



MINUTES

CITY COUNCIL REGULAR MEETING

October 27, 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 4:32 p.m. on October 27, 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; 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

Vice Mayor Carroll led the Pledge of Allegiance.

INVOCATION

Rabbi Richard Steinberg from Congregation Shir Ha-Ma'alot in Irvine provided the invocation.

1. PRESENTATIONS

1.1 *Presentation by the Greater Irvine Chamber of Commerce*

Mayor Shea introduced President/Chief Executive Officer Bryan Starr, Greater Irvine Chamber of Commerce, who provided an update on the support and resources available to the business community during the COVID-19 pandemic.

Councilmember Fox suggested the creation of a task force or program on how the City, in conjunction with the Chamber, could provide additional support to local businesses.

By consensus, the presentation was received and filed. No action was taken.

INTERIM CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Khan, as the City's representative to the Orange County Mosquito and Vector Control District (District), presented a video produced by the District related to mosquito control.

Mayor Shea made the following announcements:

- Due to the COVID-19 pandemic, the Irvine Police Department, in partnership with the Greater Irvine Chamber of Commerce, will be hosting a Trick-or-Treat Drive-thru event at the Orange County Great Park on Friday, October 30 from 6 p.m. to 9 p.m. This is a free event and will feature candy and other giveaways, Halloween decorations, police vehicles, and the wonderful men and women of the Irvine Police Department. Participants are reminded to wear their costumes, and face covers, and to remain in their vehicles at all times.
- The community is invited to the 38th Annual Holiday Faire on Saturday, November 7. During this one-day outdoor shopping event, local artists will showcase unique handmade gifts for purchase. This year's Holiday Faire is being held entirely outdoors at the Orange County Great Park's Palm Court with advance tickets required to offer vendors and visitors more space to socially distance and shop safely, with new safety protocols in place. Tickets are available at yourirvine.org. Admission is \$2 and tickets for anyone age 12 or younger are free. For more information, visit cityofirvine.org/holidayfaire or call 949-724-6880.
- Vote-by-mail ballots for the November 3 Presidential General Election have been mailed to all registered voters in Orange County, and early voting is underway. Voters can cast their ballot one of three ways: 1) U.S. Mail (no stamp is required); 2) Via any official Ballot Drop Box location in Orange County, including ten locations in Irvine; and 3) Beginning Friday, October 30, at any Vote Center in Orange County, where voters can also register to vote, request a replacement ballot, get help in multiple languages, and vote with an accessible voting machine at any Vote Center. Vote Centers will be open October 30 through November 2 from 8 a.m. to 8 p.m. and November 3 from 7 a.m. to 8 p.m. There will be 14 Vote Centers in Irvine, including the Irvine Civic Center. For more information, visit cityofirvine.org/election or call the City of Irvine Election Hotline at 949-724-6159.

- The Regional Housing Needs Allocation (RHNA) is the number of homes that a City has to plan for in its General Plan Housing Element, mandated by the State of California and released every eight years. The state requires a City to find adequate sites for both the total number of homes and a number of homes across all income categories. If a City is unable to find adequate sites to accommodate the RHNA, it may become ineligible for millions of dollars in state funding. The City has been very involved throughout this process over the last year, expressing concern with the final RHNA methodology. In September, the City of Irvine received a draft RHNA allocation of 23,554 housing units, and an appeal of the RHNA allocation was filed on October 26, which challenges the number assigned to Irvine based on: 1) Inaccurate assumptions regarding transit, protected open space, and wildfire danger; 2) Unfair redistribution of units from other Cities; 3) The methodology violates state law; and 4) A change in circumstances due to COVID-19. RHNA appeal hearings will be held in December and January, and Final RHNA allocations will be released in February 2021. Updates will be provided on RHNA in the coming months.
- The Greater Irvine Chamber of Commerce held its Celebrate Resilience awards program and the City Council was honored with the Community Impact Award. This award recognizes those who have made significant contributions to help the community face or overcome challenges presented by the coronavirus pandemic. The City Council is proud of the work the City has done since the pandemic began to keep its residents and businesses safe.
- After six years as City Clerk and a 22-year career in public service, Molly Perry will be retiring on December 30. Molly was appointed City Clerk in 2014 after serving as City Clerk at Rancho Santa Margarita for six and a half years. From 2005 to 2007, Molly served as the first Orange County Great Park Clerk of the Board, and dedicated more than 16 years of service to the City of Irvine as she first joined the City in 1998. During Molly's tenure, she has encouraged an increased focus on technology platforms resulting in increased efficiency and economic service delivery within the City Clerk's Office while maintain outstanding customer service. She also served as the Region 10 Director of the California City Clerk's Association, as a voting member of the Orange County Election Working Group, and currently serves on the National Board of Directors of Trauma Intervention Programs, Inc., a local non-profit. In 2013, Molly was awarded the "City Clerk of the Year Award" and a "2013 Honorable Mention in Public Relations," by the Southern California City Clerk's Association.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

