MINUTES OF A
SPECIAL MEETING
OF THE IRVINE CITY COUNCIL HELD

September 13, 2005

CALL TO ORDER

A special meeting of the Irvine City Council was called to order on September 13, 2005 at 3:04 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 Shea arrived to the meeting at 3:10 p.m.

Also present were: Acting City Manager, Sean Joyce; Assistant City Manager, Wally Kreutzen; City Attorney, Joel Kuperberg; Director of Public Safety, David L. Maggard; Director of Administrative Services, Rick Paikoff; Deputy Director of Public Works, Manuel Gomez; Director of Community Services, John A. McAllister; Director of Community Development, Tina Christiansen; Deputy City Clerk, Teri Beach; City Clerk Specialist, Gail Frueh; and Sgt. At Arms, Michael Tu.

RECESS

Mayor Krom recessed the meeting to Closed Session at 3:06 p.m.

CLOSED SESSION

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code Section 54956.8)**

   1.1 **Property: City Public Rights of Way**
   Negotiating Parties: Dan Jung, City of Irvine; Cox Communications
   Under Negotiation: Price and Terms

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Krom reconvened the meeting to regular session at 4:09 p.m.

RECESS

Mayor Krom recessed to the Irvine Redevelopment Agency Meeting at 4:10 p.m.

CONVENE THE IRVINE REDEVELOPMENT AGENCY MEETING

Please refer to the Irvine Redevelopment Agency Minutes.

RECONVENE

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

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Kang led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Krom requested a moment of silence in the memory of Elizabeth "Lee" Sicoli, and remembrance of September 11, 2001.

MUSICAL PRESENTATION

Mayor Krom introduced Michele Lovenduski, Senior Management Analyst, who sang "God Bless America."

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

ORANGE COUNTY GREAT PARK UPDATE

Wally Kreutzen, CEO – Orange County Great Park Corporation, gave an update on the Great Park Team Design Competition.

RELIEF EFFORTS FOR HURRICANE KATRINA

Acting City Manager, Sean Joyce, spoke on events since the Hurricane Katrina disaster and noted community partnering efforts currently in place to provide assistance to those affected by the disaster. He introduced Chief of Police, Dave Maggard who spoke on the City's Emergency Management Plan. (PowerPoint presentation on file in the City Clerk's Department.)

City Council discussion included providing the community with a direct mailer to inform them of the resources available to them in the event of an emergency; types of supplies provided in the emergency shelters located throughout the City; types of communications that will be enacted in the event of an emergency; requirement of City employees participation in an emergency management program to prepare them in the event of an emergency; evaluation of the City's Hazard Mitigation Plan; availability of emergency medical vehicles to administer medical attention to those in need during an emergency; make up of City's Emergency Disaster Task Force Team; proposal to establish a City-wide emergency Public Safety or a Disaster Task Force to include broad spectrum of the community, such as the City Council, Orange County Fire Authority; Irvine Unified School District, Irvine Ranch Water District, Chamber of Commerce, University of California, Irvine, The Irvine Company and any other large organizations for participation in the event of an emergency; importance the community is aware that in the event of an emergency, it will be necessary for them to expect to be self-sustaining for at least 48 hours; importance of community collaboration in the event of an emergency; importance of establishing a gathering point for family members in the event of an emergency; and direction to the Acting City Manager to accept donations on behalf of the residents and direct the donations to the charity of the residents' choice.

Margie Wakeham, Executive Director - Families Forward, spoke on relief efforts and Families Forward efforts for housing displaced families in Irvine.

Ann Watt, Irvine resident, spoke on the need to secure an effective emergency management plan to avoid the disastrous affects experienced by Hurricane Katrina victims. She suggested that the City preserve the runways at former El Toro Marine Corps Air Station for disaster relief purposes.

Julie Hudash, Irvine resident, and Lieutenant Mike Hamill, spoke on relief efforts for Hurricane Katrina victims and the fundraiser "LemonAID Stands," which encourages citizen participation, on September 24 – 25, 2005.

Announcement: Councilmember Shea read a statement from Andy Zelinko, who expressed appreciation to the participants of the "Remember 9-11" Memorial Service held on Sunday at Northwood Park.

PUBLIC COMMENTS (Limited to 3 minutes per speaker)

Paul Lee, University of California, Irvine student, extended an invitation to the City Council to attend an event to be held on September 30 and sponsored by LINK, Liberty in North Korea, an on campus human rights organization.

