



MINUTES

CITY COUNCIL SPECIAL MEETING AND SPECIAL JOINT MEETING WITH THE ORANGE COUNTY GREAT PARK BOARD

June 23, 2020
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The special meeting of the Irvine City Council was called to order at 3:07 p.m. on June 23, 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

Prior to the Pledge of Allegiance, 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. 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.

1. CLOSED SESSION

City Attorney Melching announced the following Closed Session item:

1.1 ***THREAT TO PUBLIC SERVICES OR FACILITIES (Gov. Code Section 54957): Consultation with Chief of Police and City Attorney***

Prior to convening to Closed Session, Molly Perry, City Clerk, noted that the following e-comments were received:

- Rachel W., who spoke in opposition to the matter being discussed in Closed Session.
- Christine An, who spoke in support of reallocating police funding to other services such as education, mental health clinics, and housing.
- Jonathan Beer, who spoke in support of protecting first amendment activities and protecting protests at specific addresses.

RECESS

Mayor Shea recessed the special City Council meeting to Closed Session at 3:12 p.m.

RECONVENE TO THE CITY COUNCIL SPECIAL MEETING

Mayor Shea reconvened the special City Council meeting at 4:28 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Councilmember Kuo led the Pledge of Allegiance.

INVOCATION

Pastor Lynn Linis from Free Chapel in Irvine provided the invocation.

CITY COUNCIL RECOGNITIONS

- ***Commend the South Coast Chinese Cultural Association for its donation to the Irvine Police Department***

Mayor Shea presented a commendation to the South Coast Chinese Cultural Association for its donation of \$15,000 to the Irvine Police Department, and expressed her appreciation on behalf of the City Council.

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

- Kayla Noonan, who spoke in support of allocating donated funds to other community resources.
- Chelsea Boyle, who spoke in support of defunding the police.

2. PRESENTATIONS

2.1 Reopening Plan for City Facilities

Marianna Marysheva, Assistant City Manager, presented a brief overview related to the reopening plan for City facilities, including amenities and facilities which had already reopened.

City Council discussion included: expressing appreciation to staff for keeping the City Council apprised of COVID-19 data, including infection rates and status in the County; noted requests by community members for updates related to the reopening of City facilities and amenities; questioned why certain amenities had reopened in surrounding cities and under what authority, if any, allowed such re-openings; noted that the City of Irvine was following State law and must continue to comply in order to receive State funding; and reiterated that the City did not have the authority to reopen certain amenities, such as playgrounds.

Received and filed. No action was taken.

CITY MANAGER'S REPORT

City Manager Russo provided a brief update on Irvine specific COVID-19 antigen testing, noting that a service provider had been identified to administer testing for those who live or work in Irvine for a period of 30 days, at which time staff will reassess the program and report back to the City Council. He also noted that it was anticipated that the program would commence in early July.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Khan made the following announcements:

- June 14th was Flag Day, and also the 100th birthday of World War II Veteran Captain Frank Wendzel, who asked for 100 birthday cards from members of the community while celebrating in quarantine. His daughter, Irvine resident Sherry Wendzel Brooks, reported that over 1,200 cards had been received, with additional cards to still be counted. Councilmember Khan wished Captain Wendzel a happy 100th birthday.

- In collaboration with the United Across Borders Foundation and several other Irvine organizations, Councilmember Khan will be hosting a contactless drive-thru emergency food distribution event on Saturday, June 27 from 10 a.m. to 1 p.m. at the Orange County Great Park, Lot 2. For information, contact the United Across Borders Foundation at 714-888-8815 or info@uabfoundation.org.

