

**MINUTES OF A REGULAR MEETING
OF THE IRVINE CITY COUNCIL
HELD NOVEMBER 12, 1991**

I. CALL TO ORDER

A regular meeting of the Irvine City Council was called to order at 5:02 p.m., November 12, 1991, in the City Council Chambers, Irvine Civic Center, One Civic Center Plaza, Irvine, California. Mayor Sheridan presiding.

PRESENT: 5 COUNCILMEMBERS: Bloomer (arrived at 7:47 p.m.), Hammond, Vardoulis, Werner and Sheridan

ABSENT: 0 COUNCILMEMBERS: None

Also present were City Manager Paul Brady, Jr., City Attorney John L. Fellows III and City Clerk Nancy C. Lacey.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sheridan.

PRESENTATIONS

1. Mayor Sheridan read a proclamation entitled "CITY OF IRVINE GIVING CAMPAIGN MONTH - NOVEMBER 1991."
2. City Manager, Paul Brady Jr., presented a Status Report of the City's Regulation XV Program.

INTRODUCTIONS

1. City Manager, Paul Brady Jr., introduced Charles S. Brobeck, Appointee, Director of Public Safety.

ANNOUNCEMENTS

1. Councilmember Werner announced her representation of the City in it's newest recycling efforts -- telephone books.
2. Councilmember Hammond requested that City Manager Paul Brady Jr. clarify the additional property tax bill received by the residents of Irvine from the County.

City Manager Paul Brady Jr., responded.

COMMITTEE REPORTS

There were none.

ADDITIONS AND DELETIONS TO THE AGENDA

There were none.

II. CONSENT CALENDAR

Hearing no objections from other Councilmembers Mayor Sheridan removed the following items from the Consent Calendar for separate discussion:

- 3.2 MEASURE M CAPITAL IMPROVEMENT PROGRAM
- 3.4 PLANNING AREA 38 TRANSIT FEE STUDY FUNDING AGREEMENT
- 6.2 NORTHWOOD ABANDONED RAILWAY RIGHT-OF-WAY - AB 471 FUNDING PROGRAM
- 7.1 GRAFFITI ORDINANCE
- 7.4 NORTHWOOD 5 ZONE CHANGE 87-ZC-0131

It was moved by Councilmember Werner, seconded by Councilmember Vardoulis to approve the Consent Calendar items 1 through 7.4 with the exception of items 3.2, 3.4, 6.2, 7.1 and 7.4 as noted above.

The motion carried by the following roll call vote:

AYES:	4	COUNCILMEMBERS:	Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Bloomer

1 APPROVAL OF CITY COUNCIL MINUTES

- ACTION:** 1) Approved the following minutes as mailed:
- A. Minutes of a regular meeting held on September 10, 1991.
 - B. Minutes of a regular meeting held on September 24, 1991.
 - C. Minutes of a regular meeting held on October 8, 1991.

2 PROCLAMATIONS

- ACTION:** 1) Proclaimed the following:
- A. CITY OF IRVINE GIVING CAMPAIGN MONTH - NOVEMBER 1991
 - B. NOVEMBER 24, 1991, AS "ORANGE COUNTY TAEKWONDO CHAMPIONSHIP DAY"
 - C. COMMENDING BRAVI 9'S PRESENTATION AND PERFORMANCE WORKSHOP'S PRESENTATION OF "SECRET LOVE FOR THE PEACH BLOSSOM SPRING"
 - D. DECEMBER, 1991, AS "CHRISTMAS SEAL MONTH"

3 AGREEMENTS

3.1 TRAFFIC MANAGEMENT SYSTEMS & OPERATIONS STUDY (TMSOS) CONSULTANT SELECTION

- ACTION:**
- 1) Approved selection of IBI Group as the primary consultant for the Traffic Management Systems & Operations Study.
 - 2) Authorized the Mayor to execute and the City Clerk to attest subject to the review and approval of the City Attorney.

**3.3 CASE MANAGEMENT CONSULTANTS--SENIOR AND FAMILY SERVICES;
APPROVAL TO AWARD CONTRACT**

- ACTION:**
- 1) Approved the selection of Gary Mangioficio to provide case management consultant services to the Community Services Department.
 - 2) Authorized the Director of Community Services to enter into an agreement with the above recommended consultant.