Sam Castelo, Irvine resident, spoke on an article in the Los Angeles Times regarding Orange County Human Relations Commission.

CITY MANAGERS REPORT

Acting City Manager Sean Joyce introduced Joel Kuperberg, City Attorney, who introduced Phillip Kohn as the new City Attorney effective January 2006.

ADDITIONS AND DELETIONS

Acting City Manager Sean Joyce requested that Item No. 4.3, Extension of Time: Concrete Recycling Agreement, be extended to December 31, 2005; and that Item Nos. 4.4, Executive Management Consulting Service Contract, and 12.2, Status of Cox Cable Franchise Renewal Negotiations, be deleted from the agenda.

CONSENT CALENDAR

Hearing no objections from other Councilmember's, Mayor Krom noted special instruction and/or removed the following items from the Consent Calendar for separate discussion:

4.3 EXTENSION OF TIME: CONCRETE RECYCLING AGREEMENT

Acting City Manager Sean Joyce noted the agreement should reflect an extension to December 31, 2005.

4.4 EXECUTIVE MANAGEMENT CONSULTING SERVICE CONTRACT

Acting City Manager Sean Joyce requested this item be deleted from the agenda.

7.3 TREASURER'S ANNUAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2005

Councilmember Shea requested this item be removed for separate discussion.

8.2 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.

8.5 APPROVAL OF EASEMENT FOR PUBLIC STREET AND PUBLIDC UTILITY PURPOSES, AND ACCEPTANCE OF FOSSIL ROAD INTO THE CITY STREET SYSTEM (PLANNING AREA 16, QUAIL HILL)

Councilmember Shea requested her vote on this Item be recorded as an abstention due to a potential conflict of interest.

ACTION: It was moved by Councilmember Shea, seconded by Mayor Pro Tempore Kang, and unanimously carried to approve Consent Calendar Item Nos. 2 through 8.6 with exceptions as noted above.

PUBLIC COMMENTS

There was no public comment on Consent Calendar items.

2. CITY COUNCIL MINUTES

2.1 APPROVAL OF CITY COUNCIL MINUTES

ACTION: Approved the minutes of a regular meeting of the Irvine City Council held on July 26, 2005.

3. PROCLAMATIONS/RATIFICATIONS

3.1 PROCLAIM THE FOLLOWING:

ACTION:
1) Family Day - A Day to Eat Dinner with Your Children - September 26, 2005

2) Developmental Disabilities Day - September 16, 2005

3) Constitution Week - September 17-23, 2005

4) National Anthem Project Day – September 14, 2005

3.2 RATIFY THE FOLLOWING:

ACTION: Save a Life Month – September 2005

4. AGREEMENTS

4.1 APPROVAL OF MAP, BOND, AND AGREEMENT, FOR TRACT MAP NO. 15461 -- FINAL PORTION OF TENTATIVE TRACT MAP NO. 15461 (PLANNING AREA 22, SHADY CANYON)

ACTION:
1) Approved Tract Map No. 15461.

2) Approved the agreement and accepted the security from Irvine Community Development Company, guaranteeing survey monumentation for Tract Map No. 15461.

3) Authorized the Mayor to sign the agreement and the City Clerk to attest to the agreement subject to City Attorney approval as to form.

4) Accepted the dedication of easements for emergency access and public service vehicle ingress and egress purposes as shown on the map.

4.2 MEMORANDUM OF UNDERSTANDING ENTERED INTO PURSUANT TO CALIFORNIA PENAL CODE SECTION 830.7 AND CALIFORNIA EDUCATION CODE SECTION 67381 BETWEEN THE IRVINE POLICE DEPARTMENT AND CONCORDIA UNIVERSITY

ACTION: **CONTRACT NO. 5129** - Authorized the City Manager to execute a memorandum of understanding between the Irvine Police Department and Concordia University as required by the Kristin Smart Campus Act of 1998 (California Education Code Section 67381) to delineate the law enforcement responsibilities on the campus of Concordia University.

4.3 EXTENSION OF TIME: CONCRETE RECYCLING AGREEMENT

ACTION: Approved letter agreement between the City of Irvine and Heritage Fields, LLC, extending the date for completion of a concrete recycling agreement to December 31, 2005.