2. CONSENT CALENDAR

Prior to consideration of the Consent Calendar, Assistant City Clerk Petersen noted that Item 2.2 on the Consent Calendar included proclamations recognizing October 26-30, 2020 as “Red Ribbon Week”, November 2020 as “National American Indian Heritage Month,” and November 2, 2020 as “Complex Regional Pain Syndrome Awareness Day”; and unfortunately, due to the pandemic, the organizations could not be recognized personally.

ACTION: Moved by Councilmember Kuo, seconded by Vice Mayor Carroll, and unanimously carried to approve Consent Calendar Item Nos. 2.1, 2.6, 2.7, 2.8, and 2.11. Consent Calendar Item Nos. 2.2, 2.3, 2.4, 2.5, 2.9, and 2.10 were removed for separate discussion.

2.1 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 September 22, 2020.

2.2 PROCLAMATIONS

Carl Petersen, Assistant City Clerk, noted that an e-comment had been received from Patricia Martz, Irvine resident, who expressed support of proclaiming November 2020 as “National American Indian Heritage Month.”

There was no City Council discussion.

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

- 1) Proclaim October 26-30, 2020 as "Red Ribbon Week."
- 2) Proclaim November 2020 as “National American Indian Heritage Month.”
- 3) Proclaim November 2, 2020, as "Complex Regional Pain Syndrome Awareness Day."

2.3 WARRANT AND WIRE TRANSFER RESOLUTION

Carl Petersen, Assistant City Clerk, noted that an e-comment had been received from Jacob Nahin, who requested supporting documentation prior to City Council meetings.

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

Adopt RESOLUTION NO. 20-84 - 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

2.4 FISCAL YEAR 2019-20 CAPITAL IMPROVEMENT AND SPECIAL FUNDS YEAR-END REPORT

Carl Petersen, Assistant City Clerk, noted that the following e-comments were received:

- Anonymous Resident, who expressed appreciation to Mayor Shea, Interim City Manager Marysheva, and Assistant City Manager Grettenberg for ensuring that all concerns related to this item were responded to.
- Sandy Vela and Rachel Peress, Irvine residents, who inquired about Vice Mayor Carroll's alleged use of City funds for campaign purposes and his plan to repay the City.
- Clownstina Shea, Irvine resident, who expressed support for the Mayor's resignation.

There was no City Council discussion.

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

- 1) Approve the closure of 15 completed projects with \$17.2 million in expenditures and release appropriations of \$1.2 million in applicable special funds.
- 2) Approve the continuation of 173 City and Orange County Great Park administered capital projects with budgets totaling \$244.8 million to Fiscal Year 2020-21.
- 3) Approve a \$104 million net appropriation to inter-fund transfers for Fiscal Year 2020-21 open capital projects among various special and capital project funds.
- 4) Approve a new \$4.7 million Signal Synchronization project to coordinate signal timing with adjacent agencies for traffic flow improvements on Barranca Parkway from Bake Parkway to Red Hill Avenue.

- 5) Authorize the advancement of the Animal Care Center/Operational Support Facility Renovation Project and Culver Drive Pavement Rehab Project.
- 6) Approve funding for outstanding purchase orders in the Special Funds for \$2.7 million.
- 7) Approve funding of \$14.2 million for the remaining activities in the Special Funds.
- 8) Receive and file Community Facility District (CFD) annual reports for CFD 2004-1 Central Park, CFD 2005-2 Columbus Grove and CFD 2013-3 Great Park.