Mayor Shea made the following announcements:

- On June 3, the City launched the Small Business Support Program to provide one-time grants of up to \$10,000 to local businesses located in Orange County's 3rd Supervisorial District. Last week, the City awarded grants to 506 small businesses in a variety of industries, including, but not limited to retail, dining and entertainment, automotive, professional and personal services, and technology. Mayor Shea expressed her appreciation to Orange County Supervisor Donald P. Wagner for his ongoing support of local businesses. Funding for the grants came from the CARES Act through Supervisor Wagner. In addition, Orange County Supervisor Lisa Bartlett opened a small business grant program for businesses in the County's 5th Supervisorial District. Applications are being accepted through June 28. For information, visit ociesmallbusiness.org/ocdistrict5.
- This summer, residents can enjoy movies and concerts in the park during the Summer Drive-In Series every Saturday in August at the Orange County Great Park. The series of modified events brings the community together for movies on the big screen and live concerts, while ensuring that social distancing guidelines are followed. Food items for purchase from gourmet food trucks will be available. The series kicks off on August 1 with Southland Mega Groove playing hits from the 1960s through today. Due to limited space available, the event is open to Irvine residents only. Admission is free, but registration is required at yourirvine.org. Reservations will be available beginning July 1. For information, visit cityofirvine.org.
- The City of Irvine is launching a Community Photo Archive Project to chronicle every day moments in time that reflect the impacts of COVID-19, and showcase how our Irvine community continues to come together during this global health crisis. Irvine residents, business owners, and anyone who works in the City is invited to participate in this campaign by submitting photos of their experiences. Photos should showcase the world around you and how it has changed in recent days, weeks, and months. Examples include photos of at-home workspace, kids learning remotely, web-based meeting screenshots, medical drives, community involvement, and food drives. The goal is to chronicle moments in time to highlight how we navigate new paths together. For information or to submit photos, visit cityofirvine.org. Select images will be shared on the City's social media channels.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Kuo, seconded by Vice Mayor Carroll, and unanimously carried to approve Consent Calendar Item Nos. 3.1, 3.7, and 3.8. Consent Calendar Item Nos. 3.2 through 3.6, and 3.9, were removed for separate discussion.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the Irvine City Council held on May 26, 2020.
- 2) Approved the minutes of a regular meeting of the Irvine City Council held on May 26, 2020.
- 3) Approved the minutes of a special meeting of the Irvine City Council held on May 29, 2020.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

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

- Anonymous Resident, who asked for greater clarity of what funds and demands would be applicable under the proposed resolution and what it entailed, and spoke in opposition to the resolution if it meant that demands and claims made through settlement in court and other items discussed in Closed Session would not be presented to the public.

City Manager Russo clarified that information related to this item was available online with the agenda for public review, to which Mayor Shea reiterated that warrants and wire transfers related to bills paid by the City.

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

Adopt RESOLUTION NO. 20-48 - 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

3.3 ACCEPTANCE OF FAMILIES FIRST CORONAVIRUS RESPONSE ACT FUNDING

Councilmember Fox, on behalf of members of the public, requested clarification regarding the source of Families First Coronavirus Response Act funding, how it was earmarked, and the requirements for utilizing these funds.

Sandra Salcedo, Community Services Superintendent, presented the staff report and was available for questions.

Molly Perry, City Clerk, noted that the following e-comment was received:

- Jonathan Beer, who spoke in support of using funding to assist renters in the City, if allowed by the terms.

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

- 1) Authorize the City Manager to execute contract for the acceptance of Families First Coronavirus Response Act (FFCRA) funding in the amount of \$102,279 from the County of Orange Office on Aging for the Elderly Nutrition Program for Fiscal Years 2019-20 and 2020-21. **(Contract No. 11080)**
- 2) Approve Budget Adjustments to increase revenues and expenditures in the amount of \$20,419 in Fiscal Year 2019-20 and \$81,860 in Fiscal Year 2020-21.

3.4 ACCEPTANCE OF COUNTY OF ORANGE OFFICE ON AGING GRANT

Councilmember Fox, on behalf of members of the public, requested clarification regarding the County of Orange Office on Aging grant, how it was earmarked, and the requirements for utilizing these funds.

Sandra Salcedo, Community Services Superintendent, presented the staff report and was available for questions.

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

- 1) Authorize the City Manager to execute contract for the acceptance of a \$494,188 grant from the County of Orange Office on Aging to fund the Congregate Meal Program, Home-delivered Meal Program, Nutrition Transportation, Case Management, and In-Home Services for Fiscal Year 2020-21, the first year of a four-year funding cycle. **(Contract No. 11081)**
- 2) Approve a Budget Adjustment to Special Fund 128 for FY 2020-21 to adjust the County of Orange Office on Aging Grant revenue and expenditures in the amount of \$26,722.

