented the staff report.

City Council discussion included: the funds earmarked for the Irvine Guideway Project; process and approvals needed for the transfer of Prop 116 funds in exchange for matching Measure M funds; clarification of the use and limitations of the funds; future potential of securing Measure M2 funds; timeline for encumbering Prop 116 funds; contingency plan for Prop 116 funds if transfer is not effectuated; seeking Orange County Transportation Authority support; current status of Measure M and Measure M2 match funding requirements; staff continuing mass transit planning studies; city and county staff working conjointly to ensure future projects comply to Measure M guidelines; and early access to funds permissible in form of early action plans.

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

- 1) Authorize the Mayor to execute a Cooperative Agreement with the Orange County Transportation Authority (OCTA) for the transfer of Proposition 116 funds.
- 2) Direct staff to revise the City's Go-Local Report to replace the Irvine Guideway Project with a Citywide Shuttle Transit Program and present the revised report for City Council approval prior to submittal to the OCTA.

7.3 FISCAL YEAR 2007-2008 GENERAL FUND YEAR-END REPORT

Sean Joyce, City Manager and Dave Tungate, Manager of Budget and Business Planning, presented the staff report.

City Council discussion included: the reduction of expenditures caused by positions vacancies, unused funds from approved purchase orders or contract services not completed during the fiscal year, and interdepartmental savings; allocation policy for the Irvine Educational Partnership Fund; clarification of City reserves and assets including the internal self insurance reserve fund, General Fund reserves and Asset Management Plan cash value; clarification of other revenues includes grant monies not expended; and minimizing economic impacts by increasing reserves and continued prudence of long term use of general funds.

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

- 1) Receive and file the Budget Update for Fiscal Year ending June 30, 2008.
- 2) Approve a Budget Adjustment for Reservations (Loans, Due To/From Other Funds, Audit Reserve) to transfer \$326,115 to the Development Engineering Fund.
- 3) Approve a Budget Adjustment for Pre-Allocated Year-End Surplus in the amount of \$520,000 that includes a transfer of \$500,000 to the Irvine Educational Partnership Fund and allocation of \$20,000 for the November 4 ballot measures (Measure S - City of Irvine Personal Information Privacy Act and Measure R - Orange County Great Park Ratification and Implementation Act).
- 4) Approve a Budget Adjustment for prior City Council actions/direction allocating \$287,488 for specific projects/programs previously approved by the City Council in Fiscal Year 2007-08 that were not initiated and/or completed by the end of the fiscal year.
- 5) Approve a Budget Adjustment allocating Year-End Surplus funding for outstanding Purchase Orders in the amount of \$1,066,497.
- 6) Concur with the City Manager recommendation that the remaining \$3,167,286 Unallocated Year-End Surplus balance be reserved

until the full impact of the current economic slowdown and the State's budget difficulties on the City of Irvine can be ascertained.

END COUNCIL BUSINESS

PUBLIC COMMENTS

William Turner, El Toro Now, spoke on the ground water concerns in the Woodbridge area.

Linda Hill, El Toro Now, spoke on the ground water concerns in the Woodbridge area.

Frank DePalma, Irvine resident, spoke about parking regulations on West Yale Loop adjacent to Woodbridge High School and the necessity of additional parking for the football field.

John Hoaglund, resident, spoke on traffic circulation and bike lane concerns at the I-405 and Culver intersection.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Councilmember Choi, and unanimously carried to adjourn at 9:12 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

January 27, 2009



City Clerk's Office

City of Irvine, One Civic Center Plaza, P O Box 19575, Irvine, California 92623-9575 (949) 724-6205

January 29, 2009

Karen Hammen
City of Mission Viejo
200 Civic Center Drive
Mission Viejo, CA 92691

Subject: Orange County Council of Governments

Dear Karen:

As you are aware, on January 13, 2009, the City Council made their annual appointments to various outside government agencies. At that time, Mayor Sukhee Kang was selected as the delegate to the Orange County Council of Governments (OCCOG) Board of Directors, replacing Councilmember Beth Krom.

Unfortunately, City staff was unaware that the current representatives who were appointed by the City Council in April 2008 are serving two-year terms that expire on March 31, 2010. Staff was also unaware that, by virtue of Southern California Association of Governments (SCAG) bylaws, the delegate to SCAG automatically serves as the OCCOG delegate. This letter is to correct the record. The following representatives appointed by the City Council on April 22, 2008 shall continue to serve as follows:

	<u>Delegate</u>	<u>Alternate</u>
SCAG	Councilmember Krom	Not Required
OCCOG	Councilmember Krom	Councilmember Shea

If you have any questions, please contact the City Clerk's Office at (949)724-6205. Any questions relating to appointees' schedules can be directed to the Council Services Offices at (949)724-6233.

Very truly yours,

SHARIE APODACCA, CMC
City Clerk