



## **MINUTES**

# **CITY COUNCIL REGULAR MEETING AND REGULAR JOINT MEETING WITH THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY**

**September 25, 2018  
Conference and Training Center  
One Civic Center Plaza  
Irvine, CA 92606**

### **CALL TO ORDER**

The 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 was called to order at 4:20 p.m. on September 25, 2018 in the Conference and Training Center, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor/Chairman Wagner presiding.

### **ROLL CALL**

Present:	4	Councilmember/Boardmember:	Melissa Fox
		Councilmember/Boardmember:	Jeffrey Lalloway
		Mayor Pro Tempore/Vice Chairwoman:	Christina Shea
		Mayor/Chairman:	Donald P. Wagner

Absent:	1	Councilmember/Boardmember:	Lynn Schott
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## 1. CLOSED SESSION

City Attorney Melching announced the following Closed Session items:

- 1.1 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8); Property: APN No. 58076135; Agency Negotiators: John Russo, City Manager; Pete Carmichael, Director of Community Development/Interim Director, Orange County Great Park; Chris Koster, Manager of Great Park Planning & Development; Kaitlyn Nguyen, Manager, Economic Development; Wil Soholt, Kosmont Companies; and Allison Lemoine-Bui, Rutan & Tucker; Negotiating Parties: City of Irvine; Wild Rivers Irvine, LLC; and EPR Irvine, LLC; Under Negotiation: Price and Terms of Payment**
  
- 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**

City Attorney Melching noted that City Manager Russo would replace Assistant City Manager Marianna Marysheva in her absence as Agency Negotiator with respect to Closed Session Item No. 1.2.

Mike Riedel, representing Wild Rivers Irvine, LLC, spoke about his commitment to Opening Wild Rivers, and acknowledged that terms related to financing had recently changed.

## RECESS

Prior to recessing the meeting to Closed Session, Mayor Wagner announced that Item 5.3 (Consideration of Mayor Wagner's Request for Discussion Regarding California State Senate Bill 54) would be continued to later date to allow for full City Council discussion.

Mayor Wagner convened the regular City Council meeting to Closed Session at 4:24 p.m.

## RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the regular City Council meeting at 5:20 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**

Pastor Rob Mortenson from Saddleback Church in Irvine provided the invocation.

## **2. PRESENTATIONS**

### **2.1 *Gonsalves & Son State Legislative Update***

Mayor Wagner introduced Anthony and Jason Gonsalves of Gonsalves and Son, who provided a brief state legislative update.

City Council discussion included: reiterating upcoming public policy challenges and goals for the future, which included funding for affordable housing.

## **CITY MANAGER'S REPORT**

There was no report.

## **ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

Mayor Pro Tempore Shea and Councilmember Fox provided brief reports on their recent attendance at the League of California Cities annual conference, held in Long Beach from September 12-14, noting different topics discussed that impact Irvine and other cities throughout the state.

Councilmember Fox also expressed her appreciation to Guy Doran, Irvine resident, for providing photos of bird species living in and around the Rancho San Joaquin Golf Course; and commended those who made the Irvine Global Village Festival a success.

Councilmember Lalloway acknowledged the attendance of former Irvine Mayor Beth Krom, who was in the audience.

Mayor Wagner made the following announcements:

- Irvine is once again the Safest City of its size for violent crime, recording the lowest per capita violent crime rate for all cities in the U.S. with a population over 250,000, according to FBI data just released for calendar year 2017, marking the 13<sup>th</sup> consecutive year that Irvine has earned this distinction. Irvine also recorded the lowest rate of total Part 1 Crime for a City of its size, which includes criminal homicide, rape, robbery, aggravated assault, burglary, larceny-theft, stolen vehicles, and arson.

