

NIVA MEETING RECORD

October 10, 2007

Vice President LaPorte chaired the meeting.

ANNOUNCEMENTS On Sept 11, the City Council approved a revision to the bylaws of the Senior Citizen Council to retain the number of voting members but change the 2 at-large positions to 2 appointments from the 4 senior-serving organizations in the City. The 4 organizations are (1) Friends of Outreach, NEDA Senior Persian organization, Chinese Evergreen Association, and American Association of Retired Persons. The 4 organizations must agree on 2 appointees.

Hal Maloney, a past resident of Park Paseo, passed away recently. He was the City's first Finance Commission chair but more importantly, he was one of the 3 founding members of NIVA. He, along with Gen Gireliano (currently a Prof. of Urban Studies @ USC, now living in Huntington Beach) and Mike Lenon, were the founders of NIVA back in 1981 -- 26 years ago!

Mike Miller from The Groves and Sgt. Maj. in USMC (Ret.) addressed the NIVA meeting reps and provided information regarding a Veteran's Day tribute to be held at The Groves on Nov 11. He invited residents of NIVA-member associations to attend the event. He would also like to recognize North Irvine residents from all wars who suffered injuries, served as prisoners of war, etc. at the event. Those who want someone recognized are requested to contact Miller on (714) 730-8301 or fax on (714) 544-8041 giving responder's name and phone number along with the veterans name, personal decorations, years of service, and branch of service.

Shayne Troyer of The Groves reported that landscaping is complete on the Sound Wall on Jeffrey and Irvine Blvd. and The Groves has signed off on it.

COMMITTEE REPORTS

PA-10 JAMBOREE MEDICAL/SCIENCE CENTER COMMITTEE [LaPorte] - On Sept 26, LaPorte received a call from Stacy Tran of the City regarding the KIA landscape. Additional hedges have been planted along the cyclone fence that runs parallel with Peters Canyon Wash to help screen the vehicles in the KIA parking lot from view from the bike trail. Also she stated additional [plantings have been installed along the I-5. She said the City was preparing a memo to Melvold from NIVA records. However, no such memo has been received as of this meeting.

OLD BUSINESS

1. **EL TORO MCAS REUSE** - Not surprising, the development of the Great Park may occur at a slower pace and the start delayed as Lennar Corp. is postponing start of construction of its adjacent residential development due to the down turn in the residential market. On Sept 25 Lennar announced a delay of at least 5 months from late 2008 to sometime in 2009.

On Sept 27, the Great Park Board approved a master plan that does not contain an amphitheater but did include the grand entrance at Trabuco Road in the park's first phase of development. As the major concern NIVA has deals with traffic potential through North Irvine as a result of park activities, the elimination of the amphitheater works favorably but the inclusion of the Trabuco entrance is problematic as there has been little evidence of progress towards an early construction of the Trabuco/SR-133 Corridor interchange. Without the interchange, traffic can be expected to increase on Trabuco through North Irvine from I-5 offramps at Jeffrey and Culver as alternative routes.

2. **NORTH IRVINE LIBRARY** - At the Sept 25 study session, the City Council received a presentation by staff on staff's Library Alternatives Study. The Library Services Advisory Committee was

able to provide input into the study and comments on the draft but was not the final say on its content. Based on the information provided in the Study, staff recommended that consideration of adding a library facility(ies) in the City be included within the framework and development of the City-wide *Capital Improvement Program* and *Public Facilities Master Plan*. These documents are currently being prepared but their content is a "carefully guarded secret" by staff members! Public scrutiny probably won't be possible until and just before the documents are presented to the Council in either Oct/Nov or early 2008.

At the Council meeting, several members of the Friends of the University Park Library [UPL] gave presentations requesting inclusion of additions to the UPL either as a separate improvement project or incorporation in the proposed library facilities program. The deficiencies of UPL were, however, considered in the first phase of the Committee's work but were deemed to be impossible to fix due to inadequate expansion space at the site. There is concern that the effort at fixing UPL may derail or delay efforts at fixing the City's overall library deficiency which is growing significantly with every passing day. Since the fix at the UPL, if it were possible, involves costs which are small in comparison to that needed to fix the City-wide deficiency, there may be additional incentive for councilmembers to ignore the big picture and focus only on the little fixes, i.e., postpone addressing the big problem and passing it on to a future Council to address.