4 ACCEPTANCE/ALLOCATION OF FUNDS

4.1 APPROVAL OF BUDGET ADJUSTMENT FOR JACKIE GOLOB AND ASSOCIATES PURCHASE ORDER #57162

- ACTION:**
- 1) Approved Purchase Order #57162 budget adjustment increase in the amount of \$27,000.

5 REPORTS

5.1 CITY SPECIAL FUNDS REPORT

- ACTION:**
- 1) Received and file the City Special Funds Report.

6 RESOLUTIONS

6.1 APPROVAL OF WARRANT RESOLUTION

- ACTION:**
- 1) Adopted a resolution entitled:

RESOLUTION NO. 91-159 - 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

6.3 CAREER CRIMINAL APPREHENSION PROGRAM GRANT

- ACTION:**
- 1) Adopted a resolution entitled:

RESOLUTION NO. 91-161 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SAFETY TO CERTIFY APPLICATION AND FUTURE DOCUMENTS FOR A CAREER CRIMINAL APPREHENSION PROGRAM GRANT

6.4 CONFIRMATION OF DIRECTOR OF PUBLIC SAFETY/CHIEF OF POLICE APPOINTMENT

ACTION: 1) Adopted a resolution entitled:

RESOLUTION NO. 91-162 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPOINTING CHARLES S. BROBECK AS THE DIRECTOR OF PUBLIC SAFETY/CHIEF OF POLICE.

6.5 AMEND THE NUMBER OF REGULAR PART-TIME POSITIONS WITHIN THE COMMUNITY SERVICES DEPARTMENT

ACTION: 1) Approved the addition of two regular part-time Program Specialists and one regular part-time Community Services Leader III positions.

2) Authorized Human Resources to amend the Regular Part-time Control Resolution to reflect the above action.

6.6 AMEND THE NUMBER OF AUTHORIZED REGULAR PART-TIME CROSSING GUARDS TO REFLECT AN INCREASE OF FIVE POSITIONS

ACTION: 1) Approved an increase in the number of regular part-time crossing guards by five.

2) Authorized Human Resources to amend the regular part-time position control resolution to reflect the above action.

7 SECOND READING OF ORDINANCES

7.2 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA ADDING A NEW SECTION IV.L-114 TO THE IRVINE CITY CODE PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC

ACTION: 1) Adopted and read by title only an ordinance entitled:

ORDINANCE NO. 91-18 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA ADDING A NEW SECTION IV.L-114 TO THE IRVINE CITY CODE PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC

7.3 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA ADDING A NEW SECTION IV.L-113 TO THE IRVINE CITY CODE PROHIBITING URINATION OR DEFECATION IN PUBLIC

ACTION: 1) Adopted and read by title only an ordinance entitled:

ORDINANCE NO. 91-19 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA ADDING A NEW SECTION IV.L-113 TO THE IRVINE CITY CODE PROHIBITING URINATION OR DEFECATION IN PUBLIC

3.2 MEASURE M CAPITAL IMPROVEMENT PROGRAM

This item was removed from the Consent Calendar at the request of Mayor Sheridan who had questions regarding landscaping and right-of-way costs.

Councilmember Vardoulis had a series of questions regarding Yale Bridges, Carlson Avenue, Jamboree Road from Michelson to Barranca and the freeway overpasses.

Arya Rohani Manager of Transportation Services responded.

It was moved by Councilmember Vardoulis, seconded by Councilmember Hammond to approve the Measure M Capital Improvement Program.

The motion carried by the following roll call vote:

AYES:	4	COUNCILMEMBERS:	Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Bloomer

3.4 PLANNING AREA 38 TRANSIT FEE STUDY FUNDING AGREEMENT

This item was removed from the Consent Calendar at the request of Mayor Sheridan who suggested that the staff work towards a master plan for transit services.

It was moved by Mayor Sheridan, seconded by Councilmember Hammond to:

ACTION: 1) Approve the Planning Area 38 Transit Fee Study Funding Agreement and authorize the Mayor to execute said Agreement.

The motion carried by the following roll call vote:

AYES:	4	COUNCILMEMBERS:	Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Bloomer

6.2 NORTHWOOD ABANDONED RAILWAY RIGHT-OF-WAY - AB 471 FUNDING PROGRAM

This item was removed from the Consent Calendar by Mayor Sheridan at the request of members of the bicycle committee who noted that they do not support using bond funds for this project.

