



## **MINUTES**

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

**July 10, 2018**  
**City Council Chamber**  
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 4:09 p.m. on July 10, 2018 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor/Chairman Wagner presiding.

### **ROLL CALL**

Present:	5	Councilmember/Boardmember:	Melissa Fox
		Councilmember/Boardmember:	Jeffrey Lalloway
		Councilmember/Boardmember:	Lynn Schott
		Mayor Pro Tempore/Vice Chairwoman:	Christina Shea
		Mayor/Chairman:	Donald P. Wagner

**1. CLOSED SESSION**

City Attorney Melching requested removal of the Closed Session item.

- 1.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1) – Mary Ann Gaido v. Molly McLaughlin, City Clerk of the City of Irvine, Neal Kelley, Orange County Registrar of Voters, et al., Orange County Superior Court Case No. 30-2018-00972013-CU-JR-CJC**

**PLEDGE OF ALLEGIANCE**

Mayor Wagner led the Pledge of Allegiance.

**INVOCATION**

Mayor Wagner provided the invocation.

**CITY MANAGER'S REPORT**

There was no report.

**ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

Mayor Wagner made the following announcements:

- The City’s Sizzlin’ Summer Concerts continue on Sunday, July 15 at Mike Ward Community Park-Woodbridge, when The Reflexx performs ‘80s alternative and new wave music. The free, family-friendly concerts run through August 12, covering a wide variety of musical tastes. Gourmet food trucks and a children’s play area are part of the festivities, which begin at 5:30 p.m. For information, visit [cityofirvine.org/play](http://cityofirvine.org/play).
- Irvine residents can attend a free viewing of the World Cup Final at the Great Park Championship Soccer Stadium’s by watching the match on the giant scoreboard beginning at 8 a.m. on Sunday, July 15, courtesy of Orange County Soccer Club. No tickets or RSVP required. Watch the ICTV video about the event, as well as a preview of the youth championship match that follows the World Cup viewing on at [cityofirvine.org](http://cityofirvine.org). For information on event details, visit [orangecountysoccer.com](http://orangecountysoccer.com).

- Irvine Novaquatics, in cooperation with the City of Irvine, is hosting two major national swim championship events at William Woollett Jr. Aquatics Center. The 2018 USA Swimming Phillips 66 National Championships will take place July 25 – 29, and the Speedo Junior National Championships take place July 31 through August 4. Preliminaries for both events begin daily at 9 a.m., with finals beginning at 6 p.m. Both events are open to the public. For information, visit [usaswimming.org/events](http://usaswimming.org/events).
- Beginning the week of July 16, City Council, Orange County Great Park Board, and City Commission meetings will be moving temporarily to the Conference and Training Center, to allow several needed construction improvements to occur. The improvements include a complete overhaul of the Council Chamber’s audio visual system. The improvements will assure production reliability and enhance the experience of offsite viewers. Improvements will also be made to enhance the quality of visuals for our onsite audience, as well as security enhancements and accessibility improvements. It is anticipated that construction will be completed by mid-November.

**ADDITIONS AND DELETIONS**

There were no additions or deletions.

**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 4:15 p.m.

**2. CONSENT CALENDAR - CITY COUNCIL**

**ACTION:** Moved by Mayor Pro Tempore/Vice Chairwoman Shea, seconded by Councilmember/Boardmember Fox, and unanimously carried to approve City Council Consent Calendar Item Nos. 2.1 through 2.7, and Successor Agency Consent Calendar Item Nos. 3.1 and 3.2, with the exception of City Council Consent Calendar Item Nos. 2.4 and 2.5, which 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 June 26, 2018.

**2.2 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 18-55 - 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 ADOPTION OF RESOLUTION DECLARING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON JUNE 5, 2018 REGARDING MEASURES B, C, AND D**

**ACTION:**

- 1) Received and filed the Certificate of Results for the Special Municipal Election held on June 5, 2018 for Ballot Measures B, C, and D.
- 2) Adopted RESOLUTION NO. 18-56 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD ON JUNE 5, 2018, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

**2.4 APPROVAL OF SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THE ANNUAL STREET REHABILITATION AND SLURRY SEAL PROJECT**

This item was removed for separate discussion at the request of Mayor Wagner, who expressed concern about slurry seal projects occurring at peak traffic times.