Unfortunately, the longer we wait to address the problem, the bigger the problem is and the longer it will take to fix. A plan or program should be prepared and initiated now even if it will take years to fix. Following the presentation, various comments were made by Councilmembers which essentially indicate that Councilmember Shea alone is supportive of more local libraires. Kang, Agran and Krom want initial efforts placed on improving the UPL while not expressing any concern or urgency in improving the library situation in North Irvne. Choi wants major effort and focus to go towards the municipal library.

It is important to note that the Library Alternatives Study was prepared by City staff and not the City's Library Services Advisory Committee. The Committee had reviewed it and was able to persuade staff to make incorporate a few changes. However, there was some major findings or recommendations in the report that were unsatisfactory to the Committee. There is some basis for the skepticism of the Study by some Committee members since staff was the primary party responsible for the dire situation in which the City finds itself with the library capacity shortfall in not recognizing the shortfall for 15 or more years. Since early 1990's, City staff (Community Services specifically) was stating in the EIRs for various development projects that the library services are adequate as long as the OCPLS does not identify any underservice. During the same period, the OCPLS continued to state that it was up to the City of Irvine to identify any shortfall! All the while, NIVA continued and repeatedly attempted to get the attention of the City Council on the need to address this every-increasing deterioration or shortfall in library capacity.

At the Oct 2 meeting of the Committee, a resolution was unanimously passed which recommended that the Council "adopt the concept of 3 neighborhood branch libraries with a combined square footage of 70,000 as a priority for the City of Irvine and support the future construction of a metro library at the Great Park by setting aside a sufficient land footprint". At the next meeting, the Committee is expected to consider the specific location, size, and priority of the branch libraries within the City. The expectation is to have a plan to present to the City Council at the Council's Nov. 27 meeting. This timetable is set to provide information for staff in their preparation of the long-term Strategic Business Plan expected to go to the Council in Jan/Feb of next year.

The Wheeler Public Library located in the Agricultural Historical Park at Irvine Blvd. and Old Myford Road is expected to open in Feb., 2008 if all goes as planned.

3. BOWERMAN LANDFILL EXPANSION - A copy of an e-mail was received from Don Davis, aide to Councilmember Shea, directing staff to respond to Melvold's questions per request of Shea.. Melvold received a phone message on Sept 28 from City staff stating that the City had received the \$5.5

Million payment from the County. However, the balance of the information sought in the Sept.13 e-mail to Don Davis has yet to be received.