4.4 EXECUTIVE MANAGEMENT CONSULTING SERVICE CONTRACT

This item was deleted from the agenda.

5. PROJECTS - BIDS AND SPECIFICATIONS

5.1 JAMBOREE ROAD SIGNAL COORDINATION AND UPGRADE OF TRAFFIC SIGNAL SYSTEMS BETWEEN KOLL CENTER AND BARRANCA PARKWAY - APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS - CIP 335000

ACTION: Approved the plans, specifications, and contract documents for Jamboree Road Signal Coordination and Upgrade of Traffic Signal Systems between Koll Center and Barranca Parkway, CIP 335000.

5.2 CULVER DRIVE SIGNAL COORDINATION BETWEEN PORTOLA PARKWAY AND CAMPUS DRIVE - APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS - CIP 334100

ACTION: Approved the plans, specifications, and contract documents for Culver Drive Signal Coordination between Portola Parkway and Campus Drive, CIP 334100.

5.3 MAIN STREET SIGNAL UPGRADE OF TRAFFIC SIGNAL SYSTEMS BETWEEN MCDURMOTT WEST AND SIGLO - APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS - CIP 335120

ACTION: Approved the plans, specifications, and contract documents for Main Street Signal Upgrade of Traffic Signal Systems between McDurmott West and Siglo, CIP 335120.

6. ALLOCATION OF FUNDS

6.1 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND

ACTION:

1) Accepted a Supplemental Law Enforcement Services Fund (SLESF) award in the amount of $253,000.

2) Approved a budget adjustment request in the amount of $253,000 for Fiscal Year 2005-06, increasing revenues and authorizing appropriation of the award funding.

7. REPORTS

7.1 DEFINED BENEFIT AND DEFINED CONTRIBUTION PENSION PLAN AUDITS FOR THE YEAR ENDED DECEMBER 31, 2004

ACTION:

1) Received and filed the Defined Benefit and the Defined Contribution Pension Plan audits for the year ended December 31, 2004.

2) Directed staff to present to the City of Irvine Investment Advisory Committee an analysis of the Defined Benefit Pension Plan's current actuarial assumptions and investment policies including an analysis of alternate investment strategies.

7.2 APPLICATION FOR RECOGNITION OF RAYMOND L. WATSON

ACTION: Approved the application for recognition of Raymond L. Watson, and name the pedestrian bridge spanning Campus Drive the Raymond L. Watson Bridge.

7.3 TREASURER'S ANNUAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2005

This item was removed from the Consent Calendar at the request of Councilmember Shea who commented on the annual rate of return as well as management of the Bonds Proceeds Fund Portfolio vs. Operating Fund Portfolio, to which Michele Lund, City Treasurer responded.

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

Receive and file the Treasurer's Annual Report for the Fiscal Year Ended June 30, 2005.

8. RESOLUTIONS

8.1 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted a Resolution entitled: **RESOLUTION NO. 05-100** - 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.

8.2 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. 05-101** - 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.

8.3 ENCROACHMENT PERMIT FOR A TOWER CRANE TO ERECT A 13-STORY BUILDING AT 5000 SCHOLARSHIP

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-102** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING AN ENCROACHMENT PERMIT FOR A PERIOD EXCEEDING SIX MONTHS FOR THE PURPOSE OF OPERATING A TOWER CRANE TO ERECT A 13-STORY BUILDING AT 5000 SCHOLARSHIP

8.4 DESIGNATION OF DEPUTY TREASURER

ACTION: Adopted a Resolution entitled: **RESOLUTION NO. 05-103** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING RESOLUTION NO. 01-04 AND DESIGNATING DONNA MULLALLY, CCMT, AS DEPUTY TREASURER.

8.5 APPROVAL OF EASEMENT FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES, AND ACCEPTANCE OF FOSSIL ROAD INTO THE CITY STREET SYSTEM (PLANNING AREA 16, QUAIL HILL)

Councilmember Shea requested her vote on this item be recorded as an abstention due to a potential conflict of interest as a result of the proximity of her residence to the proposed project site. This has been deemed a true abstention by the City Attorney.

ACTION:

1) Adopted a Resolution entitled: **RESOLUTION NO. 05-104** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ACCEPTING THE STREET NAMED FOSSIL ROAD, WITHIN THE OPEN SPACE PRESERVATION ZONING DISTRICT OF PLANNING AREA 16, INTO THE SYSTEM OF CITY STREETS

2) Authorized the City Manager to execute and the City Clerk to attest the dedication of easement for public street and public utility purposes for Fossil Road.

