



MINUTES

CITY COUNCIL REGULAR MEETING

**January 28, 2020
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606**

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 4:03 p.m. on January 28, 2020, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Shea presiding.

ROLL CALL

Present:	4	Councilmember:	Farrah N. Khan
		Councilmember:	Anthony Kuo
		Mayor Pro Tempore:	Mike Carroll
		Mayor:	Christina Shea

Absent:	1	Councilmember:	Melissa Fox
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PLEDGE OF ALLEGIANCE

Councilmember Kuo led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Shea asked for a moment of silence in memory of Orange County residents Kobe and Gianna Bryant; John, Keri, and Alyssa Altobelli; Christina Mauser; Sarah and Payton Chester; and Ara Zobayan, who tragically perished in a helicopter crash in Calabasas on Sunday morning.

INVOCATION

Pastor Mike Anderson from Good Shepherd Lutheran Church in Irvine provided the invocation.

1. PRESENTATIONS

1.1 *Irvine Unified School District/Irvine Police Department Anti-Vaping Public Service Announcement Video*

Mayor Shea introduced DARE Police Officer Alex Mendoza and Middle School Police Officer Sean Cronin, who presented an anti-vaping public service announcement created by Portola High School students Tiffany Park, Chloe Choi, and Aafiyah Chohan, under the leadership of Tina Murphy, Visual and Performing Arts Teacher.

CITY MANAGER'S REPORT

Assistant City Manager Marysheva turned to Mike Hamel, Chief of Police, who provided a brief report on a recent arrest related to a homicide on October 26; and introduced representatives from the FBI and various Irvine Police Department divisions who played a vital role in solving the case.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Shea made the following announcements:

- The City of Irvine was ranked No. 1 in fiscal strength for the third consecutive year. The ranking of America's largest 75 cities calculated how a city would fare financially after all the bills are paid. Irvine was given a surplus score of \$4,100 per taxpayer, earning the distinction as the most fiscally healthy large city in the United States. The "Financial State of the Cities" report was created by Truth in Accounting, a think tank that analyzes government financial reporting. They shared that "Cities with a Taxpayer Surplus have demonstrated political and leadership that values honesty, sustainability, and financial responsibility." To learn more, visit truthinaccounting.org.

- Members of the community are invited to attend the State of the City address in the Council Chamber on Tuesday, February 25. This year, grazing goats will be on-site, giving residents a chance to learn more about how goats are being used to maintain the City's open space and prevent wildfires. The grazing goat's educational and interactive experience takes place in the Civic Center piazza from 3 to 6 p.m. A reception will be hosted at 5 p.m., followed by the State of the City Address at 6 p.m. No RSVP is needed. For information, visit cityofirvine.org.
- In mid-March, every home in Irvine will receive an invitation to take part in the 2020 Census. Every resident in Irvine is encouraged to participate. Responding to the Census is quick, confidential, and easier than ever with three ways to respond (online, by mail, or by phone). More than \$675 billion in federal funding will be distributed to states, counties, and communities to support public safety; transportation; programs for youth, family, and senior services; streets; and parks. Federal funding also goes to support Irvine schools, healthcare, and more. The amount of federal funding that Irvine receives is based in large part on the Census population count. To learn more, visit 2020census.gov.
- Last year, the City launched a feasibility study to explore opportunities for multi-use trails and linear parks in the Irvine Business Complex (IBC). The "IBC Connects" project included an online survey and six pop-up events in the IBC, which is located on the west side of Irvine near John Wayne Airport. Outreach continues next month with an Open House on Wednesday, February 12 from 4 to 8 p.m. at City Hall in the Conference and Training Center.
- The Orange County Health Care Agency's Communicable Disease Control Division has received confirmation from the Centers for Disease Control and Prevention that an Orange County case has tested positive for the novel coronavirus. The case, a traveler from Wuhan, China, has been in contact with the County Health Care Agency and was provided guidance in order to reduce exposure to the public while awaiting laboratory confirmation from the CDC. The individual has been transported to a local hospital and is in isolation in good condition. There is no evidence that person-to-person transmission has occurred in Orange County, and the current risk of local transmission remains low. For information about novel coronavirus and more detailed preventative actions, visit the County website at ochealthinfo.com.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

2. CONSENT CALENDAR

ACTION: Moved by Mayor Pro Tempore Carroll, seconded by Councilmember Kuo, and unanimously carried by those members present (Councilmember Fox absent), to approve Consent Calendar Item Nos. 2.1 through 2.7, with the exception of Consent Calendar Item Nos. 2.4 and 2.6, which were removed for separate discussion.

2.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the Irvine City Council held on December 10, 2019.
- 2) Approved the minutes of a special meeting of the Irvine City Council held on December 10, 2019.
- 3) Approved the minutes of a regular meeting of the Irvine City Council held on December 10, 2019.

2.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 20-04 - 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

2.3 AMENDMENT TO LEASE BETWEEN CITY OF IRVINE AND TIERRA VERDE INDUSTRIES

ACTION:

Approve Amendment No. 2 to Amend and Restated Lease between City of Irvine and Tierra Verde Industries, and authorize the City Manager to execute the Amendment on behalf of the City. **(Contract No. 5247D)**

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 4-0 (Councilmember Fox absent).

2.4 RESOLUTIONS OF INTENTION TO INITIATE CHANGE PROCEEDINGS AND DESIGNATE COMMUNITY FACILITIES DISTRICT NO. 2013-3 IMPROVEMENT AREA NO. 11, AUTHORIZE LEVY OF SPECIAL TAXES, AND INCUR BONDED INDEBTEDNESS

This item was removed for separate discussion at the request of Mayor Shea, who asked for a brief presentation for members of the public.