- 4. JEFFREY OPEN-SPACE SPINE** - A meeting was held on Sept. 5 between NIVA (represented by Melvold and Kiser) and City staff (Com. Services Dir. McAllister and staff) on the JOST Segment 2 improvement credit calculations. At the conclusion of the meeting, McAllister agreed to send a letter to NIVA documenting the results of the meeting and responding to the outstanding NIVA letter to the City of Nov. 29, 2005. In the meanwhile, Melvold sent an e-mail to McAllister on Sept 19 summarizing his notes on the discussions and "resolutions" arrived at the meeting. In response, Melvold received by e-mail on Sept 20 a copy of a memo from McAllister to staff (no names provided) instructing them to "check (the Sept 19 e-mail) against the City letter being drafted for accuracy and close the loop with Mr. Melvold". NIVA received a Sept. 25th letter from McAllister (copies of all documents distributed at the meeting.). However the letter neither confirms any of the resolutions arrived at during the meeting nor does it reference NIVA's Nov. 29, 2005 letter for which a response was due -- both of which were requested at the meeting to be included in the City's response. Though Melvold had indicated that if the City found his notes as detailed in the Sept 19 e-mail to be essentially accurate and acceptable, the City could simply reference it and save the time providing details in their letter. The item was deferred to the next meeting. It was suggested, however, that NIVA wait to find out McAllister's replacement and draft a response at that time.
- 5. NORTHWOOD MILITARY MEMORIAL MONUMENT [Zelinko]** - Zelinko secured a copy of the CD of the Community Services Commission Sept 25 hearing on this subject and at which 17 members of the audience spoke in favor of the monument and one not in favor. Zelinko spoke with Councilmember Shea who said she'd meet with him and others about the monument -- date to be determined.
- 6. "SMART" PEDESTRIAN CROSSING OF YALE & GRADE-SEPARATED CROSSING FOR VENTA SPUR TRAILS** - An e-mail was sent Oct 3 to PW Dir. Manuel Gomez inquiring as to any progress in setting up the followup meeting with City staff, NIVA and IBI personnel to discuss the study results as agreed at the Aug 29 meeting between City and NIVA reps. No response has been received to this e-mail but by coincidence, NIVA received a letter dated Oct 4, 2007 from the City signed by Joyce Amerson, Deputy Dir. of PW, for Dir. Manuel Gomez supposedly as the Response to Comments provided by NIVA in its April 13, 2007 letter on the Venta Spur Trail/Jeffrey Road Pedestrian/Bicycle Bridge Feasibility Study. The content is superficial, does not address the points made in NIVA's letter, and essentially states the same language as provided at the Aug. 29 meeting with PW staff on the study. There is absolutely nothing new provided!! Note that staff is planning to present this study to the City Council before the end of the year. Once again, NIVA is invited to meet with City staff to discuss the proposed project. Realize, that nothing of value came out of the last meeting and there has been no followup whatsoever to the scheduling of a meeting with IBI in attendance. Discussion and any decision was deferred until the next NIVA meeting.
- 7. NORTH IRVINE SENIOR CENTER** - A study session was held Oct 9 for staff to present the results of its senior center study. The Report was prepared for the City by RJM Design Group of Irvine and entitled *Senior Facilities Study for the Northern Area of Irvine* evaluated 7 sites as possible locations for either a stand-alone or multi-generational facility. The study concluded that the preferred sites are that of the Trabuco and the LDS sites. NIVA had originally recommended a site opposite The Groves on Irvine Blvd. following a survey of its membership but subsequently suggested as an additional site the LDS location when it became aware of its possible availability. However, comments made by various Councilmembers indicated that there is questionable support for the LDS regardless of its more ideal location because of the need to procure the land. It is apparent that should North Irvine residents, especially those associated with NIVA and those west of Jeffrey (areas with longer established residential) they will need to take an active role in convincing certain members of the Council. NIVA will need to organize an active well-represented group of interested reps from this area.

8. WB BRYAN BUS-STOP AT YALE - Cindy Krebs informed Melvold by phone that the OCTA is balking at making any commitment to do whatever the "alternative" is that Krebs won't disclose. As a result she said the City is sending a letter to the OCTA stressing that this is a safety issue needing attention. When queried as to whom the letter is being addressed, she did not know but stated that a colleague is drafting it. She promised to send NIVA a copy of the letter when it goes out. After waiting 2 weeks, an e-mail was sent to Krebs on Oct 3 reminding her of this promise and expressing a concern about the lack of progress on this issue. Immediately following, the City e-mailed a copy of the letter to the OCTA dated Sept 28, 2007 (Copies distributed at the meeting). A review of the letter to Bill Batory, Sr. Stop and Zones Analyst for OCTA, fails to make any mention of the supposed previous oral agreement or even discussions on any alternative solution to a bus turnout. Rather, the letter merely requests that "...the OCTA investigate reducing the amount of time the buses layover at Bryan Ave. and Yale Ave. or OCTA finds an alternative bus layover location." On the former, the City does not indicate the amount of time that would be reasonable to stopover and on the latter no alternative bus layover location(s) are suggested by the City. It would appear we are really at the original starting gate, i.e., where we were 3 years ago with the City!

9. REFURBISHMENT OF NORTHWOOD SHOPPING CENTER - Well, Vons has deserted us. On the good side, one could say that at least we won't have abandoned grocery carts cluttering the community. If that's any consolation. A replacement, Zion Market, a Korean grocery store, is expected to open in its place on Nov. 1. It was concluded that there was nothing that NIVA can do at this time but that it would be useful to know the termination date of Vons' lease on the abandoned store.

10. HARVARD RAILCROSSING QUIET ZONE - An e-mail was sent Oct 3 inquiring of Katie Berg-Curtis of the City as to any significant progress on outstanding issues (liability, indemnification, matching funds, blowing of horn for Tustin station, etc.) on the proposed Quiet Zone.

