



## MINUTES

### CITY COUNCIL REGULAR MEETING

**September 8, 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 4:47 p.m. on September 8, 2020, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Shea presiding.

#### ROLL CALL

Present:	5	Councilmember:	Melissa Fox
		Councilmember:	Farrah N. Khan
		Councilmember:	Anthony Kuo
		Vice Mayor:	Mike Carroll
		Mayor:	Christina Shea

Mayor Shea announced that the meeting was broadcast live on Cox Communications Local Access Channel 30 and AT&T U-Verse Channel 99, and livestreamed online at [cityofirvine.org](http://cityofirvine.org); and that in an effort to protect public health and prevent the spread of COVID-19, the e-comment feature had been extended for all agenda items, which allowed members of the public the ability to submit e-comments through the public comment portion of each item and would be included as part of the official record and uploaded to the City's website. She also assured the community that the City of Irvine was adhering to the Governor's Executive Order in the Council Chamber and throughout City Hall by sanitizing surfaces and equipment, as well as wearing face masks.

She also reiterated that general public comments on items not on the agenda would be considered at approximately 6:30 p.m. or prior to adjournment, whichever occurred earlier, which had been standard practice prior to the COVID-19 pandemic; and expressed her appreciation for the community's patience and understanding as adjustments to meeting protocols are made as needed.

## **PLEDGE OF ALLEGIANCE**

Mayor Shea led the Pledge of Allegiance.

## **INVOCATION**

Pastor Jorge Molina from Mariners Church in Irvine provided the invocation.

### **1. CITY COUNCIL RECOGNITIONS**

#### **1.1 *Commendation Recognizing Frontline Medical Personnel***

Mayor Shea presented a commendation recognizing frontline medical personnel in the community, which included personnel from Hoag Hospital, Kaiser Permanente, St. Joseph Hospital, and UCI Medical Center, for their courage and selflessness during the COVID-19 pandemic.

#### **1.2 *City Manager Recognition***

Mayor Shea recognized City Manager Russo for over 30 years in public service and as Irvine's fifth City Manager; and presented a commendation and gifts. Scott Voigts and Deepak Sahni, on behalf of Orange County Supervisor and former Mayor Donald P. Wagner, also presented a resolution in recognition of City Manager Russo's accomplishments and upcoming retirement.

## **CITY MANAGER'S REPORT**

There was no report.

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

Councilmember Khan welcomed new Irvine resident Mo Trafteh, a professional athlete, certified trainer, and running coach with almost 20 years of experience, and noted his numerous goals accomplishments over the years; and made the following announcement:

- California Clean Air Day is an educational project of the Coalition for Clean Air, and was built on the idea that shared experiences unite people to action to improve overall community health. The Clean Air Pledge allows individuals and organizations to do their part to clear the air through big and small actions. Those who participate will receive an item from the City that helps incorporate sustainability. The Clean Air Pledge runs from September 7 through Oct 7. For information on how to participate, visit [cityofirvine.org/environmental\\_programs](http://cityofirvine.org/environmental_programs) or [cleanair.org](http://cleanair.org).

Councilmember Kuo inquired about recent rolling blackouts in California and the City's interface with Southern California Edison (SCE), to which Mike Hamel, Director of Public Safety/Chief of Police, provided a brief update, including recent communications with SCE; and announced the following:

- On Friday, September 11 at 8:30 a.m., the Orange County Fire Authority (OCFA) will be livestreaming a brief ceremony commemorating 9/11. Due to COVID-19 restrictions, the ceremony will be livestreamed on OCFA's Facebook page at [facebook.com/orangecountyfire](https://facebook.com/orangecountyfire).