It was moved by Mayor Sheridan, seconded by Councilmember Vardoulis to:

ACTION: 1) Adopt a resolution entitled:

RESOLUTION NO. 91-160 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AUTHORIZING PARTICIPATION BY THE CITY OF IRVINE IN ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM (AB471)

The motion carried by the following roll call vote:

AYES:	4	COUNCILMEMBERS:	Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Bloomer

7.1 GRAFFITI ORDINANCE

This item was removed from the Consent Calendar at the request of Mayor Sheridan to allow a member of the public to speak on this item.

Speaking in opposition to the adoption of the graffiti ordinance was Linda Grau, 10 Lakeview, Irvine, California.

It was moved by Councilmember Werner, seconded by Councilmember Hammond to:

ACTION: 1) Adopt and read by title only an ordinance entitled:

ORDINANCE NO. 91-17 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING GRAFFITI TO BE A PUBLIC NUISANCE AND ESTABLISHING PROCEDURES FOR THE REMOVAL; PROHIBITING POSSESSION OF PERMANENT INK MARKING DEVICES FOR THE PURPOSE OF APPLYING GRAFFITI; AND ESTABLISHING A REWARD FOR INFORMATION LEADING TO THE CONVICTION OF PERSONS APPLYING GRAFFITI

The motion carried by the following roll call vote:

AYES:	4	COUNCILMEMBERS:	Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Bloomer

7.4 NORTHWOOD 5 ZONE CHANGE 87-ZC-0131

This item was removed from the Consent Calendar at the request of Councilmember Werner to allow for a separate roll call vote.

Speaking in opposition to the recommendation was Mark Petracca, 19471 Sierra Raton Rd., Irvine, California.

It was moved by Councilmember Vardoulis, seconded by Councilmember Hammond to:

ACTION: 1) Adopt and read by title only an ordinance entitled:

ORDINANCE NO. 91-20 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 87-ZC-0131 AMENDING SECTIONS V.E-805. OF THE CITY'S ZONING ORDINANCE TO PERMIT A MAXIMUM OF 2,885 DWELLING UNITS, AND A MAXIMUM OF 150,000 SQUARE FEET OF NEIGHBORHOOD COMMERCIAL, AND AMENDING THE CITY'S ZONING MAP SO AS TO PROVIDE FOR A CHANGE IN ZONING ON A PORTION OF BLOCK 82 AND A PORTION OF BLOCK 83 OF MASTER MAP 1-88 OF THE ORIGINAL IRVINE SUBDIVISION; FOR THE UNDEVELOPED LAND IN PLANNING AREA 5 GENERALLY BOUNDED BY FUTURE CULVER DRIVE, FUTURE PORTOLA PARKWAY, FUTURE JEFFREY ROAD AND EXISTING IRVINE BOULEVARD; FILED BY THE IRVINE COMPANY

The motion carried by the following roll call vote:

AYES:	3	COUNCILMEMBERS:	Hammond, Vardoulis and Sheridan
NOES:	1	COUNCILMEMBERS:	Werner
ABSENT:	1	COUNCILMEMBERS:	Bloomer

III. COUNCIL BUSINESS

8 RESOLUTION DECLARING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON NOVEMBER 5, 1991

It was moved by Councilmember Vardoulis, seconded by Councilmember Hammond to:

ACTION: 1) Receive and file the City Clerk's Certificate of Results of the Special Municipal Election held on November 5, 1991.

2) Adopt a resolution entitled:

RESOLUTION NO. 91-163 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE DECLARING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION HELD NOVEMBER 5, 1991.

The motion carried by the following roll call vote:

AYES:	4	COUNCILMEMBERS:	Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Bloomer

9 IRVINE BUSINESS COMPLEX GENERAL PLAN AMENDMENT/ZONE CHANGE STATUS UPDATE AND CITY COUNCIL DIRECTION ON MITIGATION FUNDING PROGRAM

At the request of Councilmember Werner, the Council, by general consensus, agreed to hear this item after 6:30.

Councilmember Vardoulis announced that he has a conflict of interest on this item in that he has a partial ownership of a building in the Irvine Business Complex and therefore would not be participating in discussion of this item.

CLOSED SESSIONS

The Council recessed to closed session for litigation - Kulper vs. City of Irvine, Case No. 602535 and litigation held under authority of California Government Code Section 54956.9(b)(1).