11. CULVER DRIVE/WALNUT AVENUE IMPROVEMENT PROJECT - The City had scheduled to have this item before the City Council at its Sept 25 meeting under Consent Calendar. NIVA sent an e-mail Sept 24 requesting that the item be pulled from the Consent Calendar to allow for public comment. NIVA's e-mail questioned the lack of public availability of the environmental documents with City Hall closed on Friday and no documents available on the City's website and mentioned that it had not received the Response to Comments on the Project no sooner than the preceding Thursday night -- and than only partially as pages were missing. Consequently, though not specifically requested by NIVA, the Council postponed the item indefinitely to allow sufficient time for review and time for staff to work out the outstanding issues with the public.

An e-mail was sent to City Mgr. on Sept.26 objecting to the comment summarization process used in the Response to Comments and inquired as to the legality of such under CEQA (copies distributed at the meeting.). In summarizing, staff took editorial license in rewording the actual comments introducing considerable distortion and/or omitting the essence of the comment or the comment altogether. Also in so doing, staff was able to "hide" from the view of decision-makers (Council, etc.) certain public comments or accusations of errors or inconsistencies in the environmental assessments. An e-mail response was received on Sept 28 from Farideh Lyons of City staff outlining the revised schedule for the project approval processing and transmitting a copy of a Sept 28 letter from the City consultant, Michael Brandman Associates [MBA], in response to the CEQA legality questions. MBA contends the process of summarizing is permitted under CEQA. However, there is no mention in the response as to the ethics or even legality of the introduction of distortion in the summarization! It should also be noted that the response on legality came from the consultant and not the City Attorney.

Staff now plans to go back to the City Council on November 27 -- the Tuesday after Thanksgiving weekend. That means the possibility of additional difficulty associated with adequate prior availability to the public of any revised Staff Report and revised accompanying documents since City Hall will be closed

from Thursday through Sunday. Melvold sent an e-mail on Oct 2 to City staff requesting a complete hard copy of the Response to Comments and requesting the City hold a meeting with adjacent residents to discuss noise and staff's recommended "fix". It was requested that the residents be clearly notified and that the meeting be held in the vicinity of the project -- not at City Hall. On Oct 3, Melvold sent an e-mail to the City Mgr. on the matter of the distortion and omissions in "summarizing" comments.

12. JEFFREY/1-5 BUSINESS PARK - It was agreed to close this item. [ITEM CLOSED]

13. INTERSECTION SIGNAL SYNCHRONIZATION CABINETS - Unbeknownst to NIVA, the Community Services Commission was requested by City staff on Sept 19 to consider the suggestion that the cabinets be used as art canvases in the City. Staff recommended against the suggestion and the Commission subsequently denied making the cabinets art canvases.

The cabinets have been installed at both Bryan and Irvine Blvd. at the locations initially sited by the City -- both partially blocking the village monument signs. It was noted that during the installation of the Bryan cabinet that new wires were pulled to the signals even though we had been told that such would be the case only if the cabinet were relocated at the Bryan site!

As agreed at last August's NIVA meeting, Melvold took the matter to the City Council on Sept. 25. He gave a presentation to the Council about the City going forward with the installations at both Bryan and Irvine Blvd. without a final opportunity to arrive at a mutually acceptable location which is not in agreement with Dir. Gomez's commitment to the Council. He then referred to Gomez' fallback should acceptable relocation sites not be found at either, which was relocating or building a new village monument sign (specifically in reference to the Irvine Blvd. location). He, therefore, stated he expected Gomez to place funding for such in the budget and requested that, once and if done, the Council support it. Mayor Krom stated that the City Mgr. would look into this matter and respond. No response received to date from the City Mgr.

14. WIRELESS COMMUNICATIONS FACILITY AT THE GROVES - Shayne Thorpe reported that there was a meeting scheduled for Oct. 11 at The Groves at the back of the RV lot. The meeting will be between The Groves reps and the proposed wireless provider. In the meanwhile the Groves' Board attorney is reviewing the proposed wireless contract.

NEXT MEETING - The next meeting would be Wed., Nov. 14 at The Groves.