

David C. Rhine
PO Box 2239, Silverdale, WA 98383

.....
Notice of Complaint

October 4, 2004

Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Respondent:
Ms. Jene Witte
Six Rue Marseilles
Newport Beach, CA 92660

MUR # 5558

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2004 OCT -8 A 11:33

Dear Sir:

I am writing to register a formal complaint of undisclosed campaign contributions represented by the attached mailing that was received in our US Post Office box on October 4, 2004. This mailing originated in California and was sent to recipients in Washington, and possibly many other states, regarding the upcoming presidential election. The documents clearly endorse and encourage the recipient to vote for presidential candidate John Kerry, and are a political mailing that go beyond mere party-building efforts when they specifically endorsed the candidate by name. However, none of the expenditures on this mailing appear to have been disclosed, as required by federal election law, by the sender, Ms. Jene Witte.

My wife, Susan, decided she would call Ms. Witte (this evening of October 4, 2004), believing that Ms. Witte was simply a good-intentioned Kerry supporter. Ms. Witte conceded that she did indeed mail out these letters to "several" addresses in Washington and proceeded to put on quite an act of innocence, acting as if she was, as her letter implied, a lowly, blue-collar grandma.

Noting that the pages of the mailing appeared to have been folded by a professional folding machine and that the envelope was made with nicely printed stationary that totally contrasted with the unsigned and very unprofessionally written "note from the heart," I decided to investigate. It took me less than thirty seconds on a Google search by entering "Jene Witte" to come up with several hits, each of which demonstrated that she was not the average, simple author that she desired to imply.

In fact, Ms. Witte is a Newport Beach Democratic activist as the enclosed documents (found with Google) disclose. I expect that an activist as prominent as Ms. Witte (who has had the pleasure of having the wife of former Governor Davis of California attend one of her many fundraisers at her home- see the enclosed document found on Google), is hardly ignorant of the federal campaign disclosure laws.

Further, the letter Ms. Witte sent out is incredibly deceitful. I am unfamiliar with Ms. Witte's family composition and cannot challenge those claims in her letter. However, it is very hard for me to believe that the woman who is the "Distinguished Speaking Series Underwriter," (April

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91719206152

David C. Rhine

PO Box 2239, Silverdale, WA 98383

25, 2000, City of Newport Beach, CA, City Council Minutes, obtained via Google) published and mailed this note (full of spelling and grammar errors) without the express intent to deceive the recipient.

Individually, this mailing represents an immaterial amount spent. However, upon investigation, I expect that you will find that a mass-mailing has occurred at a cost possibly exceeding thousands of dollars. The question is, who paid for it??? After all, this is the intent of our Federal Elections Commission, right?- to put us all on equal footing and know through proper disclosure that individuals are not attempting to unduly influence the political process? I found no such disclosure upon a quick search of the Federal Elections Commission website. Note that the letter was mailed September 28, 2004 from the Santa Ana, CA postmark. This means it should be reported as a contribution in September, correct??

I am requesting that a full investigation of these undisclosed expenditures be conducted immediately. Please inform me of the result of any such investigation as progress is made. I wish to be informed of all efforts to pursue and prosecute this violation.

Respectfully,



David C. Rhine
Encl.

State of Washington

County of KING

Signed or attested before me on OCTOBER 5, 2004 by David C. Rhine.

25190261717



Louisa K. Moe
(Signature of Notary)

Louisa K. Moe

Notary Public

Title

My appointment expires:

7-15-05

Jene Witte

Dear Ms. Rhine,

I am writing you as part of a registration drive for this Nov. election. In the 2000 election 22 million women who were eligible did not vote. In your state, 200 votes were desisive.

2 of my 18 grandchildren have signed up for selective service on their 18th birthdays. I pray that they do not go to war. Especially this war that seems to have lost its meaning and seems to have no end. I am writing out of state, woman to woman. You may register by mail til Oct. 2. After that you have til Oct. 18th to register at you county elections offices. My grandsons names are Nathaniel and Joshua. Please register. Please vote for John Kerry

Many thanks Jene Witte

25190261718

Mail-In Voter Registration Form



State of
Washington

To fill out this form, simply click in the boxes and type the requested information. Please complete all boxes (1-12) When you are finished, print the document and sign it in Boxes 9 and 11. Then place in an envelope and mail* to:

Office of the Secretary of State
Voter Registration by Mail
PO Box 40230 • Olympia, WA 98504-0230

TO REGISTER TO VOTE, YOU MUST BE

- ✓ A citizen of the United States of America
- ✓ A legal resident of the State of Washington
- ✓ At least 18 years old by election day

Need help? [Click Here](#) for our
Instructions & Assistance Page

*FORM MUST BE PRINTED AND SENT BY REGULAR MAIL. DO NOT E-MAIL.

WARNING: If you knowingly provide false information on this voter registration form or knowingly make a false declaration about your qualifications for voter registration you will have committed a class C felony that is punishable by imprisonment for up to five years, or by a fine of up to ten thousand dollars, or both imprisonment and fine. (RCW 29A.08.210)

25190261719

1 Are you a citizen of the United States of America? <input type="checkbox"/> Yes <input type="checkbox"/> No*	2 Will you be 18 years of age on or before election day? <input type="checkbox"/> Yes <input type="checkbox"/> No*	For Official Use Only
*NOTE: If you checked "NO" in response to box 1 or 2 above, do not complete this form.		
3 <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms. Last Name	First Name	Middle Initial <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z
4 Address Where You Live		City or Town
5 Address Where You Get Your Mail (If Different Than #4)		City or Town
6 Date of Birth (Month/Day/Year) / /	7 Daytime Phone Number (w/ area code) ()	E-Mail Address (Optional)
8 Federal Law requires you to provide your Driver's License number. If you do not have a Washington Driver's License, you must provide the last 4 digits of your Social Security Number. Failure to provide this information may prevent your registration from being processed.		9 Voter Declaration -- Read and Sign Boxes 9 and 11: "I declare that the facts on this voter registration form are true: • I am a citizen of the United States • I am not presently denied my civil rights as a result of being convicted of a felony • I will have lived in Washington at this address for thirty days immediately before the next election at which I vote • I will be at least eighteen years old when I vote."
WA Driver's License #	Last 4 Digits of Social Security #	Date Signed ____/____/____ <small>Month / Day / Year</small>
ONGOING ABSENTEE REQUEST I would like to receive absentee ballots for all future elections: YES <input type="checkbox"/> CHECK ONE NO <input type="checkbox"/>		SIGN HERE X

10 Last Name	First Name	Initial
SIGN HERE X		
11		

I was previously registered under this name and/or address:

Name _____

Street _____

City _____

County _____

State _____ ZIP _____

Please sign as previously registered:

X

WASHINGTON STATE VOTER REGISTRATION INSTRUCTIONS

These instructions will help you fill out the voter registration form included in this letter. The form is also available in printable form in eight languages on the Washington Secretary of State's web site (www.secstate.wa.gov). You cannot register on line.

Voter Qualifications

To register to vote in the state of Washington, you must:

- **Be a citizen of the United States**
- **Be a legal resident of Washington state**
- **Be at least 18 years old by election day**
- **Have not lost your civil rights due to a felony conviction**

In the state of Washington, you do not have to declare political party membership to vote in the state's regular primaries or general elections.

Registration Deadlines

To vote in the November 2, 2004 general election, your Voter Registration Form must be **postmarked by October 2, 2004**. If you miss the mail-in deadline, you can still sign up **IN PERSON** at your county elections department no later October 18. Registration deadlines for the September 14 primary election are August 14 for mail-in registration and August 30 for registration in person.

NOTE: If your name or address has changed since you registered, you must re-register.

Voting by Absentee Ballot

ANY registered voter may vote by absentee ballot. You do not need to be ill or "absent" to be an absentee voter. **Signing up to get an absentee ballot by mail is easy!** Just check "Yes" in the Ongoing Absentee Request section of the registration form and you will automatically receive an absentee ballot by mail before each election.

Questions

For information and assistance, consult the Secretary of State's web site at www.secstate.wa.gov or call the Secretary of State's toll-free **Voter Information Hotline** at **1-800-448-4881** (TDD 1-800-422-8683). *To check the status of your registration*, call your County Auditor or County Elections Department. To find the number, look under Government Listings in your telephone directory, call the toll-free Hotline, or check the *County Auditor/Elections Department list on the web*.

Mail Your Form

After you have completed all sections and **signed boxes 9 AND 11**, mail your form to:

**Office of the Secretary of State
Voter Registration by Mail
PO Box 40230
Olympia, Washington 98504-0230**

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"jene witte"

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Results 1 - 5 of 5 for "jene witte". (0.41 seconds)

Tip: Try removing quotes from your search to get more results.

[PDF] Why We March

File Format: PDF/Adobe Acrobat - View as HTML

... Board of Directors Jane Egly Chair Teddie Ray Vice Chair, Development Pamela Bryant Vice Chair, Planning Jene Witte Secretary Sandy Wright Nominating Chair ...

www.plannedparenthoodosbc.org/healthwatch.pdf - Similar pages

Attachment 2

Minutes May 15, 2001

... from Distinguished Speakers Lecture Series Committee - Chair Bartolic stated that he and Trustee Saar had met with Matthew and Jene Witte; first meeting ...

www.citynewport-beach.ca.us/LibraryAgendas/2001/mn05-15-01.htm - 56k - Supplemental Result -

Cached - Similar pages

Attachment 3

CITY OF NEWPORT BEACH

... Jene Witte, Distinguished Speaker Series Underwriter, stated that the Witte family is proud of the Distinguished Speaker Series and grateful that they could ...

www.citynewport-beach.ca.us/CouncilAgendas/2000/MN04-25.htm - 101k -

Cached - Similar pages

Attachment 4

Pro-life Infonet - 05/06/2002

... event drew a who's who of influential locals—Democrats as well as Republicans who support abortion—to the home of Big Canyon resident Jene Witte, where a ...

www.priestsforlife.org/news/infonet/infonet02-05-06.htm - 21k - Cached - Similar pages

[PDF] state of the art

File Format: PDF/Adobe Acrobat - View as HTML

... Judith and Howard Jelinek Yong Soon Min Additional Committee Members James W Asp Janice Johnson Barbara Glabman Ken Jillson Larry Tenney Jene Witte Tom and ...

www.arts.uci.edu/events/news/newsletters/sotanewsfall98.pdf - Similar pages

Attachment 5

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Google toolbar with search, PageRank, 3 blocked, AutoFill, and Options buttons.

"jene witte"

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Who you searched for: "witte" in "NEWPORT BEACH, California" and surrounding area.

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ANAHEIM CA
[add to address book](#)

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[Search public records for this person](#)

Witte Arnold
15401 WILLIAMS ST TUSTIN CA
[add to address book](#)

(714) 543-4127
[Reunite with Old Friend Arnold Witte](#)
[Search public records for this person](#)

Witte Bill
LAGUNA BEACH CA
[add to address book](#)

(949) 494-2750
[Search for School Friend Bill Witte](#)
[Public records search for \\$10](#)

Witte Bill
LAGUNA BEACH CA
[add to address book](#)

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[Find more info on this person](#)

Witte C
TUSTIN CA
[add to address book](#)

(714) 544-0303
[Email C Witte at Reunion.com](#)
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789 DIAMOND ST LAGUNA BEACH CA
[add to address book](#)

(949) 376-3978
[Reunite with Classmate Cindi Witte](#)
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Witte D
LAGUNA BEACH CA
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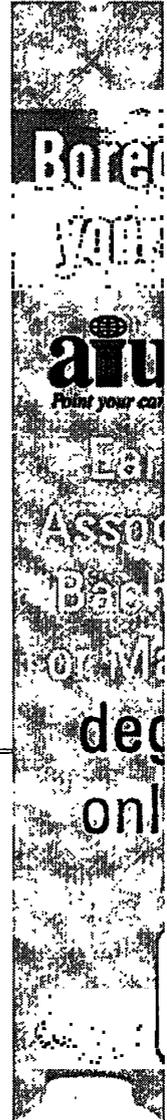
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 WESTMINSTER CA
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 MISSION VIEJO CA
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[Find Old Friend L Witte at Reunion.com](#)
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Witte Laura

(714) 693-7949

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YORBA LINDA CA
add to address book

Reunite with Classmate Laura Witte
Public records search for \$10

Witte Lorraine
COSTA MESA CA
add to address book

(949) 515-2112
Reunite with Old Friend Lorraine Witte
Find more info on this person

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next

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Basic Search | My last ten searches

1 Enter the person's last name or last name & first name:

Last: witte

First:

Check this box to find similar names (Example: Bob & Robert)

2 Select a Location:

City: NEWPORT BI California

Check this box to include surrounding area

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Attachment ?

HealthWatch

A NEWSLETTER FOR THE SUPPORTERS OF PLANNED PARENTHOOD

SPRING 2004

Why We March *****

"I march because, as a minor, I am unable to vote I march to express my voice. No government should be able to control what I may do with my body"

Maize Jacobs Brichford, Indiana

"My wife and I are marching with our two daughters to support freedom of choice I am a registered Republican, my wife is a registered Democrat and our children are still in elementary school Thankfully, we enjoy a multitude of freedoms and believe that Americans must continue to organize and participate in political processes to preserve our freedoms."

Alex Leeder, Nevada

"I began working when I was sixteen and began donating money to NARAL and Planned Parenthood back then Today, I am proud to work for Planned Parenthood I want to attend the March because I want to be a part of something I truly believe in."

Kim Ivora, California

Be a part of the March! Stand up against attacks on women's reproductive rights! Almost 300 people from Orange and San Bernardino Counties have already committed to join us for the March for Women's Lives on April 25th, 2004, in Washington D.C. Register at www.marchforwomenslives.com so we can include you in special PPOSBC plans and perks For more information, please contact our Public Affairs Department at (714) 633-6373 or publicaffairs@pposbc.org.

Schedule of Events

- Saturday, April 24th — Planned Parenthood of Orange and San Bernardino cocktail reception
- Sunday, April 25th — Breakfast with the California contingent!
- Sunday, April 25th — March with others from Orange and San Bernardino Counties



March in style! Sign up for your official marching gear Peer Educators Margaret and Luna show off the local Planned Parenthood hats and shirts. Call Sibyl O'Malley at 714-633-6373 ext. 125 to order yours!

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Supporters Step Up to Sponsor Marchers

In recent weeks, generous supporters have made gifts to sponsor students, volunteers and employees, allowing them to take part in this historic March Their help will strengthen the pro-choice movement for the future Our thanks to. Afsaneh and Jalal Alsobhani, Ms Andrea Aquino, Gail and James Daniels, Mrs Susan A. Eaton, Mr. and Mrs Donald W Gilmour, Ms. Patricia L. Hug,

Mrs Virginia Kempler, Mrs. Virginia H Laddey, Mr. Leon Lyon, Mr and Mrs Max Miller, Mrs. Joanna Wall Muir, Mr. and Mrs. James D Olsen, Mr Terrance P McGuire and Mrs Linda Puls McGuire, Jill Richter and Robert Kazer, Mrs. Lee C Sammis, Marti and Richard Schrank, Lois and Dickson Shafer, Mrs Richard Steele, Ms Michelle Wright and 2 Anonymous Donors

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LETTER FROM THE PRESIDENT/CEO

Jon Dunn, President/CEO

Budget Cuts Threaten Vital Services

The vital services Planned Parenthood provides are threatened by the fiscal crisis in California. Proposed reductions in Medi-Cal reimbursements of up to 15% would slash our budget by \$1.5 million. A temporary injunction filed by the American Medical Association has halted these cuts, but in response the Governor may be forced to limit Medi-Cal eligibility or the scope of covered services. Any of these options would curtail access to critically needed family planning services and ultimately cost the taxpayers more as the result of unintended pregnancies.

These developments remind us of the key role advocacy plays in our work. In this election year, it is imperative that we communicate to candidates that we are a strong, vocal, voting majority. We urge you to stand up for choice in the coming election and in Washington D.C. at the March for Women's Lives on April 25, 2004. As always, Planned Parenthood of Orange and San Bernardino Counties (PPOSBC) is energized by the challenges we face. We continue to expand and innovate to meet the needs of the community.

This past year we provided health services and information to almost 84,000 people, a 5.5% increase from last year. Our successful outreach efforts resulted in nearly 19,000 new patients. Our contraceptive visits increased by almost 8% and our prenatal program grew by 6%.

Health education remains a cornerstone of our mission. Each year, we reach nearly 13,000 young people through community presentations, our confidential Hotline and our Chat Room. Additionally, our newly launched family communication program provides parents and other adults who work with young people with

For every \$1 spent on family planning, an estimated \$4.48 is saved in future medical and social service costs.

the information and tools they need to communicate effectively about reproductive health.

To continue these innovative and much needed programs, Planned Parenthood needs the advocacy and support of all of our donors to ensure the continued availability of the full scope of education and family planning services.



This newsletter is published by the Marketing Department of Planned Parenthood of Orange and San Bernardino Counties. Please send all correspondence to 700 South Tustin Street, Orange, CA 92866-3403

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A Focus on San Bernardino County

In 1990, Planned Parenthood began providing services in San Bernardino County. Today, our presence there includes two medical centers and an innovative Health Education program, but there is still a tremendous need for education and preventive care. In recent years rates of sexually transmitted disease have been on the rise in San Bernardino County. Current research states:

- San Bernardino County ranks among the top ten counties in California for its number of AIDS cases.
- Rates of teen pregnancy and sexually transmitted disease are rising in San Bernardino County. Our strategic plan for fiscal years 2003-2006 calls for strengthening our presence in San Bernardino. The articles on this page will introduce you to some of the innovative programs and people that are part of these important efforts

Dedicated Staff Make a Difference

On her first day at PPOSBC, Jeanné Hinton attended an orientation in the morning and by that afternoon, she was seeing patients at the San Bernardino medical center. With over twenty years of nursing experience and a genuine passion for what she does, it is no surprise that she hit the ground running.

