

MINUTES OF AN ADJOURNED REGULAR MEETING
OF THE IRVINE CITY COUNCIL
HELD
OCTOBER 15, 1974

An adjourned regular meeting of the Irvine City Council was called to order at 6:30 p.m., on Tuesday, October 15, 1974, in the Irvine City Council Chambers, 4201 Campus Drive, Suite 200, Irvine Town Center, Irvine, California, Mayor Gabrielle G. Pryor presiding.

PRESENT: Councilmen Anthony, Quigley, West and Pryor

ABSENT: Councilman Burton

Also present were City Manager William Woollett, Jr., and City Attorney James E. Erickson.

The Mayor led the audience in the Pledge of Allegiance and Councilman Anthony gave the invocation.

ADDITIONS AND DELETIONS

Mayor Pryor requested that the following items be added to the City Council agenda under "Additional Council Business": (1) Appointment of City Representative to Orange County Mosquito Abatement District; (2) Objection to Sanitary Land Fill Fee being considered by Board of Supervisors; (3) Executive session to discuss litigation; (4) Deletion of Presentation by Mildred Miller of Orange County Housing Authority; (5) Appointment of Director of Public Safety, to be considered after "Oral Communications."

ORAL COMMUNICATIONS

There were no oral communications presented at this time.

APPOINTMENT OF DIRECTOR OF PUBLIC SAFETY: Presented for City Council consideration was a memorandum dated October 11, 1974, from the City Manager pertaining to the appointment of a Director of Public Safety and Chief of Police.

It was moved by Mayor Pryor and seconded by Councilman Anthony to confirm the appointment of Leo E. Peart to the position of Director of Public Safety and Chief of Police effective October 16, 1974, at an annual salary of \$27,500 and provide him with the existing retirement, health, and life insurance plans and other employee benefits; provide him with a City-owned vehicle for his exclusive use; agree to pay the necessary and actual expenses incurred in the performance of his duties as Director of Public Safety and Chief of Police; agree to pay his membership dues in appropriate organizations and pay for his expenses at one national professional public safety conference and other State conferences or seminars as the City deems appropriate; agree to pay his moving expenses from the City of Los Banos to the City of Irvine and further agree, in conjunction with the City Manager, to re-evaluate his performance and compensation after he has been an employee for six months.

The motion was unanimously carried by the following roll call vote:

AYES: 4 COUNCILMEN: Anthony, Quigley, West and Pryor

NOES: 0 COUNCILMEN: None

ABSENT: 1 COUNCILMEN: Burton

Mayor Pryor introduced Mr. Peart to the audience, following which Mr. Peart made a few brief remarks of introduction to the City Council.

CONSIDERATION OF CLOSURE OF CHEVIOT DRIVE BETWEEN BEL AIRE AND COUNTRYWOOD:

The Director of Public Works reviewed memoranda dated October 4, 1974, and October 11, 1974, presenting additional information relative to the closure of Cheviot Drive and alternatives to this closure. Also presented was a memorandum dated October 9, 1974 from the Acting Director of Public Safety pertaining to radar enforcement on Cheviot Drive, Bel Aire and Countrywood. The Director of Public Works also presented Exhibits "A" and "B" demonstrating alternatives with regard to routing traffic onto Walnut from Countrywood.

Assistant Engineer Ray Mellen addressed the Council responding to questions with regard to traffic data on the streets involved, and the procedures involved in implementing the alternatives for opening traffic onto Walnut from Countrywood.

COUNCILMAN BURTON ARRIVED AT 6:50 P.M. AND TOOK HIS PLACE ON THE PODIUM.

Mr. David Cheetham, 4511 Cheviot Drive, Irvine, California, addressed the Council speaking in opposition to the closure of Cheviot Drive and indicating that opening of Countrywood Drive onto Walnut Avenue would increase the problem with regard to speed on Countrywood. He further recommended installation of stop signs on Bel Aire for both northbound and southbound traffic.

Mr. Ronald Yoder, 4391 Ridgeway, Irvine, California, addressed the Council as President of Greentree Homes Association indicating that he feels that the real problem involved is the safety and wellbeing of the residents. He indicated that he felt that the volume of traffic generated onto Bel Aire from the Willows Tract and the speed with which this traffic travels is a safety problem for the residents of Greentree. He also indicated that upon completion of the homes in the southern portion of the Greentree Development he feels the traffic volume onto Bel Aire will increase significantly, especially in comparison to Deerpark Street within Greentree which carries a lesser volume of traffic. He further commented upon the alternatives for opening Countrywood onto Walnut.