Mayor Shea made the following announcements:

- Hundreds of thousands of masks have been distributed throughout the community to stem the tide of COVID-19 and safeguard Irvine residents and workers. To help the community deliver critically important care and services as safely as possible and to protect the most vulnerable, masks have been provided to: 1) schools, childcare programs, and camps; 2) senior communities such as The Groves and The Meadows; 3) Irvine Community Land Trust communities; 4) Families Forward and Human Options; 5) skilled nursing facilities; and 6) Irvine businesses. Boxes of masks have also been provided to residents at events such as the Mask Giveaway at the Civic Center, the Great Park Farmers Market, and the Summer Drive-In Series events. Health and safety of the community will continue to be a top priority. Community members are reminded to wear a mask whenever out in the community and unable to maintain a distance of six feet from others.
- A feasibility study is being conducted to look at constructing a pedestrian bridge over Jamboree Road in the Irvine Business Complex (IBC), and members of the community are invited to provide input at a virtual open house on Thursday, September 10 from 5 to 6 p.m. There is a need for additional connections and new facilities for walking, bicycling, and recreation in the IBC, and the study will help identify and evaluate potential locations for the bridge along Jamboree Road between the 405 Freeway and Barranca Parkway. To register, visit [cityofirvine.org](http://cityofirvine.org).
- The Farmers Market event will safely return to its original format, and residents will be able to shop as a walk-up event, beginning Sunday, September 13. City staff are working with organizers of the Farmers Market to ensure that all relevant State and County guidelines are met. Masks and social distancing will be required. For information, visit [ocgp.org/farmersmarket](http://ocgp.org/farmersmarket).

- The 19<sup>th</sup> Annual Irvine Global Village Festival will look a little different, featuring three weeks of unique, interactive online experiences and two drive-in concerts. From September 21 through October 10, the community can enjoy the multicultural event through music, art, food, and fun in a safe and responsible manner, which includes: 1) browsing photos and videos online to explore the history of the City's fall festivals; 2) making new memories from home with themed art classes and projects; 3) dining globally and supporting local restaurants; and 4) enjoying two drive-in concerts at the Orange County Great Park – True Willie and the Boys on September 25, and Mariachi Divas on October 10. For information, visit [irvinefestival.org](http://irvinefestival.org).
- Letters signed by Mayor Shea were sent to all Orange County cities seeking interest in joining a Community Choice Energy (CCE) program, and sharing participation costs with the City of Irvine. The cities of Costa Mesa, Fullerton, and Tustin expressed interest in talking further, and all have had additional questions. To respond to these questions, a Zoom meeting for all cities that would like to learn more about CCEs, pros and cons, costs, and savings, will be scheduled before the September 22 City Council meeting, with results shared at that meeting to determine next steps.
- Campaign signs related to Mayor Shea's candidacy have recently been removed or damaged, and candidates are asked to be respectful of one another.

## **ADDITIONS AND DELETIONS**

There were no additions or deletions to the agenda.

## **2. CONSENT CALENDAR**

**ACTION:** Moved by Councilmember Kuo, seconded by Vice Mayor Carroll, and unanimously carried to approve Consent Calendar Item Nos. 2.1, 2.2, 2.4, and 2.5. Consent Calendar Item Nos. 2.3, 2.6, and 2.7 were removed for separate discussion.

### **2.1 MINUTES**

**ACTION:**

- 1) Approved the minutes of a special meeting of the Irvine City Council held on July 28, 2020.
- 2) 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 July 28, 2020.

**2.2 WARRANTS AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 20-70 - 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

**2.3 PROCLAMATIONS**

Molly Perry, City Clerk, noted that an e-comment had been received by Anonymous Resident, who suggested that the Public Information Office post information daily about Constitution and Citizenship Day during Constitution Week on the City's social media sites.

There was no City Council discussion.

**ACTION: Moved by Councilmember Kuo, seconded by Vice Mayor Carroll, and unanimously carried to:**

Proclaim September 17, 2020, as Daughters of the American Revolution's "Constitution Day and Citizenship Day"; and September 17-23, 2020, as "Constitution Week."

**2.4 ACCEPTANCE OF CARES ACT FUNDING FOR SENIOR SERVICES PROGRAMMING**

**ACTION:**

- 1) Authorized the City Manager to execute contract for acceptance of Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding in the amount of \$231,643 from the County of Orange Office on Aging for Senior Services programming. **(Contract No. 11174)**
- 2) Approved Budget Adjustment to increase revenues and expenditures in the amount of \$231,643 in Fiscal Year 2020-21.

**2.5 DEFINED BENEFIT AND DEFINED CONTRIBUTION PENSION PLAN AUDITS FOR THE YEAR ENDED DECEMBER 31, 2019**

**ACTION:**

Received and filed the Defined Benefit and the Defined Contribution Pension Plan audits for the year ended December 31, 2019.