The closed session ended at 6:28 p.m.

RECESS

Mayor Sheridan declared a recess at 6:28 p.m. The Council reconvened to regular session at 6:41 p.m. All members present with the exception of Mayor Pro Tempore Bloomer.

IV. PUBLIC COMMENTS

Fred Schwartz, 7 Seville, Irvine, expressed his concerns regarding election results.

Chris Elliott, 14272 Wyeth Avenue, Irvine, requested Mayor Sheridan to ask for an extension of the review period for the environmental documentation at the next Transportation Corridor Agency meeting to be held on Thursday, November 14, 1991.

Alan Snodgrass, 18722 Saginaw, Irvine, confirmed his commitment to the City's future Open Space Conservation plan and the original master plan of the City.

George Gallagher, 614 Stanford, Irvine, Vice Chairman of Irvine Tomorrow, extended his appreciation to the citizens for their support and tireless efforts during the campaign against Village 38.

Angelo Vassos, 79 Seton Road, Irvine, expressed his discontentment with the results of the recent election.

Ray Quigley, expressed his congratulations to the campaign for Village 38.

Ron Mazzano, spoke in support of the results of the election for Village 38.

V. PUBLIC HEARINGS

9 PUBLIC HEARING: GENERAL PLAN AMENDMENT 6890-GA -- GROWTH MANAGEMENT ELEMENT TO THE CITY OF IRVINE GENERAL PLAN

Mayor Sheridan opened the public hearing at 7:13 p.m.

City Manager Paul Brady made general comments and introduced this item.

Steve Weiss, Senior Planner, reviewed the staff report.

There was no requests from the public to be heard.

It was moved by Councilmember Werner, seconded by Councilmember Hammond to close the public hearing at 7:15 p.m.

The motion carried by the following roll call vote:

AYES:	4	COUNCILMEMBERS:	Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Bloomer

It was moved by Councilmember Vardoulis, seconded by Councilmember Werner to:

ACTION: 1) Adopt a resolution entitled:

RESOLUTION NO. 91-164 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CERTIFYING THE FINAL NEGATIVE DECLARATION AS ADEQUATE FOR GENERAL PLAN AMENDMENT 6890-GA INCLUDING REQUIRED FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The motion carried by the following roll call vote:

AYES:	4	COUNCILMEMBERS:	Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Bloomer

It was moved by Councilmember Vardoulis, seconded by Councilmember Werner to:

2) Adopt a resolution entitled:

RESOLUTION NO. 91-165 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING GENERAL PLAN AMENDMENT 6890-GA: GROWTH MANAGEMENT ELEMENT TO THE GENERAL PLAN

The motion carried by the following roll call vote:

AYES:	4	COUNCILMEMBERS:	Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Bloomer

COUNCIL BUSINESS (CONTINUED)

10 CONSIDER APPROVAL OF FUNDING REQUEST FROM IUSD FOR \$10,000 FOR WINDROW PARK ATHLETIC FIELD SODDING

Director of Community Services, Deanna Manning, introduced the staff report.

Guy Lemmon, 4941 Rain Tree Lane, Irvine, representing Woodbridge High School Boosters, spoke in support of the recommendation.

Mayor Sheridan noted support for an allocation of \$5,000.00.

It was moved by Councilmember Vardoulis, seconded by Councilmember Hammond to:

ACTION: 1) Direct staff to grant IUSD \$5,000 for Windrow Park Athletic field sodding and place \$5,000 in contingency for other fees.

The motion carried by the following roll call vote:

AYES:	4	COUNCILMEMBERS:	Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Bloomer

11 CITY MANAGER'S RESPONSE TO THE BLUE RIBBON COMMITTEE REPORT ON COMPENSATION AND ORGANIZATIONAL STRUCTURE

City Manager Paul Brady reviewed his response to the Blue Ribbon Committee report.

The following persons addressed the Council on this matter:

Clara Tessers, 527 E. Palm, Irvine, Irvine Employees Association, spoke in support of the pay parity policy.

Ray Daniel, 19 Millstone, Irvine, Irvine City Employees Association, spoke in opposition to comparing the public sector to the private sector.

Chris Torres, city employee, spoke in support of pay parity.