"I've known I wanted to be a nurse since I was ten years old," says Hinton. After getting her RN degree, she worked in the emergency room at San Francisco General Hospital for close to five years. Later she provided care to incarcerated women, farm workers and other underserved populations, teaching herself Spanish along the way. "I noticed that the translators were saying a whole lot more or less than I did

I wanted to be able to communicate with my patients, so I learned the language!"

At Planned Parenthood, Hinton performs an impressive number of clinical tasks, but working directly with patients is where she really shines. "Jeanné puts the patients at ease in a matter of seconds," says Michelle Woodley, Area Manager for the San Bernardino medical center. "I try

Jeanné Hinton.

to put myself in their shoes," says Hinton, "and I use humor." She receives high praise from her

patients, who appreciate her down-to-earth approach and the time she takes to answer their questions. "She explained everything very well" is a frequent comment on our patient surveys. Another patient said, "She made me laugh which is virtually unheard of at a check up!"

One patient at a time, Jeanné Hinton is empowering women about their reproductive health. She is a true asset to Planned Parenthood and the San Bernardino community.

San Bernadino Teens Empower their Peers

Teens visiting the Planned Parenthood T-ROC Clinic are greeted by an unusual sight—someone their own age. In fact, just about everyone they talk to through T-ROC (Teens Realizing Opportunities and Choices) is a peer. Though a clinician provides the services, teens are able to ask questions and get answers from trained teen educators.

In 2001, Planned Parenthood was chosen as a site for the Wellness Peer Provider Program, an effort funded by The California Wellness Foundation and administered by the California Family Health Council. This program uses outreach, education and clinical components to encourage young people to make healthy decisions and to help reduce rates of unintended pregnancies and sexually transmitted diseases.

One of the most innovative elements of the program is the T-ROC Teen Clinic offered at our Upland Medical Center. The T-ROC Clinic is staffed by trained teen educators who provide information about reproductive health to young teens at the Saturday Clinic. They also provide follow up to help increase their peers' access to our services.

"The program empowers teen staff to serve as mentors and experts for their peers," says Donesha Pegues, the Peer Program Coordinator who supervises the teen educators. Teen staff also provide educational workshops and outreach in the community. In 2003, the program exceeded its outreach goals by reaching 3,660 teens. Planned Parenthood plans to expand the T-ROC clinic to the San Bernardino medical center this year.



Donesha Pegues, Program Coordinator, with TROC staff Crystal Lopez, Raylene Angulo, and Parasito Arzafar.



Planned Parenthood

Orange and San Bernardino Counties

We offer all the services people need in the real world.

Medical Services

- Birth Control
 - Emergency Contraception (EC)
 - Testing and Treatment for Sexually Transmitted Diseases
 - Pregnancy Testing
 - Pregnancy Options Information
 - Abortion Services
 - Prenatal Care
 - Adoption Referrals
 - Vasectomies
 - Male Services
 - Confidential HIV/AIDS Testing
 - Cancer Screening
 - WIC (Women, Infants and Children Program)
- 1-800-230-PLAN

Health Education

Planned Parenthood provides comprehensive, honest sex education that helps people make responsible choices. We reach people in the community through outreach, presentations to families, teens and youth-serving personnel and through our Hotline, Website, and the Wellness Peer Provider Program.

1-877-4ME-2ASK
plannedparenthoodCHAT.com

Public Affairs

The Public Affairs department fights to protect and expand access to family planning services and ensure reproductive freedom for everyone. We accomplish this through effective leadership in the areas of issue education, grassroots advocacy, public policy, legislation, and electoral politics.

714-633-6373

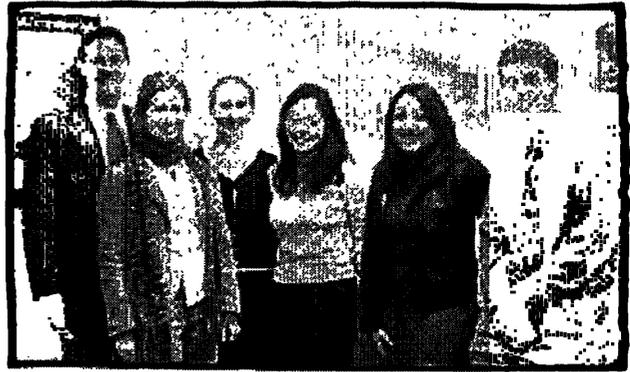
Locations

- Anaheim
- Costa Mesa
- Garden Grove
- Mission Viejo
- Orange
- San Bernardino
- Santa Ana
- Upland

www.plannedparenthoodOSBC.org

Pro-Choice History Told by Those Who Lived It

Members of UCI's Medical Students for Choice



In recognition of the 31st anniversary of Roe v. Wade, Planned Parenthood and Medical Students for Choice hosted a panel of "Abortion Providers in America: Past, Present and Future." Doctors and patients shared their experiences with a captivated audience. The panelists represented a range of perspectives and experiences, from the pre-Roe and post-Roe generations, and included stories about those who accessed or provided abortions at great personal risk.

The audience learned about the care of women suffering from complications of illegal abortions, the dangers faced by current abortion providers and new training available to future providers. A patient shared her experience of traveling out of the country before the time of legalized abortion to terminate a pregnancy. The gripping stories reminded everyone of the vital importance of access to reproductive choice.

Local Forum Highlights Latina Health Issues

On December 12th Planned Parenthood of Orange and San Bernardino Counties co-sponsored a successful panel with the Latino Issues Forum titled "Breaking New Ground: Health Issues in the Latina Community." Over 150 people

were in attendance. Other sponsors included Congresswoman Loretta Sanchez, Girls Incorporated of Orange County, MANA de Orange County and the Orange County Coalition of Community Clinics.

This day-long forum focused on the emerging reproductive health needs in the Latina community in Orange County and California. PPOSBC's President and CEO Jon Dunn and Vice President of Governmental and Political Affairs Nora Vargas were featured speakers at the Forum. Dunn and Vargas discussed the pivotal role Planned Parenthood plays for many Latinas in addressing their reproductive health needs.

Participants had the opportunity to brainstorm in breakout groups and create policy recommendations for specific issues facing the Latina community such as high rates of cervical cancer, HIV, teen pregnancy and barriers to accessing health care.



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Local "Role Model" Joins PP Board

This January, Planned Parenthood of Orange and San Bernardino Counties was pleased to welcome several new members to its Board of Directors.

Among them is Anita Hong-Ha Le, who grew up in Orange County and continues to be an active part of the Vietnamese American community. She will be featured on KCSI (Channel 18), the leading Asian language television station in Southern California, as part of the "Our Role Models" feature.

Anita is an attorney with the Asian Pacific American Law Center, which provides multi-lingual, culturally sensitive legal services and education in a variety of areas, including immigration and naturalization, workers' rights, family law and domestic violence, immigrant welfare, voting rights and anti-discrimination. She also hosts a legal advocacy program on Vietnamese radio. She has long been a

strong advocate for choice, previously working for National Abortion and Reproductive Rights Action League (NARAL).

Planned Parenthood will surely benefit from Anita's experience as it continues

creating programs and services that are accessible and culturally appropriate for the diverse communities of Orange and San Bernardino Counties.



Nora Vargas, V.P. of Governmental and Political Affairs, Anita Hoang Ha Le, new Board Member, Diahann Barreira, V.P. of Finance and Operations, and Kim Guster, VP of Development and Communications

Planned Parenthood Opens New WIC Site in Santa Ana

In January, Planned Parenthood of Orange and San Bernardino Counties (PPOSBC) held an open house to celebrate the launch of the new Women, Infants and Children (WIC) center in Santa Ana. The new, larger and more accessible site, located at 1134 East 17th Street, will allow the

Planned Parenthood WIC program to reach more families. Several elected officials were represented at the event.

Since 1995, PPOSBC has provided low-income pregnant, breastfeeding and postpartum women and their children with nutrition education, breastfeeding support,

supplemental foods and other resources through the WIC program. This nutrition education is especially important given recent statistics about obesity:

- Nearly one third of Orange County 5th, 7th and 9th graders have unhealthy body compositions, and on average, they eat fast food three days per week.
- Childhood obesity increases numerous adult health risks including obesity and heart disease, which are leading causes of death among adults in the U.S.

Numerous scientific studies have shown that women who participate in WIC have healthier pregnancies and children. In particular, breastfeeding, which the WIC program promotes, has been shown to reduce the risk of childhood obesity. With this new, expanded site, Planned Parenthood hopes to bring healthy choices to more Santa Ana families.



Nancy Dudley, Executive Vice President, and Andrea Aquino, WIC Director at the WIC Open House

Annual Event — A Pro-Choice Success



Elaine and Martin Weinberg accepting the Choice Award.



Dr. Vanessa Cullins, Vice President of Medical Affairs for Planned Parenthood Federation of America and Annual Event Keynote Speaker, with Kellie Deane and Dr. Judy Rosener.



Bob Hagan, Elaine and Martin Weinberg, Choice Award Recipients, and Tracy Worley Wills Hagan at the Annual Event.



Jeff and Donna Gingold with Jon Dunn, President/CEO.

On November 6, 2003, over 200 Planned Parenthood supporters gathered at the Balboa Bay Club for the agency's Annual Event. With a record number of sponsors and both long-time and new pro-choice advocates, the evening raised over \$45,000 for Planned Parenthood programs in Orange and San Bernardino Counties.

Attendees received an update from CEO Jon Dunn and listened to keynote speaker, Dr. Vanessa Cullins, Vice President of Medical Affairs for Planned Parenthood's national organization. The evening's presenters also included two Peer Educators and a surprise tribute video for Elaine and Martin Weinberg, recipients of the 2003 Choice Award.

Planned Parenthood would like to thank the members of the Host Committee, sponsors and all those who contributed to the success of the event.

SAVE THE DATE!

Our next Annual Event will make you laugh!

Next year's Annual Event will be held on September 30, 2004, and will feature a performance by the political satirist group, Capitol Steps. Stay tuned for details!

What Kind of Legacy Would You Like to Leave?

Planned Parenthood has made a positive, life-affirming impact on generations of women and their families. You can extend that impact.

Remembering Planned Parenthood in your will or estate plans is one of the most meaningful gifts you can give the young people of tomorrow.

For more information contact our Donor Relations Manager at 714.633.6373 ext 178.

Planned Parenthood
Orange and San Bernardino Counties

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Friends For Planned Parenthood Celebrates Health Education Victory

This year's Friends For Planned Parenthood membership group luncheon was held at Sherman Library and Gardens, in Corona del Mar, on January 22, 2004, marking the 31st anniversary of Roe v. Wade.

The event brought together over 90 supporters of comprehensive sexuality education, and honored the individuals and organizations involved with the defeat of an abstinence-until-marriage curriculum in the Santa Ana Unified School District. Speakers from Camp Fire USA's Speak Out Program and Girls Inc. shared what this recent victory for honest, accurate sex education meant to them.

For the last twenty-six years, Friends For Planned Parenthood has been a loyal group of supporters with a strong commitment to reproductive freedom and health education for thousands of young people in Orange and San Bernardino Counties.

If you would like information on how to become a 2004 Friends For Planned Parenthood member, please contact Kristin Gingold, Annual Campaign Coordinator at (714) 633-6373 ext. 145.



Judy Montgomery, Penny (Penelope) Taube, Meta Going and Phyllis Wallace at the luncheon



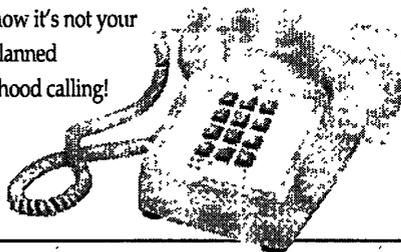
Planned Parenthood supporters Tom Umberg and Jane Witte



Lucy Santana, CEO of Girls, Inc.; Yadira Cruz of Camp Fire USA, Jon Dunn, PPOSBC President/CEO, Carina Franck-Pantone of the Office of Senator Joe Dunn, Mitzy Mak of the Office of Congresswoman Loretta Sanchez, Adolfo Ventura, Camp Fire USA, Jane Egly, Chair, Board of Directors, and Orleida Roa of Girls Inc. participated in our Friends For event.

Is Your Phone Ringing Off The Hook?

You signed up for the national "do not call" list. You support the "do not spam" legislation. You value your privacy. So, why are you receiving telemarketing calls from Planned Parenthood? Well, first of all, we want to be sure you know it's not your local Planned Parenthood calling!



Planned Parenthood of Orange and San Bernardino Counties (PPOSBC) works on a local level to make a difference in the community. Our fundraising activities are entirely separate from those conducted by our national offices, Planned Parenthood Federation of America (PPFA). And no matter how dedicated we are to fundraising for our services, we value your privacy with the utmost regard. That's why PPOSBC does not use telemarketing to raise funds. However, even if you signed up for the national "do not call list,"

you may still be receiving calls from other non-profit organizations or political campaigns, including PPFA, because the list does not apply to them. If you find that you are receiving unwanted calls from our national Planned Parenthood offices, you can contact PPFA's Member Services at 1-800-430-4907 or member.services@ppfa.org. If you are receiving unwanted mail from your local Planned Parenthood (PPOSBC), do not hesitate to contact our Development Department at (714) 633-6373 or development@pposbc.org.

Local vs. National – What's the Difference?

There are 125 Planned Parenthood affiliates nationwide, and Planned Parenthood of Orange and San Bernardino Counties (PPOSBC) is one of them. As your local Planned Parenthood, PPOSBC provides an array of family planning services at our eight medical centers located throughout Orange and San Bernardino Counties. We also provide outreach, education and political advocacy to ensure that people are aware of their choices and have access to reproductive health care and education.

Planned Parenthood Federation of America (PPFA), our national umbrella organization, promotes national and international family

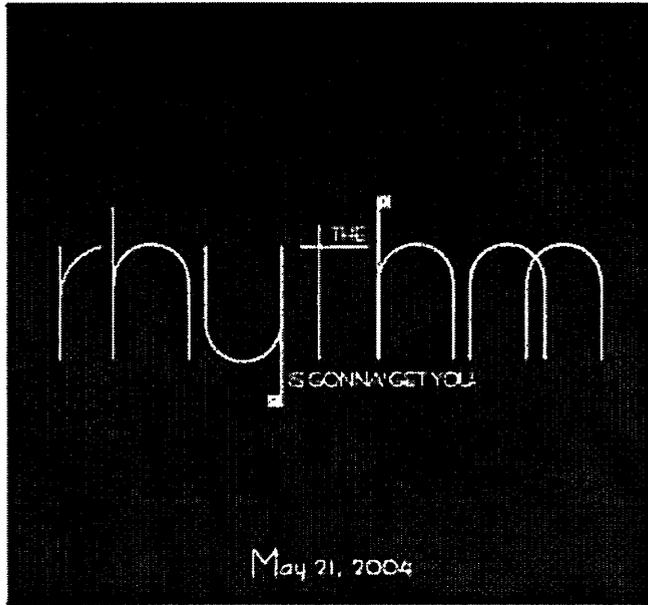
planning services and reproductive rights. PPFA provides legal consultation, technical assistance and medical protocols for reproductive services for all of its affiliates.

While its work is important in promoting and safeguarding choice, PPFA does not provide direct reproductive health care services and education. Thus, a gift to PPFA does not support the direct care provided by Planned Parenthood of Orange and San Bernardino Counties, but goes to PPFA's lobbying and advocacy efforts at the national and international level.

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SAVE THE DATE!



For a complete and up-to-date information, please visit our Website: <http://www.2004.org>



Join us at the Haute Wired Ball for
an evening of South Beach flavors.
Sip mojito, dance lambada and dine on
sumptuous Cuban cuisine.

This is the premiere event to raise funds
for pregnancy prevention education.



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Planned Parenthood
Orange and San Bernardino Counties

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CITY OF NEWPORT BEACH

City Council Minutes

Study Session

April 25, 2000 – 4:00 p.m. INDEX

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<p><u>ROLL CALL</u></p> <p>Present: Thomson, Glover, Adams, Debay, Ridgeway, O'Neil, Mayor Noyes</p> <p>Absent: None</p>	
<p><u>CURRENT BUSINESS</u></p>	
<p>1. CLARIFICATION OF ITEMS ON THE CONSENT CALENDAR - None.</p>	
<p>2. PRESENTATION BY TWO OF THE CITY'S INVESTMENT ADVISORS.</p> <p>City Manager Bludau reported that Mayor Pro Tem Adams requested that Council be made more aware of the City's investment strategies about two months ago.</p> <p>Administrative Services Deputy Director Kurth reported that the City's investment portfolio is \$61,114,486.19, plus some accrued interest. This is near seasonal peak, but noted that other factors cause interim volatility (i.e. debt issuance, large capital projects, oil recovery money, and bankruptcy recovery money). He pointed out that the long term trend and the size of the City's investment portfolio is definitely up and that the audited financial reports for the past few years tells the City it is doing better. He indicated that the \$61 million portfolio is as large as it has been at any time during his 10 years with the City and has at some point been less than half that amount. He stated that stronger revenues today have certainly helped the City but the main reason for the improved financial posture is because the City has been adhering to Council's new reserve policy goals as part of the budget appropriations process.</p> <p>Mr. Kurth reported that about 75 percent of the investment portfolio is managed by four investment advisors. Two are in attendance today. He indicated that each of the gentlemen are responsible for 20 percent of the investment portfolio. He indicated that these types of presentations were previously given to the Council Finance Committee on a quarterly basis and suggested to Brad Craig of Wells Fargo and Richard Babbe of Public Financial Management that they follow the</p>	<p>Investment Advisors (40)</p>

same general format as before; however, Council can modify the format for future presentations. Mr. Kurth indicated that, even though the City's investment policy contains restrictive parameters, the advisors have room to disagree on such things as the optimum maturity target and the right mix between corporates and governments.