**2.6 ACCEPTANCE OF MARUCHAN, INC. DONATION**

Molly Perry, City Clerk, noted that the following e-comments had been received:

- Anonymous Resident, who expressed appreciation to Maruchan, Inc., for its contribution and generosity to the community.
- Clownstina Shea and Jonathan Beer, who expressed opposition and suggested the donation be directed from the Police Department to another City department.

Mayor Shea expressed her appreciation to Maruchan, Inc., for its continued generosity over the years.

**ACTION: Moved by Vice Mayor Carroll, seconded by Councilmember Kuo, and unanimously carried to:**

- 1) Accept a \$100,000 donation from Maruchan, Inc.
- 2) Approve a budget adjustment appropriating \$100,000, reflecting an increase in revenues and appropriations.

**2.7 NOTICE OF REVIEW FOR A TRACT MAP IN CYPRESS VILLAGE**

Molly Perry, City Clerk, noted that an e-comment had been received from Anonymous Resident, who inquired about the September 3, 2020, Planning Commission meeting and requested a copy of the recording.

There was no City Council discussion.

**ACTION: Moved by Vice Mayor Carroll, seconded by Councilmember Kuo, and unanimously carried to:**

Receive and file.

**3. PUBLIC HEARINGS**

**3.1 ZONING ORDINANCE UPDATE – ACCESSORY DWELLING UNITS**

Mayor Shea opened the public hearing at 5:33 p.m.

Marika Poynter, Principal Planner, presented the staff report and responded to questions.

City Council discussion included questioning whether staff had been in contact with the State’s housing division regarding the proposed changes.

Councilmember Fox reiterated her opposition to the proposed Ordinance despite recent changes made by the Planning Commission.

Molly Perry, City Clerk, noted that the following e-comments had been received:

- Jose Trinidad Castaneda, who expressed support of the proposed revisions.
- Matthew Gelfand, on behalf of Californians for Homeownership, who expressed opposition, noting that Irvine would be the only city in California to defy the state’s accessory dwelling unit laws.

**By consensus, Mayor Shea closed the public hearing at 5:40 p.m.**

**ACTION: Moved by Vice Mayor Carroll, seconded by Mayor Shea, to:**

Introduce for first reading and read by title only ORDINANCE NO. 20-06 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING A ZONE CHANGE (00822886-PZC) TO AMEND THE CITY’S ZONING ORDINANCE BY PROVIDING NEW OR REVISED PROVISIONS RELATED TO ACCESSORY DWELLING UNITS; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

**The motion carried as follows:**

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

NOES: 1 COUNCILMEMBERS: Fox

ABSENT: 0 COUNCILMEMBERS: None

**3.2 DEVELOPMENT AGREEMENT STATUS REPORT**

Mayor Shea opened the public hearing at 5:41 p.m.

Diane Vu, Senior Planner, presented the staff report and responded to questions.

City Council discussion included confirming whether all existing development agreements were in compliance with their respective terms and conditions.

Molly Perry, City Clerk, noted that no e-comments were received on this item.

**By consensus, Mayor Shea closed the public hearing at 5:45 p.m.**

**ACTION: Moved by Councilmember Kuo, seconded by Mayor Shea, and unanimously carried to:**

Find all active City Development Agreements in compliance with their respective terms and conditions.

#### **4. COUNCIL BUSINESS**

##### **4.1 AGREEMENT FOR EMPLOYMENT OF MARIANNA MARYSHEVA AS INTERIM CITY MANAGER OF THE CITY OF IRVINE**

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

City Council discussion included noting that the terms and conditions of the proposed agreement would result in an overall cost savings.

Molly Perry, City Clerk, noted that an e-comment was received by Anonymous Resident, who spoke in support of Assistant City Manager Marysheva serving as Interim City Manager.

**ACTION: Moved by Mayor Shea, seconded by Councilmember Kuo, and unanimously carried to:**

Approve Agreement for Employment of Interim City Manager between City of Irvine and Marianna Marysheva. **(Contract No. 11175)**

##### **4.2 COVID-19 SITUATIONAL UPDATE AND DIRECTION TO DIRECTOR OF EMERGENCY SERVICES ON RELEVANT ACTION ITEMS, INCLUDING EXTENSION OF CITY ORDERS**

Marianna Marysheva, Assistant City Manager, presented the staff report and responded to questions. Melissa Haley, Manager of Public Communications, also provided a brief update from the State regarding its new Blueprint for a Safer Economy.

