

NIVA MEETING RECORD

December 10, 2008

ANNOUNCEMENTS

The final results of the city election resulted in Choi winning the 4-year council term and Agran the 2-year term.

NIVA has received an official announcement from the City that the Culver Drive I-5 Underpass project has been completed. The portion of the Culver Drive median at the I-5 SB off-ramp which has not been landscaped is due to the fact that this median section is to be removed with the subsequent project to increase the number of off-ramp lanes in the near future.

Melvold met with Steve Wilks of IBI Group, consultant to TIC, and Robin Leftwich, TIC VP of Community Affairs, on Monday to discuss and explore opportunities for local shuttle bus service throughout Irvine. IBI is working with other stakeholders in developing a public shuttle-type transportation plan for the City. A draft report is expected to be compiled sometime soon after the new year. At what point it will be made available for public review is not known at this time.

COMMITTEE REPORTS

1. **PA-10 JAMBOREE MEDICAL/SCIENCE CENTER COMMITTEE** [LaPorte] - KIA Motors has re-submitted its application for the sign revision. The proposed sign is essentially the same; however, the resubmission supposedly includes more of the required details. Though hearings will be scheduled on the application, it is hoped that NIVA can be provided details of the revision far in advance of any scheduled hearings.

2. **PA-40 DEVELOPMENT COMMITTEE** [_____] - NIVA received a response letter dated Dec 4 to NIVA's Aug 5 letter sent to Irvine Community Development Director Douglas Williford requesting an appropriately defined timeframe for receipt of the Jeffrey Spine Segment 1 plans [Copies distributed at the meeting]. Basically, Williford acknowledges that the triggers for the grade-separated crossings and start of construction of the JOST in Segment 1 have yet to be established. As suspected, therefore, they were not established at the time of approval of the project and will have to be "negotiated" with TIC sometime in the future. Consequently, there is no firm trigger associated with any particular development within PA-40. Unfortunately, whenever this sort of thing occurs, the trigger becomes the time at which TIC sees market value in initiating the work rather than when the public should benefit.

OLD BUSINESS

1. **EL TORO MCAS REUSE** - It appears the revised development agreement being negotiated between the City and Lennar may have language which would negate any private cemetery -- a long sought amenity of the veterans. Any cemetery would have to be located in the 131 new acres proposed by Lennar to be traded to the City for changes including increased residential in its remaining acreage. At the Nov. 25 meeting, the City Council postponed consideration of the Density Bonus Agreement and corresponding General Plan Amendment/Zone Change until the Jan. 27, 2009 meeting.

In the meanwhile, the Great Park leaders are considering the bringing of the Cirque du Soleil to the Great Park starting as soon as 2010. The pros and cons of the actual venue is not the concern. The key issue of concern is traffic generation. A discussion followed on NIVA's previous communications to the City on primarily the Trabuco/SR-133 Corridor interchange -- an roadway improvement to be built to assure traffic created for larger events at the Great Park, but derived from County-wide residents, have an alternative access route to utilizing North Irvine streets.

On Sept. 27, 2007, the Great Park Board approved the first phase plan for development of the Great Park which included the Trabuco Great Park Entrance. The plan had no mention of the interchange -- its need or even any partially funding of it. At the same time, however, the Plan did not include

the proposed amphitheater. So from a traffic perspective, even though the interchange would not be in place at that time, there was no urgency. Shortly thereafter, the City Council adopted a resolution regarding the Regional Transportation Improvement Program for Fiscal Year 2008-09 through 2013-14 which included the interchange in the listing but was not time specific. In so doing, this action acknowledged that the project was regionally significant and therefore qualified for State and/or Federal funding.

The expectation for Cirque du Soleil is 2,600 spectators per show with 50 to 90 shows expected during a run. Most of these spectators will come outside Irvine. Per earlier communications from City staff, the construction of the interchange at Trabuco and the SR-133 was not expected to begin prior to 2011 at best. The recommendation to City Council for negotiations on the Cirque matter was discussed by the Great Park Corp. Board at its Nov. 20 meeting but discussion addressed only parking within the park. In a Nov. 23 article in the O.C. Register it was mentioned that several Great Park Corp. Board members questioned if the Great park facilities could handle the parking demand and suggested staff investigate utilizing the nearby train station in conjunction for visitors. The article mentions previous crowds of 6,000 for such performances in the past! The Board is limiting its scope of concern to just that on the Great Park site and are not focusing whatsoever on any off-site traffic consequences. This is understandable to some extent for the Board but should not excuse the City Council from its responsibility of addressing the impact of off-site traffic generated by any such performances.