In response to Council Member Debay's question, Mr. Kurth reported that book-to-market refers to whether the City shows the balance of the portfolio at a book figure or a market figure. He stated that, if the City is holding securities that bear lower interest in a rising interest rate market, the actual value is reflected. Therefore, if they have to be liquidated, the City would not get the same amount that shows on the books. He indicated that the City deals with this situation by reporting both book value and market value. He added that this is not too much of an issue right now because maturities are so short and the City is so liquid. He pointed out that this was not the situation for the County.

Mayor Pro Tem Adams stated that he has looked at the investment policy with a couple of independent asset managers and that they will be bringing something back to Council within the next month. He expressed concern relative to certificates of deposits (CDs), but Mr. Kurth assured him that CDs are authorized by the policy and that there are restrictive parameters.

Council Member Ridgeway asked who establishes the investment criteria for charter cities. Mr. Kurth reported that the State has public law that establishes criteria for all cities within the State. However, the City's policy goes beyond the State's minimum criteria. Mr. Bludau added that Council Policies are established by resolution and that those are reviewed annually.

Council Member Glover reported that the Finance Committee worked for quite some time on the investment policy and reviewed it after the County bankruptcy and two years following that. She stated that the Committee tried to be cautious and noted that there are laws on several levels that the City must follow. Mr. Kurth reported that the policy was reviewed on March 24 and that only minor changes were made, noting that it has been a few years since the policy underwent significant changes. He indicated that they spoke with Mayor Pro Tem Adams several times to possibly do a more significant update and that they look forward to working with him on this.

Brad Craig, Wells Capital Management, representing the investment advisory for Wells Fargo Bank, stated that they are a wholly owned subsidiary of the bank created in 1997, and its primary business deals with institutional funds management. He clarified that they do not act as the principle broker in any transaction, are paid a fee as the buying and selling agent in the market, and are mandated to deliver results to an investment policy.

Regarding Council Member Ridgeway's concern, Mr. Craig stated that with public agency accounts, unless they are given specific direction, they default to California Code §53601 which specifies permissible investments for public agencies. He indicated that the intent of the code is to restrict maturities to five years and to maintain an average maturity of two years or less. He emphasized that, with those restrictions, unrealized losses and market volatility are minimized significantly.

Mr. Craig stated that they measure the performance of a client's portfolio on a total rate of return method that has been increasingly adapted by public agencies. The results are not yield only and measure the changes in the principal value of the portfolio in addition to the interest income. He noted that interest rates were rising in 1999 as the Federal reserve commenced on an effort to slow down the

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U.S. economy. He reported that last year's results were positive and that they delivered a 3.37 percent total rate of return to the Merrill Lynch One to Three Year Treasury Index benchmark. He indicated that they are tracking well to the benchmark for the first quarter of this year, but are not too concerned about quarterly comparisons since they are driven by long term results.

In response to Mayor Pro Tem Adams' questions, Mr. Craig indicated that the financial manager could set the benchmark that is based on the City's need for liquidity and the risk tolerance within the California Code parameters. He confirmed that benchmarks are commonly part of an investment policy for fiduciary agent managers like Wells Capital Management. He expressed the opinion that the City's policy does not have to state a benchmark, but the individual manager will often have its own guideline statement which condenses or captures the essence of the investment policy. They will then usually ask for some performance measurements beyond the document so that the financial manager receives guidance on an appropriate amount of risk on the fund management. Regarding a Merrill Lynch One to Three Year Treasury Index with an approximate average maturity of 1.5 years, Mr. Craig stated that they have a policy in which they will not be longer or shorter than the duration by more than 30 percent. He reiterated that their goal is to deliver a consistent return, net the fee that they charge, and to deliver the expectation.

Mr. Bludau asked if the benchmark should be changed depending on the economic situation. Mr. Craig stated that they would like to keep the same benchmark and that the only factor that would cause the benchmark to be altered would be a different need for liquidity. If the money is more stable, as is the City's portfolio, they can manage well with a longer index and have shown some historical benchmark returns that demonstrate that this index will deliver a higher net return in the long run. Further, it also adds to the income by delivering higher interest income.

In response to Council Member Ridgeway's question regarding the 30 percent duration, Mr. Craig stated that when a financial manager is given a benchmark, it has a constant duration or average maturity. The manager will dynamically adjust the duration of the portfolio to be measured against the benchmark to take more risk or have longer securities in the portfolio if conditions in the economy warrant that. If the benchmark duration is 1.5 years, it means that they would be pushing the duration out to two years and would enhance the return as interest rates come down. The City would own longer securities in the portfolio that would re-price to their interest rates and appreciate. He assured him that the 30 percent is an internal limit to prevent them from monetary control. He clarified that the City's portfolio is a short duration portfolio and that the duration would always be short and would never differ by more than 30 percent of the benchmark duration.

Mr. Craig reported that the annualized compound return of 5.63 percent is the earning stream of the portfolio measured on the latest quarterly data and is rapidly heading toward 6 percent since they have been able to reinvest at higher rates as interest rates increase. Regarding the 5 22 percent Local Agency Investment Fund (LAIF), he stated that this is a gross number and is tracking close to LAIF when their management fee is backed out. However, LAIF is a one-year-and-under type of fund and will give them the opportunity, on an interest income basis, to significantly outperform the LAIF option.

Mr. Bludau indicated that a positive about LAIF is that it is very liquid. Mr. Craig indicated that all the securities that they invest in are extremely liquid. He reported that the types of securities they would use in the City's portfolio are

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U.S. Treasuries, U.S. Federal agencies, investment-grade corporate bonds (minimally rated single-A), short term commercial paper, and cash equivalence. He stated that, if the portfolio were liquidated tomorrow at current market prices, the funds could be wired tomorrow. He noted that the duration for the portfolio is a little above 1.5 years and that the number tracks very well with the City's price risk per interest rate move. He explained that a one percent adverse move in the interest rate would impact the principal by about 1.5 percent. He emphasized that they would like to avoid unrealized losses, even on an unrealized basis, but it is inevitable when trying to enhance the income stream. He reiterated that the portfolio is not risky in that the securities used are very short. In fact, Wells Capital Management does not have many securities that go beyond three years because they do not see a reason to take undo risk or use the maximum permissible limit of five years.

In response to Council Member Thomson's question regarding the annualized compound realized return, Mr. Craig indicated that the figures are gross figures and that the March statement shows that the gross yield is 5.94 percent, but would be about 5.70 percent with fees. When comparing the fee base with money market funds, he indicated that money market funds typically charge a similar basis point management fee imbedded within the fund. However, their service includes a custody relationship with a manager and risk consulting, making them a better value on a relationship basis for the fee. Mr. Craig clarified that he is not a star manager since he does not have individual responsibility for the decisions made in the portfolio. Wells Capital Management is organizationally driven, they conduct monthly strategy meetings, and even meet weekly to discuss conditions in the market. He is a relationship manager who is the primary point of contact for discussing results and making sure that the investment policy is being followed. He indicated that the portfolio manager is in San Francisco and that his only focus is the buying and selling of securities. He added that the administrative officer is primarily responsible for financial reporting and the movement of funds. The results are very predictable since they are based on a top-down approach to managing that corresponds to the interest rates.

Council Member Ridgeway stated that the portfolio contains different duration maturities and asked if Wells Capital Management breaks that down by percentage. Mr. Craig clarified that their strategy is to simultaneously hold some of the securities longer on the yield curve which flattens out after two years. He added that they are also holding quite a bit of near term cash in their managed portfolios. The blended weighted average of the assets and cash ends up at a duration target which matches the benchmark. He stated that they forecast some increased short term rates from the Federal reserve.

Council Member Glover stated that she sits on the South Coast Air Quality Management District Governing Board which reviewed the City's investment policy. She indicated that Newport Beach had the highest earnings and was the only entity that hired outside investors when compared to Orange County, Los Angeles County and City, San Bernardino County and City, Riverside County and City, Montclair, and Santa Monica. She attributed the earnings to the City hiring the investors. Mr. Craig believed that the fiduciary nature of how they manage funds gives the City complete objectivity on the decisions being made on behalf of the portfolio. He explained that some abusive situations with public agency funds has been driven by an abnormal relationship with a brokerage firm and an individual doing directed trades. He reported that they deliver the results and that Mr. Kurth institutes a monthly overview of the results and verification that they are in compliance with the investment policy. He stated that the combination of how Wells Capital Management is structured and the internal oversight will continue to meet the expectation.

Referencing Section 2 of the handout, Mr. Craig reviewed the Treasury Yield curve and noted that the slope is due to the U.S. Treasury buying back their debt. He indicated that they forecast that the Federal reserve will increase rates another 25 basis points next month and sequentially raise them another 25 basis points in the summer. He pointed out that the agencies, corporates, and asset backed securities are higher than U.S. Treasuries, and noted that those are total rate of return figures calculated for last year.

Referencing Section 3 of the handout, Mr. Craig reported that the red bar of the first graph is measuring the latest cycle by the Federal reserve to raise rates, reiterating that they have raised rates five times (25 basis points each time) over a period since October 1998. He believed that there will be two more rate hikes by the end of the year. Further, he indicated that the wage costs remain low because productivity has been very high as a result of technology. He reported that a driver of the economy that is making it grow so rapidly is personal wealth gains and that the Federal reserve is trying to contain enthusiasm about the economy and prevent overspending. Regarding oil prices, Mr. Craig stated that their chart indicates that oil stocks have sometimes caused recessions, but that they are not suggesting this by any means. However, if oil prices were to spike higher and stay there, it could disrupt some of the economic models.

Mr. Craig concluded by stating that, since the economy is subsequently slowing, the Federal reserve will continue to raise rates. He reiterated that the longer term yields are related to the dynamics of the Treasury buying back debt, but believes that the curve will reflect increased tightening by the Federal reserve. He indicated that the strategy is to be neutral to the duration target, favor short term investments because of the continued inversion in the U.S. Treasury curve, and continue to use corporate and asset backed securities since they outperform Treasuries. He pointed out that the last chart is a composition of the City's portfolio. He assured that, if the City needed money, it could probably work out of the portfolio and minimize losses.

Richard Babbe, Senior Managing Consultant with Public Financial Management (PFM), stated that they are one of the leading public agency investment advising firms, have been doing this for over 20 years, manages nationwide, and handles over \$10 billion in public funds. He indicated that they manage money exclusively for public agencies because it gives them a better understanding of the City's needs and strengths. He added that they also utilize the resources of 50 to 60 brokers. Like Wells Capital Management, Mr. Babbe reported that PFM is independent, not a broker/dealer, and manages for a fee. Further, they are an independent investment advisor that advocates active management but does not speculate. He stated that they actively look at the market, reposition the portfolios as necessary, and take the necessary action.

Mr. Babbe pointed out that the economic environment for the first quarter of 2000 is given on Pages A-1 and A-2 of the Performance Review. He indicated that the yield curves for December 31, 1999 and March 31, 2000 indicate that there were dramatic changes in the U.S. Treasury Yield Curve. The short end was responding to two moves by the Federal reserve to raise interest rates 25 basis points each. As previously indicated, he stated that the longer end is due to the Treasury buying back existing long term debt. He indicated that they also saw a lot of stock market volatility during the quarter. On a total return basis, he stated that this means that U.S. Treasury indices outperformed a portfolio that would be comprised of other types of securities, like the City's portfolio

Mr. Babbe highlighted the Detail of Securities sheet and reported that the City has a very well-diversified, high quality portfolio. He noted that a predominant portion of the City's portfolio is either in AAA or A-1 securities, which are the

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highest credit qualities. He stated that, in PFM's approach to managing public funds, they emphasize a balance of risk and reward in focusing on very high quality securities for its clients. He stated that, on the yield to maturity at cost level, the total portfolio at quarter end was performing at 6.31 percent (gross of fees). Further, at a total return basis, he noted that the portfolio performed at 4.4 percent for the quarter on an annualized basis.

Council Member Ridgeway requested clarification on the relationship between the two 25 basis point raises by the Federal reserve and the Treasuries decrease. Noting that the Federal reserve is acting on short term rates, Mr. Babbe stated that short term rates increased correspondingly to about 50 basis points over the quarter. On the intermediate and longer term of the yield curves, he indicated that the basis points are responding more to supply and demand in other actions within the economic environment, explaining that this is why those rates declined during the quarter. Council Member Ridgeway asked if there is a corresponding event between the Federal reserve raising the short term rates and the Treasuries long term rates. Mr. Babbe stated that, when talking about short term rates, one is really looking at what is going to be happening in the next six to twelve months. However, over time, you are looking at what their expectations are and what they anticipate to happen in the economy over that longer time period even though higher rates on a short term are expected.

Council Member Thomson requested clarification regarding the accrued interest in the Detail of Securities chart. Mr. Babbe indicated that the amount listed is the interest that is accrued to be paid on that security since the last time interest was paid. On coupon securities, interest is paid every six months. He added that, if it has been three months since the last interest payment was paid to the City, the City would have accrued three months worth of interest. He also confirmed that the accrued interest is an unrealized credit. Council Member Thomson expressed concern relative to the market value. Mr. Babbe stated that, if the security was sold at this time based on the market values on the chart, the City would receive the market value (last column of the chart) plus any accrued interest up to the time it settled. This would be how much the City would actually realize in funds transferred to the account. Council Member Thomson asked if coupons and accrued interests are reinvested in the same factor or if they go into another pool of money. Mr. Babbe indicated that it is paid back to the account and would become liquid funds. He stated that those funds become available to the City when they are paid to the custodian account. If PFM receives direction that those fund are to be reinvested, then PFM would reinvest the funds. He confirmed that PFM is fee based, based on the portfolio, but does not include custodian services because the City properly uses a third party custodian (who is accounted for and paid for separately) to hold the securities in its name.

Council Member Ridgeway asked if custodial account moneys earn interest. Mr. Babbe stated that a custodian typically will have a very short term money market fund in which interest is paid. He reiterated that PFM is an independent firm and is owned by the members of the firm.

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3. SAN JOAQUIN RESERVOIR CAPACITY TRANSFER.

Public Works Director Webb stated that Paul Jones, Manager of the Irvine Ranch Water District (IRWD), Greg Heiertz, Director of Engineering and Planning, and Mike Hoolihan, Assistant Director of Engineering and Planning, are present today. He reported that the City owns about 1.18 percent of the capacity rights (36 acre feet of about 3,000 acre feet) within the reservoir which is currently empty.

San Joaquin

Reservoir (89)

Council Member Debay pointed out that the staff report indicates that Newport Beach and Huntington Beach have not yet agreed to accept IRWD's offer. Mr. Webb clarified that the City has not accepted the offer because it has not been presented to Council until now. He indicated that staff feels it is a good idea to accept the proposal with the conditions listed in the staff report. Mr. Jones added that The Irvine Company, who has a small ownership capacity, is also in the process of reviewing the offer. Regarding Huntington Beach, he stated that the issue has been agendaized for their May 1 meeting.

Mr. Jones reported that a Power Point presentation will be used to review the history and condition of the San Joaquin Reservoir and to discuss IRWD's proposal to convert the reservoir to a reclaimed water storage facility.

Mr. Heieritz reported that San Joaquin Reservoir is located between the Harbor Ridge development and the currently developing Newport Ridge area, and was started in 1962. He stated that the original 1962 agreement funded the reservoir construction at a capacity of 3,050 acre feet (af). 300 af went to Metropolitan Water District (MWD) to meet their peak requirements for East Orange County Feeder No. 2, which serves a number of cities including Irvine and Newport Beach. He noted that the reservoir was originally owned by IRWD, but operated by MWD.

Mr. Heiritz stated that the current agreements that govern the reservoir are the 1980 San Joaquin Reservoir Trust Storage Agreement (Agreement) and a 1990 memorandum of understanding (MOU) that deals with the covering of the reservoir. The 1980 Agreement was a settlement of legal issues that evolved out of the 1962 agreement surrounding how the reservoir was owned and operated. He reported that MWD was made the trustee of the reservoir in 1980 for the mutual benefit of the seven public agency owners. He pointed out that most important aspects of the Agreement are that it redistributed ownership in proportion to the original lease amount and that the owners created an advisory committee to provide input to MWD on how the reservoir was to be operated. He emphasized that today's issue requires unanimous consent from all the owners in order to make a major change in the reservoir.

Regarding ownership distribution, Mr. Heiritz reported that IRWD has the highest ownership at 47.9 percent (1,461 af) and the City has the lowest ownership at 1.18 percent (36 af). He noted that the Mesa Consolidated Water District, Huntington Beach, MWD, Laguna Beach County Water District, The Irvine Company, and South Coast Water District also have ownership of the reservoir.

Mr. Heiritz discussed water quality issues, including the midge fly infestation that caused turbidity problems in the late 1970s, the accidental introduction of the African clawed frog, and contaminations due to the reservoir being uncovered. MWD installed chlorination in the mid-1980s which solved some of the immediate water quality problems. Also by this time, the Department of Health Services was aware of the water quality problems and requested a water quality improvement plan. He reported that the 1990 MOU was primarily a response to the water quality issues. He indicated that options for addressing these issues included covering the reservoir and providing a treatment plant downstream from the reservoir to treat the water. It was determined that the most cost effective approach was to install a floating cover on the reservoir for \$17 million. MWD offered to pay the entire cost, with the condition that all the owners sell back half of their capacity so that MWD would become a majority owner of the reservoir. The sales proceed would then be used to fund the owners' portion for the covering. He reported that the 1990 MOU was to become effective when MWD

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awarded construction contracts; however, these were never awarded and, therefore, the MOU does not affect how the reservoir is operated.