City Council discussion included: questioning the ability to reopen playgrounds and reinstate youth sports, which category would allow such activities, and suggested inquiring with the State for additional guidance; reiterated that reopening of playgrounds and the reinstatement of youth

sports was at the discretion of the State; questioned whether the reopening of the Rental Assistance Program was limited to new applicants, and if prior applicants could reapply if not enough new applications were received; noted the hardship on parents with respect to distance learning; inquired about why October 14, 2020 was the recommended date for the extension of existing City orders; and urged members of the public to exercise patience as we continue to move through these difficult times.

Molly Perry, City Clerk, noted that the following e-comments had been received:

- Anonymous Resident, who expressed appreciation to Mayor Shea and Vice Mayor Carroll for their assistance in distributing face masks at the recent drive-in movie event at the Orange County Great Park.
- Suzanne Elkins, who expressed support of continuing to require face masks inside public buildings and public outdoor venues.
- Dana Cornelius, who expressed opposition to the requirement for wearing masks, and suggested that the City inform the public that the State has not required the use of masks, but rather, has simply provided guidance for wearing face masks while in public.

**ACTION: Moved by Mayor Shea, seconded by Vice Mayor Carroll, and unanimously carried to:**

- 1) Extend all orders and resolutions through at least October 14, 2020, with the exception of City Council Resolution No. 20-29 pertaining to evictions, foreclosures, rent increases, or service and utility disconnections, which will be extended through January 31, 2021 to align with recent State Legislation.
- 2) Authorize the continuation COVID-19 testing at the Orange County Great Park for one additional month at an estimated cost of \$131,000.

Following discussion of Item No. 4.2, Mayor Shea reordered the agenda to consider Item No. 4.4, and Item No. 4.5 prior to Item No. 4.3.

**4.3 DISCUSSION OF PUBLIC PARTICIPATION IN IRVINE CITY COUNCIL AND COMMISSION MEETINGS DURING THE COVID-19 PANDEMIC**

This item was considered following Council Business Item Nos. 4.4 and 4.5.

Molly Perry, City Clerk, presented the staff report and responded to questions. Khaled Tawfik, Chief Information Officer, was also available for questions.

Carl Petersen, Assistant City Clerk, noted that an e-comment was received by Anonymous Resident, who expressed support for the current options afforded the public and expressed support for communication of all mediums being provided in an equal manner.

City Council discussion included: questioning the financial impacts of additional staff time to manage public speakers; inquired about necessary safety and social distancing measures; questioned whether members of the public would be limited to only providing public comments or had the option of attending an entire meeting; inquired about liability waivers and their enforceability; questioned whether those who refuse to sign a waiver could still participate; inquired about whether the e-comment platform was compliant with the temporary provisions of the Brown Act; noted the increase in participation through the e-comment system; discussed the pros and cons of additional mechanisms for public participation; and suggested that the City Clerk expand research to the County as well as special districts, including the Orange County Fire Authority (OCFA) and Transportation Corridor Agencies (TCA), and return to the City Council at the first meeting in October with updated State guidelines and a draft waiver for consideration.

City Attorney Melching reiterated the provisions of the Governor's Executive Order, which required cities provide opportunity for members of the public to observe and participate in meetings, and because other mechanisms were available to the public (e-comment, e-mail, etc.), members of the public could be required to sign a waiver if they chose to participate in person; and noted that a liability waiver should be sufficient if a person has options and they are well informed about the risks of in-person attendance.

No action was taken.

**4.4 CONSIDERATION OF A REQUEST BY MAYOR SHEA AND COUNCILMEMBER KUO TO ADOPT A RESOLUTION OPPOSING PROPOSITION 15**

This item was agendaized at the request of Mayor Shea and Councilmember Kuo, who asked for City Council consideration to adopt a resolution opposing Proposition 15.