8.6 DONATION OF SURPLUS BALLISTIC VESTS TO THE FOUNDATION FOR COMBATING TERRORISM AND TRANSNATIONAL CRIME

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-105** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE DONATION OF 73 SURPLUS CITY BALLISTIC VESTS TO THE FOUNDATION FOR COMBATING TERRORISM AND TRANSNATIONAL CRIME

END OF CONSENT CALENDAR

COUNCIL BUSINESS

ORDINANCES

9. SECOND READING OF ORDINANCES

9.1 SECOND READING OF ORDINANCE: AMENDING SECTION 5-4-101 OF THE MUNICIPAL CODE AND SETTING COMPENSATION SCHEDULE FOR ZONING ADMINISTRATOR

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

Adopt and read by title only an ordinance entitled: **ORDINANCE NO. 05-17** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING SECTION 5-4-101 OF THE MUNICIPAL CODE, IDENTIFYING THE ZONING ADMINISTRATOR AS AN OFFICE APPOINTED BY THE CITY COUNCIL

10. RESOLUTIONS

10.1 RESOLUTION OF INTENT TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 2005-2 (COLUMBUS GROVE)

Donna Mullally, Finance Administrator, presented the staff report.

City Council discussion included clarification that the Irvine Unified School District will not establish a Community Facilities District for this project.

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

1) Adopt a Resolution entitled: **RESOLUTION NO. 05-106** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA DECLARING ITS INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 2005-2 (COLUMBUS GROVE) OF THE CITY OF IRVINE AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN

2) Adopt a Resolution entitled: **RESOLUTION NO. 05-107** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA DECLARING ITS INTENTION TO INCUR BONDED INDEBTEDNESS FOR PROPOSED COMMUNITY FACILITIES DISTRICT NO. 2005-2 (COLUMBUS GROVE) OF THE CITY OF IRVINE

11. PUBLIC HEARINGS

11.1 PUBLIC HEARING: APPROVAL OF CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY VARIABLE RATE DEMAND REVENUE BONDS

Mayor Krom opened the public hearing at 6:59 p.m.

Donna Mullally, Finance Administrator, presented the staff report.

ACTION: At 7:00 p.m., it was moved by Councilmember Shea, seconded by Mayor Krom, and unanimously carried, to close the public hearing.

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

Adopt a Resolution entitled: **RESOLUTION NO. 05-108** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE ISSUANCE OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY VARIABLE RATE DEMAND REVENUE BONDS (CONCORDIA UNIVERSITY IRVINE PROJECT), SERIES 2005 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $27,000,000 TO BE USED TO FINANCE OR REFINANCE THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, FURNISHING AND EQUIPPING OF CERTAIN EDUCATIONAL FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO

11.2 PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR PLAZA III AND IV, AND CAMPUS CENTER APARTMENTS EXPANSION IN PLANNING AREA 36

Mayor Krom opened the public hearing at 7:02 p.m.

Pam Davis, Senior Planner, presented the staff report. (PowerPoint presentation on file in the City Clerk's Department.)

Tim Strader, Starpointe Ventures, spoke in support of the proposed project.

City Council discussion included concern expressed by the City of Newport Beach with the proposed projects; lack of library services in the vicinity; source of funds for development of neighborhood parks; and clarification of concerns expressed by the Airport Land Use Commission with high rise residential in such close proximity to air traffic patterns and to the avigation easement height limit.

Councilmember Choi left the dais at 7:22 p.m.

ACTION: At 7:34 p.m., it was moved by Mayor Pro Tempore Kang, seconded by Mayor Krom, and unanimously carried by those members present, to:

1) Continue the public hearing for the Campus Center Apartments Expansion General Plan Amendment and Zone Change to the City Council meeting of September 27, 2005.

2) Continue the public hearing for the Plaza – Irvine Phases III and IV General Plan Amendment and Zone Change to a date uncertain to be considered with the next general plan amendment cycle.