2.5 *TREASURER’S REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2020*

Carl Petersen, Assistant City Clerk, noted that the following e-comments had been received expressing opposition to the alleged misuse of public funds by Vice Mayor Carroll:

- Anon Anon, Irvine resident
- Anshul Garg, Irvine resident
- Maria Hester, Irvine resident,
- Rachel Peress, Irvine resident,
- Clownstina Shea, Irvine resident

There was no City Council discussion.

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

Receive and file the Treasurer’s Report for the fiscal year ended June 30, 2020.

2.6 *2020 IRVINE LOCAL HAZARD MITIGATION PLAN*

ACTION:
Adopted RESOLUTION NO. 20-85 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE IRVINE 2020 LOCAL HAZARD MITIGATION PLAN

2.7 APPROVAL OF SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THE FISCAL YEAR 2020-21 ANNUAL STREET REHABILITATION AND SLURRY SEAL PROJECT

ACTION:

- 1) Approved the specifications and contract documents for the Fiscal Year 2020-21 Annual Street Rehabilitation and Slurry Seal Capital Improvement Project 312104 and 312105.
- 2) Approved the Engineer's Estimate, Construction Contingency, and Funding Summary.
- 3) Authorized the City Manager to execute the Reimbursement Agreement with Irvine Ranch Water District for installation and adjustment of water facilities within the project area. **(Contract No. 11209)**
- 4) Authorized staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder in accordance with the City's purchasing policies and procedures, within the approved project budget.

2.8 MEASURE M2 COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM GRANT APPLICATIONS

ACTION:

Adopted RESOLUTION NO. 20-86 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE SUBMITTAL OF GRANT APPLICATIONS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION FUNDING PROGRAMS

2.9 AUTO CENTER COMMUNITY ASSOCIATION LEASE TO ALLOW VEHICLE STORAGE ON CITY OWNED PROPERTIES

Carl Petersen, Assistant City Clerk, noted that e-comments had been received from the following individuals in opposition to the Auto Center Community Association Lease to Allow Vehicle Storage on City Owned Properties:

- Mary Ann Gaido, Irvine resident
- Amira Mansour, Irvine resident
- John Swanson, Irvine resident
- John Howard, Irvine resident
- Beverly Jacobs, Irvine resident
- Gene Kaplan, Irvine resident
- Shawn Mela, Irvine resident
- Jake Jacobs, Irvine resident

- Jerri Kaplan, Irvine resident
- Roger Gloss, Rancho Santa Margarita resident
- Harvey Liss, Irvine resident
- Jenny Gu, Irvine resident
- Steve Newman, Irvine resident
- Susan Sayre, Irvine resident
- Irma Mudge, Irvine resident
- Imedla Aguilera, Laguna Woods resident
- Paul Mudge, Irvine resident
- Bertrand Weidberg, Irvine resident
- Ed McNew, Irvine resident
- Lyle Brakob, Newport Beach resident
- Kirk VanRooyan, Irvine resident
- Patricia Linehan, Irvine resident
- Frank McGill, Irvine resident,
- Steve Berger, Irvine resident
- Robert Grimm, Irvine resident
- Jane Feldman, Irvine resident
- David Weinkle, Irvine resident
- Ernestina Benson, Irvine resident
- James Linhart, Irvine resident
- Cervando Ortiz Vanderdys, Irvine resident
- Diane Gale, Irvine resident
- Monte Taylor, Irvine resident
- Nikhil Dakwala, Irvine resident
- Rick Cermak, Irvine resident
- Harold Smiley, Irvine resident
- Michelle Johnson, Irvine resident
- Carlos Uy, Irvine resident
- Teresita Vanderdys, Irvine resident
- Roberta Johnson, Irvine resident
- Ralph Farrington, Irvine resident
- S P, Irvine Resident
- Joanna Ramsey, Irvine resident

City Attorney Melching noted that an errata was provided to the City Council requesting clarification regarding allowable uses under one of the landscape license agreements, and four operational enhancements to the lease and license agreements discussed in Items 2.9 and 2.10; and clarified that the license agreements were terminable on a 90-day notice for any reason to ensure the agreements did not interrupt any activity with the Veterans' Cemetery.

Joel Belding, Deputy Director, Great Park, provided a brief report and responded to questions.