3.5 TREASURER'S REPORT FOR THE QUARTER ENDED MARCH 31, 2020

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

- Anonymous Resident, who spoke in support of asking the Treasurer or appropriate parties to determine and certify whether the City would be able to meet, may not meet, or would not meet its financial obligations for the current and two subsequent fiscal years.
- Pia Eulogio, who spoke in support of reallocating police funding to other public services such as education, mental health teams, addiction, and homelessness.

There was no City Council discussion.

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

Receive and file the Treasurer's Report for the quarter ended March 31, 2020.

3.6 REALLOCATION OF STRATEGIC TECHNOLOGY PLAN FUNDING

Molly Perry, City Clerk, noted that the following e-comment was received:

- Christina Dillard, who inquired about Irvine Police Department budget reallocation.

There was no City Council discussion.

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

Approve a \$600,000 adjustment to budgeted contract services for Citywide Information System Services without increasing existing approved budget or contract.

3.7 ANNUAL MEASURE M2 ELIGIBILITY SUBMITTAL

ACTION:

- 1) Approved and authorize staff to submit to the Orange County Transportation Authority the Measure M2 Seven-year Capital Improvement Program for Fiscal Years 2020-21 through 2026-27 to comply with Measure M2 eligibility criteria.
- 2) Adopted RESOLUTION NO. 20-49 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CONCERNING THE UPDATE OF THE LOCAL SIGNAL SYNCHRONIZATION PLAN FOR THE MEASURE M2 PROGRAM

3.8 MEASURE M2 WATER QUALITY GRANT PROGRAM APPLICATION

ACTION:

Adopted RESOLUTION NO. 20-50 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE MEASURE M2 TIER 1 ENVIRONMENTAL CLEANUP PROGRAM

3.9 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

Molly Perry, City Clerk, noted that the following e-comment was received:

- Anonymous, who asked for clarification regarding Councilmembers' ability to agendaize items, and spoke in opposition to the proposed grant nomination.

Councilmember Kuo clarified that Community Partnership Fund Grant Nominations did not require the approval of an additional Councilmember to agendaize, and noted the challenges that the Exchange Club of Irvine had been facing due to the pandemic.

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

- 1) Approve Councilmember Kuo's request for Community Partnership Fund Grant Nomination to California Nevada District Exchange Clubs Charitable Foundation Inc. in the amount of \$1,000 in support of program costs.
- 2) Authorize the City Manager to prepare and sign the funding agreement. **(Contract No. 11082)**

RECESS - CITY COUNCIL SPECIAL MEETING

Mayor Shea recessed the special City Council meeting at 5:09 p.m.

CONVENE TO THE SPECIAL JOINT MEETING

Mayor Shea convened to the special joint meeting of the Irvine City Council with the Orange County Great Park Board at 5:10 p.m.

ROLL CALL

Mayor Shea asked that the City Clerk note for the record that all Councilmembers and Orange County Great Park Board Directors were present.

4. CITY COUNCIL / BOARD BUSINESS

4.1 FISCAL YEAR 2019-21 MID-CYCLE BUDGET REVIEW INCLUDING COVID-19 UPDATES

Marianna Marysheva, Assistant City Manager, and Kristin Griffith, Director of Financial Management and Strategic Planning, presented the staff report and responded to questions.

Molly Perry, City Clerk and Great Park Secretary/Clerk of the Board, noted that the following e-comments were received:

- Courtney Echols, Khai Hoang, Nicholas Kawanami, Caitlyn Chen, Jonathan Beer, and Chelsea Boyle, who spoke in support of reallocating police funding to other community services programs.
- Carole Uhlener, Karen Tanenbaum, and Bethany Mendenhall, who spoke in support of the mask mandate in public spaces.