In the process of implementing the 1990 MOU, Mr. Heiritz reported that MWD was involved in a lengthy CEQA process to proceed with the covering. MWD subsequently identified the need for additional facilities to make the cover feasible. Unfortunately, in 1995, a major landslide took the reservoir out of service. He indicated that the cost to restore the reservoir for drinking water storage was estimated at about \$32 million. MWD determined that covering the reservoir would not be a cost effective solution since the cost almost doubled. Mr. Heiritz showed photos of the reservoir before and after the landslide. He reported that the owners realized that something had to be done about the landslide problem, commissioned a number of studies, and designed a stabilizing buttress.

Mr. Heiritz indicated that MWD determined that they do not intend to cover the reservoir, use the reservoir to store drinking water, or build a treatment plant downstream from the reservoir. Today, the three options for the reservoir are to do nothing which will keep the reservoir unusable and out of service; restore the site and allow the reservoir property to revert back to The Irvine Company; or transfer all joint interests in furtherance of IRWD's proposal to use for the seasonal storage of reclaimed water. Regarding The Irvine Company, he reported that the original deed includes a reversionary clause in the event the owners stop using the reservoir for water reservoir purposes. He indicated that the City would be paying 1.18 percent of the \$100,000 to \$200,000 annual maintenance cost for Option 1, the owners are potentially liable for the restoration costs (\$5 million) in Option 2, but there would be no cost to the City in Option 3 and the City would realize \$13,000 from the sale of its storage interest. He reported that IRWD started negotiating with the reservoir owners about a year ago and that a number of them believed that the reservoir was actually a liability, not an asset, because of the geotechnical problems and the potential of reversion to The Irvine Company and wanted to get out of the reservoir at any price. The price for storage in the reservoir was negotiated to be \$100/af for the first owners, but noted that Huntington Beach, Mesa Consolidated Water District, and the City first wanted to look at their historical costs. Based on the book value, minus future liabilities for maintenance, geotechnical problems, etc., he stated that IRWD came up with a value of about \$280/af. However, that value was subsequently negotiated to \$360/af. He reported that the Mesa Consolidated Water District's Board has taken an action to accept \$360/af and Huntington Beach's staff indicated that \$360/af is an acceptable amount. Mr. Hieritz stated that IRWD feels that \$360/af is a fair offer based on the potential liability and its book value, and intends to pay all of the owners the same amount even though \$100/af was negotiated earlier with some of the other owners.

Mr. Hieritz reported that IRWD proposes to use the San Joaquin Reservoir for the seasonal storage of reclaimed water (maximize storage during the winter and withdraw water during the summer), with a minimum level of 300 af. He utilized photos to demonstrate the maximum and minimum reservoir levels. In order to not become a nuisance to the surrounding community and to continually maintain good water quality, he stated that they intend to use the existing circulation system at the facility and will install treatment facilities to prevent odors. He noted that IRWD has a long history of operating reclaimed water reservoirs adjacent to residential areas. He reported that the reservoir water will be used to supply reclaimed water to Irvine, Newport Coast, and possibly Newport Beach.

Mr. Hieritz believed that the benefits of the proposal are that it eliminates the need for the cover, restores the water view to the surrounding residents, increases the reclaimed water supply, reduces the need to discharge reclaimed water into the bay, and the City would realize \$13,000 from the sale of its storage rights. He reiterated that a significant change such as this requires unanimous approval from

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all the owners. He reported that IRWD has already started preparing an environmental analysis and that there will be a kickoff meeting next week. He added that IRWD will also need to complete the transfer agreements to terminate the existing Agreement, design and construct the modifications and downstream facilities, and then begin operations. Mr. Hieritz reported that IRWD hopes to have the agreements approved by June 2000; the environmental analysis completed and the mitigation measures formulated by July 2000; complete the facility designs by January 2001; complete construction by December 2001; begin filling the reservoir by January 2002; and reach full capacity by May 2002.

In response to Council Member Debay's questions, Mr. Hieritz stated that they have anticipated that they will incorporate landscaping into the design since it is a feature of most of their facilities and helps soften the impact of these types of water facilities. He also pointed out that the reservoir water will be treated to drinking water standards. He indicated that the water starts out as domestic wastewater/sewage; undergoes a multi-step process to remove the solids, organics, and nutrients; is filtered; chlorinated; and then stored in the reservoir. He clarified that reverse osmosis is generally intended to remove salt from water and would really not be required since the water will be used for irrigation.

Mayor Noyes asked if the water from the plant is being pumped up into the reservoir. Mr. Hieritz stated that all the water would essentially be produced at the Michaelson Water Reclamation Plant (sea level) and then pumped into the reservoir (470 feet above sea level).

In response to Council Member Ridgeway's questions, Mr. Hieritz indicated that no one knows how the African clawed frogs got into the reservoir, but there is speculation that they may have been released from UCI. He stated that they have not seen a frog problem in recent years. Further, MWD underwent a major eradication program in 1985, refilled the reservoir, and did not have a subsequent problem with the frog. He hoped that there will not be a reintroduction of the frogs since the reservoir has been empty for over five years. Regarding the midge flies, Mr. Hieritz stated that they are native to this area and expect that they will have some midges on the lake; however, they do not become as much of an issue in this sort of facility because IRWD will not be using the water for drinking.

Council Member Thomson thanked Mr. Jones and Mr. Hieritz for the thorough tour they gave him around several reclaimed water reservoirs. He explained that his main concern dealt with the odors that might be emitted from the facility, but noted that he could not smell any odors during his tour. He believed, however, that there will eventually be some smell from sediment falling into the water unless there is circulation or aeration. He indicated that he has asked several times for assurances that there would be aeration within this contract for the future residents of that area. Council Member Thomson took issue with the offer, noting that the MOU values the City's share at \$408,000. Further, he emphasized that the City needs to be assured that IRWD will not dump any recycled water into the bay if the City gives up ownership of the reservoir and allows IRWD to have reclaimed water in the reservoir. Regarding the landslides, he noted that the asphalt caps on the reservoir are held down by the water inside the reservoir, and that landslides occur when reservoirs are emptied. Council Member Thomson concluded by stating that real studies and discussions need to be conducted and that the City needs to receive assurances in the agreement that there will be no air quality problems, that the City is being paid the correct amount, and that no recycled water will ever enter the bay.

In response to Mayor Pro Tem Adams' question, Mr. Hieritz indicated that IRWD has begun the environmental impact analysis and intends to incorporate the City's comments into the document. He stated that they hope to circulate a draft

mitigated negative declaration sometime in June, receive comments, incorporate those comments, and adopt a document.

John Skinner, 1724 Highland Drive, reported that IRWD's system was designed to be a closed system in 1960 and that all the water was to be used for reclamation. As expansion occurred, storage became more problematic because there was no market for it. He expressed concern that IRWD plans to do a plant expansion from 15 million gallons a day to 27 million gallons a day, which will cause a problem for winter storage. He reemphasized that there will not be a need to discharge into the bay since they have storage in two reservoirs, Green Acres, and possibly the San Joaquin Reservoir. He believed that the City should take a stand on this issue and complimented Council Member Thomson for bringing this point forward.

Council Member Glover agreed with Mr. Skinner that the City should be in a position to have no discharge enter the bay and also concurred with Council Member Debay that IRWD should work with the citizens around the reservoir on landscaping.

Regarding Mayor Noyes' question relative to notification about the environmental document, Mr. Webb stated that IRWD is not required to notify residents 300 feet from the facility. The notification would be a general publication in the newspaper and then IRWD would conduct public meetings to receive comments. Mr. Hieritz stated that IRWD welcomes public involvement, will conduct a general notice, and will also mail notices to property owners within 1,000 feet of the reservoir.

Nancy Skinner, 1724 Highland Drive, expressed faith that IRWD can keep the odors down and the midge flies and frogs under control; however, agreed that there is never a need to discharge into the bay.

Council Member Ridgeway stated that he supports what Council Member Thomson, Mayor Noyes, and Council Member Glover have stated. He believed that there is probably a fairly clear direction for IRWD to work with staff and take the comments into consideration

Mayor Noyes believed that, when he first heard about this proposal, the no discharge factor was a prerequisite for even starting discussions.

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<p>4. JOINT MEETING WITH THE LIBRARY BOARD OF TRUSTEES.</p> <p>Library Board of Trustee Chair Wood stated that the library strategic planning process, entitled "Commitment to Excellence: Library Services 2000-2005," consists of 50 community members and a professional facilitator that focuses on what the library would like to look like 10 years from now. He reported that the members represent the youth, Newport Beach Public Library Foundation, Friends of the Library, City government, Library Board of Trustees, Newport-Mesa School District, Coastline College, Chamber of Commerce, <i>Daily Pilot</i>, library users, and those that do not frequent the library, and have conducted five meetings which have each lasted 2.5 to 3 hours. He indicated that the areas the group is working on are new and increased funding sources, increased technology services and resources, library's role as a cultural center, physical facilities including the branches, and community awareness. When the meetings are concluded, he stated that they hope to have a report that will be presented to, and hopefully accepted by, the</p>	<p>Library Board of Trustees (24)</p>
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Trustees so that a working goal will be established for the next five years.

Library Board of Trustees Vice Chair Ryan discussed expanded services to the youth, stating that a crisis exists since young people are not reading. She indicated that reading enhances the powers of concentration, thinking skills, and ability to analyze; develops creativity; and disseminates knowledge. She indicated that it is everyone's job to encourage teens to read. She reported that the library is bringing back teen services, has two young adult librarians in the teen center, and the teen reading program visits high school classes to encourage reading.

In response to Council questions, Ms. Ryan stated that teens no longer spend hours at the library since they utilize the internet more than ever. Additionally, teens find reading boring, but believed that they would get hooked on reading if they find one author they liked. She stated that there will be a population of uneducated adults in 20 to 30 years if the youth do not exercise their minds and believed that this is a social issue that may take a long time to change.

Council Member Thomson stated that his 13 year old enjoys reading condensed versions of novels and believed that this will probably lead him to read full sized novels. He recommended that the library consider purchasing condensed versions of novels.

Regarding promoting community awareness of the library, Council Member Debay suggested that the library invite homeowner associations to conduct their monthly board meetings at the library.

Council Member Thomson asked about library security, non-resident use, and parking. Mr. Wood stated that the library does rent out space to assist with the revenue stream, however, finding a parking space is sometimes difficult. Council Member Thomson expressed concern relative to financial institutions renting space and then advertising that their event is "City sponsored." City Manager Bludau indicated that how income is being generated is discussed in Council Policy I-21, but can be reviewed.

Library Board of Trustees Member Saar-Kranzley stated that everyone is proud of the library and that they have received a lot of recognition. She emphasized that they find out what customers think about the library and determine their needs by telephoning library cardholders during study sessions and by distributing a survey. She stated that they always incorporate the results and feedback into their plans, study sessions, and staff programs. She reported that some of the responses showed that people are not aware of some of the programs the library offers. Ms. Saar-Kranzley indicated that some of the issues that need to be addressed over time deal with parking and the difficulty in finding materials at the Central Library. She stated that they are looking ahead to ensure that the library is relevant to the community five years from now since the world is changing, the internet is making more things accessible, and people are being more visually stimulated than ever before.

Library Board of Trustees Member Bartolic read a portion of a brochure, entitled "The Center for the Book", and reported that the Newport Beach Public Library was chosen as one of the sites for the California Center for the Book. The program hopes to heighten public interest in books and printing, promote reading and literacy, and encourage the interdisciplinary study of print and the electronic culture. He indicated that this is a great honor for the library because it is only bestowed on just a handful of public libraries in the nation.

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Regarding special collections and events, Mr. Bartolic stated that the Building Excise Tax for last two years (\$100,000 a year) has been used to purchase American history and arts collections, and that they intend to purchase a literature collection with next year's allocation. Mr. Wood noted that Council has yet to budget this year's Excise Tax. Mr. Bartolic added that the library also has a nautical collection. Discussion ensued relative to the process for picking and purchasing collections.

Library Board of Trustees Member Knox thanked the Martin Witte family and others for their assistance in reaching the third year of the Distinguished Speakers Lecture Series and the Distinguished Panel Discussion Series, which are joint efforts by the Newport Beach Public Library and the Newport Beach Public Library Foundation. He reported that three well attended and interesting Panel Series programs were presented last fall (Tale of Three Cities, Law and Crime in Orange County, and Eye on Orange County Education). He stated that this year's Distinguished Speakers Lecture Series featured Susan Faludi and Orville Schell, and reported that Tom Brokaw is the speaker on April 28 and Jay Gould will be speaking on May 19. Mr. Knox stated that they added a Saturday afternoon presentation at a greatly reduced ticket price since Friday night presentations have been sold out two years straight. He reported that the committee's budget was about \$90,000 and that they are financially secure due to sponsor assistance.

Mr. Knox reported that Tom Brokaw has donated back \$10,000 of his honorarium to the library but will be donating the other \$10,000 to two different charities. He indicated that the Trustees voted to use the funds to bring the library into the 21st Century by offering 500 e-books at an inexpensive cost. He assured everyone that they still believe in the bound book, but that this gives another valuable choice to the community.

In response to Council Member Debay's question, Mr. Knox indicated that they will be showing a video of Tom Brokaw on Saturday because he cannot attend, but arrangements have also been made for Jess Marlow, Stan Chambers, and Vikki Vargas to be in attendance at Saturday's series. Regarding video taping the other speakers, he believed that the writers would probably want more money.

Jene Witte, Distinguished Speaker Series Underwriter, stated that the Witte family is proud of the Distinguished Speaker Series and grateful that they could honor Martin Witte. However, she stated that the committee was led to believe that Tom Brokaw would waive all of his honorarium or return it to the committee, and took issue that \$10,000 of the honorarium was going to two charities outside the City. She asked who is going to tell the major contributors that they were not going to get this money back since they already budgeted it into next year's budget. Further, she noted that the committee raised the money and was not made aware it was going to be used to purchase e-books, believing this would be an improper use of funds.

Mr. Knox reported that the honorarium for someone like Tom Brokaw is normally between \$50,000 and \$100,000.

Adele Mann, Friends of the Library, announced that the library book store is always in need of used books and reported that the store made over \$12,000 in March.

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PUBLIC COMMENTS - None.

ADJOURNMENT - 6:25 p.m.

The agenda for the Study Session was posted on April 19, 2000, at 2:20 p.m. on the City Hall Bulletin Board located outside of the City of Newport Beach Administration Building.

Recording Secretary

Mayor

City Clerk

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CITY OF NEWPORT BEACH

City Council Minutes

Regular Meeting

April 25, 2000 - 7:00 p.m. INDEX

STUDY SESSION – 4:00 p.m. [Refer to separate minutes]	
CLOSED SESSION – 6:30 p.m.	

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<p>CLOSED SESSION REPORT PRESENTED – None.</p>	
<p>RECESSED AND RECONVENED AT 7:20 P.M. FOR REGULAR MEETING</p>	
<p>ROLL CALL</p> <p>Present: Thomson, Glover, Adams, Debay, Ridgeway, O'Neil, Mayor Noyes</p> <p>Absent: None</p>	
<p>Pledge of Allegiance - Council Member Debay.</p>	
<p>Invocation by Pastor Bruce Bender, Calvary Chapel of Costa Mesa.</p>	
<p>Presentation by Newport Beach Conference and Visitors Bureau concerning revenue generated by visitor industry.</p> <p>Rosalind Williams, President of the Newport Beach Conference and Visitors Bureau (CVB), stated that tourism revenue generated during the 1998/1999 fiscal year totaled \$21,202,168 She stated that the money was an increase over the prior year and represents 100% of the transient occupancy tax, 100% of the harbor marine tax, 78% of the parking fees and fines and 50% of the sales tax. She stated that the CVB has many partners in the community and is proud to make such a contribution to the City's general fund Ms. Williams acknowledged CVB staff members, present in the audience</p> <p>Mehdi Eftekari, CVB Board of Directors Chairman and General Manager of the Four Seasons Hotel, acknowledged the efforts of the CVB and thanked the City Council for their support. Mr. Eftekari and Ms. Williams presented the facsimile check to the City.</p> <p>Mayor Noyes noted that the total is about \$5 million more than the City receives from property tax.</p>	
<p>Presentation of Tree City USA Awards by Thom Porter, Community and Urban Forester, Department of Forestry, State of California.</p> <p>Thom Porter, California Department of Forestry (CDF), stated that the City supports its residents and visitors by having a community forestry program that gives back to the community by planting and maintaining trees. Mr. Porter added that sometimes this involves the removal of trees that may be causing damage. He stated that the City does a superior job and is, therefore,</p>	

receiving two awards. He stated that the City has about 30,000 trees with plans for more trees in the future. Mr. Porter presented the Growth Award for superior tree care and urban forestry, and the Ten-Year Award indicating that the City has been a Tree City for ten years. Mayor Noyes and Marcy Lomeli, Park & Tree Superintendent, accepted the awards on behalf of the City.

Film Festival Presentation.

Gregg Schwenk, Newport Beach Film Festival, thanked the City Council for the City's financial and philosophical support of this year's film festival. He also thanked Lucy & Leigh Steinberg and Rosalind Williams. Mr. Schwenk read from a list of 2000 Film Festival highlights. He said the number of short films puts the Newport Beach festival up with the top venues and the number of feature films picked up for distribution moves the Newport Beach festival from just a destination festival to a market, as well. Mr. Schwenk thanked the sponsors of the event, and singled out the Marriott Hotel & Tennis Club as being a true partner. He concluded by stating that plans are already underway for next year's event.