- The City of Irvine has been honored for a third straight year as “Best City to Live In” by the Orange County Register’s annual “Best of OC” selections. Register readers chose the best categories, so it is particularly important in that so many community members took the time to choose Irvine as Number 1. Public safety, schools, parks and trails, diverse dining, shopping, and sports facilities all provide an unmatched quality of life in the City.
- Thoughts are with all of those on the East Coast who have been affected by Hurricane Florence and its aftermath. If you would like to support organizations helping with recovery in these areas, visit the City’s Irvine Gives website at [cityofirvine.org/irvinegives](http://cityofirvine.org/irvinegives) and click Disaster Relief. Residents and businesses are strongly encouraged to take steps during National Preparedness Month to help protect family members and employees for any type of disaster, including earthquakes, fires, floods, and utility outages. For preparedness tips, visit [cityofirvine.org/prepare](http://cityofirvine.org/prepare).
- On Saturday, September 23, the 17<sup>th</sup> annual Irvine Global Village Festival was held at its new location, the Orange County Great Park. This year’s event was once again a great success, with more than 30,000 people attending, and more than 300 performers, vendors, and exhibitors sharing tastes, sights, and sounds from around the world. In addition, more than 400 community members volunteered their time to ensure a successful event, including 87 trained CERT program volunteers and 112 festival committee members. To provide feedback and complete a survey about this year’s festival, visit [cityofirvine.org/festivals/survey](http://cityofirvine.org/festivals/survey).

## **ADDITIONS AND DELETIONS**

Mayor Wagner reiterated that Item 5.3 (Consideration of Mayor Wagner’s Request for Discussion Regarding California State Senate Bill 54) would be continued to later a date to allow for full City Council discussion.

## **CONVENE TO THE REGULAR JOINT MEETING**

Mayor/Chairman Wagner convened to the regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 5:44 p.m.

### **3. CONSENT CALENDAR - CITY COUNCIL**

**ACTION:** Moved by Councilmember/Boardmember Lalloway, seconded by Mayor Pro Tempore/Vice Chairwoman Shea, and unanimously carried by those members present (Councilmember/Boardmember Schott absent) to approve City Council Consent Calendar Item Nos. 3.1 through 3.9, and Successor Agency Consent Calendar Item Nos. 4.1 and 4.2.

**3.1 MINUTES**

**ACTION:**

Approved the minutes of a regular meeting of the Irvine City Council, regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency, and special joint meeting with the Orange County Great Park Board held on August 28, 2018.

**3.2 PROCLAMATIONS**

**ACTION:**

Ratified and proclaimed September 9, 2018 as Stephen Siller Tunnel to Towers Foundation's "2018 Tunnel to Towers 5K Run & Walk - Orange County."

**3.3 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 18-70 - 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

**3.4 2018 LOCAL AGENCY BIENNIAL NOTICE FOR THE CITY OF IRVINE**

**ACTION:**

- 1) Received and filed the Fair Political Practices Commission 2018 Local Agency Biennial Notice for the City of Irvine.
- 2) Directed staff to return with proposed amendments to the City Council within 90 days.

**3.5 NOTICE OF PENDING APPROVAL FOR A TRACT MAP IN THE IRVINE BUSINESS COMPLEX**

**ACTION:**

Received and filed.

**3.6 GRANT OF EASEMENT TO IRVINE RANCH WATER DISTRICT FOR WATER PIPELINE CATHODIC PROTECTION FACILITIES ALONG QUAIL HILL PARKWAY**

**ACTION:**

Approved and authorized the City Manager to execute an Easement Deed and Offer Letter with Irvine Ranch Water District (**Contract No. 10405**).

**3.7 PROPOSAL SELECTIONS AND BUDGET ADJUSTMENT FOR COMMUNITY CHOICE ENERGY FEASIBILITY STUDY AND STRATEGIC ENERGY PLAN**

**ACTION:**

- 1) Approved a budget adjustment for the reallocation of existing funds and authorize staff to award a professional services contract in the amount of \$77,470 to EES Consulting, Inc. for a Community Choice Energy Feasibility Study **(Contract No. 10400)**.
- 2) Approved a budget adjustment for the reallocation of existing funds and authorize staff to award a professional services contract in the amount of \$105,500 to Integral Group, Inc. to develop the City of Irvine Strategic Energy Plan **(Contract No. 10401)**.

