

NIVA MEETING RECORD

Jan. 13, 2010

COMMITTEE REPORTS

PA-10 JAMBOREE MEDICAL/SCIENCE CENTER COMMITTEE [LaPorte] - LaPorte reported that she had spoken with Steve Weiss of the City on Jan 11 regarding KIA Motors violation of the agreement not to do any car sales of any sort from its Irvine Headquarters. Weiss had not done anything regarding the matter even though he had indicated some time before that he would look into the matter. He, however, was not aware of the extent of the "violation" by KIA, i.e., that not only were persons flagging bypassing vehicles on Walnut regarding the sales and that the event occurred over 2 days. Further investigation by LaPorte disclosed that KIA had gotten a permit from the Irvine police department [IPD] allowing the event but the IPD considers only traffic and safety issues but not any prior development agreements or conditions of approval. The latter take place under the oversight responsibility of the City's Community Development Department [CDD] and not with any communications with the IPD. Obviously, there is a lack of necessary communications between the 2 departments, i.e., "no connection of the dots" so to speak. Hence, adherence to such conditions is primarily and only "policed" by the applicant! [NOTE: This is the second time NIVA has encountered this deficiency in City oversight. A similar breakdown occurred recently with the operating hour limitations for the Chevron station at Walnut and Culver.]

OLD BUSINESS

1. EL TORO MCAS REUSE - As directed at the Dec. meeting, a letter was sent Dec 31 to the City Council [Attachment 1]. Because of the indication of a lack of response to NIVA's previous letter of Dec 29, 2008, Adm. Sec. Valerie Burlingame in the City Manager's Office, faxed a copy of a Mar 5, 2009 letter supposedly sent but never received by NIVA.

The Mar 5th letter signed by Mayor Sukhee Kang, however, did not indicate a sensitivity or consideration of the north Irvine residents to impacts due to the traffic generation potential activities and events being sought and supported by the City and Great Park officials. There is no expression of commitment on the part of the Mayor or City Council to progress the desired traffic mitigating SR-133/Trabuco Interchange in any expedited fashion. To the contrary, the response indicates a casual adherence to the schedule in the North Irvine Transportation Management [NITM] program associated with long-term residential development in the Northern Sphere even though activities are being supported at the Great Park which generate traffic both earlier and above that identified in the approved EIR.

The Park development schedule has been appreciably revised with traffic-generating activities coming on board sooner than residential development with the result that roadway improvements are lagging in implementation than that originally anticipated and needed. The NITM program assigns financial funding of roadway improvements based on a fair share basis. Consequently, The Irvine Company would only fund their share in parallel with Northern Sphere development. The Interchange would be expected to be funded by The Great Park/City of Irvine, Lennar along with the Northern Sphere development by The Irvine Company.

Ironically, a Jan. 11, 2010 O.C. Register article highlighted and verified the lack of sincere attention and consideration that has been given by City and Park officials to the potential problem with congestion and the impact on the neighborhood. It stated that it took more than 15 minutes to get from the Park's Sand Canyon entrance to the parking lot, a distance of less than a half mile. It continues by wondering why park officials thought a two-lane road could accommodate the crowds without bottlenecks. Obvious the congestion translates into significant traffic and backup on the North Irvine streets in the vicinity. Apparently, City and Park officials are more than willing to impact North Irvine without simultaneously initiating necessary and promised mitigation measure simply to derive early publicity for the Park to counter criticism of the slow development of the Park.

It is not clear now whether the City Council will still respond to NIVA's Dec 31 letter or whether the City will decide

the Mar 5th letter suffices. It was agreed at the meeting that City staff was to be informed that NIVA still expects to receive a response to its Dec. 31, 2009 letter. *[Melvold contacted Burlingame on Jan 27 and informed her that, regardless of NIVA's belated receipt of the Mar. 5th City letter, NIVA was still expecting a response to its recent letter.]*

2. TELECOMMUNICATION TOWERS ALONG ETC [Elliott] - Four new towers have been installed along the SR-241 Toll Road. AT&T, Sprint, T-Mobile, and Verizon have all installed cell equipment and are now operational and Metro PCS will be on-air later this year. The new towers are claimed to provide seamless coverage to toll road motorists and also provide enhanced cell coverage for hikers using the surrounding areas and to residents in northern reaches of Irvine. With completion of these facilities, it is anticipated that the previously proposed tower at Portola Pkwy. and the SR-241 will not be necessary. Mike LeBlanc, VP with The Irvine Company [TIC], was contacted as to whether TIC is aware of any further effort at installing a tower at Portola Pkwy. Though not specifically on TIC property, an easement on TIC property would be needed to give access to the site. He agreed to check but no response has been forthcoming. Consequently, this item can now be closed. **[ITEM CLOSED]**

3. HICKS CANYON COMMUNITY PARK COMMUNITY BUILDING - It was agreed at the meeting that a followup by NIVA is warranted regarding the delay in the previous schedule and commitment on the community center as indicated in the approved 2008 Strategic Business Plan. Melvold agreed to draft and send a brief letter to the City.

