

# NIVA MEETING RECORD

February 13, 2008

## **COMMITTEE REPORTS**

**1. PA-40 R & D DEVELOPMENT COMMITTEE [ ]** - Planning 40 is the area bounded by Jeffrey & SR-133 Corridor and Trabuco & I-5. Details of the revised development proposal as presented by TIC at the Jan 24 Community Task Force meeting were provided at the meeting by those who attended. The traffic study is expected to be completed shortly and will be presented at another meeting sometime in late Feb. Because the proposed project entails a General Plan Amendment, it will have to go to the City Council for approval and will require an EIR. The major changes since the previous presentation by TIC in Nov. of 2006, were the movement of the community park to a site south of the middle school adjacent to the Jeffrey Open-space Spine and the addition of yet another signaled intersection on Trabuco, and a commercial site on the SE corner of Trabuco and Sand Canyon. The Plan still calls for 3918 DUs. TIC stated that with regards to the future Trabuco/SR-133 Interchange, the City and Corridor Agency have reached agreement including no toll fee between the I-5 and the interchange. Caltrans is "close" to agreeing. The proposal would add another NB lane and thereby technically avoids the actual use of the tollway for this short trip. Start of construction is probably 2 to 3 years off.

## **OLD BUSINESS**

**1. EL TORO MCAS REUSE** - Demolition of runways has stopped as the contractor, Recycled Materials Co. of Colorado, has pulled off the job after waiting a year to secure a go ahead to continue with the demolition. They had only removed runway concrete around the balloon site and asphalt in a portion of one runway in the 2 month period of Dec. 2006 to Jan. 2007. Though originally selected by the Great Park Corp., a subsequent agreement between the City, Lennar, and Recycled Materials transferred the contract lead to Lennar. Lennar stated that they never gave the go ahead since they were not prepared to start development construction and did not want a large pile of crushed concrete at the site. Lennar also contends there never was a long-term contract! There is some concern that until the runways are removed, proponents of an airport may still think they have another chance.

**2. NORTH IRVINE LIBRARY** - At the Jan 15 Library Services Advisory Committee meeting efforts continued to prepare a Committee report intended to go to the Council with the Committee's recommendation on new libraries and their locations and installation timing. A set of Short- Mid- and Long-term Goals were developed by the Committee. Considerable discussion ensued on evaluation and selection of sites for the new libraries with no final agreed upon selection. The matter was continued to the next meeting. Potential sites being considered were almost exclusively existing community parkland though staff -- who did the analysis of each site -- was reminded that the Committee had directed staff to include also reasonable non-City owned property. Other than the Mormon Church site at Jeffrey/Bryan, no other private properties were even suggested by staff.

At the March 5 meeting, the Committee was informed that staff had become aware of a restriction on parkland acquired by the City via the State Quimby Act which restricts the use of such property to only specifically "recreational use". Not only is library use not a recognized "recreational use" but the City's General Plan specifically distinguishes library uses from that of recreational. Changing the definition of recreational uses in the General Plan to accommodate library uses would of itself not be sufficient to allow library use of Quimby Act acquired land. To use any of such acquired land for a library, the City would be exposed to litigation by any resident who purchased a home which funded such parkland.

In Irvine, most community parks were acquired via the Quimby Act. Of the remaining parkland acquired via the 1974 Park Bond, only a portion of Bill Barber Park remains and it is currently utilized by the ice skating rink. With any changes in PA-40 as now being considered, there is an opportunity for the City to revise the parkland requirements to allow a library. Otherwise, to use any of the "remaining" community parkland of which all was acquired by Quimby Act, the City would have to pay for the land to either the developer or refunds to the existing residents. Consequently, regardless of whether a library is sited within an existing

or planned community park or placed on private land, the City will have to buy the land. This places a major constraint on the options available to the City for siting and constructing new libraries in the short term and increased the future costs of any new libraries.

