

NIVA MEETING RECORD

Sept. 10, 2008

The meeting was chaired by Vice President Laporte.

COMMITTEE REPORTS

1. PA-10 JAMBOREE MEDICAL/SCIENCE CENTER COMMITTEE [LaPorte] - No further contact from the City on KIA's sign request.

Laporte reported that a Harvard Square resident (Dawn Kono) contacted the City with concerns regarding glare from KIA's existing parking lot lights shining brightly at night. Mike Lee from the City met at the Kono residence along with several Harvard Square neighbors and HOA boardmembers in the evening of August 28. As a result, Lee spoke with Mike Hummer of KIA and gave him a "pre-citation warning" of 30 days to fix the light problem. Hummer was not pleased and indicated he would like to meet with Harvard Square boardmembers and residents.

2. PA-40 R & D DEVELOPMENT COMMITTEE [_____] - The City Council approved [5/0] the General Plan Amendment and Zone Change and accompanying draft EIR for the area from the previously approved research and industrial designated complex at the Aug. 12 hearing. A "Statement of Overriding Considerations for Air Quality, Traffic, and Noise" was and had to be approved for the project to go forward. The major features of the project in the 571 acres of Planning Area 40 involved in the project consist of the following:

3,918 DUs of which 222 and 1,311 units are being transferred from PA-1 and PA-9, respectively.

20-acre (est.) community park adjacent to the Jeffrey Spine between Roosevelt and the I-5.

205,000 sq. ft. commercial center to be located on SE corner of Trabuco and Sand Canyon.

1,540,000 sq. Ft. of multi-use development located east of the SR-133 and east of Sand Canyon south of the proposed commercial center.

Relocated middle school at SE corner of Trabuco & Jeffrey.

Option to convert Multi-use zoning to 1,309 DUs max.

Center core of elementary school and private neighborhood park.

Implementation of Segment 1 (Trabuco to I-5) the Jeffrey Spine (NOTE 1 below).

Proposed grade-separated crossings of Trabuco and Roosevelt by the Spine.

New Class 1 Trail along the I-5 Freeway on the southern edge of the village.

Replacement of the 5' sidewalk along the north side of Trabuco in Woodbury with an 8' sidewalk and widening of Trabuco bridge over the 133 to accommodate the 8' sidewalk w/ TIC providing 50% of the financing of the bridge widening.

Establishment of some sort of shuttle service between the village and Spectrum business center.

It should be noted that the City Council did not heed the recommendation of the PC that the project not be approved without the requirement that the project will be subjected to the 0.5 sq ft. Library space per person proviso. The City Council did not direct staff to add this policy to the General Plan. Staff had countered the Library Services Advisory Committee and the PC recommendation by suggesting that the proposed "standard ...would have relatively little effect". Consequently, the City is simply dependent on the implementation of the standard prior to the issuance of any DU building permit to be applicable and than only if adopted by the Council and in force at the time.

It should also be noted that NIVA only received a copy of the 244-page Staff Report in late afternoon of the same day as the Hearing though the Staff Report clearly indicates NIVA as copied. Per the metered postmark, it had been mailed sometime on Aug. 11 -- the day before the hearing!!! Additionally, Attachments 3 and 4 of that Staff Report, which are the Draft EIR and the Responses to Comments, were not included even though NIVA had submitted comments. Also, in sending the document to NIVA's PMB, it essentially made access unavailable for a day or two beyond the meeting. It was voted that NIVA should

subject to the City that NIVA did not receive sufficient time to review the Staff Report and object that NIVA's comments were not included in the Staff Report.

NOTE 1: The requirement for implementation of Segment 1 of the Jeffrey Spine as stated in the Staff Report is that the plans (probably in the form of the Master Landscape and Trails Plan) are required when the "adjacent residential subdivision" maps are processed. However, for Segment 1, there is no "adjacent residential subdivisions" as all of the adjacent project land is occupied by either the middle school or the community park. Consequently, it leaves to question, what is the triggering action. It was agreed at the meeting that NIVA should request that the City provide an appropriately defined timeframe for plans to be provided since the trigger seems to be vague under the circumstances.