City Council discussion included: providing a brief summary of why the temporary use was requested; noted the fiscal benefits that would ensue; inquiring whether any complaints had been received related to the operation of the current landscape company at the Great Park; questioned whether potential lease agreement issues could ensue, including access issues, should CalVet move forward with the ARDA site; requested an overview of the provisions of the agreement; inquired about other alternative vacant properties where this specific use would be permitted; and questioned the development timeline for the proposed Veterans' Cemetery

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

Authorize the Interim City Manager to execute a Lease Agreement by and between the City of Irvine and Auto Center Community Association **as amended** per the errata memo dated October 27, 2020 (**Contract No. 11210**).

The motion carried as follows:

AYES:	3	COUNCILMEMBERS:	Carroll, Kuo, and Shea
NOES:	2	COUNCILMEMBERS:	Fox and Khan
ABSENT:	0	COUNCILMEMBERS:	None

2.10 LICENSE AGREEMENTS FOR THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT NORTHERN TRANSFER SITE (ARDA)

Carl Petersen, Assistant City Clerk, noted that e-comments had been received from the following individuals in opposition to the proposed license agreements for ARDA Transfer Site:

- Anon Anon
- Amira Mansour, Irvine resident
- Shawn Mela, Irvine resident
- Harvey Liss, Irvine resident
- Andrea Swanson, Irvine resident
- Jerri Kaplan, Irvine resident
- Jenny Gu, Irvine resident
- Imelda Aguilera, Laguna Woods resident
- Susan Sayre, Irvine resident
- Bertrand Weidberg, Irvine resident
- Irma Mudge, Irvine resident

- Edward Johnston, Irvine resident
- Steve Berger, Irvine resident
- Jing Sun, Irvine resident
- Jane Feldman, Irvine resident
- Ernestina Benson, Irvine resident
- Bernardo Ortiz, Irvine resident
- James Linhart, Irvine resident
- Monte Taylor, Irvine resident
- Roberta Palfini, Irvine resident
- Diane Gale, Irvine resident
- Nikhil Dakwala, Irvine resident
- Rick Cermak, Irvine resident
- Emily Lu, Irvine resident
- Harold Smiley, Irvine resident
- Teresita Vanderdys, Irvine resident
- Roberta Johnson, Irvine resident
- Ralph Farrington, Irvine resident

There was no City Council discussion.

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

Authorize the Interim City Manager to execute License Agreements for businesses relocated from County of Orange properties **as amended** per the errata memo dated October 27, 2020.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Carroll, Kuo, and Shea
NOES: 2 COUNCILMEMBERS: Fox and Khan
ABSENT: 0 COUNCILMEMBERS: None

2.11 APPOINTMENT OF INTERIM CITY CLERK

ACTION:

Approved the appointment of Carl Petersen to Interim City Clerk, effective December 31, 2020.

3. COUNCIL BUSINESS

3.1 COVID-19 SITUATIONAL UPDATE AND DIRECTION TO DIRECTOR OF EMERGENCY SERVICES ON RELEVANT ACTION ITEMS

Michelle Grettenberg, Assistant City Manager, presented the staff report and responded to questions.

City Council discussion included recognizing the efforts of those involved in ensuring the safety of residents who were evacuated by the Silverado Fire.

There were no e-comments received.

By consensus, received and filed. No action was taken.

3.2 FISCAL YEAR 2019-20 YEAR-END REPORT FOR THE GENERAL FUND AND THE BUILDING AND SAFETY FUND

Kristin Griffith, Director of Financial Management & Strategic Planning and Barbara Arenado, Manager of Budget and Business Planning, presented the staff report and responded to questions.

City Council discussion included: questioning the pension liability repayment plan, how it compared to other municipalities, and why continued funding was not recommended; inquired about the potential for additional CARES Act and HEROES Act funding; questioned whether there were appreciable savings from telecommuting; inquired about future property tax cycles; questioned existing budgetary controls and policies; and discussed individual oversight of City Council budgets.

Marianna Marysheva, Interim City Manager, provided an update on existing budget control practices and proposed administrative policy changes that would be brought forward for City Council consideration as part of the next budget cycle.

