

MINUTES
CITY COUNCIL
REGULAR MEETING
June 27, 2006
City Council Chamber
One Civic Center Plaza

ROLL CALL – 3:06 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; 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, Douglas Williford; Director of Redevelopment, Tina Christiansen; City Clerk, Pamyla Means; Deputy City Clerk, Susan Dahlgren; and Irvine Police Officer Rolf Parkes, Sergeant At Arms.

1. CLOSED SESSION

Council met in Closed Session to discuss:

1.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to Government Code
Section 54956.9(b): one case)

No action taken

ADOPTION OF CONSENT CALENDAR – See Page 3

2. COUNCIL BUSINESS

2.1 AWARD OF CITY OF IRVINE EDUCATIONAL PARTNERSHIP FUNDS

John McAllister introduced Sheila Driscoll, Community Services Superintendent and Michelle Grettenberg, Management Analyst who presented staff report and answered Council questions.

The following individuals spoke on this item:

- Sharon Wallin
- Tim Shaw
- Julie Hudash
- Dee Knapper
- Margie Wakeham
- Nancy Colocino

Councilmember Kang presented an Alternative Funding Recommendation chart to include additional funds for a School Readiness Program; and asked that a committee be established with two Councilmembers, the City Manager or his designee, one School Board member each from IUSD and TUSD, a City staff member, and a member at large; and directed staff to return in 30 days with the appointments of the committee.

Council discussion included the structure of the committee who may also be requesting funding; future reallocations of funds, and a proposal to request self-reporting.

ACTION: It was moved by Councilmember Kang, seconded by Councilmember Agran to:

- 1) Adopt the Alternative Funding Recommendations; establish a committee to review and evaluate the structure of the Irvine Educational Partnership Fund Program comprised of two Councilmembers, the City Manager, one School Board Member each from IUSD and TUSD, a City staff member, and a member at large; direct staff to return in 30 days with the appointments of the committee.
- 2) Adopt **RESOLUTION NO. 06-72 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING RESOLUTION NO. 06-08 PERTAINING TO ESTABLISHING AN EDUCATIONAL PARTNERSHIP FUND**

Councilmember Choi made a substitute motion which was seconded by Councilmember Shea to bifurcate the original motion to vote on the establishment of a committee separately.

The substitute motion failed as follows:

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

The original motion carried as follows:

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

RECESS

Mayor Krom declared a recess at 5:23

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Krom reconvened the meeting at 5:38

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Kang, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.14.

3.1 CITY COUNCIL MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the City Council held on June 13, 2006.
- 2) Approved the minutes of a regular meeting of the City Council held on June 13, 2006.

3.2 CONTRACT FOR LEGAL ADVERTISING – FY 2006-07

ACTION: Awarded the contract for publication of legal notices for the City of Irvine for Fiscal Year 2006-2007 to the Irvine World News and the Orange County Register and authorized the Mayor to sign and the City Clerk to attest to the agreements for this service, subject to approval by the City Attorney. **(Contract Nos. 5288 & 5289)**

3.3 TREASURER'S REPORT FOR THE QUARTER ENDED MARCH 31, 2006

ACTION: Received and filed the Treasurer's Report for the Quarter Ended March 31, 2006.

3.4 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION: Adopted **RESOLUTION NO. 06-73** - 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

3.5 I-5 SAND CANYON INTERCHANGE IMPROVEMENT PROJECT

ACTION: Adopted **RESOLUTION NO. 06-74** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING THE PROJECT REPORT/PROJECT STUDY REPORT AND CERTIFYING THE MITIGATED NEGATIVE DECLARATION FOR THE I-5/SAND CANYON INTERCHANGE IMPROVEMENT PROJECT

3.6 2006 BICYCLE TRANSPORTATION PLAN

ACTION: Adopted the 2006 City of Irvine Bicycle Transportation Plan.