City Council discussion included: expressed concern about construction during peak traffic hours, including lunch time traffic, and suggested these types of projects occur during off-peak times (after 9 a.m. and prior to 3 p.m.); inquired about whether these types of projects could be completed during overnight hours; suggested that the City Manager work with staff to develop a comprehensive plan for City Council consideration; and questioned how the City could ensure similar compliance by private developers with respect to work hours.

Manuel Gomez, Director of Public Works, noted that staff was in the process of reviewing all roadway projects to provide clear direction to contractors with respect to work hours and associated lane impacts.

Pete Carmichael, Director of Community Development, noted that conditions of approval could be placed on developers to comply with restricted work hours on roadways.

**ACTION: Moved by Mayor Wagner, seconded by Mayor Pro Tempore Shea, and unanimously carried to:**

- 1) Approve the specifications and contract documents for the Annual Street Rehabilitation and Slurry Seal Capital Improvement Project 311901.
- 2) Approve the Engineer's Estimate, Construction Contingency and Funding Summary.
- 3) Authorize 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. 10288)**
- 4) Authorize 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.

**2.5 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR TURTLE ROCK COMMUNITY PARK ACCESSIBILITY IMPROVEMENTS**

This item was removed by Councilmember Lalloway, who asked for a brief summary by staff regarding the accessibility improvements at Turtle Rock Community Park.

Manuel Gomez, Director of Public Works, provided a brief report.

City Council discussion included: inquiring about the engineer's estimate; how many other older community centers were not Americans with Disabilities (ADA) compliant; inquired about a schedule for improvements at other non-ADA compliant community centers; and expressed appreciation to the Irvine Residents with Disabilities Advisory Board for its review and input on the project improvements.

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

- 1) Approve the construction plans, specifications and contract documents for Turtle Rock Community Park Accessibility Improvements, Capital Improvement Projects 361705 and 361813.
- 2) Approve the Engineer's Estimate, Construction Contingency and Project Funding Summary.
- 3) Authorize 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.

**2.6 AWARD OF CONSTRUCTION CONTRACT FOR CULVER/UNIVERSITY INTERSECTION IMPROVEMENTS**

**ACTION:**

- 1) Approved and authorized the Mayor to execute a construction contract with Beador Construction Company, Inc., the lowest responsive and responsible bidder, in the amount of \$3,549,300 for the Culver/University Intersection Improvements, Capital Improvement Project 318030. **(Contract No. 10289)**
- 2) Authorized the City Manager to execute the Reimbursement Agreement with Irvine Ranch Water District for the installation and adjustment of water facilities within the project area. **(Contract No. 10290)**
- 3) Approved the Revised Project Funding Summary.

**2.7 SECOND READING OF ORDINANCE NO. 18-07 DIRECTING AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE CITY ENGINEER AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS**

**ACTION:**

Read by title only, second reading and adoption of ORDINANCE NO. 18-07 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DIRECTING AN AMENDMENT TO THE "CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS," AS MAINTAINED BY THE CITY ENGINEER AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

**3. CONSENT CALENDAR - SUCCESSOR AGENCY**

**3.1 MINUTES**

**ACTION:**

Approved the minutes of the regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency with the Irvine City Council held on June 26, 2018.

**3.2 WARRANT AND WIRE TRANSFER RESOLUTION – CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY**

**ACTION:**

Adopted RESOLUTION NO. 18-05 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ALLOWING CERTAIN CLAIMS AND DEMANDS OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

**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 to adjourn the regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 4:31 p.m.

**RECONVENE TO THE CITY COUNCIL MEETING**

Mayor Wagner reconvened the regular City Council meeting at 4:32 p.m.