Mayor Noyes thanked Mr. Schwenk for his efforts and time in pulling the entire event together, and also noted the Economic Development Committee for their support. Mr. Schwenk added his appreciation for the efforts of the Planning Department staff, particularly Senior Planner Christy Teague.

CITY COUNCIL ANNOUNCEMENTS OR MATTERS WHICH COUNCIL MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM):

- Council Member Ridgeway announced that the Newport Beach Police Department participated in the Baker to Vegas 120-mile twenty-man team race a few weeks prior. He stated that there were 195 teams that competed and that Newport Beach placed third, which was also the best in the County
- Council Member Ridgeway stated that the City has been busy planting trees, including a reforestation project on Balboa Peninsula with approximately 125 queen palms planted.
- Council Member Debay referred to the minutes of the Parks, Beaches & Recreation Commission in item #16 of the current agenda, addressing West Newport Park She stated that a low block wall with lexan glass panels highlights the area. She added that there was quite a battle to put the glass in instead of having a solid block wall, and showed a process that resulted in unobstructed views of the ocean. Council Member Debay stated that the glass has since clouded and needs to be replaced. She stated her support for replacing the panels as a part of the upcoming budget.
- Mayor Pro Tem Adams congratulated the 22 graduates of the fifth class of the Newport Beach Citizens Police Academy.
- Council Member Thomson reported that the Edison Company has cut the upper ten feet of the power poles on San Joaquin Hills Road up to Newport Coast. He said a committee is working to underground the utilities in the area.

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<u>CONSENT CALENDAR</u>	
<u>READING OF MINUTES/ORDINANCES AND RESOLUTIONS</u>	
1. MINUTES OF THE ADJOURNED REGULAR AND REGULAR MEETING OF APRIL 11, 2000. Waive reading of subject minutes, approve as written and order filed.	
2. READING OF ORDINANCES AND RESOLUTIONS. Waive reading in full of all ordinances and resolutions under consideration, and direct City Clerk to read by title only.	
<u>RESOLUTION FOR ADOPTION</u>	
3. ONE-HOUR PARKING RESTRICTION ON WEST COAST HIGHWAY. Adopt Resolution No. 2000-32 establishing a one-hour parking restriction in front of 1100 West Coast Highway.	Res 2000-32 1-Hr. Parking (85)
<u>CONTRACTS AND AGREEMENTS</u>	
4. Item removed from the Consent Calendar by Council Member Glover.	
5. AGREEMENT WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR TRAVELTIP PROGRAM. Authorize the Public Works Director to sign an agreement with the Orange County Transportation Authority (OCTA) to formalize the installation of TravelTip equipment and define the City's role in the TravelTip Program.	C-3342 OCTA/ TravelTi Program (38)

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<p>6. SEWER AND STORM DRAIN LINING PROJECT (C-3271) - COMPLETION AND ACCEPTANCE. 1) Accept the work; 2) authorize the City Clerk to file a Notice of Completion; 3) authorize the City Clerk to release the Labor and Materials bond 35 days after the Notice of Completion has been recorded in accordance with applicable portions of the Civil Code; and 4) release the Faithful Performance bond 1 year after Council acceptance.</p>	<p>C-3271 Sewer & Drain Li (38)</p>
<p>7. NEWPORT HEIGHTS STREET LIGHTING (C-3258) - COMPLETION AND ACCEPTANCE. 1) Accept the work; 2) authorize the City Clerk to file a Notice of Completion; 3) authorize the City Clerk to release the Labor and Materials bond 35 days after the Notice of Completion has been recorded in accordance with applicable portions of the Civil Code; and 4) release the Faithful Performance bond 1 year after Council acceptance.</p>	<p>C-3258 Newport Heights Street Li (38)</p>
<p>8. Item removed from the Consent Calendar by a member of the audience.</p>	
<p>9. NEWPORT DUNES RESORT ENVIRONMENTAL IMPACT REPORT. Approve amendment to the professional service agreement with LSA Associates, Inc.</p>	<p>C-3235 Newport Resort E</p>
<p>10. BALBOA PIER CONCESSION - RUBY'S DINER. Authorize Mayor Noyes to execute the Balboa Pier Concession Agreement with Ruby's Diner, Inc on behalf of the City. Council Member O'Neil abstained from voting on this item.</p>	<p>C-2326 Ruby's I (38)</p>
<p>11. STUDY THE FEASIBILITY OF WITHDRAWAL FROM METRO CITIES FIRE AUTHORITY AND MERGING THE POLICE DEPARTMENT AND THE FIRE AND MARINE DEPARTMENT EMERGENCY DISPATCH, TECHNOLOGY AND INFORMATION SUPPORT SYSTEMS (C-3341). 1) Authorize the City Manager to negotiate final scope of work and final contract price with Emmack Cronan Group, Inc. to perform a study regarding the withdrawal from the Metro Cities Fire Authority and the merging of the Police Department and Fire and Marine Department Emergency Dispatch, Technology and Management Information Support Systems; and 2) award a contract (C-3341) to Emmack Cronan Group, Inc. of Reno, Nevada for a price not to exceed \$75,000 and authorize the Mayor and the</p>	<p>C-3341 Metro C Fire Aut Emerger Dispatch</p>

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<p>City Clerk to execute the contract.</p>	<p>Technol Manager Informat Support (38)</p>
<p>MISCELLANEOUS ACTIONS</p>	
<p>12. PLANNING COMMISSION AGENDAS FOR APRIL 13 AND APRIL 20, 2000. Receive and file.</p>	<p>Planning (68)</p>
<p>13. REVISION TO OUR HAZARDOUS MATERIALS EMERGENCY RESPONSE SYSTEM. Discontinue the Newport Beach type II hazardous material team operations; contract with the Orange County Hazardous Materials Emergency Response Authority (OCHMERA) for type I hazardous material team response; and maintain three (3) certified hazardous materials specialists at the captain rank and one in the fire prevention division to provide expertise on hazardous material incidents and issues and assist with the hazardous materials disclosure program.</p>	<p>C-3343 Hazardo Material Emerger Respons (38)</p>
<p>14. BUDGET AMENDMENT IN THE AMOUNT OF \$2,500 TO INCREASE REVENUE ESTIMATES TO REFLECT THE DONATION RECEIVED FROM THE NEWPORT BALBOA ROTARY CLUB FOUNDATION TO SUPPLEMENT THE YOUTH TRACK AND FIELD MEET AND TO INCREASE EXPENDITURE APPROPRIATIONS. Approve BA-057</p>	<p>BA-057 Youth T Field Me (40/62)</p>
<p>15. EXTENSION OF TIME FOR BALBOA THEATER BUILDING PERMIT APPLICATION. Approve extension to May 15, 2000.</p>	<p>C-3248/ Theater</p>

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<p>16. Item removed from the Consent Calendar by Mayor Pro Tem Adams.</p>	
<p>17. Item removed from the Consent Calendar by Council Member Debay.</p>	
<p>S23. Item removed from the Consent Calendar by City Manager Bludau.</p>	
<p>S24. SUPPLEMENTAL MEMORANDUM OF UNDERSTANDING WITH NEWPORT BEACH CITY EMPLOYEES ASSOCIATION, EMPLOYEES LEAGUE, AND PROFESSIONAL AND TECHNICAL EMPLOYEES ASSOCIATION REGARDING EMPLOYEE BENEFIT PLAN CHANGES. Approve Supplemental Memorandum of Understanding (MOUs) with the Newport Beach City Employees Association, Employees League, and Professional and Technical Employees Association.</p>	<p>C-2051/ C-2065 City Em Assoc./E League/I Tech. Er Associat</p>
<p><u>Motion by Mayor Pro Tem Adams</u> to approve the Consent Calendar, except for those items removed (4, 8, 16, 17 and S23) and noting the abstention on Item #10 by Council Member O'Neil.</p> <p>The motion carried by the following roll call vote</p> <p style="padding-left: 100px;">Ayes: Thomson, Glover, Adams, Debay, Ridgeway, O'Neil, Mayor Noyes</p> <p style="padding-left: 100px;">Noes: None</p> <p style="padding-left: 100px;">Abstain: None</p> <p>Absent: None</p>	
<p><u>ITEMS REMOVED FROM THE CONSENT CALENDAR</u></p>	
<p>4. BALBOA BAY CLUB REDEVELOPMENT ADDENDUM TO LEASE (contd. from 4/11/00).</p>	<p>C-519 Balboa I</p>

City Attorney Burnham stated that in July of 1999, the City Council approved minor amendments to the proposed redevelopment plan for the Balboa Bay Club, and that these changes required an amendment to the coastal development permit that was issued in 1996. He stated that the Coastal Commission has suggested that there needs to be confirmation through a lease addendum, that public access is confirmed and obligations for water quality, if not performed by the Bay Club, would be handled by the City. He concluded by stating that the proposed lease amendment is designed to satisfy the conditions that the City expects the Coastal Commission will impose on the modifications to the coastal development permit.

Club Let
(38)

Council Member Glover read the recommended action, as stated in the staff report. She confirmed with City Attorney Burnham that the action only applies to the Coastal Commission permit. Additionally, she asked what the City Attorney would consider as "substantive" changes. City Attorney Burnham responded that such changes would include anything that changes the size of the project or increases any of the obligations of the City, beyond what is specified in the addendum to the lease. Council Member Glover stated that everything that happens at the Balboa Bay Club, since it sits on public property, needs to come before the public and should be voted on by the City Council. City Attorney Burnham added that changes to view corridors, public walkways or size of facilities would also be considered substantive. He explained that the reason for the recommended action was to avoid returning to the City Council if the changes were only minor. Council Member Glover expressed her concern for leaving the public out, and asked what scenario the City Attorney was considering. City Attorney Burnham stated that he was assuming the Coastal Commission might request minor changes that don't relate to size or public access, but he understands Council Member Glover's concern and would be happy to bring the addendum back for public input and review.

Motion by Council Member O'Neil to authorize the Mayor to execute the proposed Addendum to Lease or a modified Addendum so long as the modifications are not substantive.

The motion carried by the following roll call vote:

Ayes: Adams, Debay, Ridgeway, O'Neil, Mayor Noyes

Noes Glover

Abstain Thomson

Absent: None

8. DAHLIA AVENUE STREET ENDS - FERNLEAF AVENUE SLOPE REPAIR (C-3157) - AWARD OF CONTRACT.

Public Works Director Webb stated that the contract low bidder is Metro Builders & Engineers Group, Ltd. and staff is recommending that the contract be awarded to that contractor.

Council Member Debay confirmed that the house that was hanging over the edge of the area was removed.

Dan Purcell, 3 Canyon Lane, stated his support for the contract since he has felt

C-3157
BA-056
Dahlia A
Street E
Fernleaf
Slope

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that the slope could give way at any time. He thanked the City for their cooperation in working with the residents on the wall.

Repair

Mayor Noyes pointed out the drawings on display at the meeting. He said he expects it to be a good project.

(38/40)

Council Member Debay suggested to Mr. Purcell that the residents might want to consider undergrounding the utilities in the area.

Motion by Council Member O'Neil to approve the plans and specifications; award contract (C-3157) to Metro Builders & Engineers Group, Ltd. for the total bid price of \$457,612 and authorize the Mayor and the City Clerk to execute the contract; establish an amount of \$45,000 to cover the cost of unforeseen work; establish an amount of \$20,500 to cover the cost of construction services; authorize a budget amendment (BA-056) transferring \$119,851.26 from Miscellaneous Slope Repairs Account No. 7014-C5100508 into Account No 7013-C5100023; and authorize a budget amendment (BA-056) transferring \$6,727.70 from the NPDES Program Account No. 7012-C5100011 into Account No. 7013-C5100023.

Council Member O'Neil added that the project is long overdue and he is pleased that everything is in place to begin the work. He said it has been a long and complicated process. Public Works Director Webb stated that the project will take three to five months to complete, with work beginning in about one month.

Council Member Debay confirmed that one lane would be closed at times.

The motion carried by the following roll call vote:

Ayes: Adams, Debay, Glover, Thomson, Ridgeway, O'Neil, Mayor Noyes

Noes: None

Abstain: None

Absent: None

16. CITY STREET TREE DESIGNATION LIST.

Tree Designation

Council Member Debay referred to the Parks, Beaches & Recreation (PB&R) Commission minutes included in the staff report and confirmed with Public Works Director Webb that CalTrans is not responsible for Seashore Drive.

(62)

General Services Director Niederhaus stated that the staff report includes answers to questions that he has received from members of the City Council. He explained that the street tree designation list is maintained by Council Policy G-6, reviewed annually and processed for change by the PB&R Commission. He stated that the current list has so many revisions because the list wasn't ever completed and new information has been received about trees that are unsuitable for parkways or have environmental problems. He added that the list is an effort by staff and the PB&R Commission to rejuvenate or improve the tree population throughout the City. He indicated that there has been some concern that the number of revisions would cause a significant change in the City's treescape. He said that this shouldn't be a problem since, of the City's 30,000 trees, less

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than 200 trees would probably be removed per year.

Council Member Glover suggested that General Services Director Niederhaus and Building Director Elbettar should work together on new homes being built in the City and insure that the tree policy is being followed. General Services Director Niederhaus confirmed that the City is responsible for planting street trees. Council Member Glover suggested that a future study session should address this specific requirement of the tree policy.

City Manager Bludau confirmed that Council Member Glover was referring to trees on City property being removed by private homeowners.

Dr. Jan Vandersloot, 2221 East 16th Street, SPON (Stop Polluting Our Newport) Tree Committee, stated that he has been involved with the revisions to the street tree designation list since the process began. He referred to his letter of April 25, 2000, and stated the list will dramatically change the streetscape in the City because changes are being made to 437 streets, or 85% of the streets in the City. He added that the new trees being proposed are smaller than the trees that would be removed. Dr. Vandersloot discussed the most common trees being added to the list, as referred to in his letter, and the problems with each for Newport Beach. He suggested that the City Council not accept and file the report. He suggested that the City Council, instead, authorize staff and the PB&R Commission to analyze tree replacements individually and make a decision for each street as the need arises.

Council Member Glover stated her concern for the number of trees being cut down in the City, but did state her support for slow growing trees since they will last longer and require less maintenance. She referred to the look of the trees in South County, but stated that it was partly due to the undergrounding of their utilities. Dr. Vandersloot stated that he did not have an issue with the slow growth of a tree, but more with its final size. Council Member Glover pointed out that fast growing trees do not have the lasting power of slower growing trees. Dr. Vandersloot stated that many of the new trees being added to the list will require more maintenance because they are exotic and more delicate. He cited the Hong Kong Orchid as an example. He concluded by stating that the smaller trees selected will reduce the overall tree canopy in the City.

Council Member Debay referred to the last paragraph of the staff report that outlines how a street tree designation can be changed and stated that there is the opportunity for residents to submit petitions.

Mayor Noyes asked for a clarification of the appeal process.

General Services Director Niederhaus stated that, to date, the PB&R Commission has approved every street tree petition submitted when at least 60% of the people on the street have signed it. He noted that this appeal process makes the list an ideal list since it is easy to change. He further explained that the street tree designation can be changed for the entire length of a street or for parts of a street between main streets, or other such boundaries. Lastly, he responded to a statement made earlier by

Dr. Vandersloot about there being 88 reforestation requests. General Services Director Niederhaus explained that reforestation requests were accumulated during the revision of Council Policy G-1. Once the revision process was completed, the requesters were notified and only 35 were still interested in having their requests processed. He added that of the ten up for review at the following week's PB&R Commission meeting, staff was only recommending the approval of two of the requests.

Alden Kelley, a Fullerton resident, stated that he is a consulting arborist hired by SPON to work with the City and individuals in regard to some of the tree problems in the City. He said that a tree problem he sees on the horizon is with the proposed street tree

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designation list. He said a large proportion of the proposed replacement trees are considered to be tree shrubs. He said that training them to become single-stemmed trees with extensive maintenance can be done, but they would most likely end up as large shrubs. Mr. Kelley also noted that the Ten-Year Award received earlier in the evening was based on programs that preceded the recently adopted Council Policy G-1. He continued by stating that some of the trees on the proposed street tree designation list are inappropriate for the climate zone in Newport Beach, or are too small. He added that no specifications were included with the list, and concluded by stating that the list needs to be redone.

Pat Beek, Chair of the PB&R Commission, clarified that the Commission only intended to create a manual. She stated that many streets did not have a tree designation prior to the proposed list. Ms. Beek added that the list was created through public input and nothing stops changes from being made in the future. She clarified that the list only applies to tree replacements, and that many streets may never see a change.

Mayor Pro Tem Adams asked for staff's response to some of the arguments raised by Mr. Kelley, and the reason for the selection of various trees.

City Manager Bludau stated that the item is on the agenda as an informational report only and, therefore, action cannot be taken by the City Council at the current meeting. He suggested that a joint study session might be held with the PB&R Commission to review the process and the trees chosen. He added that the final tree list should be adopted by resolution.

Mayor Pro Tem Adams agreed that it might be a good idea to address some of the major concerns, without repeating the same process that has already been performed. City Manager Bludau noted that the next three Study Sessions are devoted to the 2000-2001 budget.

Mayor Pro Tem Adams decided that it might not be appropriate for the General Services Director to justify the selection of each of the trees at the current meeting. He did, however, refer to the letter contained in the staff report from the Balboa Peninsula Point Association and asked how their recommendations were addressed.

In response to earlier statements, General Services Director Niederhaus began by explaining that Council Policy G-6 includes the instructions for the care and planting of street trees. He also stated that the trees were selected using a manual that was developed by the urban foresters of all major cities in the State, Southern California Edison (SCE) and other public utilities and agencies that have to deal with trees. He apologized that he did not have the manual with him at the current meeting, since it provides detailed information on each tree selected. He added that the manual could be made available upon request.