3.7 IRVINE TRANSPORTATION CENTER PARKING STRUCTURE - COOPERATIVE AGREEMENT AMENDMENT NO. 3 - CIP 363000

ACTION: Authorized the Mayor to execute, and the City Clerk to attest Amendment No. 3 to the Cooperative Agreement between the City of Irvine and the Orange County Transportation Authority subject to City Attorney approval as to form. (**Contract No. 4658C**)

3.8 RESOLUTIONS CONTAINING TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED AND NON-REPRESENTED EMPLOYEES

ACTION:

- 1) Adopted **RESOLUTION NO. 06-75** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE CITY EMPLOYEES ASSOCIATION (ICEA), AND SUPERSEDING ALL PREVIOUS ICEA MEMORANDUMS OF UNDERSTANDING, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006
- 2) Adopted **RESOLUTION NO. 06-76** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE PROFESSIONAL EMPLOYEES

- ASSOCIATION (IPEA), AND SUPERSEDING ALL PREVIOUS IPEA MEMORANDUMS OF UNDERSTANDING, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006
- 3) Adopted **RESOLUTION NO. 06-77** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE ASSOCIATED SUPERVISORY/ADMINISTRATIVE PERSONNEL (ASAP), AND SUPERSEDING ALL PREVIOUS ASAP MEMORANDUMS OF UNDERSTANDING, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006
 - 4) Adopted **RESOLUTION NO. 06-78** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR MANAGEMENT AND NON-REPRESENTED EMPLOYEES (EXEMPT) OF THE CITY OF IRVINE, AND REPEALING ALL PREVIOUS MANAGEMENT AND NON-REPRESENTED EMPLOYEE COMPENSATION RESOLUTIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006
 - 5) Adopted **RESOLUTION NO. 06-79** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR CONFIDENTIAL EMPLOYEES OF THE CITY OF IRVINE, AND REPEALING ALL PREVIOUS CONFIDENTIAL EMPLOYEE COMPENSATION RESOLUTIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006
 - 6) Adopted **RESOLUTION NO. 06-80** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING A CLASSIFICATION AND COMPENSATION POLICY FOR PART-TIME EMPLOYEES OF THE CITY OF IRVINE, AND REPEALING ALL PREVIOUS PART-TIME EMPLOYEE COMPENSATION RESOLUTIONS, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006
 - 7) Adopted **RESOLUTION NO. 06-81** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING ALL PREVIOUS RESOLUTIONS WHICH ARE INCONSISTENT THEREWITH, EFFECTIVE THE PAY PERIOD THAT INCLUDES JULY 1, 2006 UNLESS OTHERWISE NOTED
 - 8) Approved a Budget Adjustment in the amount of \$2,671,000 to transfer funds from the General Fund Strategic Surplus (Fund Balance) and Special Fund fund balances and increase Departmental expenditure allocations for fiscal year 2006-2007.

3.9 MASTER IMPLEMENTATION AGREEMENT

ACTION: Approved and authorized the Mayor to sign a Master Implementation Agreement between the City of Irvine and Heritage Fields El Toro, LLC. (**Contract No. 5290**)

3.10 GRANT OF EASEMENT TO IRVINE RANCH WATER DISTRICT FOR A WATER PIPELINE WITHIN HERITAGE PARK (PLANNING AREA 11, EL CAMINO REAL)

ACTION: Authorized the Mayor to execute and the City Clerk to attest the Grant of Easement to Irvine Ranch Water District for a water pipeline within Heritage Park, subject to the City Attorney approval as to form. (**Deed Nos. 1060 and 1061**)

3.11 RESOLUTIONS CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 7, 2006, AND REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION

ACTION:

- 1) Adopted **RESOLUTION NO. 06-82** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 7, 2006 FOR THE ELECTION OF A MAYOR AND TWO MEMBERS OF THE CITY COUNCIL
- 2) Adopted **RESOLUTION NO. 06-83** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON TUESDAY, NOVEMBER 7, 2006 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

3.12 FISCAL YEAR 2006/2007 MEASURE M ELIGIBILITY

ACTION:

- 1) Approved the Measure M Seven-Year Capital Improvement Program (CIP) – Fiscal Years 2006-2007 through 2011-2013.
- 2) Adopted **RESOLUTION NO. 06-84** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AFFIRMING CONSISTENCY OF THE CIRCULATION ELEMENT FOR THE CITY OF IRVINE WITH THE MASTER PLAN OF ARTERIAL HIGHWAYS

