



MINUTES

CITY COUNCIL SPECIAL MEETING

December 16, 2014
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

Steven Choi
Mayor

Jeffrey Lalloway
Mayor Pro Tem

Beth Krom
Councilmember

Lynn Schott
Councilmember

Christina Shea
Councilmember

CALL TO ORDER

The special meeting of the Irvine City Council was called to order at 2:04 p.m. on December 16, 2014 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Choi presiding.

ROLL CALL

Present:	5	Councilmember:	Beth Krom
		Councilmember:	Lynn Schott
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Jeffrey Lalloway
		Mayor:	Steven Choi

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Lalloway led the Pledge of Allegiance.

1. CONSENT CALENDAR

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Shea, and unanimously carried to approve City Council Consent Calendar Item Nos. 1.1 and 1.2.

1.1 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 December 9, 2014.

1.2 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Choi's request for Community Partnership Fund Grant nomination to the Korean American Federation of Orange County in the amount of \$1,000 in support of program costs.
- 2) Approved Mayor Pro Tem Lalloway's request for Community Partnership Fund Grant nomination to Pacifica Christian High School in the amount of \$1,000 in support of program costs.
- 3) Authorized the City Manager to prepare and sign funding agreements for each organization listed in Actions 1 and 2.

3. COUNCIL BUSINESS

3.1 GREAT PARK AUDIT: STATUS UPDATE & REQUEST FOR BUDGET ADJUSTMENT

Mayor Choi announced that Council Business Item No. 3.1 would be considered prior to Public Hearing Item No. 2.1.

Anthony Taylor, Special Counsel, Aleshire & Wynder, LLP, presented the staff report and responded to questions.

The following individuals spoke in opposition to the Great Park audit budget adjustment:

Jane Olinger
Ken Wyant
Harvey Liss
Alan Meyerson
Mary Edmonds
Ed Pope
Jake Jacobs

City Council discussion included: requests for budget adjustments by Special Counsel for work already performed; number of budget adjustments requested since commencement of the audit; role of the subcommittee; lack

of attendance by Hagen, Streiff, Newton & Oshiro (HSNO) representatives at City Council meetings; anticipated timeframe required to complete the audit; audit findings thus far; unexpected costs and types of related public records requests; whether all requested documents relative to the audit have been received; if all depositions have been conducted and whether any further noncompliance has ensued; review of conflict of interest provisions and contract review process of City contracts; request by the District Attorney to review audit materials; costs to produce public records; loss of redevelopment funding; discussion of homes in Laguna Beach germane to the audit; egregious use of public funds related to the audit; and whether any future budget adjustments were anticipated.

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

- 1) Adjust the budget for Aleshire & Wynder, LLP by an additional \$180,000, to reflect current developments in the budget for the Audit as described in the memorandum.
- 2) Adjust the budget for HSNO by an additional \$60,000, to reflect current developments in the budget for the Audit as described in the memorandum.

The motion carried as follows:

AYES:	4	COUNCILMEMBERS:	Lalloway, Schott, Shea and Choi
NOES:	1	COUNCILMEMBERS:	Krom
ABSENT:	0	COUNCILMEMBERS:	None

2. PUBLIC HEARINGS

2.1 APPEAL OF THE PLANNING COMMISSION ACTION APPROVING THE MILANI RESIDENTIAL PROJECT LOCATED AT THE NORTHWEST CORNER OF VON KARMAN AVENUE AND MARTIN STREET IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX)

Mayor Pro Tempore announced that he would not be participating in the discussion of Item No. 2.1 due to a conflict of interest with respect to the proximity of the project to his place of employment; and left the meeting at 2:58 p.m.

This item was agendaized at the request of Councilmember Krom, who expressed concern with the overall design and its impacts on surrounding residential communities.

Eric Tolles, Director of Community Development, and Tim Gehrich, Deputy Director of Community Development, provided the staff report and responded to questions.

Mayor Choi opened the public hearing at 3:22 p.m.

Councilmember Krom presented a video on behalf of Irvine resident Buddy Schreiber; and read written comments submitted by Mr. Schreiber into the record, who expressed his opposition to the proposed project.

Patrick Strader, Starpointe Ventures on behalf of the applicant, provided a brief history and overview of the proposed project and addressed concerns expressed by Councilmember Krom. He also noted the project's conformance with the IBC Vision Plan.

The following individuals also spoke in support of upholding the appeal:

Mohammad Roayaie, Irvine resident
Marlene Schreiber, Irvine resident
Shelley Komer Jackier, Irvine resident
David Burbach, Irvine Resident
Jean Miller, Irvine resident
Jacob (no last name provided), Irvine resident

Jordan Duncan and Harvey Liss, Irvine residents, also spoke in support of upholding the appeal and in opposition of the allotted time for public comments.

Avi Zechory, Irvine resident, also spoke in support of upholding the appeal and in opposition to the scheduled time of the special meeting.

City Clerk McLaughlin read into the record statements submitted by Irvine residents Grace Donahue, Deborah Donahue, and Sharon Toji, who also expressed support of upholding the appeal.

