



MINUTES

CITY COUNCIL REGULAR MEETING

March 12, 2019
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 5:34 p.m. on March 12, 2019 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Wagner presiding.

ROLL CALL

Present:	5	Councilmember:	Melissa Fox
		Councilmember:	Farrah N. Khan
		Councilmember:	Anthony Kuo
		Mayor Pro Tempore:	Christina Shea
		Mayor:	Donald P. Wagner

1. CLOSED SESSION

NOTE: Closed Session Items 1.1 - 1.4 were considered earlier in the day at a special City Council meeting. See 3 p.m. Special Meeting minutes.

PLEDGE OF ALLEGIANCE

Councilmember Fox led the Pledge of Allegiance.

INVOCATION

Sheikh Atef Magoub, Religious Director of the Islamic Center of Irvine, provided the invocation.

2. PRESENTATIONS

2.1 *Orange County Transportation Authority - Long Range Transportation Plan*

Mayor Wagner introduced Greg Nord, Principal Transportation Analyst, on behalf of Kia Mortazavi, Executive Director of Planning, Orange County Transportation Authority (OCTA), who provided a brief update on OCTA's long-range transportation plan.

City Council discussion included: noting the importance of regional transportation as a whole; expressed support for additional bike lanes; and inquired about express toll lanes on California Interstate 405 (I-405) and its impacts, including costs and carpool fee waivers, to Irvine and Orange County residents.

2.2 *National Weather Service Storm Ready Recognition*

Mayor Wagner introduced staff from City of Irvine's Public Safety's Office of Emergency Management, Public Works, and Transportation Department; and Alex Tardy, Meteorologist, National Weather Service, who presented a certificate recognizing and declaring the City of Irvine as a "Storm Ready" City based on its collaborative efforts in select key areas and preparedness for weather-related emergencies.

2.3 *The Illumination Foundation*

Councilmember Khan introduced Paul Leon, CEO and Founding Officer, The Illumination Foundation, who provided an overview and video presentation of the services provided by the Foundation and expressed appreciation to the City Council for its continued support.

CITY MANAGER'S REPORT

City Manager Russo provided a brief report on his trip to the United Kingdom, accompanied by Kaitlyn Nguyen, Manager of Economic Development, and introduced Linda DiMario, Greater Irvine Chamber of Commerce, who provided a brief presentation highlighting key events that took place. Additionally, City Manager Russo provided a brief report on his recent trip to Sacramento, where he and Deputy City Manager Grettenberg met with the Governor's staff, legislators, legislative staff, key departments, and other State officials to cover a number of priority areas for the City of Irvine; and noted his upcoming trip to Washington, D.C., where he and Deputy City Manager Grettenberg would address issues important to Irvine at the Federal level.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Kuo noted that March 12, 2019 was "National Girl Scout Day" and encouraged community support of the Girl Scouts; acknowledged members of the Boy Scouts in attendance; and noted his recent attendance at the Woodbridge High School spring musical "Little Shop of Horrors." He also announced two upcoming musicals, which included University High School's "How to Succeed in Business Without Really Trying" March 14 – 16 at 7 p.m.; and Portola High School's "Addams Family" March 14-16 at 7 p.m., and March 16 at 2 p.m.

Councilmember Fox announced that the Irvine Community Land Trust was seeking an exemption/waiver of property taxes on projects during the construction process in order to avoid paying property taxes at market value on land designated for affordable housing.

Mayor Pro Tempore Shea noted her recent attendance at "The Courage to Remember the Holocaust" exhibit at Irvine Valley College, which is on display through March 14.

Mayor Wagner made the following announcements:

- For those who were unable to attend the first two Community Budget Meetings last week, two additional meetings will be held on Wednesday, March 13 from 6 to 7 p.m. at Quail Hill Community Center; and Wednesday, March 20 from 6 to 7 p.m. at Portola Springs Community Center. No RSVP is needed. For information, visit cityofirvine.org/budget.

- The Irvine Animal Care Center invites the community to support its Foster Donation Drive taking place through March 31. Opportunities to support the center’s puppies, kittens, and young rabbits, as well as recuperating animals, are available through the donation of supplies such as formula, blankets, and toys. A complete wish list is available on the Irvine Animal Care Center’s website. In addition, anyone interested in volunteering with the center’s Foster Care Program, which provides shelter, supplies, food, and veterinary care for young animals and those recovering from medical procedures, can attend a Foster Volunteer Workshop on Sunday, March 24 from 1:30 to 4 p.m. by registering at yourirvine.org. For information, visit irvineanimals.org or call 949-724-7498.
- The spring issue of *Inside Irvine* is in homes, featuring stories on Great Park Ice, the City’s affordable housing efforts and transition to a two-year budget, and more. This edition also includes spring and summer camps, and classes for all interested ages. To register for camps and classes, visit yourirvine.org.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Fox, seconded by Mayor Pro Tempore Shea, and unanimously carried to approve City Council Consent Calendar Item Nos. 3.1 through 3.4, with the exception of Consent Calendar Item No. 3.2, which was removed for separate discussion.