3.13 ORDINANCE NO. 06-05 - ZONE CHANGE FOR PLANNING AREAS 18, 33 (LOT 109), 34, AND 39

ACTION: Adopt **ORDINANCE NO. 06-05** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 00382341-PZC TO ALLOW FOR RESIDENTIAL DEVELOPMENT LOCATED IN PLANNING AREAS 18, 33 (LOT 109) AND 39 AND TO REDUCE THE NON-RESIDENTIAL INTENSITY BY 2,340,500 MILLION SQUARE FEET IN PA 34; FILED BY THE IRVINE COMMUNITY DEVELOPMENT COMPANY

Councilmember Shea abstained.

3.14 WARRANT AND WIRE TRANSFER RESOLUTION-BANK OF AMERICA

ACTION: Adopted **RESOLUTION NO. 06-85** - 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

Councilmember Agran abstained.

END OF CONSENT CALENDAR

4. FIRST READING OF ORDINANCES

4.1 FIRST READING OF AN ORDINANCE AMENDING DIVISION 7 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE RELATING TO THE REGULATION OF LOBBYING ACTIVITIES

Pamyla Means, City Clerk, presented the staff report and answered Council questions.

ACTION: Moved by Councilmember Agran, seconded by Mayor Pro Tempore Kang and unanimously carried to: Introduce 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

5. PUBLIC HEARINGS

5.1 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

Lt. Jeff Love, Irvine Police Department, presented the staff report.

Council discussed community awareness and requested an update in six months.

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Kang, to close the public hearing.

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Kang, and unanimously carried to: Introduce 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

5.2 QUITCLAIM AGREEMENTS AND RESOLUTIONS TO VACATE PORTIONS OF EDISON AND LEWIS (PLANNING AREA 8, NORTHWOOD)

Mayor Krom opened the public hearing.

Marty Bryant, Director of Public Works, presented the staff report and answered Council questions.

ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Kang, and carried by those members present to close the public hearing.

- ACTION: Moved by Councilmember Choi, seconded by Mayor Pro Tempore Kang, and carried by those members present to:**
- 1) Authorize the Mayor to execute and the City Clerk to attest the agreements with local property owners to convert Edison and Lewis streets into landscaped paseos, subject to City Attorney approval as to form. **(Deed Nos. 1062 and 1063)**
 - 2) Adopt **RESOLUTION NO. 06-86 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE TO ORDER THE VACATION OF A PORTION OF EDISON WITHIN PLANNING AREA 8, PURSUANT TO STREETS AND HIGHWAYS CODE SECTION 8320 ET. SEQ.**
 - 3) Adopt **RESOLUTION NO. 06-87 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE TO ORDER THE VACATION OF A PORTION OF LEWIS WITHIN PLANNING AREA 8,**

PURSUANT TO STREETS AND HIGHWAYS CODE SECTION 8320 ET. SEQ.

5.3 AFFORDABLE HOUSING IN-LIEU FEE INCREASE/ANNUAL ADJUSTMENT

Mayor Krom opened the public hearing.

ACTION: Moved by Councilmember Agran, seconded by Mayor Pro Tempore Kang, and carried by those members present to continue this item to July 11, 2006.

5.4 GENERAL PLAN AMENDMENT AND ZONE CHANGE, 17421 MURPHY AVENUE IN PLANNING AREA 36

Mayor Krom opened the public hearing. This item was taken up following Item 6.1.

Barry Curtis, Principal Planner; and Mark Asturias, Manager of Housing, presented the staff report and answered Council questions.

The following individuals spoke on this item:

- Patrick Strader, Jr.
- Robert Hawkins
- William Desmond

Council discussion included clarification of areas of contamination in the IBC; and location of surrounding industrial areas that might effect future residential development.

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Kang, and carried by those members present to close the public hearing.