**4. COUNCIL BUSINESS**

**4.1 AGREEMENT FOR THE EMPLOYMENT OF CITY MANAGER OF THE CITY OF IRVINE**

Mayor Wagner provided a brief summary of the process and procedures related to the City Manager recruitment, the terms of the proposed contract, and a biography of Mr. John A. Russo.

Harvey Liss, Irvine resident, spoke in opposition to the contract approval, and requested a continuance of the item.

City Council discussion included: reiterating the need for a strong City Manager for the City of Irvine; and expressed appreciation to Andersen and Associates for its assistance during the recruitment process.

Mr. Russo expressed his appreciation to the City Council for its consideration of selecting him as the top candidate for City Manager and provided brief remarks.

**ACTION: Moved by Mayor Wagner, seconded by Mayor Pro Tempore Shea, and unanimously carried to:**

Approve Agreement for Employment of City Manager between City of Irvine and John A. Russo. **(Contract No. 10291)**

**4.2 HERITAGE PARK LIBRARY RENOVATION FUNDING**

By consensus, this item was continued to a date uncertain.

**4.3 CONSIDERATION OF MAYOR WAGNER'S REQUEST FOR A LETTER OF SUPPORT TO THE ORANGE COUNTY SANITATION DISTRICT FOR ITS WATERSMART TITLE 16 GRANT APPLICATION**

This item was agendized at the request of Mayor Wagner, who asked for City Council support of the Orange County Sanitation District's application for a Watersmart Title 16 grant.

City Council discussion included: inquiring about which other cities in Orange County were expressing such support to the Orange County Sanitation District.

**ACTION: Moved by Mayor Wagner, seconded by Mayor Pro Tempore Shea, and unanimously carried to:**

Authorize the Mayor to send a letter of support for the Orange County Sanitation District's Watersmart Title 16 Grant application.

**RECESS**

Mayor Wagner recessed the City Council meeting at 4:52 p.m.

**RECONVENE**

Mayor Wagner reconvened the City Council meeting at 6:05 p.m.

**4. COUNCIL BUSINESS (Continued)**

**4.4 CONSIDERATION OF COUNCILMEMBER LALLOWAY'S REQUEST FOR DISCUSSION OF THE VETERANS CEMETERY**

This item was agendized at the request of Councilmember Lalloway, who requested City Council support to locate the Veterans Cemetery at the

originally approved Amended and Restated Development Agreement (ARDA) site.

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

- 1) Have the City Council officially recognize the June 5<sup>th</sup> decision of Irvine voters, rejecting Measure B and thereby once again reaffirming the City Council's 2014 decision designating the Great Park ARDA site for the Southern California Veterans Cemetery.
- 2) Direct the Irvine City Manager and staff, in consultation with CalVet, to establish a demolition, cleanup and preliminary site preparation plan for immediate implementation at the Great Park Veterans Cemetery site, consistent with the 333-page CalVet Great Park Veterans Cemetery Concept Plan approved in 2016.
- 3) Direct the City Manager and staff to establish a schedule and budget for the construction of Phase 1 of the Great Park Veterans Cemetery, noting that "up-front" funding is available from the City's Great Park Development Fund (Fund 180) – a Fund which will eventually contain nearly \$300 million (including State Redevelopment settlement funds). To be clear, Fund 180 is a separate and apart from the City's General Fund. It is expected that any up-front expenditures from Great Park Development Fund would be largely or wholly reimbursed and augmented by State and/or Federal funds.
- 4) Direct the City Manager and City Attorney to reaffirm that, once built, the State of California will, by law, be responsible for the operation and maintenance of the Veterans Cemetery in the Great Park in perpetuity, at no cost to the City of Irvine.
- 5) Establish a two-member Veterans Cemetery implementation committee (consisting of Mayor Wagner and Councilmember Lalloway), to lead the effort to gain maximum cooperation and assistance from Governor Brown, CalVet and others in Sacramento, in furtherance of our goal to have Phase 1 of the Veterans Cemetery in the Great Park operational by Veterans Day, November 11, 2010.

