

MINUTES

IRVINE CITY COUNCIL REGULAR MEETING

March 8, 2005

CALL TO ORDER

A regular meeting of the Irvine City Council was called to order on March 8, 2005 at 4:04 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

Also present were City Manager Allison Hart; Assistant City Manager, Sean Joyce; City Attorney, Joel Kuperberg; Director of Public Safety, David L. Maggard, Director of Administrative Services, Rick Paikoff; Director of Public Works, Marty Bryant; Acting Director of Community Services, John McAllister; Director of Community Development, Tina Christiansen; City Clerk, Jeri Stately; City Clerk Specialist, Molly McLaughlin; and Mike Tu, Sergeant At Arms.

RECESS

Mayor Krom recessed the meeting at 4:05 p.m. to the Irvine Redevelopment Agency meeting.

**CONVENE A SPECIAL MEETING OF THE IRVINE REDEVELOPMENT AGENCY -
Please refer to the Irvine Redevelopment Agency Minutes.**

Mayor Krom convened to a special Irvine Redevelopment Agency meeting at 4:05 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Krom reconvened the City Council meeting at 4:09 p.m.

RECESS TO CLOSED SESSION

Mayor Krom recessed the meeting to closed session at 4:11 p.m. to consider:

PUBLIC EMPLOYMENT (Pursuant to Government Code Section 54957)

Position Title: City Manager

No action taken.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Krom reconvened the meeting to regular session at 5:16 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Choi.

MOMENT OF SILENCE

Mayor Krom requested a moment of silence.

MUSICAL PRESENTATION

Mayor Krom introduced Alvin Chen who performed "The Whipping Horses Busily Carrying Grain" on a traditional Chinese flute.

PRESENTATIONS

Mayor Krom introduced Martine Wehr, representing the National Council on Alcoholism and Drug Dependence and Director of the "Side By Side: A Partnership in Parenting" program. She announced they will be hosting an event to be held at the Irvine Marriott, on March 24, 2005, 6:00-9:00 p.m. (Exhibit No. 1 on file in the City Clerk's Department).

INTRODUCTIONS

There were none.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Kang announced and thanked:

City employees Denise Nagahama and Patrick Drew in the City's Administrative Services Department, for coordinating the American Red Cross Blood Drive at the Civic Center on February 10th.

Recognized the City Clerk's Department, the City's Information Technology Division, and the Public Information Office for the many programs and communications vehicles they coordinate.

The Public Works Street Division staff and Landscape Maintenance staff for their hard work and efforts during the recent rainstorms.

Recognized City employees Barry Greenstein and Toan Nguyen in the Public Works Department for responding to complaints to resolve a potentially hazardous traffic condition on Shady Canyon Drive caused by runoff during the recent storms.

Announced the upcoming, "City of Irvine Streets and Traffic – Where We Are and Where We Are Going" to be held in the Council Chamber on April 13, 2005, from 6:00-8:00 p.m. He noted the program will also be shown on ICTV 30.

Councilmember Choi announced the following:

Enjoyed and thanked City staff for the opportunity of his recent ride-along with Police Officer Mike Hallinan and thanked the following Public Safety employees who assisted him when on patrol at the Irvine Spectrum: Commander Jeff Kermode, Sergeant Tim Smith, and Police Officers Scott McNally, Noelle Smiley, and Traci Fisher.

Mayor Krom announced the following:

March is National Women's History Month and March 8th is International Women's Day and noted prominent women both nationally and locally, including a special recognition of recently deceased Congresswoman Shirley Chisholm.

Congratulated the 2004 Police Officer of the Year, Steve Giannini and the 2004 Civilian of the Year, Dennis Ruvolo.

The upcoming Spring Concert Series, "Causing Treble...Again" will take place at the Irvine Civic Center on Sunday, March 20, at 4:00 p.m. (Exhibit No. 2 on file in the City Clerk's Department).

The upcoming Orange County Fire Authority Regional Fire Operations and Training Center dedication to be held on March 12 at 8:00 a.m.

ADDITIONS AND DELETIONS

There were none.

CONSENT CALENDAR (Item Nos. 1 through 6.1)

PUBLIC COMMENTS

There were no public comments on Consent Calendar items.

APPROVAL OF CONSENT CALENDAR ITEMS

Hearing no objections from other Councilmembers, Mayor Krom removed the following item from the Consent Calendar for separate discussion and action:

6.1 LETTERS OPPOSING THE ELIMINATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Councilmember Agran requested his vote on Item No.5.5, Warrant and Wire Transfer – Bank of America, be recorded as an abstention due to a potential conflict of interest. Please see page 7.

It was moved by Mayor Pro Tem Kang, seconded by Councilmember Choi, and unanimously carried to approve Consent Calendar items 1 through 6.1 , with the exception of the items as noted above.

1. CITY COUNCIL MINUTES

1.1 APPROVAL OF CITY COUNCIL MINUTES (Submitted by City Clerk)

ACTION: Approved the minutes of a regular meeting of the City Council held on February 22, 2005.

2. PROCLAMATIONS/COMMENDATIONS/RATIFICATIONS

2.1 RATIFIED THE FOLLOWING:

- a) 2004 Police Officer of the Year - Steve Giannini
- b) 2004 Civilian of the Year - Dennis Ruvolo
- c) Janet Huston, Executive Director, Orange County Division, League of California Cities

3. AGREEMENTS

3.1 JEFFREY ROAD/UNIVERSITY DRIVE BRIDGE WIDENING PROJECT AT THE I-405 FREEWAY (FILE NO. CIP 323500) (Submitted by Public Works/Transportation Development)

ACTION: CONTRACT NO. 4251A - Approved the Amendment to the Cooperative Funding Agreement between Irvine Community Development Company and the City of Irvine for the Jeffrey Road/University Drive Bridge Widening Project at the I-405 Freeway. Authorized the Mayor to execute and the City Clerk to attest the Amendment, subject to the City Attorney approval as to form.