OLD BUSINESS

1. NORTH IRVINE LIBRARY - Per Senior Management Analyst Pamela Baird, the City is currently anticipating taking the General Plan Amendment (which would contain the increase in the library standard from 0.2 to 0.5 square feet of library space per resident) to the City Council in Oct. for initial consideration in the approval process. At the Sept. 2 meeting of the Committee, a pole of the membership indicated a favoring of the establishment of a Library Foundation, independent of both the City and the Orange County Public Library System, to collect and administer funds for expansion of the Cities libraries. Further analysis and consideration will be given in the future before moving ahead on any particular recommendation to the Council.
2. FUTURE NORTHWOOD MIDDLE SCHOOL - TIC keeps stating at various times that the school is under construction. However, as Sept. 1st, only the perimeter streets have been installed with no noticeable construction activity actually occurring on the school site.
3. NORTH IRVINE TRANSPORTATION MITIGATION PROGRAM - NIVA was informed that the "Economic Stimulus Program" recently approved by the City Council will have no effect on the improvement plans or schedules for NITM projects.
4. NORTHWOOD MILITARY MEMORIAL MONUMENT [Zelinko] - Zelinko provided a brochure for review at the meeting which was designed pro bono, describing the memorial. Construction drawings will be submitted to the City the week of Sept 22 and final approvals are expected in November. The granite panels have arrived and are being stored at a Whittier site. (Just as a reminder, it should be mentioned that this project is not a NIVA-sponsored effort but is being monitored by NIVA since the proposed site is a public park within North Irvine.)
5. NORTH IRVINE SENIOR CENTER - The subject of holding occasional future meetings of the Irvine Senior Citizen Council [SCC] in North Irvine was agendized for the SCC at its Aug. 21 meeting. No action was to be taken as it was simply an introduction of the issue by City staff with reference to the correspondence between NIVA and the Mayor Krom. Melvold gave a short presentation supporting action to be taken by the SCC so as to accommodate meetings in the near-term future in North Irvine by either routinely scheduling "special" meetings or changing the Bylaws to allow meetings in North Irvine. They should be held at a community park community center until the the North Irvine Senior Center is constructed. Per Shiela Driscoll, secretary for the SCC, the item will be agendized at the Nov. SCC meeting at which time the 2009 meeting schedule is to be considered. An e-mail was subsequently sent on Aug. 24 to Driscoll and the SCC chair, Homer Guimond, clarifying a possible misunderstanding. The intent of NIVA's request is not to accommodate any specific need of NIVA's itself or to present concerns to the SCC but to provide reasonable and equitable access to the SCC meetings by senior residents of North Irvine should they so choose to attend a meeting. An e-mail response was received from Driscoll on Aug. 27 Copies were distributed at the meeting. The response first speaks of regular meeting in North Irvine but only after the construction of the Senior Center in North Irvine (no scheduled construction as yet) and

secondly staff recommending possibly 1 or 2 meetings to be held in Northwood Community Park -- not an equitable 4 meetings. It was suggested that NIVA urge the City to be aggressive in publicizing the location to encourage attendance. Zelinko and Ravenscroft volunteered to attend the November SCC meeting to support the request to have more meetings in North Irvine.

As a side issue, NIVA members who attended the tour of the senior citizen facilities organized by the City would like to request feedback on the findings from the trip and to request that their books with individual notes from the trip be returned as promised by City staff.

6. WB BRYAN BUS-STOP AT YALE - The change in layover location to Culver/Bryan was to have taken place on June 8 per OCTA. It appears that the change is in effect and unless someone knows otherwise and can give specific dates and times of "violations", this item could be closed. However, deletion of the item was held over another month to further verify that the change has been implemented. Those in attendance did not notice an unmanned bus at the location. It was suggested that this item be closed. If necessary, it can be brought back if future concerns arise. **[ITEM TO BE CLOSED]**

7. REFURBISHMENT OF NORTHWOOD SHOPPING CENTER - An extensive amount of refurbishment is being performed on the old "Coco's" restaurant building in preparation for the new restaurant. Both siding and roofing are being replaced on the outside hopefully improving the aesthetics of the building. Apparently, the work was stopped because of the need to install a perimeter fence for safety and security.

8. HARVARD RAILCROSSING QUIET ZONE - A mailing from Supervisor Pat Bates had indicated that the OCTA had imposed an Oct. 31, 2008 deadline for cities requesting Quiet Zones to have completed relocation of utilities, acquire environmental right-of-way, review/approve design plans, reimburse OCTA based upon a cost sharing formula, as well as complete construction and maintenance agreements with the Southern California Regional Rail Authority. Exceeding the deadline **would** result in a 2-year deferral of affected grade crossings within non-compliant cities. Some cities have expressed concerns over the stringent 60-day timeline for completing the tasks and have asked for more time in lieu of a 2-year deferral of projects within their respective cities. An e-mail has been sent to Katie Berg-Curtis at the City of Irvine on Sept. 2 inquiring as to the situation on this matter with regards to Irvine and specifically this Quiet Zone/rail crossing.