Mayor Noyes asked if smaller trees, in general, were looked at for the street tree designation list. General Services Director Niederhaus stated that the trees selected are not necessarily miniatures, but will grow to twenty to thirty feet in height. He said the City is trying to address all of the issues involved. Mayor Noyes stated his understanding for the limitations to having all large trees.

Council Member Glover stated that she attended a meeting with SCE and they very honestly stated that they are trying to make shrubs out of trees, so that all growth is below their electrical lines. SCE added that the cities of Laguna Beach and Pasadena are trying to work with SCE on creating new policies.

Council Member O'Neil stated that it is difficult to resolve tree issues because there are different emotional feelings. He acknowledged the PB&R Commission for handling

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many of the City's tree issues and feels that the proposed street tree designation list provides enough flexibility.

Council Member O'Neil suggested that the report be received and filed.

Mayor Noyes asked that staff and the PB&R Commission be sensitive to the issues brought before them by the public. He stated his belief that through diligence, many tree issues will be resolved.

• **GENERAL DREDGING PERMIT UPDATE.**

Deputy City Manager Kiff stated that the City has held a ten-year permit to allow limited maintenance dredging in the bay, and that renewing the permit with the Coastal Commission has been a struggle. He stated that the Coastal Commission has applied a number of different criteria to its proposed permit that most individuals think are too onerous to deal with. Deputy City Manager Kiff stated that the Coastal Commission has been willing to talk with the City on some of the key concerns, such as the requirements for the quality of dredging material that can go on the beach versus the quality that has to go out to sea. He stated that the City is on the May 9, 2000, Coastal Commission agenda, which will be held in Santa Rosa. He stated that he will provide an update to the City Council that same day at the City Council's regular meeting.

Council Member Debay asked if it would be helpful to have a Council Member present at the Coastal Commission meeting. Deputy City Manager Kiff stated that it may be and he'll know more after receiving their immediate response to the packet recently submitted by the City. Council Member Debay also suggested that staff meet with a City of Huntington Beach Council Member who is on the Coastal Commission. Deputy City Manager Kiff stated that staff met with her the previous week, and that she was very helpful.

Council Member Ridgeway asked when the chemical analysis test would be performed on the areas excluded from the permit. Deputy City Manager Kiff stated that they want to do them as soon as possible, and that Fire & Marine Deputy Chief Melum was in the process of soliciting bids. Council Member Ridgeway thought that the information should be available by the May 9, 2000, Coastal Commission meeting. Deputy City Manager Kiff stated that it probably wouldn't be but that staff is expecting to have a condition in the permit that will allow for the excluded areas to be added once they are proven clean.

Mayor Noyes noted that the recommended action was to receive and file the report.

Dredging
Update
(51)

S23. REORGANIZATION OF MARINE ENVIRONMENTAL DIVISION.

City Manager Bludau referred to page two of the staff report and the reference to the location of the office for the personnel of the Harbor Resources Division. He stated that he originally planned not to renew the lease with Heritage Yacht Brokers but, has since, spoken with them and has decided that there might be another alternative worth exploring, such as the use of one of the apartment units.

Mayor Noyes noted that the recommended action was to receive and file the

Marine I
(51)

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report.

Council Member Ridgeway agreed that yacht brokerages are being misplaced in the bay, and the City should be conscious of that and support their presence.

PUBLIC COMMENTS

Mayor Noyes acknowledged the group of students in the audience and asked for one of them to speak about why they were in attendance at the meeting. William Tran, a University of Irvine student, stated that the students at the meeting were fulfilling a requirement of E109, Urban Planning. He stated that they were being required to attend two public meetings and get an idea of what goes on in various cities in regards to urban planning. Mayor Noyes also suggested that the students might want to attend a Planning Commission meeting. Assistant City Manager Wood encouraged the students to stay through the current meeting to Item #21, the discussion on the General Plan Update.

Kathy Harrison, 1621 Lincoln Lane, Arts Commission Chairman, stated that she wanted to announce three upcoming events in Newport Beach. The first was the Juried Spring Show artists' reception to be held at City Hall on May 5, 2000. She stated that Mayor Noyes would be in attendance and presenting the awards to the winners of the juried show. Ms. Harrison also encouraged local art organizations and groups to get their applications in by April 27, 2000 for the cultural arts grant program. She stated that the Arts Commission would be looking at the requests and making a recommendation to the City Council in May. Thirdly, Ms. Harrison announced the Imagination Celebration to be held at the Central Library on May 6, 2000.

Allen Beek, 2007 Highland, stated that he is concerned about statements he has heard and read in local publications by people who say that if the City doesn't accept a project, it will just go to a nearby city. Mr. Beek argued that if a project is accepted in Newport Beach, the available parcel in the nearby city would also be developed. He concluded by stating that the available sites in nearby cities are going to be developed, regardless of what is done in Newport Beach

CONTINUED BUSINESS

18. UNSCHEDULED VACANCY ON THE PARKS, BEACHES AND RECREATION COMMISSION.

By the following roll call vote, Debra Allen was appointed to fill the vacancy on the Parks, Beaches and Recreation Commission:

Debra Allen: Thomson, Glover, Adams, Debay, Ridgeway, O'Neil, Mayor Noyes

Roy Englebrecht: None

Abstain: None

Parks,
Beaches
Recreati
Commis
(24)

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Absent: None

Council Member Debay thanked the people who applied for the position and noted that there are many qualified people who offer their services as volunteers to the City.

19. UNSCHEDULED VACANCY ON THE PLANNING COMMISSION.

Mayor Noyes announced that the Ad Hoc Appointments Committee nominated Barry Eaton and Earl McDaniel for the current vacancy on the Planning Commission.

Motion by Council Member Ridgeway to confirm the nomination of Barry Eaton, Earl McDaniel and Christi Bettingen for the current vacancy on the Planning Commission; and schedule the appointment for May 9, 2000.

The motion carried by the following roll call vote:

Ayes: Thomson, Glover, Adams, Debay, Ridgeway, O'Neil, Mayor Noyes

Noes: None

Abstain: None

Absent: None

Planning
Commis
(24)

20. STATUS REPORT ON SANTIAGO DRIVE SPEED REDUCTION PROGRAM (contd. from 3/28/00 & 4/11/00).

Item continued to May 9, 2000

Santiago
Speed R.
(85)

21. GENERAL PLAN UPDATE - DISCUSSION OF EXISTING GENERAL PLAN (contd. from 4/11/00 Study Session).

Planning Director Temple provided a brief history of the staff reports prepared for previous City Council meetings on this item. She stated that the current report tries to show how the City of Newport Beach's process is different from how other communities have approached a general plan program. She stated that she did find one rural community in Central California that had used the visioning process to update their general plan.

Council Member Debay referred to page one of the staff report and the list of weaknesses in the City's current General Plan and, specifically, the item regarding the impact of visitors to local resources and residents. She asked how a general plan can address traffic and circulation issues for visitors coming to the beach in the summer. Planning Director Temple stated that the City may never be

General
Plan
Update
(68)

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able to fully satisfy the need people have to move around the beach areas during the peak summer weekend hours. She added that what the City can do is attempt to maintain the circulation system in such an improved fashion and in such a way that the best use of the system is accomplished. She referred to the timing of signals on Newport and Balboa Boulevards as an example. She summarized by saying that it's probably more a matter of management.

Council Member Debay noted that the City's Traffic Phasing Ordinance requires a developer to be responsible for improving traffic circulation. Planning Director Temple confirmed that the Traffic Phasing Ordinance implements some of the broader circulation goals contained in the Circulation Element, and is mentioned within the Element.

Council Member Debay asked the Public Works Director to explain how funding is received to make street improvements that improve circulation and also if CalTrans had been contacted to perform an update and improvement of the City's signal system. Public Works Director Webb began by stating the Transportation/Development Services Manager Edmonston had been in contact with CalTrans and received input on some small specific areas but hasn't received the final report yet. Public Works Director Webb continued by stating that the Circulation Element and the City's system do not provide for maximum beach uses, but instead the facilities are designed for the day-to-day traffic. He stated that the funds available for implementing the Circulation Element are received from numerous sources including the gas tax, Measure M, competitive Measure M funds, Fair Share Fees, CIOSA (Circulation Improvement and Open Space Agreement) program, and some federal funding through OCTA (Orange County Transportation Authority) and the AHRP (Arterial Highway Rehabilitation Program). Public Works Director Webb listed some of the projects that have been completed and said that the City does actively pursue outside funding.

Council Member Debay commented that the Circulation Element is one of four major concerns when discussing an update of the General Plan.

Mayor Pro Tem Adams noted that the item before the City Council at the current meeting was the Land Use Element. He referred to the tables in the staff report showing the estimated growth for the various statistical areas in the City, as presented in the 1988 Land Use Element. He asked how these projections were made in 1987, and what the difference was between the general plan growth column and the projected column. Planning Director Temple stated that the tables are intended to be summary tables, and that the actual regulatory language is the controlling factor. She stated that for the commercial developments, a parcel by parcel database was developed which accounted for all the square footage and land uses in increments as used in the traffic model. She stated that the projections were done based on two different approaches, one being through the application of floor area ratios and the other through the application of specific floor area limits. She added that for most of the larger commercial districts, actual square footage limits were used as the established limits.

Mayor Pro Tem Adams asked what accounted for the difference between the general plan projection and the projected growth, when they did differ. Planning Director Temple explained that it is the difference between what was on the ground at the time the Land Use Element was written and what the General Plan limitation would allow. Mayor Pro Tem Adams confirmed that the existing projection column added to the general plan growth column equaled the projected column, in the tables previously referenced. He additionally asked where the City currently was in regards to the projected growth estimated in 1987. Planning Director Temple stated that one of the preliminary exercises of any general plan update would be to update the existing database with this information. She added

that the database for the traffic model has been kept current.

Mayor Pro Tem Adams referred to Appendix A of the 1988 Land Use Element, which listed general plan amendments incorporated into the Land Use Element since October 24, 1988. He noted that amendments through 1998 were listed and requested any additional amendments to date be added to the list.

Council Member Glover referred to Council Member Debay's previous comments and the general plan weakness addressing the impact of visitors to the residents of the City. Council Member Glover noted that there are different types of visitors to the City, some who come from nearby cities and shop at such places as Fashion Island and others, such as those who come to enjoy the beach, who provide very little revenue to the City. She noted that there is an unmet financial need and the rest of the City is looked at to pay for services, such as Police. She noted that this makes Newport Beach very unique and that the revenue flow must continue. Council Member Glover concluded by stating that a general plan update should be done, and that the process should begin now. She noted that support staff will most likely be needed.

Mayor Pro Tem Adams stated that there are twelve policies in the Land Use Element. He stated his concurrence with staff's discussion in the staff report of the weaknesses of the current General Plan. He briefly mentioned these, as listed on page one of the staff report. He pointed out that the twelve policies are still applicable today and he feels that the City has done a good job of adhering to them.

Council Member Thomson confirmed with Planning Director Temple that a full update of the General Plan would cost several hundred thousand dollars and take approximately 18 months to complete. Council Member Thomson agreed with Mayor Pro Tem Adams that the City has a good start, referring to some of the statistical areas that are not experiencing a lot of growth. He added that some of the growth areas and changing areas do need to be addressed in regards to traffic, visitors and revenue. He asked what vehicle could be used to facilitate these areas. Assistant City Manager Wood stated that what might help these areas the most is to look at the philosophy for the areas and the direction the City would like to see them go. She noted the policies from the 1972 General Plan Policies, and specifically land use supporting policies (f) and (g) which related to destination tourist facilities and water-oriented recreational facilities. Assistant City Manager Wood expressed her opinion that looking at the philosophy and policies for various areas would be a better place to start than updating databases. Council Member Thomson agreed, but added that too much visioning could be done and he's ready for things to get done. He said parts of the City are in need of some infrastructure changes.

Council Member Ridgeway referred to the 1972 General Plan Policies and noted that they are non-quantitative, while the current General Plan is too regulatory. He stated that the City should concentrate on the Land Use and Circulation Elements first. He referred to the land use general objective in the 1972 document, which states that Newport Beach is a low-density residential-recreational area. He suggested that the City may just need to re-establish this objective from 1972. Additionally, he referred to land use supporting policy (e), which related to commercial areas. Council Member Ridgeway stated that the airport area is different because it is regional in nature, not residential. He stated that the only thing missing from the 1972 document is a discussion of the airport area. He stated his belief that the City can address the circulation element and the build-out in the airport area, while at the same time maintaining the quality of life in the residential neighborhoods. In conclusion, he stated that the 1972 document was very insightful and is still very timely.

Mayor Pro Tem Adams asked Council Member Ridgeway's opinion of the current document, the 1988 Land Use Element.

Council Member Ridgeway commented that the 1988 document didn't get into policy, but was more specific. He stated that he thought the City wanted to get into a discussion on who and what the various areas of the City are. He agreed that the peninsula is an original part of the City, has a deficient infrastructure and will never contribute to the general fund. He added that the peninsula is the largest single recreation element of the City, is world-known and the City has an obligation to maintain it.

Council Member Glover clarified that, earlier, she was only talking about the financial implications of the peninsula.

Council Member Ridgeway noted that the City's operational budget is about \$85 million with the majority of revenue coming from property tax, sales tax and transient occupancy tax (TOT). City Manager Bludau stated that TOT provides approximately \$7 million, sales tax \$15 million and property tax \$18 million. Council Member Ridgeway stated that the City is a long-term residential community with a few regional areas that need to be addressed and included into the overall quality of life in the City. He concluded by stating that a general plan and circulation update should be done.

Council Member Debay confirmed with Planning Director Temple that staff is looking for the City Council to receive and file the staff report, and direct staff on the next steps of the general plan update process. Council Member Debay confirmed that the housing element process is underway and needs to continue since it is mandated. She requested that staff provide the City Council with more information on the priority of the weaknesses and potential areas of change, as listed in the staff report. She suggested that this could be in an executive summary type format.

Mayor Pro Tem Adams suggested that a starting point should be to create a scorecard on the twelve policies, receive input from the City Council, and decide if the policies should be changed, if they are still appropriate and if any should be added.

Allen Beek, 2007 Highland, referred to Mayor Pro Tem Adams' earlier comments about updating the databases for the various statistical areas and stated that in 1988, it was projected that the plan included enough growth to provide for approximately 20% more traffic. He said that when it was updated, seven years later, there was still about 20% growth.

Dan Purcell, 3 Canyon Lane, agreed with Council Member Ridgeway's earlier comments and thanked Mayor Pro Tem Adams for placing the item on the agenda. He stated that he knows a general plan update takes a lot of work and can be very tiring, but he also feels that it is very important and an opportunity to look at the whole City. He stated his support for going through the process. He concluded by stating that Newport Beach is a wonderful place and updating the general plan will help it to continue in that direction.

Council Member Ridgeway referred to page 26 of the 1972 General Plan Policies and community design supporting policy (f2), which discussed high-rise buildings being limited to protect the low-density residential character of the community. He said this represents an example of a policy and a vision. He complimented the 1972 document, even though the growth in the surrounding communities wasn't anticipated. He suggested that the 1972 document be

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revisited and incorporated it into the City's current general plan.

Council Member O'Neil stated that he was not in attendance at the Study Session that discussed the visioning process. He recalled from a meeting at the Hyatt Newporter, a couple years prior, that it was decided that a complete general plan update would not be done due to the time and money involved, and since specific area plans were also being discussed. He said later it was decided to do more of a visioning process, then an airport specific plan was looked at and later, again, a general plan update. He stated he's having trouble determining where the City Council is headed, but that it seems evident that the City has developed at a rate and with land uses that are compatible with the policies discussed in 1972. He noted that growth in communities surrounding the City may have something to do with the increased traffic that some are seeing and the recent need to discuss a potential general plan update. He asked what would happen if the City did not do a comprehensive update of its general plan and instead uses the specific plan concept, since the City is basically developed.

City Manager Bludau stated that the general public does not understand the general plan or the land use policies very well, leading them to believe that development occurs helter-skelter. He suggested that a visioning process may need to be done just to educate the community on the current policies, with little change really being made.

Council Member Ridgeway suggested that the 1972 document should be looked at and updated, and then a determination should be made on how the general plan and each element in it might be addressed.

Mayor Pro Tem Adams disagreed and suggested that the twelve current policies should be assessed and discussed. He said they provide a summary of the 1972 policies. Mayor Pro Tem Adams confirmed for Council Member Ridgeway that the 1972 document is not effective and only provided in the staff report for historical perspective.

Assistant City Manager Wood confirmed that the 1988 document supersedes the 1972 document.

Council Member Ridgeway agreed with Mayor Pro Tem Adams' suggestion that the City should start with the overall policies, update them and that the process should provide guidance on specifically where the City will decide to go from there.

Mayor Noyes asked about the formation of an Ad Hoc Committee to focus on how the City wants to proceed. He requested that this item be placed on the agenda of the May 9, 2000, City Council meeting.