The following individuals spoke in support of a Veterans Cemetery at the ARDA site:

Ed Pope, Irvine resident  
Joyce Kassouf, Irvine resident  
Larry Agran, Irvine resident  
Harvey Liss, Irvine resident  
Tom Robb, Irvine resident  
Ronnie Guyer  
Johnny Gurule, Irvine resident

Jane Olinger, Irvine resident  
Jack Fancher  
Larry Bales  
Michelle Johnson, Irvine resident  
Ray Roschmann, Irvine resident  
Jane Roschmann, Irvine resident  
Jason Jazayeri, Irvine resident  
Eric R. Hildebrand, Irvine resident  
Kev Abazajian, Irvine resident  
Carolyn Inmon, Irvine resident  
David Olinger, Irvine resident  
Stephen Berger  
Mary Ann Gaido, Irvine resident  
Alan Meyerson, Irvine resident  
Christine Castro Benson  
Angelo Vassos, Irvine resident  
Sharon Toji, Irvine resident  
Jesse Medina, Irvine resident  
Auram Grossman, Irvine resident  
Don Geller, Irvine resident  
H.K. Rahlfs  
Bruce Junor, Irvine resident  
Jim Torres, Irvine resident  
George Baird, Irvine resident  
Dee Fox  
Lloyd Rowe, Irvine resident  
Ronald Bengochea  
Gail Lewis, Irvine resident  
Carl Mariz, Irvine resident  
Gil Nelsen  
Sam Castelo, Irvine resident  
Diane Gale, Irvine resident  
Robert Brower, Irvine resident  
Jackie Woods, Irvine resident  
Bill Sandlin, Irvine resident

The following individuals spoke in opposition:

Scott Purley, Irvine resident  
Gang Chen, Irvine resident  
Duffy Riebe, Irvine resident  
Bill Cook, Orange County Veterans Memorial Park  
Martha Huff  
Nick Berardino  
Alan Bartlett, Irvine resident  
Judy Chimits, Irvine resident  
Steve Greenberg, Irvine resident

Carolyn Caveche, representing Orange County Taxpayers' Association, noted that while the Association did not take a formal position with respect to the location of the Veterans Cemetery, it suggested that the financial aspect be carefully considered.

Greg Smith, Irvine resident, suggested that the City Council provide the Transportation and Planning Commissions opportunities for review should it move forward to re-designate the ARDA site.

City Council discussion included: noting the importance of seeking the best quality, location, and opportunity to build a veterans cemetery near or at the Orange County Great Park, as well as preserving the history of the Marine Corps Air Station (MCAS) at El Toro; reiterated budget deficits over the last two fiscal years; summarized Measure B, Fund 180, and Great Park obligations; provided a list of Cultural Terrace amenities and associated costs; suggested potential relocation of the Veterans Cemetery to the Cultural Terrace; noted that the ARDA site was originally to be sold in exchange for Great Park revenue; expressed concern that the State may not reimburse the City for any costs associated with the Veterans Cemetery; reiterated that only \$40 million was needed up front to begin Phase 1; inquired about how much of Fund 180 was already earmarked, and the expected deficit over the next year; reiterated that the ARDA site would need to go through the proper planning process, including CEQA; and expressed concern that the Veterans Cemetery could not get built by the year 2020.

Pete Carmichael, Director of Community Development/Interim Director of the Orange County Great Park, provided a summary Fund 180 revenues and expenditures over the next several years.

**ACTION: A substitute motion was made by Mayor Wagner, seconded by Mayor Pro Tempore Shea, to:**

- 1) Direct the Planning Commission to:
  - a) Work with the City's legal team, to prepare a comprehensive review of contractual agreements with our development partner and any other legal constraints, so that we might understand our Great Park construction obligations; and
  - b) Prepare an accurate time line for clean-up and first phase development and if in fact the first phase can be build and opened by November 11, 2020, as described in Councilmember Lalloway's memo.