**As amended to:**

- 3) Directed staff to provide quarterly progress on the Community Choice Energy Feasibility Study and the Strategic Energy Plan to the Green Ribbon Environmental Committee, with updates to the City Council; and return to the City Council for approval once finalized.

(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 4-0-1 (Councilmember Schott absent).**

**3.8 QUITCLAIM OF AN EMERGENCY ACCESS EASEMENT IN IRVINE BUSINESS COMPLEX – LAKESHORE TOWERS**

**ACTION:**

Authorized the Mayor to execute the quitclaim deed relinquishing easements on private property, Lakeshore Towers, no longer needed for emergency access purposes **(Deed No. 1633)**.

**3.9 SECOND READING OF ORDINANCE NO. 18-09 APPROVING AMENDMENTS TO THE CITY'S MUNICIPAL CODE RELATED TO ASSOCIATE ZONING ADMINISTRATOR APPOINTMENT PROCEDURES**

**ACTION:**

Read by title only, second reading and adoption of ORDINANCE NO. 18-09 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING AMENDMENTS TO THE CITY'S MUNICIPAL CODE RELATED TO ASSOCIATE ZONING ADMINISTRATOR APPOINTMENT PROCEDURES; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

(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 4-0-1 (Councilmember Schott absent).**

**4. CONSENT CALENDAR - SUCCESSOR AGENCY**

**4.1 MINUTES**

**ACTION:**

Approved the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency with the Irvine City Council held on August 28, 2018.

**4.2 2018 LOCAL AGENCY BIENNIAL NOTICE FOR THE SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY**

**ACTION:**

Received and filed the Fair Political Practices Commission 2018 Local Agency Biennial Notice for the conflict of interest code for Successor Agency to the dissolved Irvine Redevelopment Agency.

**PUBLIC COMMENT - SUCCESSOR AGENCY**

There were no public comments.

**ADJOURNMENT - REGULAR JOINT MEETING**

**Moved by Mayor Pro Tempore/Vice Chairwoman Shea, seconded by Councilmember/Boardmember Fox, and unanimously carried by those members present (Councilmember/Boardmember Schott absent), to adjourn the regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 5:44 p.m.**

**RECONVENE TO THE CITY COUNCIL MEETING**

Mayor Wagner reconvened the regular City Council meeting at 5:45 p.m.

**5. COUNCIL BUSINESS**

**5.1 CONSIDERATION OF THE DEPARTMENT OF PUBLIC SAFETY UNMANNED AIRCRAFT SYSTEM TEAM**

Bill Bingman, Police Lieutenant, presented the staff report and responded to questions.

City Council discussion included: noting Irvine’s status as the safest city in America over the last 13 years; reiterating the need for maintaining privacy and civil liberties; expressed support for narrowly tailored uses, including searching for suspects, articles and missing persons in established perimeters or search zones; inquired about the need and funding for a second unmanned aircraft unit; noted the thoughtfulness of the proposal; and expressed support of a reasonable approach to expansion of the program if necessary.

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

Approve the Department of Public Safety’s request to establish an Unmanned Aircraft System Team.

**5.2 CONSIDERATION OF A REQUEST BY MAYOR WAGNER AND MAYOR PRO TEMPORE SHEA TO TAKE AN OPPOSE POSITION ON A PROVISION PREEMPTING LOCAL REGULATION IN FEDERAL HOUSE RESOLUTION 2, KNOWN AS THE FARM BILL PACKAGE**

This item was agendaized at the request of Mayor Wagner and Mayor Pro Tempore Shea, who asked for consideration by the City Council to take an opposed position on Provision 9101 of a local regulation in House Resolution 2, known as the Farm Bill.

Mayor Pro Tempore Shea provided a brief overview and video of the City’s Organic Pesticide Use Program approved by the City Council on February 23, 2016; and a summary of Provision 9101 in the proposed Farm Bill, which would preempt local government’s pesticide protections.