Allen Beek, 2007 Highland, stated that he was involved in the creation of the 1972 document and he wished that some of the others who worked on the document were alive today to hear the kind words and admiration expressed by the City Council for the work that was done

CURRENT BUSINESS

22. APPOINTMENT BY MAYOR OF AD-HOC APPOINTMENTS COMMITTEE TO REVIEW APPLICATIONS AND MAKE

Ad Hoc

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<p>RECOMMENDATIONS TO THE FULL COUNCIL FOR THE BOARD AND COMMISSION VACANCIES SCHEDULED TO OCCUR ON JUNE 30, 2000.</p> <p>Item continued to May 9, 2000.</p>	<p>Appoint Committ (24)</p>
<p><u>MOTION FOR RECONSIDERATION</u> – None.</p>	
<p><u>ADJOURNMENT</u> – 9:40 p.m.</p>	
<p style="text-align: center;">*****</p> <p>The agenda for the Regular Meeting was posted on April 19, 2000, at 2:20 p.m. on the City Hall Bulletin Board located outside of the City of Newport Beach Administration Building. The supplemental agenda for the Regular Meeting was posted on April 21, 2000, at 12:50 p.m. on the City Hall Bulletin Board located outside of the City of Newport Beach Administration Building.</p> <p style="text-align: center;">Recording Secretary</p> <p>_____</p> <p>Mayor</p> <p>_____</p> <p>City Clerk</p>	

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PRO-LIFE INFONET NEWS SUMMARY

Monday, May 06, 2002

Today's Headlines:

- [Congressional Committee Votes Against Military Abortions](#)
- [Pro-Lifers Warn China Will Cover Up Abuses During Fact-Finding Trip](#)
- [Minnesota Pro-Lifers Criticize Wellstone Re-Election Bid](#)
- [Maine and Hawaii Republican Parties Address Abortion](#)
- [California Gov's Wife Raises \\$ for Planned Parenthood](#)

From: The Pro-Life Infonet <infonet@prolifeinfo.org>
Reply-To: Steven Ertelt <infonet@prolifeinfo.org>
Subject: Congressional Committee Votes Against Military Abortions
Source: Pro-Life Infonet; May 5, 2002

Congressional Committee Votes Against Military Abortions

Washington, DC—The House Armed Services Committee last week defeated an amendment by pro-abortion Rep. Loretta Sanchez that would have allowed abortion at overseas military hospitals. The Sanchez amendment to H.R. 4546 lost by a vote of 24-34.

Last year the same pro-abortion amendment failed by a vote of 23-35, but Nevada Rep. Gibbons, who has a mixed record on abortion votes, changed his vote to support the Sanchez amendment this year. The House rejected this same amendment each year from 1996 to 2001.

Current pro-life law prohibits the use of military facilities for abortions. The policy began as an executive order from the Bush administration in the early 1990s and eventually became law in 1996.

President Clinton signed the current provision into law because it was attached to a larger bill providing for military funding.

On February 10, 1996, the National Defense Authorization Act was signed into law by President Clinton with a provision to prevent DOD medical treatment facilities from being used to perform abortions, except where the life of the mother is endangered or in cases of rape or incest.

President Clinton allowed abortions in military facilities from 1993 to 1996 prior to Congress adopting the pro-life law. During that time, all military physicians—as well as many nurses and supporting personnel—refused to perform or assist in elective abortions. In response, the administration sought to hire a civilian to perform abortions.

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"If the Sanchez amendment were adopted, not only would taxpayer funded facilities be used to support abortion on demand, but resources could be used to search for, hire, and transport new personnel simply so that abortions could be performed," explained John Cusey of the Congressional Pro-Life Caucus.

"Military treatment centers—which are dedicated to healing and nurturing life—should not be forced to facilitate the taking of the most innocent human life: the child in the womb," Cusey said.

Had the committee adopted the amendment, military doctors still could not perform abortions in those locations where abortion is restricted or not permitted. Department of Defense policy requires military doctors to obey the abortion laws of the countries where they are providing medical services.

Pregnant women are currently able to travel to another location for an abortion on a military flight on a space available basis.

The Pro-Life Infonet is a daily compilation of pro-life news and information. To subscribe, send the message "subscribe" to: infonet-request@prolifeinfo.org. Infonet is sponsored by Women and Children First (<http://www.womenandchildrenfirst.org>). For more pro-life info visit <http://www.prolifeinfo.org> and for questions or additional information email ertelt@prolifeinfo.org

From: The Pro-Life Infonet <infonet@prolifeinfo.org>
Reply-To: Steven Ertelt <infonet@prolifeinfo.org>
Subject: Pro-Lifers Warn China Will Cover Up Abuses During Fact-Finding Trip
Source: Cybercast News Service; May 4, 2002

Pro-Lifers Warn China Will Cover Up Abuses During Fact-Finding Trip

Washington, DC—Pro-life advocates who first raised the issue of United Nations Population Fund support for forced abortion in China responded skeptically Thursday to news that the State Department was sending a team to investigate.

Warning the Chinese authorities of the forthcoming trip and giving it time to prepare, pro-lifers said, made it likely a government which had in the past covered up the coercive nature of its population control policies would once again do so.

Population Research Institute President Steve Mosher, the first U.S. social scientist to document China's controversial "one-child policy" in 1979-80, said any team appointed with Beijing's consent and which planned to operate openly in the country would not have "a snowball's chance in hell of finding accurate information."

Mosher said he believes the State Department views the abortion issue as an "irritant" in U.S.-

Chinese relations.

PRI director of governmental affairs Scott Weinberg raised concerns about the composition of the fact-finding team. The three members appeared to be weak in the human rights area, he said.

State Department spokesman Richard Boucher named the team members as William Brown, a former ambassador to Thailand and Israel; Bonnie Glick, a former State Department staffer with experience in Ethiopia and Nicaragua, and Dr. Theodore Tong, professor of Public Health at the University of Arizona.

Boucher said they would undertake a field trip during the last two weeks of May, aimed at gathering information to help the administration determine whether the UNFPA's China program violates U.S. law. They are expected to provide a report by late June.

The 1985 "Kemp-Kasten amendment" to foreign appropriations legislation denies federal funding for any organization that supports or participates in forced abortion or involuntary sterilization programs.

Presidents Reagan and Bush denied the UNFPA funds, but the policy was reversed or watered down during most of President Clinton's two terms.

Last September, Weinberg said, PRI investigators visiting China obtained videotape evidence that "forced abortion and sterilization in China are as bad today as ever in the history of China's one-child policy." He said PRI had interviewed more than two-dozen victims of or witnesses to coercive practices in the UNFPA's China program.

They had testified about "rampant and unrelenting" abuses, including forced abortion, forced use of IUDs, birth quotas, and punishment such as destruction of homes for non-compliance.

Under subsequent encouragement from pro-life advocates, President Bush last January froze \$34 million in funds earmarked for the UNFPA for the current year. Pro-lifers want him to permanently withhold funds from the U.N. agency.

Pro-life Congressman Chris Smith (R-NJ), who opposes U.S. funding for the UNFPA, welcomed the announcement of an investigation into the reports of violations in China.

But he, too, voiced concerns about the likely effectiveness of the probe.

"I am concerned that announcing when and where they will be investigating and giving the Chinese government weeks to prepare will make it difficult for the team to discover more than what the Chinese government and UNFPA wants them to know," Smith said.

He urged the three investigators to be "vigilant, tenacious and determined," and to ensure they dealt directly with Chinese villagers - not going through government or UNFPA "translators or minders."

"Any investigation that only listens to the Chinese government and the UNFPA, or people who are under their control, would be a whitewash, worse than no investigation at all."

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The UNFPA, which funds population control programs in a host of developing countries, has repeatedly denied the claims about its China program, saying it only entails voluntary family planning.

UNFPA executive director Thoraya Obaid said recently the agency was facing a "financial crisis" because of the accusations.

Last month, the president came under pressure from a different source, when a cross-party group of British lawmakers urged him to refuse funding for the UNFPA, which they said had "funded, supported, praised and defended" China's population policy since the policy's inception more than 20 years ago.

China's official People's Daily reported last January that from 1979 to 1994, the UNFPA gave \$160 million to China for "reproductive health, family planning, production of contraceptives, poverty relief, population information and research, and population education."

In 1994, UNFPA stopped funding to China because of U.S. opposition to China's forced abortion policies. Four years later, a new, \$14 million program was launched in 32 Chinese counties, in conjunction with the Chinese government and Marie Stopes International, a British-based abortion business which carries out 35,000 abortions a year.

The new program was, in the words of a UNFPA factsheet, "designed to demonstrate that voluntarism and informed choice are key to successful family planning programs."

But it was in this 32-county program, according to PRI's Weinberg, that the organization's fact-finders last September documented evidence of coercion and abuse.

Please consider making a donation to help the work of the Pro-Life Infonet. You can send a donation to: Women and Children First, PO Box 4433, Helena, MT 59604-4433 We appreciate your support

From: The Pro-Life Infonet <infonet@prolifeinfo.org>
Reply-To: Steven Ertelt <infonet@prolifeinfo.org>
Subject: Minnesota Pro-Lifers Criticize Wellstone Re-Election Bid
Source: Minnesota Citizens Concerned for Life

Minnesota Pro-Lifers Criticize Wellstone Re-Election Bid

Minneapolis, MN—U.S. Sen. Paul Wellstone was endorsed by Democrats meeting at the DFL state convention in Minneapolis today. Wellstone is an ardent supporter of partial-birth abortions. Although Wellstone's endorsement was a breeze, his general election battle will not be.

"Senator Wellstone's radical position on abortion is way out of step with average Minnesotans who do not share his support of the 14,450 annual abortions in our state," stated Scott

Fischbach, executive director of Minnesota Citizens Concerned for Life.

Wellstone also has broken his promise to only serve two terms in the U.S. Senate as he now runs for a third term.

"The people of Minnesota will reject Paul Wellstone's bid for a third term, because he is a radical supporter of abortion, and because he has broken his promise," Fischbach stated. "Minnesotans want a senator who will respect life, not support its destruction."

During his tenure in the U.S. Senate, Wellstone has repeatedly voted in favor of gruesome partial-birth abortions, tax-funded abortions and the coercive forced-abortion policy in China. Wellstone has also received thousands of dollars from pro-abortion organizations, such as Planned Parenthood Action Fund and National Abortion and Reproductive Rights Action League.

For more information about MCCL and life issues, visit: www.mccl.org.

You can help women make positive, life-affirming choices when confronting an unexpected pregnancy. Please provide a link on your web site to Pregnancy Centers Online at <http://www.pregnancycenters.org>

From: The Pro-Life Infonet <infonet@prolifeinfo.org>
Reply-To: Steven Ertelt <infonet@prolifeinfo.org>
Subject: Maine and Hawaii Republican Parties Address Abortion
Source: Honolulu Star-Bulletin, Portland Press Herald; May 4, 2002

Maine and Hawaii Republican Parties Address Abortion

Honolulu, HI—Hawaii's Republicans are aiming to elect Linda Lingle governor and the 10 more Republicans needed to give them a majority in the state House. But first the GOP has to debate the issue of abortion.

Two years ago, Lingle, as the newly elected party chairwoman, was able to recommend a pro-abortion platform that included a phrase moving the party away from a pro-life position. The platform states that the GOP supports "the right, as determined by the courts, of every woman to make her own decision regarding abortion, but we oppose partial-birth abortion."

But yesterday in a platform meeting, two GOP state representatives split over the abortion plank.

Rep. Mindy Jaffe (R, Diamond Head), who favors abortion, as does Lingle, said it would be better to keep the platform intact. "I am a real practical person. This language in our 2000 platform seemed to help us out. This works. Let's not fix what ain't broke," she said.

But Rep. Mark Moses (R, Kunia), who is pro-life, said he is losing votes. "I talked to the Right

to Life people ... and we are losing votes because of this plank. Some have said they would vote for a [pro-life] Democrat because of this plank," Moses said.

Despite the debate, one Hawaii legislator recently announced she will leave the Democratic Party and join the Republicans in large part because of her pro-life position. The philosophical fallout with the Democratic Party prompted Rep. Lei Ahu Isa to announce she will run for a newly created Senate seat as a Republican.

She said she has been stifled by Democratic leadership in providing more help to those who oppose abortion and assisted suicide.

Meanwhile, in Maine, after years of often bitter infighting over abortion, the Maine Republican Party broke with tradition at its biennial convention Friday and quickly endorsed a ban on partial-birth abortions.

The proposal was contained in a newly adopted one-page GOP platform. The plank on abortion says Maine Republicans "believe in a ban on partial-birth abortions and requiring parental or judicial consent to perform an abortion on a minor."

Maine voters refused to support a partial-birth abortion ban in 1999, defeating a referendum that called for such a ban. Maine law already requires that a minor seeking an abortion get the consent of a parent, judge or adult family member unless she receives counseling on her options from an abortion practitioner. The state legislative department of National Right to Life considers the statute too weak and ineffective.

The GOP platform, which ostensibly lays out the party's guiding principles and priorities for the next two years, drew so little interest that the convention approved it without debate and with only one change. The entire process took 12 minutes.

The Republican State Convention backed a similar ban on partial-birth abortions when it last met two years ago, so Friday's vote at the Augusta Civic Center was not especially surprising

But the fact that several hundred delegates endorsed abortion restrictions on a voice vote without debate Friday underscored the widespread belief that party platforms are largely meaningless in contemporary Maine politics because nobody really pays attention to them.

Observers said the pro-life plank may help placate pro-life Republicans without having any real impact on upcoming political campaigns, because candidates do not feel bound by the platform.

"Sooner or later, people realize that candidates don't pay attention to the platform if we don't like it," said Senate Minority Leader Mary Small, R-Bath, who does not believe the state should try to ban partial-birth abortions.

Pregnancy Centers Online <http://www.pregnancycenters.org>

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From: The Pro-Life Infonet <infonet@prolifeinfo.org>
Reply-To: Steven Ertelt <infonet@prolifeinfo.org>
Subject: California Gov's Wife Raises \$ for Planned Parenthood
Source: Los Angeles Times; April 30, 2002

California Gov's Wife Raises \$ for Planned Parenthood

Newport Beach, CA—An appearance by California First Lady Sharon Davis last Monday night raised about \$25,000 for a Planned Parenthood campaign to help elect officials that support abortion.

The event drew a who's who of influential locals—Democrats as well as Republicans who support abortion—to the home of Big Canyon resident Jene Witte, where a sign on her door read, "Another grandmother for choice."

Costa Mesa Mayor Linda Dixon, Costa Mesa Councilwoman Libby Cowan, Congressional candidate John Graham, Newport Beach environmentalists Nancy Skinner and Bob Caustin and a long list of officials, activists and volunteers on state and county levels crowded around to hear the first lady's speech. "When you've had a right for 29 years, it's hard to believe someone would want to take it away," Davis said to the gathering of about 120 people.

She claimed statistics show that areas with strong abortion and reproductive rights have fewer abortions. "People truly opposed to abortion should be the biggest supporters of Planned Parenthood," she said, drawing enthusiastic applause.

However, governmental statistics shows states like California and New York, hotbeds of pro-abortion activism, have some of the highest abortion rates.

She echoed the claims of Planned Parenthood Executive Director Jon Dunn, who emphasized that while polls show Orange County residents solidly support abortion, the majority of their representatives do not.

"We've got to pay attention in these elections. We've got to pin down the candidates on this issue and let people know where they stand," Dunn said in his opening comments.

Davis took this point a step further, noting the importance of the abortion in the upcoming gubernatorial race between her husband, pro-abortion Gov. Gray Davis, and Republican contender Bill Simon, who is pro-life.

Witte, an activist for abortion for more than 30 years, helped underwrite a large portion of the event.

"I think it's time for us old ladies to be able to get out of this and for the young people to take over," Witte said. "We should not have to battle this anymore, but we do. We need a new generation to step up and take over."

The Pro-Life Infonet is a daily compilation of pro-life news and information. To subscribe, send

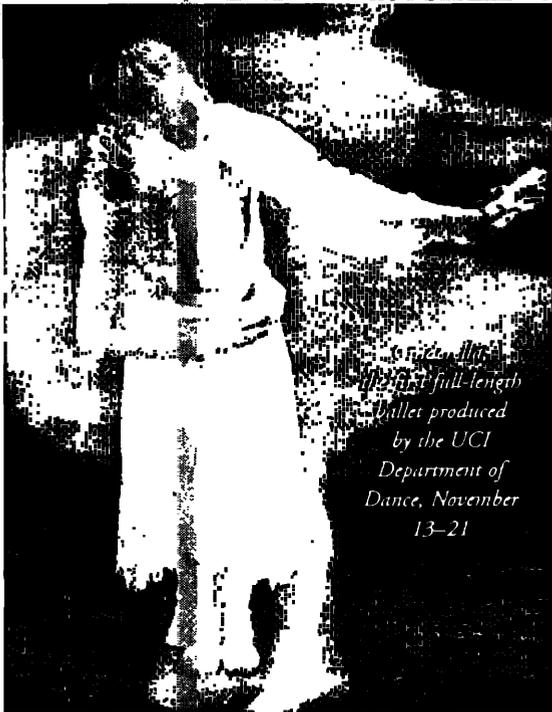
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Fall 1998 University of California, Irvine



Cinderella
The first full-length
ballet produced
by the UCI
Department of
Dance, November
13-21

Fairy Tales Do Come True

"Poignant, touching, deliciously funny, and joyful" are among the myriad accolades showered on the Marin Ballet's 1991 premiere of David Allan's full-length ballet, "Cinderella," an enchanting fairy tale whose timeless and enduring charm has captivated audiences of all ages.

As part of UCI's ArtsWeek celebrations, Allan reprises his acclaimed ballet, set to Prokofiev's dazzling score, with original decor by E K Ayotte and costumes by Sandra Woodall.

These performances of "Cinderella" mark the first full-length ballet produced by the UCI Dance Department, and will involve between 60 to 80 UCI students on stage during the six performances, plus 20

local children from the Ballet Pacifica Conservatory, the official training school for the professional company.

"Mounting a three-act ballet like 'Cinderella' is a huge undertaking," said Dean Jill Beck. "Usually, the level and scope of 'Cinderella' is something only a major ballet company would tackle."