4. MASTER COMMUNITY PARK PLAN REVISION - A second community meeting is scheduled to be held at the Northwood Community Park community center to discuss further the proposed modernization and expansion of the center. It is scheduled for Monday, Feb. 1 @ 6:30 PM. A copy of the City's flyer notice on the meeting was distributed at the meeting. It provided some details on the proposal.

5. "SMART" PEDESTRIAN CROSSING OF YALE & GRADE-SEPARATED CROSSING FOR VENTA SPUR TRAILS - As agreed at a previous meeting, a draft letter was prepared by Melvold for eventual submission to the City Council on the potential dangers involved in the City's proposed Jeffrey crossing of the Venta Spur Trail at Bryan Avenue. The draft was reviewed and discussed at the meeting. Changes were made and other suggestions recommended. Attendees were given until the following Sunday to contact Melvold about any other changes before he prepares and sends the final of the letter.

6. NORTH IRVINE SENIOR CENTER - After 2 e-mails and several phone messages to Debra Mears of the City's Community Services Dept., Melvold received a phone call from Steve Haubert of the City explaining first that he has taken over the assignment from Mears and secondly the status of the discussions with TIC. TIC has retracted several residential tract maps previously filed with the City resulting a significant reduction in the anticipated number of residential permits to be pulled in the short term. Consequently, in contrast to the 100 or so permits indicated last July before the possible "triggering" of the funding and design start on the North Irvine Senior Center, the number is now in the several hundreds. Haubert will be meeting with TIC in a couple of weeks to go over the situation and will report back to NIVA following that meeting on the revised status on the center start. Most likely we are now looking at a delay in the order of at least another year beyond the expectation last July.

7. HARVARD RAILCROSSING QUIET ZONE - Melvold contacted the office of the OCTA Programs Director, Darrell Johnson and talked with his assistant about the schedule for the Harvard Ave. Crossing improvements. She transferred me to the Project Manager for the Railroad Safety/Quiet Zone Program, Mary Toutouchi. She said all of the program was delayed at least 6 months due to the need to be assured of all of the needed funding and OCTA was concerned about the State. Most of the funding comes from Measure M but a small portion comes from the State and Federal government. A second reason for the delay was due to a protest by one of the construction bidders that had to be resolved. Therefore, the construction should commence about early to mid-2011 whereas it was previously Feb. 2011.

8. WIDENING OF JAMBOREE UNDERPASS OF I-5 FREEWAY - Melvold contacted OCTA's Dave Simpson (714-560-5570) on Jan 6 inquiring about the delay in the Jamboree undercrossing due to the postponement of the Von Karman overcrossing by City of Tustin due to lack of funds on their part. He said he would look into the mat

ter and get back. *[Per followup conversation of Jan 28, Simpson stated that the Von Karman overcrossing was a desirable improvement to have in place before start of the Jamboree widening but that it was not necessary. He had contacted the City of Tustin and verified that Tustin did indeed postpone the Von Karman project due to downturn in development in the closed Marine base. Also ironically, he had just received and email on Jan 20 from Manuel Gomez, Public Works Director for Irvine, informing the OCTA that the City is making preparations for award of detail design contract for the Jamboree Project about March of next year. Again the project is expect to cost around \$6 Million.]*

9. WIRELESS TELECOMMUNICATIONS ORDINANCE - Since the City has the legal authority to use its original ordinance that had been held up in litigation, the City is going forward with processing of the backlog of wireless applications using that ordinance. It was, therefore, suggested and agreed that this matter is finished and the item can be closed. **[ITEM CLOSED]**

10. CITY OF IRVINE 2009 STRATEGIC BUSINESS PLAN - It was suggested and agreed at the meeting that this item be closed and the remaining issue - overdue Hicks Canyon Community Park community center -- be addressed in Item # 3 above. **[ITEM CLOSED]**

11. CULVER DRIVE (SCOTTSDALE TO I-5 SB OFFRAMP) PROJECT - A review of the Project Report provided (after the fact) by City staff on the Project disclosed that the City has included improvements to the west entrance to Colony at Scottsdale, specifically "removal of existing cross gutter on the west side of Culver Drive at the Scottsdale Drive intersection, regarding of the westerly half of the intersection, and installation of a new catch basin". These were improvements sought by NIVA to be included in the Project but originally overlooked as needed by the City. The only remaining outstanding issue is that of the NB Culver bus stop just south of Scottsdale and the potential impact on NB Culver traffic flow.