Carl Petersen, Assistant City Clerk, noted that the following e-comments had been received inquiring about alleged misuse of public funds by Vice Mayor Carroll:

- Jonathan Beer, Irvine resident
- Anshul Garg, Irvine resident
- Tiffany I, Irvine resident
- Nissa Eljor, Irvine resident
- Ibrahim Eldumiati, Irvine resident
- Rachel Peress, Irvine resident
- Marla Hester, Irvine resident

The following e-comments were received in opposition to Mayor Shea:

- City Irvine
- Measure S
- Chris Shea
- CS
- AA
- Irvine Irvine

Mark Newgent, Tanya Newgent, Savanna Newgent, spoke in opposition to comments made by Vice Mayor Carroll regarding the Newgent family and his alleged misuse of \$70,000 in public funds.

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

Approve a budget adjustment allocating the Fiscal Year 2019-20 General Fund balance of \$3,094,621, resulting from the receipt of the CARES Act funding not anticipated in the original budget, to the Contingency Reserve Fund to offset shortfalls anticipated in the General Fund and the Building and Safety Fund starting in Fiscal Year 2020-21.

3.3 REVIEW OF THE CLIMATE ACTION AND ADAPTATION PLAN SCOPE OF WORK

Due to audio technical difficulties, it was suggested this item be continued to the following City Council meeting.

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

Continue the item to the November 10, 2020, City Council meeting.

PUBLIC COMMENTS

Carl Petersen, Assistant City Clerk, noted that the following e-comments had been received:

- David Macwilson and Jonathan Beer, who inquired about why Mayor Shea was posting fire updates on her reelection campaign Facebook page and expressed concerns related to those updates.
- Christina Isaclown and Christina TheClown, who expressed opposition of Mayor Shea.

- Clownstina Shea, who called for Mayor Shea's resignation and expressed concern over the fire updates posted on her reelection campaign page.
- Anon Anon, Irvine resident, who encouraged Mayor Shea, Councilmember Khan, and Councilmember Kuo to hold Vice Mayor Carroll accountable for his alleged misuse of public funds and called for public servants to be held accountable by the Irvine Police Department.
- Jack Fancher, Irvine resident, who expressed concern over the media's portrayal of the Silverado Fire and encouraged correct information be circulated to relevant agencies and media outlets.
- Naman Kirth, Irvine resident, who expressed support of the recovery of money spent on mailers.
- Anonymous Resident, who expressed opposition to Mayor Shea, Councilmember Khan, and Councilmember Kuo not addressing the alleged misuse of public funds by Vice Mayor Carroll.
- Sanjay Gupta, Irvine resident, who inquired about Councilmember Khan's Facebook page.
- Michael Patterson, Irvine resident, who expressed opposition to the comments made by Mayor Shea during the public comment portion of the last City Council meeting regarding the tampering of political signs.
- Marla Hester, Jing Sun, Chuck Heath, Dana Leslie, Janis Morris, and Clownstina Shea, Irvine residents, who expressed opposition to Vice Mayor Carroll's alleged use of City funds for political mailing purposes.
- Steven Greenberg, Irvine resident, who expressed opposition to Councilmember Khan accepting a gift from the Republic of Azerbaijan to pay for a trip to Baku, and stated the citizens of Irvine deserved an explanation concerning this trip.
- Christina Lien, Scott Andrews, Emily Lu, Chung Liang Lee, and Vivian Zhao, Irvine residents, who expressed concerns related to the All American Asphalt factory.

Assistant City Clerk Petersen noted that the following e-comment was inadvertently omitted from Item 3.2:

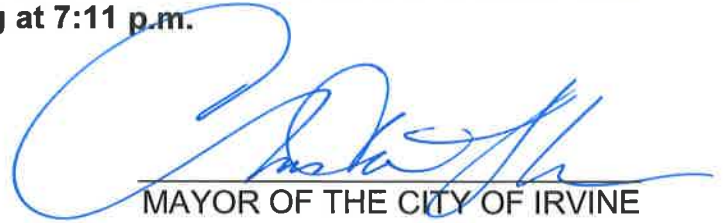
- Jeanne Baran, Irvine resident, who encouraged the City Council to address whether taxpayer money was used for Vice Mayor Carroll's campaign and to explain his spending patterns within the City budget.

ADJOURNMENT

Moved by Councilmember Kuo, seconded by Vice Mayor Carroll, and unanimously carried to adjourn the City Council meeting at 7:11 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

November 24, 2020