3) Adopt a resolution entitled: **RESOLUTION NO. 05-109** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE NOTIFYING THE AIRPORT LAND USE COMMISSION OF THE CITY'S INTENTION TO ADOPT PROPOSED FINDINGS AND ACTION TO OVERRIDE THE AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE PROPOSED GENERAL PLAN AMENDMENT FOR PLANNING AREA 36 IS INCONSISTENT WITH THE 2002 JOHN WAYNE AIRPORT ENVIRONS LAND USE PLAN

Councilmember Shea left the dais at 7:35 p.m.

11.3 PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE IN PLANNING AREA 36, 2201 MARTIN; FILED BY KB HOME COASTAL

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

Lana Weiss, Senior Planner, presented the staff report. (PowerPoint presentation on file in the City Clerk's Department.)

Eric Rubery, representing the Sapetto Group, spoke in support of the proposed project.

ACTION: At 7:37 p.m., it was moved by Councilmember Agran, seconded by Mayor Pro Tempore Kang, and unanimously carried by those members present, to.

Continue the public hearing to September 27, 2005.

11.4 PUBLIC HEARING: CONSIDERATION OF THE CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS

Mayor Krom opened the public hearing at 7:38 p.m.

Cynthia Ricks-Maccotan, CDBG Coordinator, presented the staff report.

Councilmembers Choi and Shea returned to the dais at 7:39 p.m.

ACTION: At 7:39 p.m., it was moved by Mayor Krom, seconded by Mayor Pro Tempore Kang, and unanimously carried, to close the public hearing.

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

Authorize the Acting City Manager to submit the Consolidated Annual Performance Evaluation Report (CAPER), including public comments received, for the Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Programs to the U.S. Department of Housing and Urban Development.

11.5 PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE AT 2801 KELVIN IN PLANNING AREA 36

Mayor Krom opened the public hearing at 7:39 p.m.

Councilmember Shea and Councilmember Choi left the dais at 7:42 p.m. due to a potential conflict of interest as a result of business dealings with John Laing Homes.

Michael Philbrick, Senior Planner, presented the staff report. (PowerPoint presentation on file in the City Clerk's Department.)

Tim Strader, Starpointe Ventures, spoke in support of the proposed project.

City Council discussion included clarification on whether the direct contribution will be applied to the in-lieu fees.

ACTION: At 7:46 p.m., it was moved by Mayor Krom, seconded by Councilmember Agran, and unanimously carried by those members present, to close the public hearing.

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

1) Adopt a resolution entitled: **RESOLUTION NO. 05-110** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE RECEIVING AND FILING AN ADDENDUM TO THE IBC ENVIRONMENTAL IMPACT REPORT AND APPROVING GENERAL PLAN AMENDMENT 00356835-PGA TO AMEND LAND USE TABLE A-1 OF THE GENERAL PLAN FOR THE 2801 KELVIN RESIDENTIAL PROJECT; LOCATED AT THE NORTHEAST CORNER OF JAMBOREE ROAD AND KELVIN AVENUE; PLANNING AREA 36; FILED BY STARPOINTE VENTURES

2) Introduce for first reading and read by title only an ordinance entitled: **ORDINANCE NO. 05-18** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00356837-PZC TO REVISE TEXT IN THE ZONING CODE AND CHANGE THE ZONING ON PARCEL 2, AS SHOWN ON A PARCEL MAP FILED IN BOOK 78, PAGES 12 AND 13, FROM 5.1 IBC MULTI-USE TO 5.3C IBC RESIDENTIAL; LOCATED AT THE NORTHEAST CORNER OF JAMBOREE ROAD AND KELVIN AVENUE; PLANNING AREA 36; FILED BY STARPOINTE VENTURES

Councilmembers Choi and Shea returned to the Dais at 7:47 p.m.

11.6 PUBLIC HEARING: TRANSFER OF DEVELOPMENT INTENSITY FROM PLANNING AREA 13 TO PLANNING AREA 31

Mayor Krom opened the public hearing at 7:47

David Law, Senior Planner, presented the staff report. (PowerPoint presentation on file in the City Clerk's Department.)

ACTION: At 7:48 p.m., it was moved by Councilmember Shea, seconded by Mayor Krom, and unanimously carried, to close the public hearing.