9. CULVER DRIVE/WALNUT AVENUE IMPROVEMENT PROJECT - A "kickoff" detailed design meeting was held Aug. 20 at City Hall attended by Melvold with City consultant Amy Amirani of Civil Source (located in Irvine) which is performing the work and City PWs staffers Tim Kirkham and Rudy Romo which are overseeing the project. Unfortunately, inadequate advance notice was provided so as to accommodate other interested parties. It is anticipated that followup meetings will be scheduled during the detailed design process. Farideh Lyons, who was the City's project manager during the project approval process, is no longer associated with this project. Discussion surrounded the parameters/scope of the work including the bus stops on Walnut and at Scottsdale, the need for coordination with the Scottsdale/I-5 project, the landscaping replacement alongside the center, softening of the 3-foot retaining wall, the need for removal of the dips on both sides in the Scottsdale roadway at Culver, the impact of the lack of a right-turn lane into the center at Scottsdale, etc. Funding of the project is still not known to be complete as the last information provided by the City indicated insufficient funding as yet. Final design of this project is scheduled for the end of this Dec.

The participants discussed the process the City anticipates using regarding the residential replacement windows. Melvold emphasized the need to include The Colony HOA in the decision on tree selection replacement along Culver and the need to screen effectively the trash enclosure and the lighting from the

Standard Oil gas station. He suggested that the City might act as a facilitator in arranging a combined meeting with reps from the owners/manager of the Heritage Center, The Colony, NIVA, and City staff to discuss issues pertaining to the landscaping, screening, ROW needs, and traffic flows into and out of the Center.

As requested by NIVA, the City is planning to combine the construction of the this project and the Scottsdale/I-5 SB Off-ramp project into one contract. However, as of this time, the second project is yet to be approved and the actual approval process has only started. This could mean this project May sit for a while with completed detailed drawings siting on a shelf. Alphonso Gomez is the lead on the Scottsdale/I-5 SB Off-ramp Project.

As a side issue, there was also discussion about the need to pull back the nose of the median of the Culver median north of the SB I-5 off-ramp. City staff also disclosed that the construction crew working on the Culver widening under the I-5 had uncovered a large underground concrete culvert just north of the I-5 SB off-ramp which was not indicated on any drawings and does not seem to serve any known purpose. It is currently being investigated and in the meanwhile is hindering progress on that project.

10. PUBLIC STORAGE FACILITY EXPANSION - A hearing was held on the CUP on Aug. 21. Melvold sent an e-mail to the Planning Commission on Aug 20 supporting the need for the right-turn deceleration lane [Attachment 2]. City staff still recommended the deceleration lane but reached a compromise with the applicant such that the applicant pays only 50% of the estimated cost with the balance to come from the developer of the adjacent piece of property when and if developed. However, the compromise did not assure an early installation of the lane nor even whether it ever would be installed regardless of the need. Though acknowledging the need, City staff (specifically Public Works) is willing to await the receipt of the balance of the funding before proceeding with the installation regardless of how far into the future. However, because of the relatively small number of vehicles which would enter the site, Commissioners Probolsky and Smith saw no need for the de-cel. In the end after further discussion on the project, the PC voted 4/0 (Sheldon absent) to approve the project with the required de-cel. lane to be installed and financed as proposed by City staff. Melvold had inquired of City Sr. Planner Trevor Lottes [9/3] as to whether the future approval and determination of the need would be simply an administrative staff decision or whether the Council or PC would be involved.

11. TRANSFER OF ACCOUNT AUTHORIZED SIGNATURE [McFadden] - A preliminary acceptance of the dba by the County has been received. The next required step is the publication of the public notice. Melvold submitted the request to the Mission Viejo News on Aug 19 for publication in 4 succeeding weekly issues as required by the County. The cost for the publication is \$20.00. This procedure will have to be repeated each time a new officer's SSN is used (most likely whenever new NIVA officers are elected) or upon expiration of the dba which expires after 5 years. An alternative to this procedure has been suggested that the ID number of one of the member associations be used since NIVA is really an association of associations and not simply their reps. This process would save NIVA both the cost and repeated processing. This suggestion is being explored.

12. BRYAN AVENUE TREE REPLACEMENT IN SETBACK - [Zelinko] Zelinko received an e-mail from Keith Byers stating that the pear trees damaging mow strips will be removed and that the sweet shade trees are not performing and will be removed. Removed trees will be replaced with tristania trees.

13. MEMBERSHIP ANNUAL DUES PAYMENT - Per the last meeting and excluding those which have subsequently submitted their dues payment, a few HOA-members have still not paid the 2008 dues nor responded whatsoever. At the meeting, McFadden reported that 6 member HOAs have not paid this year's dues. During followup contact, some requested another copy of the invoice. McFadden will continue to followup with those HOAs which have not as yet paid.

NEXT MEETING - The next meeting would be Wed., Oct. 8th at The Groves.