



MINUTES

CITY COUNCIL REGULAR MEETING

October 23, 2018
Conference and Training Center
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 4:02 p.m. on October 23, 2018 in the Conference and Training Center, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Wagner presiding.

ROLL CALL

Present:	4	Councilmember:	Melissa Fox
		Councilmember:	Jeffrey Lalloway
		Mayor Pro Tempore:	Christina Shea
		Mayor:	Donald P. Wagner

Absent:	1	Councilmember:	Lynn Schott
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1. CLOSED SESSION

City Attorney Melching announced the following Closed Session items:

- 1.1 **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): one potential case**

- 1.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: (Gov Code § 54956.8); Property: Approximately 4.61 acre property at 17352 Derian Ave; Agency Negotiators: Marianna Marysheva, Assistant City Manager; Laurie Hoffman, Director of Community Services; Pete Carmichael, Director of Community Development/Interim Director, Orange County Great Park; and Darlene Nicandro, Project Development Administrator; Negotiating Parties: City of Irvine and MDD Derian 2 LP; Under Negotiation: Price and Terms of Payment**

RECESS

Mayor Wagner convened the regular City Council meeting to Closed Session at 4:03 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the regular City Council meeting at 4:31 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Councilmember Lalloway led the Pledge of Allegiance.

INVOCATION

Mayor Wagner provided the invocation.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Fox announced her attendance at a recent California Employees Retirement System (CALPERS) seminar and provided a brief summary of the topics discussed, noting that a more detailed report would be provided at an upcoming City Council meeting.

Mayor Wagner made the following announcements:

- The Irvine Civic Center will serve as an Early Voting Service Center beginning Saturday, October 27 through Monday, November 5, including weekends. All registered Orange County voters are eligible to participate in onsite early voting. Additional Voting Center services include ballot replacement, same-day conditional voter registration, full-service voter assistance, and secure drive-thru vote-by-mail ballot drop-off. The Civic Center will also serve as a polling location on Election Day, Tuesday, November 6. For information, visit ocvote.com, or call the City of Irvine Election Hotline at 949-724-6159.
- The Irvine Police Department Office of Emergency Management is partnering with the Orange County Fire Authority for a community meeting on wildfire prevention on Monday, November 5 at 6:30 p.m. at the Orange County Fire Authority Station 27, located at 12400 Portola Springs. Residents who live in neighborhoods that could be impacted by wildfire, such as Portola Springs, Orchard Hills, Quail Hill, Shady Canyon, and Turtle Rock, are encouraged to attend. For information, visit ocfa.org.
- A Veterans Day Ceremony will be held on Sunday, November 11 from 11 a.m. to 12:30 p.m. in the formal garden area at Colonel Bill Barber Marine Corps Memorial Park, where tribute will be paid to our nation's troops, past and present. Local veterans, veterans groups, and military organizations will be honored as well. For information, call 949-724-6606.
- The community is invited to the 37th Annual Irvine Community Thanksgiving Prayer Breakfast on Thursday, November 15 at the Irvine Marriott Hotel with keynote speaker Julie Hill, who helped lead the public-private partnership that built the Human Options' emergency shelter in Orange County. The breakfast begins at 7:30 a.m. Tickets are \$50 and proceeds benefit The Raise Foundation, which is dedicated to preventing and stopping the cycle of child abuse. The City of Irvine and Greater Irvine Chamber of Commerce are supporters of this event. For information, including how to purchase tickets, visit cityofirvine.org.
- Live Nation, the operator at the FivePoint Amphitheatre, has worked with City staff to reduce noise levels, and the number of complaints has been reduced over the last two months. However, the City Council understands that more work needs to be done. Live Nation has committed to working with the City on additional noise reduction measures prior to the start of next year's concert season in order to achieve balance. For concerns related to disruptive noise from a concert, contact Public Safety Dispatch at 949-724-7200.