The following individuals spoke in opposition to upholding the appeal:

Landon Wright, Irvine resident
John Jaeger, Irvine resident

Mary Ann Gaido, Irvine resident and Planning Commissioner, suggested that the developer to work collaboratively with the surrounding community to address construction and other concerns associated with the proposed project.

T.R. Black, Irvine resident, also suggested collaboration between the developer and nearby residents to mitigate issues raised by those who live near the project and in support of a strengthened system of enforcement regarding encroachment issues.

Anthony Kuo, Irvine resident and Planning Commissioner, noted Planning Commission approval of the proposed project based on its conformance with the IBC Vision Plan.

Kevin Trussell, Irvine resident, submitted a speaker slip but did not speak.

ACTION: By consensus of the members present (Mayor Pro Tempore Lalloway absent), the public hearing was closed at 4:34 p.m.

City Council discussion included: population of those who both live and work in the Irvine Business Complex (IBC); IBC Vision Plan; density bonus agreements; density of the proposed project in comparison to similar projects in the area; homeownership vs. rental opportunities in the Irvine Business Complex; limiting construction hours for infill projects to reduce impacts to surrounding residences; prior approval of the Martin Street Apartment Project in 2007 and similarities to the proposed project; parking structure design and proximity to entrances to residential units; certain conditions reflected in the resolutions of approval; noticing requirements to hold the public hearing; potential health and safety issues associated with the proposed project; continuing the item to the first meeting in January to allow the developer to meet with residents in the surrounding area to address concerns related to the proposed project; whether the applicant would be open to project modifications based on concerns raised if the appeal was denied; project compliance with the Zoning Ordinance; scope of discussion at the November 6, 2014 Planning Commission meeting; offering onsite recreational amenities for projects located within the Irvine Business Complex; park credits granted to the applicant; traffic and trip generation along Jamboree and surrounding streets; City Council review of the IBC Vision Plan; transfer of development rights to other developers; time of the meeting; incentive to developers to create onsite amenities; need to revisit urban core issues; reviewing restrictions that govern setbacks; uniqueness of characteristics within City villages; and conducting a survey to assess of the needs of the residents in the IBC.

Assistant City Attorney Melching provided a brief summary of the appeal process and certain conditions reflected in the resolutions of approval that must be adhered to for the project to move forward.

ACTION: Moved by Councilmember Schott, seconded by Councilmember Krom, to:

Deny the appeal, thereby sustaining the Planning Commission's decision, and approve the project:

- A) Adopt RESOLUTION NO. 14-154 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA DENYING AN APPEAL OF THE PLANNING COMMISSION'S DECISION AND APPROVING VESTING TENTATIVE TRACT MAP 17666 (00583914-PTT) TO SUBDIVIDE 3.65 NET ACRES INTO 1 NUMBERED LOT FOR DEVELOPMENT OF 287 ATTACHED RESIDENTIAL UNITS FOR CONDOMINIUM PURPOSES, LOCATED AT THE NORTHWEST CORNER OF VON KARMAN AVENUE AND MARTIN STREET IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX)
- B) Adopt RESOLUTION NO. 14-155 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA DENYING AN APPEAL OF THE PLANNING COMMISSION'S DECISION AND APPROVING PARK PLAN 00583913-PPP FOR 287 ATTACHED RESIDENTIAL UNITS, LOCATED AT THE NORTHWEST CORNER OF VON KARMAN AVENUE AND MARTIN STREET IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX)
- C) Adopt RESOLUTION NO. 14-156– A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA DENYING AN APPEAL OF THE PLANNING COMMISSION'S DECISION AND APPROVING CONDITIONAL USE PERMIT 00578126-PCPU, INCLUDING A TRANSFER OF DEVELOPMENT RIGHTS AND AFFORDABLE HOUSING PLAN WITH DENSITY BONUS UNITS FOR DEVELOPMENT OF 287 ATTACHED RESIDENTIAL UNITS, LOCATED AT THE NORTHWEST CORNER OF VON KARMAN AVENUE AND MARTIN STREET IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX)

As amended to encourage the project applicant to work collaboratively with nearby residents to address concerns associated with the design of the project and the impacts of construction.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Schott, Shea and Choi
NOES: 1 COUNCILMEMBERS: Krom
ABSTAIN: 1 COUNCILMEMBERS: Lalloway

PUBLIC COMMENTS

Alan Meyerson suggested a review of the Brown Act be agendized at a future meeting to address the use of electronic devices at the dais.

John Jaeger suggested the discontinuation of certain City services in order to reduce overall spending; and noted past and present comments made by Councilmembers.

ADJOURNMENT

Moved by Councilmember Krom, seconded by Councilmember Shea, and unanimously carried by those members present (Mayor Pro Tempore Lalloway absent) to adjourn the meeting at 5:36 p.m.


MAYOR OF THE CITY OF IRVINE


CITY CLERK OF THE CITY OF IRVINE

January 13, 2015