Authorization for staff to negotiate an agreement with Cirque Du Soleil was approved by the City Council at its Nov. 25 meeting. (Approval of any resultant agreement by the Council would have to follow as a separate action.) The discussion at that meeting was also limited to only parking. From the discussion, it appears that the Council also had no concern about consequent traffic. Even though some of the traffic for the show will use the already-congested Sand Canyon/I-5 off-ramps, a significant amount will most likely use the Jeffrey and even Culver off-ramps of the I-5 to access the show via Trabuco. It is the avoidance of just this type of traffic for which the interchange is sought by NIVA.

It was agreed that NIVA should express concern about potential traffic by sending a letter to the Mayor and City Council demanding that, if such a show is to be considered for dates as early as 2010, a concerted effort be put forth by the City to expedite the construction of the interchange -- with the intent at arriving at an in-service date far earlier than currently projected. The letter would also mention and discuss the NIVA's outstanding previous letter of May 14, 2007 for which no response has ever been received from the City/City Council.

2. **COMPLETION OF PETERS CANYON WASH AND WALNUT TRAIL "GAPS"** - NIVA sent a Nov. 3 letter to Irvine's Public Works Dir. Manuel Gomez regarding (1) the confusion caused by the naming of 2 different trails in North Irvine as "Peters Canyon" and (2) the lack of signage for continuation of the County's Peters Canyon Trail at Bryan necessitating a crossing of Peters Canyon Wash at Bryan. A response letter dated Nov. 24 was received from Gomez concerning Issue #2. The response in Gomez's letter indicates a misunderstanding of the situation at Bryan and consequently proposes an inadequate fix.

NIVA then received a response letter dated Dec 4 from Community Services Principal Planner Steve Haubert supposedly addressing Issue #1. It does not specifically address the issue but rather describes the City's history on establishing trail names and on the process the City went through to name the City trail. However, it does not address the fact that 2 trails now exist within Irvine's boundaries with the same name -- the City's "Peters Canyon Trail" and the County's "Peters Canyon Trail". Haubert agrees with NIVA that it is imperative that for public safety concerns that identification of locations along a trail be understandable. However, he avoids addressing the need for singularity of use of specific names in naming of trails. [Copies of both received letters were distributed at the meeting.]

It was agreed that a meeting should be set up with City staff in the field to go over the situation firsthand. Melvold agreed to contact the City about arranging such a meeting.

3. **RENTAL-TO-OWNERSHIP DWELLING RATIO** - As reported in the Nov. 19, 2008 O.C. Register, even though 30,696 homes are occupied by owners (~60 %) in Irvine, 20,503 are occupied by renters (~40%). In a subsequent article in the O.C. Register of Dec 9th, ownership is reduced to only 57.2%. The significance is apparent when a comparison is made with cities thought to be similar such as Laguna Niguel - 75.5%, Laguna Hills & Laguna Beach - 77.3%, Lake Forest - 74.8%, San Juan Capistrano - 82.7%, Mission Viejo - 79.9%. However, Irvine is really becoming more in line with cities such as Santa Ana - 50.3%, Garden Grove - 61.6% and Tustin - 52.4%. In any case, adding to these numbers the number of voter-registered students living in the various college campuses, these percentages/numbers should be troubling as it indicates that almost half of the residents have no large investment in the community. Newer developments on the drawing board are expected to reduce the ownership percentage even more as large numbers of rentals are included.

4. **FUTURE NORTHWOOD MIDDLE SCHOOL** - Still no sign of any start of construction. Per IUSD Deputy Supt. of Business, Vern Medeiros, the District has moved construction back due to the downturn in the economy and corresponding slowing of residential construction. He figures that the facility won't be needed now until at least 2012 and possibly 2013. In the meanwhile, all needed approvals have been obtained. The District meets periodically to determine facilities construction and may make a different determination in the future. Construction, once started, is expected to take about 18 months.

5. **NEED FOR REVISION OF CITY'S MASTER STREETScape PLAN** - An e-mail was sent Dec 3 to Sherman Joes of City staff inquiring as to progress, disposition, and any tentative approval schedule. In a Dec 5th e-mail response from Jones, he stated that the updating process is still ongoing. However, no hearings will be scheduled until the City has coordinated the proposed update with TIC, the Great Park Design Studio, and Lennar "to ensure consistency between their respective landscape areas of responsibility and those of the City. No timeline has been determined for this portion of the project."