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

1) Adopt Resolution entitled: **RESOLUTION NO. 05-111** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING A NEGATIVE DECLARATION AND APPROVING GENERAL PLAN AMENDMENT 00350805-PGA, FOR THE TRANSFER OF 1,713,862 GROSS SQUARE FEET OF DEVELOPMENT INTENSITY FROM PLANNING AREA 13 (SPECTRUM 4) TO PLANNING AREA 31 (SPECTRUM 6)

2) Introduce for first reading and read by title only an ordinance entitled: **ORDINANCE NO. 05-19** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING A NEGATIVE DECLARATION AND APPROVING ZONE CHANGE 00350802-PZC, FOR THE TRANSFER OF 1,713,862 GROSS SQUARE FEET OF DEVELOPMENT INTENSITY FROM PLANNING AREA 13 (SPECTRUM 4) TO PLANNING AREA 31 (SPECTRUM 6)

11.7 PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE TO RECONCILE INTENSITY CAPS WITH EXISTING BUILDING DEVELOPMENT, PLANNING AREA 35 (SPECTRUM) (Continued from the meeting of July 12, 2005)

Mayor Krom opened the public hearing at 7:50 p.m.

Stephanie Keys, Senior Planner, presented the staff report. (PowerPoint presentation on file in the City Clerk's Department.)

City Council discussion included clarification of vehicle related commercial zones.

ACTION: At 7:56 p.m., it was moved by Mayor Krom, seconded by Councilmember Shea, and unanimously carried, to close the public hearing.

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

1) Adopt a resolution entitled: **RESOLUTION NO. 05-112** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00376676-PGA, GENERAL PLAN AMENDMENT CYCLE 05-1B, TO AMEND GENERAL PLAN LAND USE TABLES A-1 AND A-2 TO RECONCILE INTENSITY CAPS WITH EXISTING BUILDING DEVELOPMENT IN THE COMMUNITY COMMERCIAL LAND USE

CATEGORY; PLANNING AREA 35; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

2) Introduce for first reading and read by title only an Ordinance entitled: **ORDINANCE NO. 05-20** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00376674-PZC TO AMEND ZONING CODE SECTION 9-35-3 TO RECONCILE ZONING CODE INTENSITY CAPS WITH EXISTING BUILDING DEVELOPMENT IN THE COMMUNITY COMMERCIAL, VEHICLE-RELATED COMMERCIAL, AND PUBLIC INSTITUTIONAL ZONES; AND, TO AMEND ZONING CODE SECTION 9-35-5 TO MODIFY THE PLANNING AREA 35 ZONING MAP; AND, TO AMEND ZONING CODE SECTION 1-2-1 TO CLARIFY LAND USE DEFINITIONS RELATED TO VEHICLE LEASING; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

12. REPORTS

12.1 ADOPTION OF RULES OF ETHICAL AND OPEN GOVERNANCE

Mayor Krom gave a brief statement prior to presentation of the report.

City Council discussion included legal impact of resolution as opposed to provisions that would take the form of an ordinance; need for a lobbyist registration and disclosure ordinance; preparation of a draft lobby ordinance to provide for an appropriate prohibition and regulatory provision, applicable, to City Council Members, City employees and members of the business community; including a statement in the resolution that filing or knowingly making false claims is an unethical breach; maximizing efficiency of Council Aide program; provision that an audit will be conducted if it is suspected that contractors are overcharging the City; inclusion of a statement that if a Councilmember wishes an item to be bifurcated, the City Council as a body extends that courtesy at the dais to the requesting member; inclusion of a statement that during the time appointments to committees are made, fair and equitable consideration be given to all interested individuals; inclusion of a statement that a respectful tone will be reflected in all oral and written communication/correspondence addressed to elected officials; all references to City Councilmembers will reflect reference to the Mayor as well; and clarification of mass mailings as they relate to elected officials.

ACTION: By consensus, the City Council:

Directed staff to return to the City Council with a redline version of the Rules of Ethical and Open Governance manual within 30 days.

12.2 STATUS OF COX CABLE FRANCHISE RENEWAL NEGOTIATIONS

This item was deleted from the agenda.

END COUNCIL BUSINESS

MEMORIAM

Mayor Krom adjourned the meeting in memory of Elizabeth "Lee" Sicoli.

ADJOURNMENT

It was moved by Councilmember Shea, seconded by Councilmember Choi, and unanimously carried by those members present, to adjourn the meeting at 9:41 p.m. to a regular meeting to be held on September 27, 2005, 4:00 p.m., at the City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California

MAYOR OF THE CITY OF IRVINE

ATTEST:

DEPUTY CITY CLERK OF THE CITY OF IRVINE

September 27, 2005
DATE APPROVED