City Council discussion included: noting the need to close corporate loopholes and provide additional funding for local schools; reiterated that Proposition 15 would not impact residential property owners, farmers, or small landowners; noted the respective effective dates of Proposition 15 for retail centers and small businesses, if adopted; expressed concern that a large property tax increase could ensue; discussed certain language within the proposed resolution; noted key differences between Propositions 15 and the 1973 Proposition 13; expressed concern that costs for commercial property tax increases could be passed onto consumers; reiterated City Council support for school funding; and suggested that the City Council stay neutral on the matter, thereby letting California voters decide on the passage of Proposition 15.

Molly Perry, City Clerk, noted that the following e-comments had been received in support of adopting the proposed resolution:

- Steven LaMotte
- Anonymous Resident
- Vickie Talley
- Ryan Y
- Jennifer Ward
- Frances Pullin
- Carolyn Cavecche
- Dirissy Doan
- Anonymous Anonymous
- Robert Petrosyan

The following individuals submitted e-comments in opposition to the adoption of the proposed resolution:

- Justin Fong
- Julie Tapp
- Rajesh Rawal
- Jahmese Myres
- Hank Jones
- Harry Meussner
- Therese Sorey
- Lauren Belcher
- MaryAnn Gaido
- Debra Mathias
- Heather Kinkade
- Jonathan Beer
- Howard Roll
- Otniel Pavia
- Keira Monuki

**ACTION: Moved by Councilmember Khan, seconded by Councilmember Fox, and unanimously carried to:**

Maintain a neutral position with respect to the Split-Roll Property Tax Increase (Proposition 15) on the November 3, 2020, ballot.

**4.5 CONSIDERATION OF A REQUEST BY COUNCILMEMBER KHAN AND COUNCILMEMBER FOX TO ADOPT A RESOLUTION URGING THE UNITED STATES POSTMASTER GENERAL TO END ALL ACTIONS THAT SLOW DOWN OR UNDERMINE THE PROMPT DELIVERY OF MAIL SERVICES**

This item was agendaized at the request of Councilmembers Fox and Khan, who asked for City Council support to adopt a resolution urging the United States Postmaster General to end all actions that slow down or undermine the prompt delivery of mail services.

City Council discussion included: questioning the approximate number of U.S. mailboxes and sorting machines that had been removed to date; noted recent delays in mail delivery, including the delivery of pharmaceuticals; expressed concern about the intention of the resolution and taking a position on a state and federal matter; and suggested a letter be sent to the U.S. Postmaster General in lieu of a resolution to include a request to remedy actions already taken, including restoring equipment and related services.

Molly Perry, City Clerk, noted that the following e-comments had been received expressing support for the adoption of the proposed resolution:

- Anonymous Resident
- Debra Mathias
- Howard Roll

**ACTION: Moved by Mayor Shea, seconded by Vice Mayor Carroll, and unanimously carried to:**

**ACTION:**

Send a letter to the U.S. Postmaster General urging the ending of actions that slow down or undermine the prompt delivery of the U.S. mail, ensuring that delivery of U.S. mail is prompt, safe, and secure, especially during the COVID-19 pandemic and the U.S. Presidential Election, and remedying actions already taken, including restoring equipment and related services.

**PUBLIC COMMENTS**


Molly Perry, City Clerk, noted that the following e-comments had been received:

- Jose Trinidad Castaneda, who expressed support for the creation of a joint powers authority by November to meeting the deadline to submit an implementation of a Community Choice Energy program by December 31, 2020.
- Justin Du, who expressed opposition to the installation of cell towers in Irvine neighborhoods and City parks.
- Steven Greenberg, who expressed concern about the recent vandalizing and theft of Mayor Shea’s campaign signs.
- Jack Fancher, who inquired about whether CalVet proceeded with the funded preliminary study of the “golf course” site at the Orange County Great Park, and whether the Governor pulled the cemetery construction funds from this year’s budget; and expressed opposition to the Amended and Restated Development Agreement (ARDA) site for the proposed Veterans’ Cemetery.

**ADJOURNMENT**

**Moved by Councilmember Kuo, seconded by Mayor Shea, and unanimously carried to adjourn the City Council meeting in memory of former Planning Commissioner Bill Mavity at 8 p.m.**

  
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CITY CLERK OF THE CITY OF IRVINE

  
\_\_\_\_\_  
MAYOR OF THE CITY OF IRVINE

\_\_\_\_\_  
October 13, 2020