3.1 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 February 12, 2019

3.2 COMMENDATIONS

This item was removed for separate discussion by Ilya Tseglin, Community Member, who spoke about Shir Ha-Ma’alot’s 50th Anniversary, as well as a domestic issue related to his autistic son.

Mayor Wagner read excerpts from the proclamation and congratulated Shir Ha-Ma’alot on its 50th Anniversary.

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

Commend Congregation Shir Ha-Ma'alot on its 50th Anniversary.

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 19-20 - 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 * COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Councilmember Kuo's requests for Community Partnership Fund Grant nominations to the following organizations in support of program costs:
 - a. Irvine High Athletic Boosters Club Inc. (\$400) **(Contract No. 10536)**
 - b. Northwood High Athletic Boosters (\$250) **(Contract No. 10537)**
 - c. Crime Survivors, Inc. (\$500) **(Contract No. 10538)**
- 2) Approved Councilmember Fox's request for Community Partnership Fund Grant nomination to Crime Survivor's Inc. in the amount of \$500 in support of the 2019 Superhero 5K Run Walk Health Safety Expo. **(Contract No. 10538)**
- 3) Authorized the City Manager to prepare and sign the funding agreements listed in Actions 1 and 2.

4. PUBLIC HEARINGS

4.1 REVIEW OF ENFORCEMENT STRATEGY FOR BOARDING HOUSES, AND SHORT-TERM RENTALS, AND CODE AMENDMENT TO CLARIFY THE DEFINITION OF "BOARDING HOUSE"

Steve Holtz, Manager of Housing and Neighborhood Services, and Pete Carmichael, Director of Community Development, presented the staff report and responded to questions. Noam Duzman, Rutan & Tucker, was also available for questions.

Prior to opening the public hearing, Mayor Wagner acknowledged correspondence received by members of the community and the commonality of concerns raised about discrimination based on familial status.

Jeff Melching, City Attorney, clarified certain provisions under existing fair housing laws, as well as what was acceptable and prohibited under these laws.

Mayor Wagner opened the public hearing at 6:48 p.m.

Jeff Davis, Irvine Company, asked for clarification of the proposed ordinance and whether the definition of a “boarding house” would apply to its Student Housing Program.

The following individuals spoke in support of the ordinance:

Mario Lopez, Irvine Association Services
Hoan Vo, Irvine resident
Jane Olinger, Irvine resident
Kamaran Nouri, Irvine resident
Steve Lynch, Irvine resident
Scott Couchman, Irvine resident
Andy Zelinko, Irvine resident

The following individuals spoke in opposition to the ordinance:

Davida Gregory, Irvine resident
Sherry Avella, Irvine resident
Mahamoud Elfarrak, Mission Viejo resident
Cassius Rutherford, Costa Mesa resident
Mark Richard Daniels, Anaheim resident
R. Joshua Collins, Irvine resident
Ashley Alvarez, Irvine resident
Theresa Loveless, Irvine resident
Annie Le, Irvine resident
Jeanne Le, Irvine resident
Jacobus Kos, Irvine resident
Elizabeth Donaldson, Irvine resident
Susan Sayre, Irvine resident
Izzak Morales, Irvine resident
Courtney Santos, Irvine resident
Hans Kraus, Irvine resident
Deyania Nevarez Martinez, Irvine resident
Richard Prince
David McCullagh, Irvine resident

Ken Stahl, Irvine resident
Azniv Derdzakyan, Irvine resident
Juta Gamboa, Irvine resident
Rebecca Whitehead, Irvine resident
Olivia Ramacier, Irvine resident
Brigitte
Matthew Downing, Irvine resident

The following individuals submitted a Request to Speak but did not speak:

Timothy Houcher
David
Kev Abazajian
Jasmine

By consensus, Mayor Wagner closed the public hearing at 8:20 p.m.

City Council discussion included: addressing existing concerns raised by the student and senior populations and exploring solutions; expressed concern about increasing attendance over the years at University of California, Irvine (UCI) and impacts to surrounding neighborhoods and infrastructure; clarified the intent of the proposed ordinance; expressed concern about the City playing a role in determining housing types and family units; inquired about remedies for code enforcement violations and noted that stronger enforcement was necessary; questioned the use of a consultant for purposes of identifying short-term rentals and associated costs; suggested formation of a working committee with the Mayor, City staff, and representatives from the Irvine Company and FivePoint Communities, to meet with University of California, Irvine representatives to discuss affordable housing needs for students; questioned whether investigative and other costs were recoverable in court; questioned the need for defining a "Single Housekeeping Unit" and suggested removal of the definition from the proposed ordinance; and discussed balancing quality of life with legal challenges.

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

Create a working group, consisting of two to four meetings, comprised of the City Manager, the Mayor, staff, representatives from the Irvine Company, and representatives from FivePoint Communities to meet with representatives from the University of California, Irvine, to begin a conversation to aggressively explore appropriate housing for students on campus.

Following discussion related to adding a member of the Irvine Community Land Trust to the committee, Mayor Pro Tempore Shea amended her motion.