3.2 ACKNOWLEDGEMENT AND WAIVER BY THE CITY OF IRVINE PERTAINING TO IMPLEMENTATION AGREEMENT NO. 1 BY AND BETWEEN THE IRVINE REDEVELOPMENT AGENCY AND THE COUNTY OF ORANGE (Submitted by Community Development/Administration)

ACTION: CONTRACT NO. 4972 - Approved an "Acknowledgment and Waiver by City of Irvine" attached to the Implementation Agreement No. 1 by and between the Irvine Redevelopment Agency and County of Orange.

4. ALLOCATION OF FUNDS

4.1 BUDGET ADJUSTMENT FOR JAMBOREE AND MICHELSON PEDESTRIAN CROSSING STUDY (Submitted by Public Works/Transportation Development)

ACTION: Approved a Budget Adjustment transferring \$100,000.00 from the Central Park Developer deposit account to the newly established Capital Improvement Program Account (CIP 325160).

5. RESOLUTIONS

5.1 WARRANT AND WIRE TRANSFER RESOLUTION (Submitted by Administrative Services/Fiscal Services)

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-17 - 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.**

5.2 SETTLEMENT AGREEMENT AND AMENDMENT TO THE IRVINE POLICE MANAGEMENT ASSOCIATION (IPMA) MOU (Submitted by Administrative Services/Human Resources)

ACTION:

- 1) **CONTRACT NO. 4973** - Approved a Settlement Agreement and Mutual Release between the Irvine Police Management Association (IPMA) on behalf of itself and all past and present bargaining unit members in the City of Irvine, and authorized the Mayor to sign the Agreement on behalf of the City of Irvine.

- 2) Adopted a resolution entitled: **RESOLUTION NO. 05-18** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE POLICE MANAGEMENT ASSOCIATION (IPMA), ADOPTED MAY 25, 2004

CONTRACT NO. 4837A

5.3 AMENDMENT OF THE PLANNING COMMISSION BY-LAWS (Submitted by Community Development/Development Services)

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-19** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE BY-LAWS OF THE PLANNING COMMISSION OF THE CITY OF IRVINE

5.4 REQUEST TO SUBMIT AN APPLICATION FOR STATE FUNDS FOR THE WORKFORCE HOUSING REWARD PROGRAM(Submitted by Community Development/Planning Services)

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-20** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE STATE OF CALIFORNIA, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE WORKFORCE HOUSING REWARD PROGRAM GRANT (WFH) FOR AFFORDABLE HOUSING DEVELOPMENT

AS CORRECTED (Exhibit No. 3 on file in the City Clerk's Department).

**5.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA
(Submitted by Administrative Services/Fiscal Services)**

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 true by the City Attorney.

ACTION: Adopted a resolution entitled: **RESOLUTION NO. 05-21 - 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.**

6. LEGISLATIVE ISSUES

6.1 LETTERS OPPOSING THE ELIMINATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (Submitted by the City Manager's Office)

This item was removed from the Consent Calendar at the request of Councilmember Shea who requested a stronger focus for the letter.

Council discussion included impact on local requirements of Federal mandates; the potential impact on many programs; ADA requirements; desire for local control of revenue; and noted concern on the threat of reduced funding for Community Block Development Grant programs.

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

Authorize the Mayor to send letters to President George W. Bush and federal legislators opposing the elimination of the Community Development Block Grant (CDBG) program as contained in the "Strengthening America's Communities" Proposal as amended and reviewed by staff.

END OF CONSENT CALENDAR

ORDINANCES

7. SECOND READING OF ORDINANCES

7.1 ADOPTION OF THE REDEVELOPMENT PLAN FOR THE ORANGE COUNTY GREAT PARK REDEVELOPMENT PROJECT AREA (Submitted by City Clerk)

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

Adopt and read by title only an ordinance entitled: **ORDINANCE NO. 05-04 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE ORANGE COUNTY GREAT PARK REDEVELOPMENT PROJECT AREA**

PUBLIC HEARINGS

8. PUBLIC HEARING: WIRELESS COMMUNICATIONS ORDINANCE (Continued from the meeting of January 11, 2005) (Submitted by Community Development/Development Services)

Mayor Krom reopened the public hearing at 5:59 p.m.

ACTION: By consensus, the City Council continued the public hearing to May 10, 2005.

COUNCIL BUSINESS

9. REPORTS

9.1 VICTIM'S BILL OF RIGHTS (This item was agendized by Councilmember Choi)

Councilmember Choi presented the item and noted his support in concept of the proposed resolution of the Orange County Victim's Bill of Rights.

Council discussion included the need to support the resolution in concept; a review of the proposed resolution; existing programs in the City; and the City of Irvine as a model for crime victims' programs.

Brooke Armour, representing Assemblymember Todd Spitzer, spoke in support of the proposed draft Victim's Bill of Rights and introduced Patricia Wenskunas, President, Crime Survivors, Inc.

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

Adopt the Victims Bill of Rights Resolution in concept, subject to future modifications.

PUBLIC COMMENTS

There were none.

ADJOURNMENT

It was moved by Mayor Pro Tem Kang, seconded by Councilmember Choi, and unanimously carried to adjourn the meeting at 6:22 p.m., to a regular meeting to be held on March 22, 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:



CITY CLERK OF THE CITY OF IRVINE

March 22, 2005
DATE APPROVED