Mrs. Judy Hanford, 14922 Gainsford, Irvine, California, addressed the Council speaking in opposition to the closure of Cheviot Drive due to the increased mileage which this would require school buses to travel, and suggested the placement of a speed bump on countrywood to alleviate the safety problems connected with speeding vehicles.

Mr. Joe Gayarde, 14671 Countrywood, Irvine, California, addressed the Council opposing the closure of Cheviot Drive due to the increased traffic which would flow into Countrywood.

It was moved by Mayor Pryor and seconded by Councilman Quigley to determine that Cheviot Drive shall remain open to vehicular traffic between the Willows and Greentree developments; direct the Director of Public Works to upgrade the double yellow pavement striping within the Greentree development and install stop sign for northbound Bel Aire at Brookside; direct staff to report back in six months after additional surveillance by the Police Department; to instruct the Public Works Department staff to undertake a more complete investigation of opening Countrywood onto Walnut Avenue, as per Exhibit "A".

It was moved by Councilman Quigley and seconded by Councilman Anthony to amend the motion to request the Public Works Department staff to report back in 30 days with regard to warrants for installation of a stop sign at Bel Aire and Cheviot Drive. The amendment was unanimously carried, following which the motion, as amended, was unanimously carried.

RECESS:

The Mayor declared a recess at 7:21 p.m. The meeting was reconvened at 7:30 p.m., with all City Council members present.

ZONE CHANGE CASE NO. 73-ZC-13 (ORANGETREE PLANNED COMMUNITY): The Mayor announced this was the time and place for the Public Hearing to reconsider a plan proposing to amend Sectional District Map IRS 123 (Orangetree Planned Community). Said Plan is designated Zone Change Case No. 73-ZC-13, Orangetree Planned Community Sectional District Map IRS 123, and proposes to change from the "A" Agricultural District to the "P-C" Planned Community District certain property located on the southerly side of Moulton Parkway midway between Sand Canyon Avenue and Jeffrey Road. The affidavits of posting, publication and mailing of the public hearing notices on this matter are on file in the Office of the City Clerk.

It was moved by Mayor Pryor and seconded by Councilman West to open the Public Hearing and continue the Public Hearing until completion of Item No. 5.

It was moved by Councilman Quigley and seconded by Councilman Anthony to continue the Public Hearing until the conclusion of Items 4, 3 and 5 in that order.

The substitute motion was unanimously carried, following which the motion, as substituted, was unanimously carried.

GENERAL PLAN AMENDMENT NO. 1-- PUBLIC HEARING: The Mayor announced this was the time and place for the Public Hearing to consider an amendment to the General Plan of the City of Irvine to include consideration of changes to the Phasing Plan, Public Safety Element, Scenic Highways Element, Circulation Systems, Land Use Maps, Elimination of a district center in the vicinity of Quail Hill as well as minor corrections and clarifications to all elements which will not modify General Plan policies. The affidavits of posting, publication and mailing of the public hearing notices on this matter are on file in the Office of the City Clerk.

It was moved by Mayor Pryor, seconded by Councilman Quigley and unanimously carried to declare the Public Hearing open and to continue the Public Hearing until after completion of Item No. 7 on the agenda.

PRESENTATION BY ORANGE COUNTY WATER DISTRICT REGARDING COMPREHENSIVE WATER QUALITY PLAN--SANTA ANA RIVER WATERSHED AREA: Mr. Daryle Bailey of the Orange County Water District reviewed the Comprehensive Water Quality Management Plan for the Santa Ana Region and presented members of the Council with a booklet dated October, 1974 outlining in more detail the purpose of this Plan. He also presented copies of a proposed Resolution adopting in concept this Plan and requested Council consideration and support during the public hearing which will be held before the Regional Water Quality Control Board.

It was moved by Councilman Quigley, seconded by Councilman West and unanimously carried to request staff to review the proposed Resolution and to strengthen the wording on ocean discharge to include an indication that the City Council desires that the water coming into Orange County meets or exceeds the quality that is being required of ocean discharge.

It was moved by Mayor Pryor, seconded by Councilman Quigley and unanimously carried to agendaize this matter under "Additional Council Business" at the City Council meeting of October 22, 1974 and request the staff to come back with a completed resolution at that time.