- 2) Direct the Finance Commission to:
  - a) Review all available sources of potential cemetery funds (including Great Park Fund 180's presently and expected future receipts);
  - b) Analyze the impact to the Great Park construction of removing \$80 million from Fund 180; and
  - c) Prepare an update of expected cost of demolition, clean-up, design, and construction of the first phase of the proposed cemetery plan (as described in the 2016 Concept Plan).
- 3) Direct the Planning Department staff to prepare a report of any known hazardous contaminants at the ARDA site and suggest how best to quickly address those matters with the least impact on City funds. (If outside consulting support is needed, staff is to bring to the City Council, within 60 days, a request for consultant approval, a description of the anticipated scope of work, and needed budget adjustments for City Council review and authorization of this special environmental consultant.)
- 4) Direct the Transportation Commission to complete a comprehensive traffic study for the proposed cemetery at the ARDA site, for the complete build out of the 125 acres.
- 5) Direct the Mayor (or whoever that may be over the coming year) to work with the OC Veterans groups, the State Legislature, CalVet, the Federal VA Department, and the County of Orange to:
  - a) Gather all available pertinent information regarding the proposed ARDA site idea regarding full build out costs, including maintenance responsibilities, oversight of undeveloped acreage, responsibilities for construction of the additional phases of the cemetery, and impacts of internment services on the surrounding schools, and property owners (e.g. funeral processions, gun salutes);
  - b) Amend legislation to change the designation of the site and put money into the Fiscal Year 2019-20 state budget for the first phase of construction; and

- c) Evaluate and report to the City Council on the question of Irvine participation in potential other Orange County sites.

6) Direct the City Manager to:

- a) Meet and confer with the County CEO and appropriate County staff members to receive updates about its plan to consider construction of a Veterans Cemetery on County land; and
- b) Report regularly to the City Council and the public for ongoing review, discussion and deliberation.

**The motion carried as follows\*:**

AYES: 3 COUNCILMEMBERS: Fox, Shea and Wagner

NOES: 2 COUNCILMEMBERS: Lalloway and Schott

ABSENT: 0 COUNCILMEMBERS: None

\* The substitute motions carried and take precedence over the main motion; therefore, a vote was not taken on the main motion.

Councilmember Lalloway left the meeting at 9:42 p.m.

**PUBLIC COMMENT-CITY COUNCIL**

Susan Sayre, Irvine resident, spoke about the lack of transparency with respect to the Irvine Community Land Trust.

Branda Lin, Irvine resident, spoke in opposition to censorship on social media by Councilmembers.

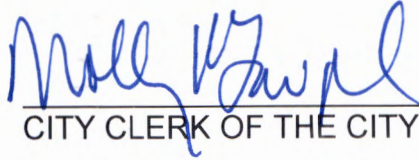
Councilmember Schott left the meeting at 9:51 p.m.

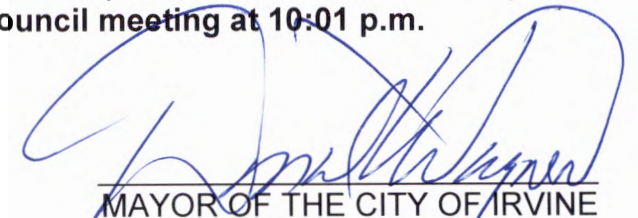
Ryan Berger spoke in opposition to the City Council’s selection of a new City Manager.

Ilya and Robert Tseglin reiterated a domestic issue related to an autistic family member.

**ADJOURNMENT-CITY COUNCIL**

**Moved by Mayor Pro Tempore Shea, seconded by Councilmember Fox, and unanimously carried by those members present (Councilmembers Lalloway and Schott absent), to adjourn the regular City Council meeting at 10:01 p.m.**

  
\_\_\_\_\_  
CITY CLERK OF THE CITY OF IRVINE

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

\_\_\_\_\_  
July 24, 2018