Following discussion, staff was given a considerable number of assignments so as to provide further discussion at the next meeting on where to go in developing a plan and recommendation. Included were request to investigate all possible private lands and even leasing of existing vacant buildings in areas of desirable new libraries.

**3. NB CULVER I-5 UNDERCROSSING** - NIVA received an e-mail from Kal Lambaz, Sr. Project Manager for the City on the I-5 Freeway/Culver Drive/Trabuco Road Interchange Improvements Project. Copies of the Construction Notice which the City was mailing out to "local residents near the project area." was distributed at the meeting. Construction is anticipated to start Feb 25 and take about 11 months to complete depending on weather. Signs will be posted to alert motorists of the upcoming construction. Traffic will intermittently be reduced to one lane in each direction between the hours of 9 AM and 3 PM throughout the project construction duration.

**4. BUILDING FACILITIES MASTER PLAN** - An inquiry was e-mailed Dec 23 to City Mgr. Joyce about the previously anticipated presentation before year's end to the City Council of the Comprehensive Public Facilities Program. A response received from Joyce stated that he has informed the Council that he will present the program in March 2008. He also invited NIVA to meet with Asst. City Mgr. Kreutzen (who is leading the preparation effort) to discuss the program once the draft is completed or even before of NIVA so desires. An inquiry was made by Melvold of those who would like to attend such a meeting. Melvold will contact Kreutzen about the meeting and coordinate with NIVA reps.

**5. AFFORDABLE HOUSING** - City staff has held 3 public meetings on a proposal the City is currently considering or proposing. However, details are not available as yet. An inquiry was sent today to the City requesting a status report seeing how the plan must be approved by the Council and subsequently submitted to the State by this June. No response had been received from the City prior to the meeting.

**6. JEFFREY OPEN-SPACE SPINE** - NIVA received a response to its inquiry about the status of the City's application for funding of a feasibility/environmental study of a trail bridge crossing of Trabuco. In the Jan 14th e-mail Katie Berg-Curtis in the City's Transportation Group stated that the State had denied the request. She states simply that the City will continue to evaluate whether this project is a candidate under funding programs as they arise and apply for funding if appropriate. This response fails to indicate any urgency to the study even though the IUSD is expediting the middle school construction and TIC is proceeding with a revised proposal for PA-40 -- both of which would clearly indicate some urgency to the bridge study. This matter was brought to the attention of Steve Weiss, City planner overseeing the PA-40 project last Jan 24. He was unaware of the study funding situation and would look into it. Since no response has been forthcoming as yet from Weiss, a reminder e-mail was sent to him on Feb 9. Should any response be received with new information prior to the meeting, an update will be provided at the meeting.

The key question is: With the middle school relocated to a site in PA-40 south of Trabuco on the SE corner of Trabuco and Jeffrey adjacent to the Spine, the trail bridge takes on even more importance. Even without the school aspect, NIVA had supported this trail bridge simply to avoid traffic interruption and to enhance the safety of the Jeffrey trail experience. With the school, it seems even more important. However, a study is needed and it ought to be done in time for inclusion into both the school's and TIC's PA-40 plans and, if appropriate, fair-share funding obligations. Therefore, the study can not simply await some sort of grant funding in the future to be undertaken. After some discussion, it was agreed that the City, either alone or jointly with TIC, should at this point fund an expedited study. This position will be forwarded to the City.

## **7. "SMART" PEDESTRIAN CROSSING OF YALE & GRADE-SEPARATED**

**CROSSING FOR VENTA SPUR TRAILS** - Accompanying the announcement for this meeting, NIVA President Melvold presented an explanation why and to what extent NIVA was involved in the activities regarding the proposal for grade-separated crossing (bridge) of Venta Spur Trail over Jeffrey. An e-mail was sent Feb 11 to Councilmember Shea thanking her for her efforts in behalf of North Irvine in the investigation of the bridge proposal. Though the matter of the grade-separated crossing of Jeffrey is closed as far as the City is concerned for the foreseeable future, there was no consensus at this time to remove this item at this time. However, no action is pending by NIVA.