PRESENTATION BY ENVIRONMENTAL PROTECTION AGENCY RE: EPA STANDARDS: Mr. Dave Calkins, Planning Branch Chief for the Environmental Protection Agency addressed the Council reviewing the factors involved in meeting the regulations of the Clean Air Act, including development of parking management plans. He advised that as of January 1, 1975 new facilities of 1,000 or more parking spaces will require a permit from the Environmental Protection Agency to begin construction. The permit will demonstrate that the Plan is consistent with the Air Quality goals of the area. After July 1, 1975, the requirement will cover facilities of 250 or more parking spaces. He indicated that the EPA is encouraging local government to authorize EPA to review these facilities or to develop parking management plans of their own. If EPA does not receive a request and application by a City, it would be EPA's plan to review plans themselves.

Mr. Victor Magistrale, representing the Southern California Association of Governments, addressed the Council and review a synopsis and interpretation of proposed amendments to the parking management plan as prepared by the Southern California Association of Governments. He further advised that SCAG has applied for a \$250,000 grant to be used to develop an areal parking management plan. Of these funds, \$90,000 would be given for SCAG's use; \$100,000 would be to the City of Los Angeles to develop a parking management plan; \$30,000 would go to a prototypical County; \$20,000 would go to a medium-sized City whose population is 50,000 to 200,000; and \$10,000 would go to a small City under 50,000 population. He further advised that SCAG has prepared an application for development of criteria through which these cities would be selected.

Mr. Dave Calkins again addressed the Council responding to various questions regarding progress made to date in some areas in the development of parking management plans, the procedures which are proposed to be followed in enforcing these regulations as well as the penalties involved therein, the costs involved in the development of parking management plans and methods to cooperatively finance these plans.

Mrs. Marian Ellis, 18162 Dewberry Way, Irvine, California, addressed the Council with regard to the effect restriction of vehicle miles traveled will have on a person's determination as to where he or she will work or live.

Mr. Bob Vasquez, representing The Irvine Company inquiring as to the EPA's responsibility and the City's responsibility with regard to review of a parking management plan for a major development.

There was no action taken with regard to this presentation.

RECESS:

The Mayor declared a recess at 9:11 p.m. The meeting reconvened at 9:29 p.m., with all City Council members present.

PUBLIC SAFETY STUDY BY BOOZ · ALLEN & HAMILTON: The Acting Director of Public Safety presented a memorandum dated October 8, 1974, transmitting a report dated October 7, 1974, from Booz · Allen & Hamilton responding to questions posed by City Council members on certain facets of the public safety plans.

It was moved by Mayor Pryor and seconded by Councilman Quigley to accept and file the report and terminate the contract with Booz · Allen & Hamilton. The motion was unanimously carried by the following roll call vote:

- AYES: 5 COUNCILMEN: Anthony, Burton, Quigley, West and Pryor
- NOES: 0 COUNCILMEN: None
- ABSENT: 0 COUNCILMEN: None

EXECUTIVE SESSION: It was moved by Mayor Pryor, seconded by Councilman Quigley and unanimously carried to go into an executive session at 9:30 p.m. for the purpose of discussing litigation. The meeting was reconvened at 10:06 p.m., with all City Council members present.

ZONE CHANGE CASE NO. 73-ZC-13 (ORANGETREE PLANNED COMMUNITY): Mayor Pryor announced that this matter had been continued from earlier in the evening and declared the public hearing open.

The Director of Planning presented a report dated October 8, 1974 transmitting a communication dated October 3, 1974, from Presley Company enclosing a copy of a letter from Environmental Acoustics regarding the subject zone change area. Also presented was a communication dated October 15, 1974, from the Orange County Health Department evaluating aircraft noise impact for this property.

The Director of Planning requested a continuance of the Public Hearing in order to allow the Health Department an opportunity to respond to the new information submitted by Environmental Acoustics, since the Health Department did not do so in its October 15 communication. The Director of Planning also reviewed a communication dated October 14, 1974, from the Irvine Unified School indicating its concern with regard to a subdivision going into this area and the School District's inability to construct a school in that area to meet needs of school age children.

Mr. Randall Presley, representing Presley Development Company, addressed the Council speaking in favor of the zone change and offering to answer any questions which the members of the City Council may pose.

Mr. John Parnell, representing Environmental Acoustics, addressed the Council reviewing noise insulation standards of the State of California dealing with indoor and outdoor noise attenuation regulations. He also indicated that it would be possible to meet standards that would assure that persons are not awakened from their sleep as a result of noise from aircraft. He also reviewed the development of the CNEL line as it relates to average noise levels and peak levels.

Mr. Lou Zada, Irvine, California, addressed the Council commenting upon noise levels generally and indicating that he feels no problem exists with aircraft overflights.

Mr. Daniel Lorti, 4121 Salacia Drive, Irvine, California, addressed the Council speaking in favor of this zoning.