The following individuals spoke in support of taking an opposed position on Provision 9191 of the proposed Farm Bill:

- Natalie Pattrath, Mission Viejo Resident and on behalf of Non-Toxic Mission Viejo
- Bob Johnson, Irvine resident
- MaryAnne Viney, Carlsbad resident and on behalf of Non-Toxic Carlsbad
- Kim Konte, Irvine resident and on behalf of Non-Toxic Irvine
- Michael Konte, Irvine resident
- Trevor Konte, Irvine resident

City Council discussion included: suggesting financial support to oppose the Provision 9101 of the Farm Bill if necessary; noted inquiries by other cities with respect to the groundbreaking efforts to eliminate harmful pesticides by the City of Irvine; reiterated that the movement toward organic pesticide use was initiated by parents; stated that the signed letter opposing Provision 9101 would be forwarded to federal representatives; reiterated the significant impacts of Provision 9101; and noted similar action taken by the City of Malibu.

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

Authorize sending a letter to the House Committee on Agriculture, the Senate Committee on Agriculture, Nutrition and Forestry, and to all Senators and Congressional representatives on behalf of the City of Irvine to oppose any local government’s pesticide protection pre-emptions in House Resolution 2 (Farm Bill).

**5.3 CONSIDERATION OF MAYOR WAGNER'S REQUEST FOR DISCUSSION REGARDING CALIFORNIA STATE SENATE BILL 54**

This item was continued to a date uncertain at the request of Mayor Wagner. See Additions and Deletions.

**PUBLIC COMMENT-CITY COUNCIL**

The following individuals spoke in opposition to the City Council taking a position against Senate Bill 54:

- Rabbi Stephen Einstein
- Beth Krom, former Mayor, Councilwoman, and Irvine resident

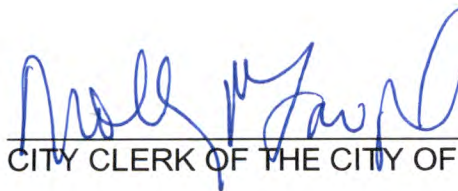
Felicity Figueroa, Irvine resident  
 Jennifer Lee Koh, Western State College of Law  
 Farrah Khan, Irvine resident  
 Kev Abazajian, Irvine resident  
 Ben Leffel, University of California, Irvine  
 Diane Nied, Irvine resident  
 Naui Huitzilopochtli  
 Tammy Kim, Irvine resident  
 Joe McLaughlin, Irvine resident  
 Alice Lee  
 Tim Pham, OC Young Democrats  
 Rebecca Whitehead, Irvine resident  
 Jacob Siroano on behalf of A. Reyes and S. Gandhi  
 Rebecca Newman, Irvine resident and on behalf of League of Women Voters  
 Robin Gurien  
 Luis Alemán  
 Tim Burns  
 Erin Roberts  
 S. G. Sarmiento  
 Jutta Gamboa  
 Maggy McCarty

Noosha Salemi submitted a Request to Speak card but did not speak.

Brigitte spoke about recent actions taken by the Orange County Board of Supervisors.

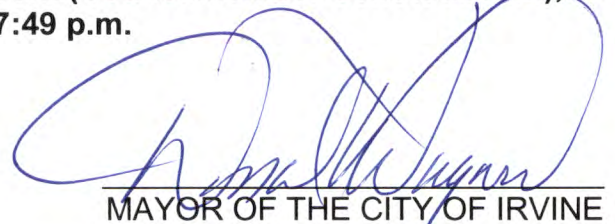
**ADJOURNMENT-CITY COUNCIL**

**Moved by Councilmember Lalloway, seconded by Mayor Pro Tempore Shea, and unanimously carried by those members present (Councilmember Schott absent), to adjourn the regular City Council meeting at 7:49 p.m.**




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CITY CLERK OF THE CITY OF IRVINE




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MAYOR OF THE CITY OF IRVINE

October 23, 2018