ACTION: An amendment to the motion was made by Mayor Pro Tempore Shea, and accepted by Councilmember Kuo as the seconder, and unanimously carried to:

Create a working group, consisting of two to four meetings, comprised of the City Manager, the Mayor, staff, representatives from the Irvine Company, and representatives from FivePoint Communities to meet with representatives from the University of California, Irvine, to begin a conversation to aggressively explore appropriate housing for students on campus **as amended** to include a member of the City Council who also serves on the Irvine Community Land Trust Board.

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

Introduce for first reading and read by title only ORDINANCE NO. 19-04 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING AN AMENDMENT (ZONE CHANGE 00765178-PZC) TO SECTION 1-2-1 OF THE CITY’S ZONING ORDINANCE RELATED TO THE DEFINITION OF A “BOARDING HOUSE”

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Khan, Kuo, Shea and Wagner

NOES: 1 COUNCILMEMBERS: Fox

ABSENT: 0 COUNCILMEMBERS: None

Mayor Wagner left the meeting at 8:56 p.m.

5. COUNCIL BUSINESS

5.1 ORDINANCE ESTABLISHING CHANGES TO BIDDING THRESHOLD FOR PUBLIC WORKS CONTRACTS

Portia Mina, Purchasing Agent, presented the staff report and responded to questions. Scott Smith, Deputy Director of Public Works, was also available for questions.

There was no City Council discussion.

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

Introduce for first reading and read by title only ORDINANCE NO. 19-05 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING PORTIONS OF THE IRVINE MUNICIPAL CODE RELATING TO PROCEDURES FOR AWARD OF PUBLIC WORKS CONTRACTS

5.2 ORDINANCE APPROVING AMENDMENTS TO THE IRVINE MUNICIPAL CODE TO AUTHORIZE THE CITY MANAGER TO APPOINT, REMOVE, PROMOTE, OR DEMOTE CITY OFFICERS AND DEPARTMENT HEADS

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

City Council discussion included: questioning if Councilmembers were considered “officers of the City” as reflected in the proposed Ordinance; inquired about the delivery of confidential noticing to Councilmembers; questioned the objection process by a Councilmember; and questioned whether the three-day objection period included calendar or business days.

City Manager Russo provided a brief summary of the steps that would be taken to notify City Councilmembers.

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

ACTION:

Introduce for first reading and read by title only ORDINANCE NO. 19-05 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING AMENDMENTS TO THE FOLLOWING SECTIONS OF THE IRVINE MUNICIPAL CODE: SECTION 1-3-204, “POWER OF APPOINTMENT AND REMOVAL,” SECTION 1-3-301, “OFFICE ESTABLISHED,” SECTION 2-4-102, “METHOD OF APPOINTMENT,” SECTION 3-2-101, “OFFICE ESTABLISHED,” SECTION 4-2-101, “OFFICE ESTABLISHED,” SECTION 5-2-101, “OFFICE ESTABLISHED,” AND SECTION 6-2-101, “OFFICE ESTABLISHED”

5.3 CONSIDERATION OF COUNCILMEMBER KUO'S REQUEST REGARDING NATIONAL VOLUNTEER WEEK AND 1,000,000 HOUR CHALLENGE

This item was agendized at the request of Councilmember Kuo, who noted the importance of volunteering, and suggested several options for residents to get involved in the community.

City Council discussion included: creating a large “thermometer” or something similar on the City’s website and at City Hall to record the progress made with respect to the number of volunteer hours; expressed concern about the amount of staff time required to implement the Challenge; reiterated the list of nonprofit organizations on the City’s website for those seeking volunteer opportunities; and inquired about any rewards or prizes should the 1,000,000 hour goal be reached.

Jimmee Medina, Director of Human Resources and Innovation, presented an example of a smartphone application used by Boston University that records the progress of volunteer hours provided by members of the community.

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

- 1) Proclaim April 7-13, 2019 as “National Volunteer Week.”
- 2) Issue a challenge to residents of the City of Irvine to volunteer 1,000,000 hours of community service.
- 3) Direct staff to implement an online format to record and display the progress of the Challenge.
- 4) Direct staff to coordinate a method for individuals and groups in Irvine to be able to contact organizations seeking volunteer assistance.

PUBLIC COMMENTS

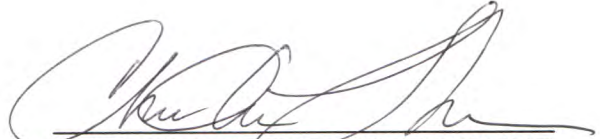
Brigitte spoke about recent actions taken by the Orange County Board of Supervisors.

Susan Sayre, Irvine resident, spoke in support of providing assistance to the homeless population.

Ilya Teglin submitted a request to speak but did not speak.

ADJOURNMENT

Moved by Councilmember Kuo, seconded by Councilmember Fox, and unanimously carried by those members present (Mayor Wagner absent) to adjourn the City Council meeting at 9:25 p.m.


MAYOR OF THE CITY OF IRVINE
CITY CLERK OF THE CITY OF IRVINE

April 9, 2019