12. NEW CREAN HIGH SCHOOL - The Planning Commission approved the Conditional Use Permit for the new high school at its Jan 7 hearing. A CUP was required since part of the parking structure for the school was encroaching into the special landscape setback along the SR-133 Eastern Transportation Corridor. Further details were provided by City staff due to the hearing. A listing of the Construction Phasing Plan was provided for the ultimate 1200-student campus to be located on the southeast corner of Sand Canyon and Portola Parkway. After receipt and review of the Staff Report for the hearing, a series of questions and concerns were forwarded to Steve Weiss, Irvine principal planner. A response was received the next day prior to the hearing essentially satisfying or clarifying the listed comments. A copy of both of the emails to the Weiss and his response were provided at the meeting. **[ITEM CLOSED]**

13. ORANGE GROVE PRESERVE - As agreed at the Dec meeting, a letter was sent Jan. 3 to the City Mgr. Sean Joyce inquiring as to the disposition of the site previously envisioned as a grove preserve. Copies were provided at the meeting. Attached is a copy of NIVA's letter. [Attachment 2]

14. NIVA'S FUTURE - Though the meeting notice sent to the NIVA member associations stressed the need for active participation and attendance at this meeting especially in regards to NIVA's future, the attendance did not pick up. Those member associations for which representatives had not been attending for some time, still failed to have a representative in attendance. Nor was there even any communications from the "long absent" member associations. The attendance was made up of the usual representatives.

Consequently, a discussion on the need and viability of NIVA in the future was warranted. No final decision was made at the meeting to immediately dissolve NIVA at this time. Due to the lack of interest indicated by the participation level of member associations and attendees representing the HOA members, it was realized that at minimum a significant change was required in NIVA activities. It was generally agreed that NIVA must at least immediately reduce its scope of effort and variety of items covered to a level that can realistically be addressed by the number of active representatives.

It was decided that NIVA activities would be limited to those for which active participation of potentially impacted associations was forthcoming. Therefore, even though issues exist which could potentially impact the North Irvine community -- either in general or to specific associations -- but, for which active participation was not volunteered,

would not be undertaken or continued. This decision to limit the role NIVA will play in the future is unfortunate but a necessity. At next month's meeting, decisions would be made on which items to be continued or dropped. Other critical decisions pertaining to the NIVA organization are included under other items below.

15. YEAR 2009 ANNUAL REPORT (Melvold) - Melvold presented a draft of the 2009 Year-end State of NIVA Report which was reviewed and accepted as prepared. [Attachment 3] It was mentioned that a considerable amount of NIVA participant effort was expended during the year on 3 unusual and unproductive efforts -- that of dealing with cessation of a couple of member associations from NIVA, delayed annual dues payments by a few member associations, and the need to implement a financial arrangement which met the bank and IRS requirements allowing for continuation of NIVA's bank account.

16. ELECTION OF OFFICERS - Election of officers was cancelled because of the possible change in NIVA including the still remaining potential for the dissolution of NIVA altogether.

17. FINAL FINANCIALS AND 2010 BUDGET AND ANNUAL DUES - McFadden presented the 2009 Year-end Financial Statement which indicated income revenue (derived from dues payments from 15 member associations) of \$2,305 and expenses of \$1,675.83. Expenses were broken down into 4 major categories: Mailing expenses - \$711.08; file storage - \$550; supplies - \$266.75; and postal box - \$148. The statement was approved as presented.

Regarding payment of dues, 4 "member" associations never did pay their dues even though reminded of the outstanding bill. Of those, only one member association had the courtesy of notifying NIVA, i.e., their fellow member associations, that it was withdrawing membership. Consequently, whether notified or not, membership of all 4 will be considered withdrawn. It was agreed that to curtail any further expenses on the part of these associations, no further correspondence including meeting notices, meeting records, etc. will be forwarded to these associations. The record of this meeting would be the final correspondence. These are Northwood Horizon, Northwood II, Racquet Club, and Windwood. Membership of these associations will be missed as with each association less, the collective strength of NIVA and its ability to accomplish goals diminishes.

In a discussion on a possible budget for 2010 assuming NIVA continues, it was generally agreed that the dues level would be not be increased and may in fact be reduced slightly. No decision, however, was made on the 2010 dues amount. Additional efforts would be considered and investigated such as the reduction in amount of files which might make elimination of the file storage possible. Melvold will present a proposal on this aspect at the next meeting. Should a decision be made to dissolve NIVA, a decision will have to be made regarding the disposition of remaining funds.

NEXT MEETING - The next meeting would be on Feb. 10.

3 attachments