**8. WB BRYAN BUS-STOP AT YALE** - NIVA was informed by the City via a Jan 15 e-mail from Cindy Krebs that discussions with OCTA have resulted in a "positive change". As part of the quarterly bus service change that will become effective on June 8, 2008, OCTA will move the bus layover zone to Bryan and Culver, where a bus turnout is currently provided. From that date forward, buses will no longer lay over outside of Northwood Community Park (Bryan and Yale). It was agreed to keep this item open until actual implementation of the change by the OCTA.

**9. CITY EUCALYPTUS WINDROW TREE PROGRAM** - NIVA received a "heads up" hard copy of a power-point presentation on the Eucalyptus Windrow Study from Steve Buorke of the City. Keith Byers, the newly appointed Landscape Maintenance Supervisor for the City, is now responsible for this program. City staff is being considerate enough to provide NIVA a copy of the presentation before it has been presented to City management or the City Council. So they have asked that we keep the document "close", do not give it wide distribution, and do not go expressing concerns to City Hall about the content. Instead, Buorke and Byers would like feedback to them directly regarding the program especially that proposed for HOAs for their consideration and possible revision in the presentation and recommendation to City management and Council.

In the City there are 12,500 eucalyptus trees on private property and 4,700 on public property with the latter in 38 windrows. Of the 12,500 trees on private property, the exact number on HOA property is not known. The study analysis itself involves only the trees on public property though the end result of the study is expected to be applicable to all eucalyptus windrow trees. The eucalyptus windrow trees were planted between 1920 and 1940 and were used primarily to give wind protection to the citrus trees. Obviously, they have no agricultural use now as they block sunlight from row crops and reduce harvest. Their current value is aesthetic only.

The study undertaken a couple years back is comprehensive and involved the assistance of staff from UC Riverside and Cal State Fullerton. The goal of this second stage of the study is to develop a method for estimating the likelihood that a given tree has a "high level" of internal decay -- the factor determined in the first stage of the study to be the primary cause of tree structural failure. To date, the study has resulted in a prediction result of 74% ( i.e., the percentage of those trees which have been assessed and predicted to have a "high level" of internal decay) when cut down and studied, were found in 74% of the cases to actually have a high level of decay).

The power point report presents both the Study Recommendations, the Proposed City Implementation Plan, and the proposed Implementation Plan for HOAs. Copies were distributed and the content discussed at the meeting. It is intended to only furnish this material at this meeting for the purpose of discussion to be entertained in detail at the March meeting. This will provide time for member representatives to take the matter back to their own association boards for consideration prior to a deliberation at a NIVA meeting. It was agreed that copies should be forwarded to at least one board member or property manager of each member HOA known to have eucalyptus trees on their premises, cautioning them of the "preliminary" nature of the document and seeking feedback for the next meeting or as soon as possible.

**10. REFURBISHMENT OF NORTHWOOD SHOPPING CENTER** - Per e-mail from Tim Gehrich, Mgr. of Planning & Development Services for the City, there has not been much activity on the project from the applicant lately. City Planner Darrell Chin is aware of NIVA's previously-submitted comments and will consider them at the appropriate time.

**11. HARVARD RAILCROSSING QUIET ZONE** - NIVA received a Feb 13 e-mail from Katie Berg-Curtis of the City to NIVA's Dec 23rd e-mail inquiring as to any progress with the OCTA on the agreement, funding status, and any rough estimate of the construction schedule. She stated that the OCTA is currently proceeding with the design of proposed improvements at Harvard and that the City expects to receive a draft cooperative agreement from OCTA in March. At this time, she stated that estimating the start of construction is complicated by the fact that the OCTA has 53 different countywide projects to coordinate with the railroad. However, OCTA plans to have all improvements completed by the end of 2009. At the pace this project has been going, that completion date appears to be extremely optimistic. Regarding the Tustin Quiet Zone as presented recently in newspaper articles, she indicated that the story may be premature in that Tustin can not even apply for the "Quiet Zone" until and after all required improvements are completed.