There being no further public comments, it was moved by Councilman Quigley, seconded by Councilman West and unanimously carried to close the Public Hearing on this matter.

It was moved by Councilman Quigley and seconded by Councilman Anthony to read the following Ordinance by title only approving Zone Change Case No. 73-ZC-13, said Ordinance to include the various conditions that the City Council has discussed during prior public hearings on this matter, i.e., the placement of a notice on the wall of the sales office of the development indicating to prospective buyers the proximity of the development to the Marine Corps Air Station; a provision in the text of the Planned Community indicating the requirement that the purchaser of the property be provided with a paragraph describing the information contained in the Report from the Department of Real Estate regarding the location of this property near the air station site; and requiring a statement by the Presley Co. regarding the fact that it will obligate itself to deed restriction pertaining to the adult-only aspect of the development.

Mr. Randall Presley, representing Presley Development, addressed the Council and stated for the record that his company intends to keep this an adult-community and will work with the City Attorney in setting out the restriction to assure that it is kept that way.

It was moved by Councilman Henry Quigley, seconded by Councilman West and unanimously carried to table the motion on the floor, since the Environmental Impact Report should be considered prior to the Ordinance.

It was moved by Councilman Quigley and seconded by Councilman West to find that the Environmental Impact Report is sufficient.

It was moved by Mayor Pryor and seconded by Councilman Anthony to amend the motion to approve the Environmental Impact Report as being sufficient as supplemented by various documentation, including letters from the Orange County Health Department, the Marine Corps Air Station and other agencies submitting information to the Planning Department at the first public hearing.

The amendment was unanimously carried, following which the motion, as amended, was unanimously carried by the following roll call vote:

AYES:	5	COUNCILMEN:	Anthony, Burton, Quigley, West and Pryor
NOES:	0	COUNCILMEN:	None
ABSENT:	0	COUNCILMEN:	None

It was moved by Councilman Quigley, seconded by Councilman West and unanimously carried to remove the previous motion from the table.

The motion to read by title only was unanimously carried. Title of the Ordinance is as follows:

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADOPTING ZONE CHANGE CASE NO. 73-ZC-13 ORANGETREE PLANNED COMMUNITY (SECTIONAL DISTRICT MAP IRS 123 AND ADDING SECTION 11.28 ORANGETREE TO SECTION 11 SUPPLEMENTAL PLANNED COMMUNITY REGULATIONS OF THE CITY OF IRVINE ZONING ORDINANCE.

It was moved by Councilman Quigley and seconded by Councilman West to introduce the first reading of this Ordinance. The motion was carried by the following roll call vote:

AYES:	4	COUNCILMEN:	Anthony, Burton, Quigley and West
NOES:	1	COUNCILMEN:	Pryor
ABSENT:	0	COUNCILMEN:	None

GENERAL PLAN AMENDMENT NO. 1 - PUBLIC HEARING: The Mayor announced that this was the time and place for the Public Hearing to consider an amendment to the General Plan of the City of Irvine as continued earlier in the meeting.

The City Attorney advised that members of the Planning Commission may remain in attendance during this public hearing, but should not testify.

The Mayor announced that the public hearing was still open, as continued during the earlier portion of the City Council meeting.

The Director of Planning presented a report dated October 4, 1974, outlining the Planning Commission's and staff's recommendations with regard to required changes to the General Plan. Also presented was a copy of the General Plan for the City with changes underlined, crossed out and otherwise delineated.

Mr. Don Cameron, representing The Irvine Company, addressed the Council speaking in favor of changing the phasing of Village 14 from 3 to 2, and reviewed how the denial of this change would affect The Irvine Company's plan for development.

Mr. Doug Ford, representing The Irvine Company, addressed the Council reviewing the housing and population density proposed in Village 14.

Mr. Larry Morrison, representing Wilsey and Ham gave a brief review of the General Plan process to date.

It was moved by Councilman Quigley, seconded by Councilman Anthony and unanimously carried to close the public hearing.

It was moved by Mayor Pryor and seconded by Councilman Anthony to adopt the following Resolution, approving General Plan Amendment No. 1 as amended by adding Items 1 through 9 in the report dated October 4, 1974, from the Director of Planning, and deleting Item 10 in this report. Title of the Resolution is as follows:

RESOLUTION NO. 333

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING THE GENERAL PLAN OF THE CITY OF IRVINE (GPA-1).