- The City of Irvine has implemented a new mobile device system for the Building Inspection team. Each of the City’s building inspectors now has a networked device in the field that will save time, eliminate paper waste, and most importantly, enhance customer service. The new mobile system will provide real-time emailed correction reports and inspection results by the end of day.
- Police Chief Hamel and the Irvine Police Department were honored with the prestigious Spurgeon Award at an event held in Garden Grove, which recognizes the contribution of significant leadership to the Exploring program. The Irvine Police Explorer program, founded in 1975, provides teens who may be interested in law enforcement with a comprehensive experience that includes training, competition, and community service. Character development, physical fitness, responsibility, and volunteerism are integral components of the program.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

2. CONSENT CALENDAR

ACTION: Moved by Councilmember Lalloway, seconded by Mayor Pro Tempore Shea, and unanimously carried by those members present (Councilmember Schott absent) to approve City Council Consent Calendar Item Nos. 2.1 through 2.3, and 2.6 through 2.8. Consent Calendar Item No. 2.5 was removed for separate discussion.

2.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council and regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency held on September 25, 2018.

2.2 COMMENDATIONS

ACTION:

Ratified and commended Reverend Mark E. Whitlock Jr. for 20 Years of Outstanding Community Service.

2.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 18-74 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2.4 THIS ITEM WAS REMOVED FROM THE AGENDA ORIGINALLY POSTED ON OCTOBER 11, 2018.

2.5 AMENDMENT NO. 1 TO AFFORDABLE HOUSING LAND TRANSFER AGREEMENT BY AND BETWEEN THE CITY OF IRVINE AND THE IRVINE COMMUNITY LAND TRUST

This item was removed for separate discussion at the request of members of the public.

The following individuals spoke in opposition to approval of the proposed Amendment to the Affordable Housing Land Transfer Agreement and lack of transparency with the Irvine Community Land Trust:

Jane Olinger, Irvine resident
Dee Fox

Steve Holtz, Manager of Neighborhood Services, and Charles Kovak, Housing Administrator, presented the staff report and responded to questions.

Mark Asturias, Executive Director of the Irvine Community Land Trust (ICLT), spoke about recent changes in bylaws, and responded to questions related to ICLT meetings and financial accountability.

City Council discussion included: providing a brief history related to the ICLT; clarified why the amendment to the Land Transfer Agreement was necessary; discussed open meeting requirements, financial accountability, and other transparency concerns; discussed the increase in costs for the requested office space; reiterated the public benefits to having office space onsite; inquired about staff review of ICLT financials; and noted the City's financial support of the ICLT.

ACTION: Moved by Councilmember Fox, seconded by Mayor Pro Tempore Shea, to:

- 1) Approve Amendment No. 1 to Affordable Housing Land Transfer Agreement by and between the City of Irvine and the Irvine Community Land Trust. **(Contract No. 9213A)**
- 2) Authorize the City Manager and City Attorney to execute all documents necessary to implement Amendment No. 1 to Affordable Housing Land Transfer Agreement.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Fox, Shea and Wagner

NOES: 1 COUNCILMEMBERS: Lalloway

ABSENT: 1 COUNCILMEMBERS: Schott

2.6 RELOCATION OF A MAINTENANCE ACCESS EASEMENT IN LOS OLIVOS

ACTION:

Authorized the Mayor to execute a quitclaim deed and amendment of easement deed relocating a maintenance access easement in Los Olivos. **(Deed No. 1639)**

2.7 NOTICE OF REVIEW FOR TRACT MAPS IN PORTOLA SPRINGS

ACTION:

Received and filed.

2.8 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Pro Tempore Shea's request for Community Partnership Fund Grant nomination to Canyon View Elementary Parent Teacher Association in support of Jane Goodall's Roots & Shoots Program (\$600). **(Contract No. 10433)**
- 2) Approved Councilmember Fox's request for Community Partnership Fund Grant nomination to the Irvine 2/11 Marine Adoption Committee in support of the 2/11 Marine Birthday Ball (\$1,000). **(Contract No. 10434)**
- 3) Authorized the City Manager to prepare and sign the funding agreements listed in Actions 1 and 2.

3. COUNCIL BUSINESS

3.1 FIRST READING OF ORDINANCE ADDING DIVISION 15 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE - PUBLIC MEETINGS AND PUBLIC RECORDS, TO BE KNOWN AS THE IRVINE SUNSHINE ORDINANCE, AND MAKING CONFORMING MODIFICATIONS

Molly McLaughlin, City Clerk, presented the staff report and responded to questions.