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

- 1) Adopt **RESOLUTION NO. 06-88** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 00390309-PGA TO AMEND LAND USE TABLE A-1 OF THE GENERAL PLAN FOR THE GRANITE COURT APARTMENT; LOCATED AT 17421 MURPHY AVENUE ON THE NORTHEAST CORNER OF KELVIN AND MURPHY; PLANNING AREA 36; FILED BY STARPOINTE VENTURES ON BEHALF OF JAMBOREE HOUSING CORPORATION
- 2) Introduce **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

Note: Items 5.5, 5.6, and 5.7 were taken following the introduction of Item 6.1. Items 5.5, 5.6, and 5.7 were continued by motion made by Councilmember Agran, seconded by Mayor Krom and unanimously carried those members present. Councilmember Shea had excused herself from the dais to work on a proposed resolution regarding Item 6.1.

5.5 GENERAL PLAN AMENDMENT AND ZONE CHANGE, IN PLANNING AREA 36, 2323 MAIN STREET

ACTION: Continued the public hearing to July 25, 2006.

5.6 GENERAL PLAN AMENDMENT AND ZONE CHANGE, AVALON JAMBOREE VILLAGE, PLANNING AREA 36

ACTION: Continued the public hearing to July 25, 2006.

5.7 PLANNING AREA 39 DEVELOPMENT AGREEMENT

ACTION: Continued the public hearing to July 25, 2006.

6. COUNCIL BUSINESS (Continued)

6.1 SISTER CITY RELATIONSHIP WITH THE DISTRICT OF XUHUI, SHANGHAI, CHINA AND THE CITY OF IRVINE

City Manager, Sean Joyce, introduced this item.

The following people spoke on this item:

George Wu, Hong Zong Lin, Stan Yang, Bruce Herschensohn, Beatrice Foster, Tina Fernandez, Hsia (Kathy) Su, Henry King, Olivia Yu, Dr. James E. Dunning, Ming C. Wang, Brian Stanley, Bill Cho, Don Lee, Greg Smith, Vicky Chen, Ju-Chu Ho, Ruey-Yueh Ho, Katherine He, Shing-Ming (Sam) Hsu, Ching Fen Tsai, Bill Shih-How Chang, Jennifer Kuo, Greg Berk, Darryl Brock, Thomas Lee, Yao-Yang Shieh, Mary Ann Gaido, Guy Mailly, Samuel Hsieh, Christina He, Robert Liu, Albert Wu, Simon Lin, Rae Chen, Sam Castelo, Yung Chen, Darice Lee

Council discussion included concern with the documents signed on behalf of the City; efforts to make amends for the issue; a proposed resolution by Councilmember Shea; a proposed resolution by Mayor Pro Tempore Kang; and apologies to the Taiwanese community.

Councilmember Shea left the dais at 11:01 p.m. to work on a proposed resolution.

ACTION: It was moved by Councilmember Choi, seconded by Mayor Pro Tempore Kang and unanimously carried by those members present at 11:15 p.m. to carry on with the City Council meeting to 12:00 a.m.

Councilmember Shea returned to the dais at 11:25 p.m.

ACTION: Moved by Councilmember Shea, seconded by Councilmember Choi and unanimously carried to: Adopt RESOLUTION NO 06-89 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CLARIFYING ITS POSITION ON THE ESTABLISHMENT OF SISTER CITY RELATIONS WITH THE XUHUI DISTRICT OF THE CITY OF SHANGHAI, CHINA

6.2 REPORT OF THE ORANGE COUNTY GRAND JURY

ACTION: By Consensus the Council, continued this item to a date to be determined.

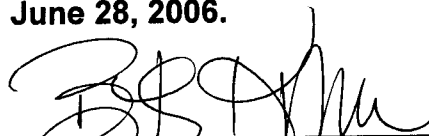
END OF COUNCIL BUSINESS

PUBLIC COMMENTS

None

ADJOURNMENT

Moved by Councilmember Choi, seconded by Councilmember Shea, the meeting adjourned at 12:09 a.m., Wednesday, June 28, 2006.


MAYOR OF THE CITY OF IRVINE


CITY CLERK OF THE CITY OF IRVINE

July 11, 2006
DATE