The motion was unanimously carried by the following roll call vote:

AYES:	5	COUNCILMEN:	Anthony, Burton, Quigley, West and Pryor
NOES:	0	COUNCILMEN:	None
ABSENT:	0	COUNCILMEN:	None

HOUSING IMPLEMENTATION PLAN - PROPOSED BALLOT MEASURE: The Director of Planning presented memoranda dated September 23, 1974, and October 7, 1974, reviewing a proposed program with regard to placing the question of City-supported housing programs on the ballot, and providing an estimate of the dollar amount which may be required for the housing bond issue.

Mayor Pryor also presented a memorandum dated October 15, 1974, outlining alternative ballot propositions.

It was moved by Mayor Pryor and seconded by Councilman Quigley to refer all suggested ballot advisory propositions, including the bond issue proposed by Councilman Anthony, and the answers to that provided by the Planning Department, to the City Attorney for a report and recommendation on the whole issue of advisory ballot propositions, and further request that the Federal Government and the Department of Housing and Urban Development give an indication as to whether this idea is feasible.

It was moved by Councilman Quigley and seconded by Mayor Pryor to amend the motion to request the administrative and Planning staff to bring back revised calculations for Proposition A that would eliminate the moderate-income factor and would discuss that area of the chart provided in The Irvine Company's presentation which The Irvine Company indicated they would have no ability to provide with regard to housing supply at all, and that this information should be based upon the total employment estimate.

It was moved by Councilman West to propose a secondary amendment that the City implement Proposition B assuming all assumptions in Proposition B, that the City take immediate action to implement Proposition B pending the outcome of the proposition.

The motion died for lack of a second.

It was moved by Councilman Quigley, seconded by Councilman Anthony and unanimously carried to move the previous question on both issues before the Council.

The amendment was carried, with Councilman West voting in opposition. The motion, as amended, was carried by the following roll call vote:

AYES: 3 COUNCILMEN: Anthony, Burton and Pryor
 NOES: 2 COUNCILMEN: Quigley and West
 ABSENT: 0 COUNCILMEN: None

COUNCIL COMMITTEE REPORTS

Councilman Anthony reported on the Resolution proposed by the League of California Cities, Orange County Division, pertaining to the Environmental Protection Agency standards. He also advised that there is a vacancy on the Orange County Human Relations Council.

Councilman Anthony also reported that the Schools Liaison Committee will meet October 24, to decide an agenda for a joint City Council/School Board meeting.

APPOINTMENT OF CITY REPRESENTATIVE TO ORANGE COUNTY MOSQUITO ABATEMENT DISTRICT:

It was moved by Mayor Pryor, seconded by Councilman Quigley and unanimously carried to appoint Mr. Pat Barnes as the City's representative to the Orange County Mosquito Abatement District, with the understanding that all resumes be kept on file for future reference for appointing people to these positions as they occur.

REFUSE FEES: It was moved by Mayor Pryor, seconded by Councilman Burton and unanimously carried to go on record in opposition to any refuse fees for sanitary land fill sites.

EXECUTIVE SESSION: It was moved by Mayor Pryor, seconded by Councilman Burton and unanimously carried to go into an executive session at 12:06 a.m. for the purpose of discussing litigation. The meeting was reconvened at 12:21 a.m., with all City Council members present.

AMICUS CURIAE - HFH LTD. AND VONS GROCERY VS. SUPERIOR COURT OF THE STATE:

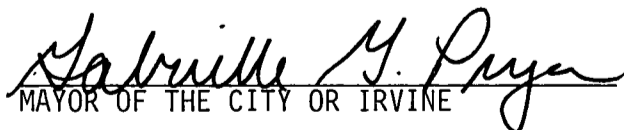
It was moved by Mayor Pryor and seconded by Councilman Quigley to authorize the City Attorney to file an amicus curiaea brief in the case of HFH Ltd. vs. The Superior Court of the State of California and Von's Grocery Company vs. the State of California in conjunction with the City of Cerritos at a sum not to exceed \$250.

The motion was unanimously carried by the following roll call vote:

AYES: 5 COUNCILMEN: Anthony, Burton, Quigley, West and Pryor
 NOES: 0 COUNCILMEN: None
 ABSENT: 0 COUNCILMEN: None

ADJOURNMENT:

There being no further business to come before the City Council, it was moved by Councilman Quigley, seconded by Councilman Anthony and unanimously carried to adjourn the meeting at 12:23 a.m., to Tuesday, October 22, 1974, at 6:30 p.m., in the Irvine City Council Chambers, 4201 Campus Drive, Suite 200, Irvine Town Center, Irvine, California.


 MAYOR OF THE CITY OR IRVINE

ATTEST:


 CITY CLERK OF THE CITY OR IRVINE