Bill Sellin, 405 E. Wilson Avenue, Orange, Irvine City Employees Association, spoke in support of the City Manager's response.

Hal Maloney, 141 W. Remington, Irvine, noted he was speaking not as a Cultural Affairs Commissioner but as an independent community member, spoke in support of the Council's continuing the path that will attract and maintain a highly motivated staff with appropriate compensation.

Mayor Pro Tempore Bloomer arrived and took his seat at the dias at 7:47 p.m.

City Councilmembers reviewed the various recommendations of the City Manager's response to the Blue Ribbon Committee Report.

It was moved by Councilmember Vardoulis, seconded by Councilmember Hammond to:

ACTION: 1) Endorse the 12 points contained in the City Manager's recommendations. Further, the Council stated for the record that its members do not view the City staff as being "average" but view the staff as being "top notch."

The motion carried by the following roll call vote:

AYES:	5	COUNCILMEMBERS:	Bloomer, Hammond, Vardoulis, Werner and Sheridan
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	0	COUNCILMEMBERS:	None

RECESS

Mayor Sheridan declared a recess at 8:10 p.m., and reconvened the meeting to regular session at 8:19 p.m. All members present with the exception of Councilmember Vardoulis.

9 IRVINE BUSINESS COMPLEX GENERAL PLAN AMENDMENT/ZONE CHANGE STATUS UPDATE AND CITY COUNCIL DIRECTION ON MITIGATION FUNDING PROGRAM

City Manager Paul Brady introduced Scott Werner of the Irvine Business Complex Consortium who made the presentation.

Mayor Sheridan relayed comments of Planning Commissioner Richard Salter.

Council comments and questions included assessment districts, phasing of fees, identification of funding sources, streetscape plans, road improvements and hazardous materials.

Staff members responding to Council questions and comments were Robert Johnson, Director of Community Development, Peter Hersh, Manager of Planning Services, Seda Yaghoubian, Principal Planner, Arya Rohani, Manager of Transportation Services, Assistant City Manager, Bernard Strojny, John L. Fellows III, City Attorney, Charlene Gallina, Senior Planner.

Staff indicated further meetings would be held with the IBC business community before further recommendations would be returned for City Council action.

It was moved by Mayor Sheridan, seconded by Mayor Pro Tempore Bloomer to approve option 3 as contained in the staff report.

The motion carried by the following roll call vote:

AYES: 3 COUNCILMEMBERS: Bloomer, Werner and
Sheridan
NOES: 1 COUNCILMEMBERS: Hammond
ABSENT: 1 COUNCILMEMBERS: Vardoulis

It was moved by Mayor Pro Tempore Bloomer, seconded by Councilmember Werner to:

- ACTION: 3) Direct staff to pursue establishing a full funding program consisting of a developer fee program, outside funding sources, assessment district and/or other funding mechanisms to finance the proposed circulation mitigation program.
- 4) Direct staff to identify specific percentages of specific assessment district to be targeted for these projects.
- 5) Direct staff to address the waste management and land use compatibility issue as follows:
- a) Include policies and guidelines related to hazardous substances in the IBC zoning ordinance and delete and defer the solid waste management (recycling, source reduction) policies to the citywide effort.

The motion carried by the following roll call vote:

AYES: 4 COUNCILMEMBERS: Bloomer, Hammond, Werner and
Sheridan
NOES: 0 COUNCILMEMBERS: None
ABSENT: 1 COUNCILMEMBERS: Vardoulis

CLOSED SESSIONS

The Council recessed to closed session at 9:29 p.m., regarding labor negotiations. Held under authority of California Government Code Section 54957.6

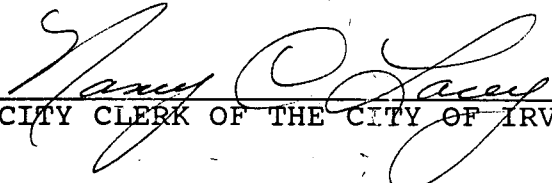
Councilmember Vardoulis returned to the meeting at 9:30 p.m. The Council reconvened into regular session at 10:13 p.m. All members present.

VI. ADJOURNMENT

It was moved by Councilmember Hammond, seconded by Councilmember Werner to adjourn at 10:13 p.m.


MAYOR OF THE CITY OF IRVINE

ATTEST:


CITY CLERK OF THE CITY OF IRVINE