6. **WB BRYAN BUS-STOP AT YALE** - It had been agreed to carry this item until the end of the year to allow time to determine if the buses are adhering to the agreement. If no further "violations" are noted, it is to be closed at that time. Anyone witnessing a "violation" are requested to note the time, date, and possibly the bus/route number so as to assist the OCTA in followup action. Residents can contact OCTA directly if they see drivers laying over at Yale and Bryan by calling 714-636-7433 or emailing to customers@octa.net>.

7. **HARVARD RAILCROSSING QUIET ZONE** - The City agreements with OCTA and Metrolink were approved by the City Council on Oct. 14. Per Katie Berg-Curtis e-mail of Dec 3, OCTA and Metrolink are expected to start work on the program of projects that will provide safety improvements at 53 at-grade crossings countywide this coming Spring. She expects the work on Harvard crossing to be under construction in early to mid-2010. No details were provided at this time on the specifics of the improvements needed at the Harvard crossing. It was mentioned that **it would be in the best interest of the residents of member associations College Park and Windwood along with those of Park Lane, if their respective HOA Boards and the individual residents were to communicate directly to the City Council and City Manager that the City expedite this construction by whatever means possible so as to assure a higher ranking for the Harvard crossing on countywide listing and consequent earlier implementation of the Quiet Zone at this crossing. Metrolink previously indicated a timeframe for starting to increase the number**

of trains earlier than the timeframe now indicated for the implementation of the Quiet Zone.

8. **CULVER DRIVE/WALNUT AVENUE IMPROVEMENT PROJECT** - Amy Amirani, consultant to the City of Irvine on this project, contacted Melvold to arrange a followup meeting to the initial meeting last Aug 20 for further discussion on the items addressed then. No meeting time/date has as yet been set. Items previously discussed included: (1) parameters/scope of the project, (2) bus stops on Walnut and at Scottsdale, (3) landscaping replacement alongside the shopping center, (4) softening of the proposed 3-foot retaining wall, (5) removal of roadway dips on both sides of Culver at Scottsdale, (6) the impact of the the lack of the right-turn lane into the center at Scottsdale, (7) the need for a joint meeting with all interested parties concerning replacement landscaping along Culver, and (8) the need for a plan to reach out to the residents of Colony regarding the window replacement. However, on Dec 3, Amirani again contacted Melvold to suggest delaying any meeting as the City is reconsidering some of the proposed design and she felt it best to delay discussion until after the City has completed its reconsideration. No details were provided on the nature or content of the "reconsideration". Those interested in attending the followup meeting, when and if scheduled, should contact Melvold. McFadden indicated his interest at the meeting.

9. **TRANSFER OF ACCOUNT AUTHORIZED SIGNATURE** [McFadden] - As mentioned last month, Cal National Bank reversed itself in not allowing NIVA to open a new checking account with new officer signatories even though the method suggested by Cal National had been followed in establishing a dba at a cost of \$45 to NIVA and a delay in implementation of a couple of months. Cal National was now requiring NIVA to secure a Federal ID number for a non-profit -- essentially back to where we were several months ago. As the alternative was the establishment of a new California Unincorporated Association account provided at another institution but costing as much as \$25 per month, the choice selected at last month's meeting was to go the route of securing a Federal ID number even though it would require a lengthy paper application and a small application fee and also necessitate annual income tax filings though NIVA has no income.

But after a couple weeks, Cal National had a "change of heart" (or as they put it, "a decision was reached in the back room which allows (NIVA) to have the account as recently opened") and so informed Melvold. Cal National will also accept any change of signatories in the future (aka, probably any change of officers), but the same process would have to be repeated, i.e., a new dba and tax ID number submitted each time new signatories are sought. The old checking account was consequently closed on Nov. 26, 2008. **[ITEM TO BE CLOSED]**

10. **MEMBERSHIP ANNUAL DUES PAYMENT** - Discussion was held on followup efforts on attempts to collect on outstanding dues payments and on whether the 3 associations who have not paid their 2008 annual dues are entitled to continue to receive copies of the NIVA meeting records, announcements, etc.. McFadden indicated he has not as yet made any phone contacts of actual board members in those associations and would attempt to do so before the next meeting.

11. **WIRELESS TELECOMMUNICATIONS ORDINANCE** - [ON HOLD. The City has extended the moratorium on such facilities for 1 year to Oct. 2009 pending outcome of current litigation underway in various venues by various agencies and cities.]

12. **NIVA E-MAIL LISTING** - Levey submitted copies of the latest compiled e-mail address list and on future use considerations.

NEXT MEETING - The next meeting would be Wed., Jan 14, 2009 at The Groves.