John Russo, City Manager, suggested a proposed amendment to the Ordinance to remove the requirement to video stream Planning Commission meetings (Element No. 4 of the proposed Ordinance) to further analyze financial impacts, and forward to the Planning Commission for its recommendation; and noted that the item would return to the City Council with the budget in June.

The following individuals spoke in support of the proposed City of Irvine Sunshine Ordinance:

Jane Olinger, Irvine resident
Anthony Kuo, Irvine resident
Brigitte

City Council discussion included: reiterating the benefits of more transparency, including additional review time for agenda materials and increased public participation; inquired about the establishment of uniform standards for minutes; and noted further potential conflict-of-interest matters and related impacts based on the proposed Ordinance.

ACTION: Moved by Mayor Pro Tempore Shea, seconded by Councilmember Fox, and unanimously carried by those members present (Councilmember Schott absent), to:

Introduce for first reading, and read by title only, ORDINANCE NO. 18-10 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING DIVISION 15 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE - PUBLIC MEETINGS AND PUBLIC RECORDS, TO BE KNOWN AS THE IRVINE SUNSHINE ORDINANCE, AND MAKING CONFORMING MODIFICATIONS TO CHAPTER 2-1 (GENERAL) OF DIVISION 2 OF TITLE 1, CHAPTER 2-2 (RULES OF ORDER) OF DIVISION 2 OF TITLE 1, CHAPTER 4-1 (IN GENERAL) OF DIVISION 4 OF TITLE 1; CHAPTER 4-2 (IN GENERAL) OF DIVISION 4 OF TITLE 1, DIVISION 13 (FINANCE COMMISSION) OF TITLE 2, DIVISION 3 (COMMUNITY SERVICES COMMISSION) OF TITLE 3, DIVISION 3 (PLANNING COMMISSION) OF TITLE 5, AND CHAPTER 9 (TRANSPORTATION COMMISSION) OF DIVISION 3 OF TITLE 6 OF THE IRVINE MUNICIPAL CODE **AS AMENDED** to revise Section 15-1-110 (A) as follows:

Section 15-1-110 Minutes and recordings.

- A. The City Council, ~~and Planning Commission (commencing January 2019)~~ shall make a visual and audio recording of every open meeting. All other local bodies shall make audio recording of every open meeting. Any recording of any open meeting shall be a public record subject to inspection and copying and shall not be erased, deleted or destroyed for at least five (5) years, provided that if during that five-year period a written request for inspection or copying of any recording is made, the recording shall not be erased, deleted or destroyed until the requested inspection or copying has been accomplished. A copy of any such recording shall be provided, free of charge, upon request.

PUBLIC COMMENTS

Ryan Chang, Irvine resident, spoke in opposition to fees for the use of City facilities for Boy Scout Troops.

Kelly McWilliams, Kamran Nouri, and Scott Couchman, Irvine residents, expressed concern about short-term rental properties in their respective neighborhoods and spoke in support of increasing restrictions in the City of Irvine.

Brigitte spoke on behalf of the Tseglin family related to an autistic family member, and recent actions by the Orange County Board of Supervisors.

Robin Gourian and Karen Jaffee, Irvine residents, spoke in opposition to an Amendment to a Land Transfer Agreement with the Irvine Community Land Trust (ICLT) and in support of increasing transparency by the ICLT.

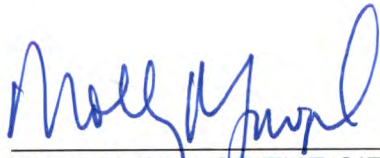
Steven Miller, Irvine resident, spoke in support of the tabling discussion related to Senate Bill 54.

Joe McLaughlin, Irvine resident, spoke in opposition to Senate Bill 54.

Prior to adjournment, Councilmember Lalloway asked that the City Manager work with the individuals who expressed concern about short-term rentals in their neighborhoods to explore potential remedies.

ADJOURNMENT

Moved by Councilmember Lalloway, seconded by Councilmember Fox, and unanimously carried by those members present (Councilmember Schott absent), to adjourn the City Council meeting in memory of Irvine resident and veteran Pete Meade at 6:16 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

November 27, 2018