**12. INTERSECTION SIGNAL SYNCHRONIZATION CABINETS** - The results of Melvold's meeting with City Mgr. Joyce last month were briefly presented for discussion at the meeting. It was decided that NIVA would do nothing more on this matter at this time.

**13. WIRELESS COMMUNICATIONS FACILITY AT THE GROVES** - A Planning Commission Public Hearing is scheduled for Feb. 21. Royal Street Communications California is the applicant. The facility at The Groves would consist of a 50-foot tall Class 10 monopine along the SE portion of The Groves and within the RV storage lot. It will be visible from the Venta Spur Trail though camouflaged as a monopine. The notice gives no description of the ground-level equipment structure regarding its height or screening nor any specific details as to its precise location in relation to the Venta Spur Trail. No actual objections, however, were presented to the proposed facility during the discussion of the matter at the meeting. NIVA would, therefore, have no position to express to the PC on the matter.

**14. TRANSFER OF ACCOUNT AUTHORIZED SIGNATURE** - [McFadden] There has been no transfer to date for the account "ownership". Since the account is an interest-free account, i.e., it receives no interest, there is no income to be reported to the IRS. Therefore, to avoid the expense and trouble associated with establishing a nonprofit organization account, it was decided that it would be better to simply have the account in the name of one of NIVA's officers. The person would have to provide his name and SSN for the account. It would consequently be expected to change with new officers each year. In any case, the current practice of having the President and Treasurer authorized to sign checks from the account would continue.

**15. IRVINE BLVD. LANDSCAPE REFURBISHMENT** - Irvine City Proj. Mgr. Louie Martinez wants to meet with NIVA to provide an opportunity to review City plans to replace landscaping at many intersections in North Irvine including Irvine Blvd & Yale. The meeting is scheduled for Feb 14 at the Irvine Maintenance Facility. Dennis Chiotti, the City's new Landscape Superintendent will also be in attendance.

**16. 2007 YEAR-END STATE OF NIVA REPORT** - [Melvold] It was agreed that the document should be forwarded to the membership. There was, however, no consensus as to how much of the 3-page document should be distributed. In the past, only the first section was distributed membership-wise.

**17. NEW ASSOCIATION MEMBERSHIP** - NIVA has received a dues payment and board member information for Northwood 2 HOA. NIVA welcomes the new member association.

**NEXT MEETING** - The next meeting would be Wed., March 12 at The Groves.

# **2007 YEAR-END STATE OF NIVA REPORT**

## **PARTIAL LIST OF THE SIGNIFICANT ACCOMPLISHMENTS/SUCSESSES FOR WHICH NIVA ACTIONS WERE INSTRUMENTAL**

- Acknowledgment by the City in writing that the current bus stop situation on Bryan at Yale is unsafe as NIVA postulated.
- Secured a commitment from City to install trail identification signage on the North Irvine off-street pedestrian/bike trails.
- Secured City support and OCTA approval of funding of the required "Quiet Zone" improvements at the Harvard railroad crossing. (Liability/maintenance/etc. agreements to be finalized between City and OCTA and other involved parties and resolve the need for horn blowing for the Tustin Rail Platform.)
- Succeeded in getting the City to paint the intersection signal synchronization control cabinets green to make more aesthetically pleasing within the community.
- Succeeded in getting the City to acknowledge the need to also widen Culver north of Scottsdale and agree to perform a traffic study (estimated to cost \$135,000) of the Scottsdale to I-5 SB Off-ramp Intersection segment of Culver Drive.
- Succeeded in getting the City to provide \$115,000 towards noise abatement window replacement for several impacted residents adjacent to Culver Drive in association with the Culver Drive widening between Walnut and Scottsdale.
- Succeeded in getting City to initiate an agreement with Caltrans and to fund the project to add an additional lane in each direction on Culver Drive under the I-5 Freeway.
- Succeeded in getting the City to revise its previously unfair process for electing members to the Senior Citizens Council.
- Succeeded in getting the City to look at the long overlooked senior center deficiency starting with a series of public workshops as part of a consultant study effort.
- Succeeded in getting the City to commence an effort on the Hicks Canyon Community Park community center installation -- initially with a parking study (performed in 2007) and a decision by staff to include construction funding in the Irvine's 2008-09 Strategic Business Plan.