UCI PUTS SPOTLIGHT ON THE ARTS

After months of planning and preparation on the part of faculty, students, staff, and more than forty Dean's Advisory Council members and community volunteers, UCI is ready to throw open its doors again for ArtsWeek '98, November 16-21.

"ArtsWeek is an exciting way to raise our public profile and to welcome the community to an event-packed week which showcases the diversity and strength of our programs in art, dance, drama, and music," said Dean Jill Beck. "The week will leave no doubt that this is a dynamic, comprehensive, and very distinguished arts school."

Spotlighting each of the disciplines, the week includes a multimedia exhibition with an international cast of artists, a student art exhibition and sale, a Tony award-winning play, an evening of the stellar sounds of America's 20th-century music, and the sparkling magic of a beloved fairy-tale ballet.

"Receptions that will be held for each ArtsWeek performance will be the perfect venue for the community to socialize with our faculty and students and to meet other arts patrons," said Dean Beck.

The ArtsWeek spotlight is also focused on fundraising efforts. Lydia Wang Himes, Chair of the Dean's Advisory Council and coordinator of ArtsWeek, stresses the absolute necessity of private financial and community support to the continuing growth of what is already one of the top arts schools in the nation.

"We'd like to see more of the community involved with the School of the Arts, because it is certainly very rewarding. That's why we started ArtsWeek, to showcase all that the school has to offer. ArtsWeek gives the students a boost, and it lets everyone else appreciate what they're studying," she said.

"And it's also a fund raiser so we can offer more scholarships and performanceships for students. We had such a roaring success last year with ArtsWeek—we accomplished everything we set out to do. I'm sure we'll surpass our goals again this year."

Artsweek kicks off November 16 with "Play Mode," an exhibition which explores the idea that everyday life is as much "performed" as it is lived spontaneously. Curated by Studio Art faculty member and artist Anne Walsh, the exhibition features video, photographs, interactive sculpture and works on paper by artists from the US, Mexico, Brazil, Canada, Finland, Great Britain and Cuba.

This exhibition will provide opportunities to literally "play" with certain works of art, like Evan Holloway's large, interactive sculpture containing a player piano which is set in motion by willing participants.

Other works find artists at the serious play of making art. A video by Francis Alys records the path of a wind-blown plastic bottle as it makes a random journey through the streets of Mexico City.

Joseph Grigely, an artist who has been deaf since age 11, creates art from the "story lines" of his everyday life. He arranges the notes which people have used to communicate messages he was unable to lip read. The autobiographical narratives that emerge convey humor, speculation and pathos.

Walsh describes "Play Mode" as an examination of the conscious and unconscious factors which direct speech and behavior. "The word 'performance' is used in regard to these works because many of them suggest the possibility that most social

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...Fairy Tales

from cover

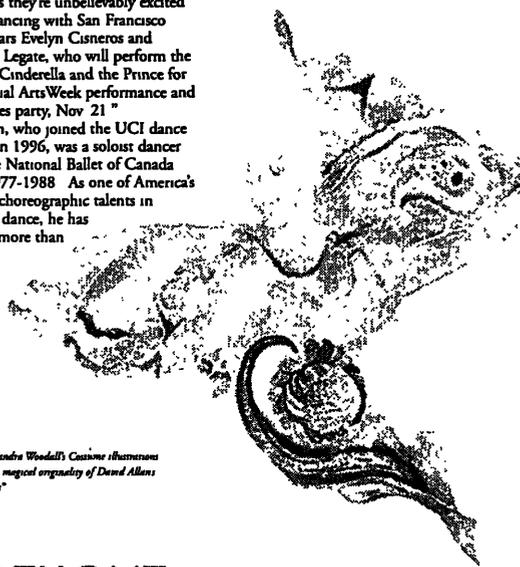
Choreographer and director David Allan, however, has no qualms about setting his work on UCI dancers

"I've seen the standard of the ballet in the dance department rise tremendously in the two years I've been on campus. I really think we're prepared for this challenge—the talent in the department is extraordinary. This is going to provide a lot of opportunities to our students.

"Plus they're unbelievably excited about dancing with San Francisco Ballet stars Evelyn Cisneros and Stephen Legate, who will perform the roles of Cinderella and the Prince for the special ArtsWeek performance and celebrities party, Nov. 21."

Allan, who joined the UCI dance faculty in 1996, was a soloist dancer with the National Ballet of Canada from 1977-1988. As one of America's leading choreographic talents in classical dance, he has created more than

It's important for people to know that this is an original production, an original way to tell the story."



Designer Sandra Woodall's costume illustrations capture the magical atmosphere of David Allan's "Cinderella."

...SPOTLIGHT

from cover

interaction and/or emotional life is "directed" by an internalized "script" that people in a culture read, write and perform simultaneously."

The evening will also showcase an exhibition and sale of work in all media by UCI art students organized by Studio Art faculty member Daniel J. Martinez.

November 17 at the Irvine Barclay Theatre, the UCI Music Department presents *An American Mosaic*, which salutes 20th-century American music through performance of works by distinguished American composers including Aaron Copland, Samuel Barber, Charles Ives, Duke Ellington and John Coltrane.

"The concert program will be a very full one," said music chair Robert Hickok, "simply because our music program enjoys such diversity and artistic strength." The evening features the UCI Symphony Orchestra, Jazz Orchestra, Concert Choir, string and saxophone quartets, and vocal performances.

"Beyond enjoying the music," continued Hickok, "the program is intended to broaden the audience's understanding of 20th-century American music with the help of introductory remarks by faculty members before each musical segment."

During the intermission of "An American Mosaic," audience members will be invited to tour *Talk to Me*, a computer audio/video sculptural installation on display in the theater lobby. Passersby will be able to "converse" with the installation, which will collect speech and other sounds and use them to spontaneously compose an unusual and captivating musical and visual experience.

The installation is a creative collaboration of UCI computer musician/composer Christopher Dobnan, UCI scenic designer Douglas-Scott Goheen, and Chicago-based computer artist Daniel Beck.

On the other side of campus, faculty cellist Maggie Parkins has been working all summer with UCI cello students in preparation for what might be the event of a lifetime: a cello master class November 18 with Yo-Yo Ma, considered one of the premier cellists of his generation.

Parkins expects she will select three UCI students to perform for Yo-Yo Ma along with a talented high school musician from the local community.

"We're really so lucky to have this opportunity," said Parkins. "Even people who aren't aficionados of classical music have heard of Yo-Yo Ma."

Parkins said each of the students will perform a well-rehearsed concerto, sonata or other piece of music, then receive a lesson from the master.

"It will be interesting for teachers to watch Yo-Yo teaching," Parkins said, "it will be interesting for performers to hear his comments, and it will be interesting for the public to see how musicians work to improve their understanding and performance of music."

Also visiting campus for ArtsWeek will be internationally noted dance artist Veronica Tennant, former prima ballerina with the National Ballet of Canada and broadcasting personality for Canada's CBC Television.

November 19, she will give a public talk about her years as a celebrated dancer and her current work as a producer, broadcaster, writer and director for CBC.

During Miss Tennant's seven-day residency as a distinguished guest lecturer in dance, she will also teach ballet master classes and host the ArtsWeek "Cinderella" performance and celebrities party.

The lights go up November 19 on Irish playwright Brian Friel's Tony Award-winning *Dancing at Lughnasa* presented by the UCI Drama Department.

40 ballets which have been staged by major ballet companies worldwide.

Allan recently served as artistic director/choreographer for the California Riverside Ballet, and is now an artistic advisor and teacher for the Irvine-based Ballet Pacifica professional dance company.

In the following interview, Allan gives some insights into the choreography of "Cinderella."

Q: "Cinderella" is such a well-known ballet, like "Swan Lake" and "Sleeping Beauty." But it's much newer, isn't it?

The Cinderella story had been popular in Russia since the 19th century. In the 1940s Russian composer Sergei Prokofiev, who already had five ballets to his credit including the classic "Romeo and Juliet," chose the French version of the Cinderella fairy tale by Charles Perrault on which to base a ballet. The work was first presented in 1945 by the Bolshoi Ballet in Moscow.

The music, of course, endures, but the dance steps have not been handed down.

I would categorize the UCI production of "Cinderella" as a contemporary classical ballet, choreographed in a neo-classical style.

Q: What do you strive to convey through the choreography of "Cinderella"?

The most important thing I want to express is the poetic love between Cinderella and the Prince, the birth and blossoming of that love, the obstacles in its path and finally, the dream fulfilled.

My choreography is based upon the Russian tale in which Cinderella goes out to her garden and all the faeries and animals of the forest come alive. That's what magically

transforms her and gives her wings to go to the ball.

There's still an evil stepmother and two stepsisters, Skunny and Dumpty, and they really give Cinderella a rough time.

It's important for people to know that this is an original production, an original way to tell the story. I've taken out the pumpkin and the coach and the rats, and added frogs and chipmunks and butterflies and rabbits and the magic of Cinderella's garden.

I think it's what makes the production really charming.

"It's not a dark and cerebral piece at all. It's totally uplifting and joyous."

Q: Is the production somewhat dark?

It's not a dark and cerebral piece at all. It's totally uplifting and joyous.

One critic from a San Francisco paper said, "Everybody from the famed Russian ballerina Natalia Makarova sitting in front of me to the little girls behind me went home happy. It was one of those ballets that made everybody's dreams come true."

Q: What are some other changes you've made?

Traditionally, in the third act, the Prince was traveling and searching around the world. I always think the ballet failed in that area. One reason is that even the major, opulent ballet companies couldn't afford to create different environments for each world.

So instead of the Prince going around the world, I bring the world to different rooms of the palace.

For instance, I have a Spanish dance, a Polish dance and an Arabian dance. It's like an audition. The dancers are there to try on the shoe. They're there to present themselves at their best for the Prince to see if they're the girl.

Q: What are some of your biggest challenges in directing this production?

There are two scenes in Act One where major scene changes happen right in front of the audience's eyes, and there are six scene changes in Act Three alone.

Also, this ballet is done with fabric and materials. It billows and unfolds in front of the audience and that is something we have not worked with in dance performances here.

It's going to be a great learning experience for everybody.



Dean Jill Beck
Operations Desiree Mallory
Editor Scotie Hinkley
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Contributing Writer Alan Eyerly
Cinderella Photos by Philip Channing
Costume Illustrations by Sandra Woodall

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A Five-Star celebration of art, dance, drama, music, with you

Patrons can purchase tickets for individual events or a \$200 ArtsWeek '98 package for all the week's events, which includes free parking and admission, for the first 100 subscribers, to the limited seating Yo-Yo Ma Cello Master Class. Proceeds from ArtsWeek events support School of the Arts student scholarships, performances, productions, and exhibitions. For information, please call (949) 824-8750. Tickets are available only at the UCI-ARTS Box Office (949) 824-2787.

Yo-Yo Ma Cello Master Class

Wednesday, November 18, 2:4 pm
Irvine Barclay Theatre
Universally considered to be one of the premier cellists of his generation, Yo-Yo Ma shares his prodigious talent in a master class for UCI cello students. Attendance restricted to UCI musicians, faculty, and patrons who have purchased an ArtsWeek '98 Package. Seating is limited.

Dancing at Lughnasa

Thursday, November 19, 7:15 pm
Concert Hall
Pre-Performance talk by the director
Post-Performance Reception
\$50 & \$35
Irish playwright Brian Friel's Tony award-winning *Dancing at Lughnasa* is a memory play of haunting, translucent beauty. The drama is set in 1936 in a small Irish village where the spare existence of five sisters is interrupted by brief, colorful bursts of music from the radio, their only link to the romance and hope of the world at large.

Play Mode Exhibition and Art Sale

Opening Night Reception
Monday, November 16, 6:30-9:30 pm
Art Gallery and Painting Studio
\$50
An international cast of artists converges on UCI for "Play Mode," a multimedia mix of film, photography and installations that playfully tweaks some common assumptions about everyday life. Curated by Annie Walsh, UCI Studio Art faculty member. Opening night also features a UCI student exhibition and art sale.



An American Mosaic

Tuesday, November 17, 7:30 pm
Irvine Barclay Theatre
Post-Performance Reception
\$50 & \$35 (\$10 balcony seats students only)
Demonstrating their artistic diversity, skill and caliber, the UCI Symphony Orchestra, Jazz Orchestra, Concert Choir, string and saxophone quartets, and vocal performers, create a mosaic of 20th-century American music with works by America's most distinguished composers including, Aaron Copland, Duke Ellington, Charles Ives, and John Coltrane.

Talk To Me.

Computer audio/video sculptural installation
On display in the IBT lobby during the intermission of *An American Mosaic*. UCI faculty computer musician Christopher Dobrian collaborates with UCI scenic designer Douglas-Scott Gohsen and Chicago-based computer artist Daniel Beck to create an interactive computer installation. The sculpture invites passersby to "converse" with it. It collects the speech and sounds around it and uses them to spontaneously compose a strange and captivating musical and visual experience.

Arts



November 16-21

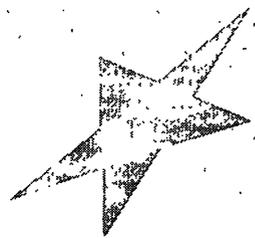


Lecture by Ballerina Veronica Tennant

Thursday, November 19, 12 noon-1:30 pm, Village Theatre
Free. Tickets required.
A former prima ballerina with the National Ballet of Canada, Veronica Tennant is a producer, broadcaster, writer and director for CBC Television in Canada. In her lecture she will discuss highlights of her illustrious ballet and television career. During her ArtsWeek residency at UCI, Ms. Tennant also will teach ballet master classes and host the *Cinderella Performance and Celebrities Party*.

Cinderella

Performance and Celebrities Party
Saturday, November 21, 7 pm
Irvine Barclay Theatre
Post-Performance Celebrities Party
\$50 & \$35 (\$10 balcony seats students only)
Award-winning choreographer David Allan reprises his acclaimed full-length fairy-tale ballet, *Cinderella*, set to Prokofiev's dazzling score, with original sets by E.K. Ayotte and costumes by Sandra Woodall. This is the first full-length ballet to be produced by the UCI Dance Department. UCI dancers will be joined on stage by young dance students from Ballet Pacifica Conservatory and, for this ArtsWeek performance, international ballet stars Evelyn Cisneros and Stephen Legaté from the San Francisco Ballet perform as Cinderella and the Prince. (Casting subject to change without notice.)



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Expanded Scholarship Program will Help UCI Recruit More of Nation's Top Arts Students

Tom and Elizabeth Tierney Pledge \$100,000 for Arts Scholarships

Newport Beach philanthropists Tom and Elizabeth Tierney have pledged \$100,000 in scholarships that will be used to recruit more of the nation's most gifted students to UCI's School of the Arts.

"The Tierney Scholars Program will fund five scholarships annually for four years—for a total of \$25,000 each year—in each of the school's four departments: music, drama, dance and studio art," School of the Arts Dean Jill Beck said. The fifth annual scholarship will be awarded at Beck's discretion. The scholarships will be awarded beginning with the 1998-99 academic year.

"Through their generous pledge, Tom and Elizabeth Tierney once again have demonstrated their deep commitment to the arts and the growing role the UCI School of the Arts is playing in educating many of the nation's finest artists," Beck said. "Their gift will prove invaluable as we increasingly compete with other leading arts schools for our country's most talented and promising students."

The UCI School of the Arts' growing national reputation has enabled it to compete for top students with such renowned arts schools as

The Juilliard School, and the Tisch School at New York University. "In many instances, the deciding factor for students is the level of financial aid they will receive, and the Tierneys' pledge will enhance UCI's recruiting edge in that regard," Beck said.

"It is truly a pleasure to be able to support the School of the Arts, which does a magnificent job educating students who time after time go on to become some of the nation's leading artists and performers," Elizabeth Tierney said.

Tom Tierney added, "It's our hope that, through these scholarships, many more of the best and brightest students are able to benefit from what I believe to be the finest, most well-rounded arts education available anywhere."

The Tierneys are longtime supporters of UCI and have donated both time and financial resources to the School of the Arts and other campus schools. Together, they have donated more than \$1 million to UCI.



Tom and Elizabeth Tierney, Elizabeth is leading a scholarship fundraising effort for the School of the Arts, and Tom is chair of the UCI Foundation. Together they've demonstrated their commitment to the arts with a gift to fund full scholarships.

School of the Arts Opens its Doors as a Cultural Resource to New Audiences

On Sunday, November 15, the School of the Arts hosts a special matinee performance of *Cinderella* in the Irvine Barclay Theatre as part of the School's outreach to K-12 school children in Orange County. The invited guests will be 700 school children and their families from all over Orange County. The children in the audience will represent those participating in UCI's ArtsBridge K-12 Arts Education Program, as well as guests from St. Joseph Ballet in Santa Ana. Many of these children and their families may never have visited a university campus, and this attendance at a professional theatre may be their first.

A group of ArtsBridge K-12 audience members will have been prepared for the performance through special projects conducted by UCI ArtsBridge Scholars. The Scholars, directly mentored by School of the Arts Dean Jill Beck, will work closely with the children and their teachers, using pre- and post-performance course plans, designed to teach the children about various aspects of the ballet—the choreography, music, and history—to prepare the children for seeing and understanding the performance.

UCI School of the Arts extends its most sincere appreciation to members of the Dean's Advisory Council, underwriters, and committee members for their generous support of UCI ArtsWeek 98

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Benefactors

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Ruth and Arnold Feuerstein

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Susan K. Hori

James and Wendy Li

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Carl and Patricia Neisser

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Stephanie and Larry Tenney

Western Digital Corporation

Linda and Jay Young

Judith and Howard Jelinek

Yong Soon Min

Additional Committee Members

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Janice Johnson

Barbara Glabman

Ken Jilison

Larry Tenney

Jene Witte

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