Kristin Griffith, Manager of Financial Management and Strategic Planning, presented the staff report.

City Council discussion included emphasizing that there would be no financial impact to the City if this item was approved.

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

- 1) Adopt RESOLUTION NO. 20-05 - A RESOLUTION OF CONSIDERATION AND INTENTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS THE LEGISLATIVE BODY OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), TO CHANGE AND MODIFY AN EXISTING IMPROVEMENT AREA AND THEREBY DESIGNATE AN ADDITIONAL IMPROVEMENT AREA, IMPROVEMENT AREA NO. 11, WITHIN CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES
- 2) Adopt RESOLUTION NO. 20-06 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS THE LEGISLATIVE BODY OF CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK), DECLARING ITS INTENTION TO INCUR BONDED INDEBTEDNESS FOR IMPROVEMENT AREA NO. 11 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3 (GREAT PARK)

2.5 SECOND READING OF ORDINANCE NO. 19-19 APPROVING ZONE CHANGE 00779239-PZC TO AMEND CHAPTERS 9-1, 9-9, AND 9-40 OF THE IRVINE ZONING ORDINANCE SPECIFIC TO MAXIMUM RESIDENTIAL UNITS FOR PLANNING AREA 1 (ORCHARD HILLS) ALLOWING REQUESTS TO TRANSFER UNBUILT DWELLING UNITS FROM PLANNING AREAS 9 (WOODBURY) AND 40 (CYPRESS VILLAGE) TO PLANNING AREA 1; FILED BY IRVINE COMPANY

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 19-19 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00779239-PZC TO AMEND CHAPTERS 9-1, 9-9, AND 9-40 OF THE IRVINE ZONING ORDINANCE SPECIFIC TO MAXIMUM RESIDENTIAL UNITS FOR PLANNING AREA 1 (ORCHARD HILLS) ALLOWING REQUESTS TO TRANSFER UNBUILT DWELLING UNITS FROM PLANNING AREAS 9 (WOODBURY) AND 40 (CYPRESS VILLAGE) TO PLANNING AREA 1; FILED BY IRVINE COMPANY

(Unless otherwise directed by a Member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

Approved 3-1 (Mayor Shea opposed, Councilmember Fox absent).

2.6 SECOND READING OF ORDINANCE NO. 20-01 ADDING TO CHAPTER 6 OF DIVISION 10 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE ESTABLISHING REGULATIONS PROHIBITING USE OF FLAVORED TOBACCO PRODUCTS

This item was removed from the Consent Calendar at the request of Marshall Getto, who spoke in opposition to banning flavored tobacco products.

Austin Hopper, Smoke Free Alternative Trade Association, spoke in support of the proposed Ordinance.

The following individuals also spoke in opposition to prohibiting the use of flavored tobacco products:

Harlen Stiles, Savage Enterprises and Irvine resident
Esther Lee, American Lung Association

Mayor Shea reiterated, and City Attorney Melching confirmed, that the ordinance was amended at first reading to provide Public Safety a mechanism to enforce prohibited use of flavored tobacco products by minors, and that the ordinance did not apply to businesses.

City Attorney Melching noted via errata that the word “minor” would be replaced throughout the ordinance with “persons under 21.”

ACTION: Moved by Councilmember Khan, seconded by Councilmember Kuo, and unanimously carried by those members present (Councilmember Fox absent), to:

Read by title only second reading and adoption of ORDINANCE NO. 20-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING TO CHAPTER 6 OF DIVISION 10 OF TITLE 4 OF THE IRVINE MUNICIPAL CODE ESTABLISHING REGULATIONS PROHIBITING USE OF FLAVORED TOBACCO PRODUCTS **as amended** per an errata to replace the word “minor” throughout the ordinance with “persons under 21.”

2.7 * COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Pro Tempore Carroll's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 - a) All-American Boys Chorus (\$250)
 - b) Exchange Club of Irvine (\$500)

- 2) Approve Councilmember Kuo's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 - a) Irvine Barclay Theatre (\$1,500) **(Contract No. 10980)**
 - b) Irvine Children's Fund (\$500)

- 3) Authorize the City Manager to prepare and sign the funding agreement for individual awards of \$1,000 or more.

3. COUNCIL BUSINESS

3.1 ORDINANCE ESTABLISHING VICE MAYOR AND INTERIM MAYOR

Jeff Melching, City Attorney, presented the staff report and responded to questions.

City Council discussion included: simplification of the process when the Mayor and Vice Mayor are unavailable; questioned the authority of the Interim Mayor in the absence of the Mayor and Vice Mayor; inquired about when an Interim Mayor could be selected by the City Council; and questioned the genesis of the Chair Pro Tempore for the Planning Commission;

City Attorney Melching noted that the selection of the Interim Mayor could take place after the Ordinance becomes effective (30 days following second reading and adoption).

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

Introduce for first reading and read by title only ORDINANCE NO. 20-02 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING CHAPTERS 1, 2, AND 3 OF DIVISION 2 OF TITLE 1; CHAPTER 1 OF DIVISION 6 OF TITLE 1; AND CHAPTER 1 OF DIVISION 7 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE TO RENAME THE POSITION OF MAYOR PRO TEMPORE TO VICE MAYOR, AND TO ESTABLISH A NEW POSITION OF INTERIM MAYOR AS AN ADDITIONAL OFFICER OF THE CITY COUNCIL

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

Moved by Councilmember Kuo, seconded by Mayor Pro Tempore Carroll, and unanimously carried by those members present (Councilmember Fox absent), to adjourn the City Council meeting at 4:57 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

February 25, 2020