## **MAJOR UNDERTAKINGS FOR THE YEAR 2007**

- Reviewed and/or provided comments on
  - (1) the City consultant's senior center study report, and
  - (2) Response to Comments on Irvine's Draft Initial Study/Mitigated Negative Declaration for Culver Drive-Walnut Avenue Intersection Improvements Project.
- Continued efforts to secure early commitment of funding and installation of the Trabuco/SR-133 interchange to assure coincident opening with opening of Great Park Phase I.
- Monitored City's feasibility study for Jeffrey Open-Space Trail overcrossing of Trabuco.
- Monitored the re-location of the future North Irvine middle school.

## **CONTINUED OVERSIGHT OF ON-GOING DEVELOPMENT PROJECTS IN 2007**

- Supported and encouraged development of a stand-alone and optimally located senior center in North Irvine ideally serving all of North Irvine.
- City's & O.C. Great Park Corp. reuse plans for closed El Toro MCAS & Great Park.



- Jeffrey Open-Space Spine design & development, and acreage credit calculations.
- Pursuit of an earlier installation of a community center for Hicks Canyon Community Park.
- Pursuit of modification to the Venta Spur Trail "crossing" of Yale Ave., a City study of design, cost and issues with a Venta Spur Trail "crossing" of Jeffrey Road, an extension of Venta Spur Trail easterly through PA-9 and over the SR-133 Tollroad to the Great Park, and an extension of the trail paralleling the railroad from Jeffrey Road to the Great Park.
- Pursuit of a modification to the City ordinance on Heavy Vehicle Roadway Restriction so as to restrict unnecessary truck traffic thru residential neighborhoods of North Irvine.
- Monitor City activities in complying with state-mandated storm drain inspection/maintenance requirements and the resultant impacts on HOAs.

## MISCELLANEOUS ACTIVITIES

- Sought City support for bus-stop turnout on Bryan adjacent to Northwood Community Park.
- Continue pressure on the City to finalize the long-overdue updated Building Facilities Master Plan.
- Monitoring of maintenance efforts of Northwood Shopping Center and possible loss of tenants on long-term viability of center.
- Monitoring of expansion of the City's affordable housing development to assure equal distribution and inherent fair-sharing of consequences throughout the City.
- Monitor on-going efforts of an independent group seeking approval and funding for a Military Memorial Monument at Northwood Community Park.
- Monitor County and State efforts to ease jail crowding as affecting Musick Jail Expansion possibilities.
- Monitor the preparation started last Feb. of the Northern Open-Space Management & Preservation Program for the Northern Hills by Irvine Ranch Land Reserve Trust under contract to the City.
- Reviewed the plans for wireless communications facility in Lower Peters Canyon Community Park.
- Succeeded in getting ground-cover replaced and additional trees planted in Irvine Blvd. median between Culver and the SR-261 Corridor.
- Provided significant assistance to The Groves to assure noise mitigation measures were required along Jeffrey which led to an increase in the concrete block wall height adjacent to The Groves.
- Reviewed Caltrans plans for re-landscaping the I-5 through Irvine and commented on possible conflicts with 12 projects in the adjacent area.