City Council/Board discussion included: reiterating the requirement for wearing masks; expressed appreciation to staff for exploring ways to reduce the anticipated budget shortfall; noted that additional federal funding would be available within the next several months, and questioned whether the budget as presented accounted for such funding; inquired about the total budget impact of COVID-19 over the next five years; discussed the utilization of contingency reserve funds if needed and the postponement of the Pension Paydown Plan; questioned the discrepancy between significant impacts over three months versus the entire year; inquired about sales tax and “other” revenues; suggested using actual numbers versus percentages when providing revenue and expenditure estimates; questioned the impacts of postponing certain Capital Improvement Projects (CIPs), and suggested replacing “savings” with “deferrals;” inquired about whether certain CIP projects were included in the Great Park budget; inquired about the minimum payment due to CalPERS for pension payments and whether that number fluctuates; discussed the Landscape, Lighting, and Park Maintenance (LLPM) assessment and associated energy savings; inquired about whether Public Safety handled mental health and homelessness services; questioned why a reduction in funding for the Barclay Theatre was not recommended as a cost saving measure; inquired about discrepancies in Great Park revenues; questioned which positions were amended in the proposed Position Control resolution; and suggested that staff provide an updated report in October to allow the City Council to reassess the budget when additional data was available.

ACTION: Moved by Mayor/Director Shea, seconded by Councilmember/Vice Chairman Kuo, and unanimously carried to:

- 1) Approve the Fiscal Year 2020-21 Budget (the second year of the two-year budget) in accordance with the Municipal Code requirements, by adopting RESOLUTION NO. 20-51 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET FOR THE CITY OF IRVINE FOR FISCAL YEAR 2020-21
- 2) Authorize the proposed cost containment measures for Fiscal Year 2020-21.

- 3) Reaffirm the positions previously approved in the biennial budget for Fiscal Year 2020-21 and reverse subsequent incorrect position adjustments, by adopting RESOLUTION NO. 20-52 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR THE 2020-21 FISCAL YEAR, AND SUPERSEDING RESOLUTION NO. 19-108, WHICH IS INCONSISTENT THEREWITH
- 4) Accept the Department of Justice - Bureau of Justice Assistance (BJA) award entitled BJA FY 20 Coronavirus Emergency Supplemental Funding Program in the amount of \$35,094 and approve a budget adjustment request in the amount of \$35,094, reflecting an increase to revenues and appropriations in FY 2019-20. **(Contract No. 11083)**
- 5) Affirm the legally required annual appropriations limit by adopting RESOLUTION NO. 20-53 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020-21
- 6) Approve the continuation of an existing Landscaping and Lighting Assessment District by adopting RESOLUTION NO. 20-54 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS, APPROVING THE ENGINEER'S ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE IRVINE LANDSCAPE, LIGHTING AND PARK MAINTENANCE ASSESSMENT, FISCAL YEAR 2020-21
- 7) Acting as the Orange County Great Park Board, recommend the City Council approve the Fiscal Year 2020-21 capital and operating budgets and anticipated contracts for the Orange County Great Park Budget, as required by the Fiscal Transparency and Reforms Act.
- 8) Accept Subrecipient Agreement between the County of Orange and the City for Coronavirus Relief Funds for eligible expenses in the amount of \$1,920,141.53 and approve a budget adjustment request in the amount of \$1,920,141.53, reflecting an increase to revenues and appropriations in Fiscal Year 2019-20. **(Contract No. 11084)**

ADJOURNMENT - SPECIAL JOINT MEETING

Moved by Vice Mayor/Director Carroll, seconded by Councilmember/Vice Chairman Kuo, and unanimously carried to adjourn the special meeting of the Irvine City Council with the Orange County Great Park Board at 6:12 p.m.

RECONVENE TO THE SPECIAL CITY COUNCIL MEETING

Mayor Shea reconvened the City Council special meeting at 6:13 p.m.

5. COUNCIL BUSINESS

5.1 UPDATE ON CITY'S RENTAL ASSISTANCE PROGRAMS

Pete Carmichael, Director of Community Development, and Charles Kovac, Housing Administrator, presented the staff report and responded to questions.

City Council discussion included: expressing concern about advancing funding from the General Fund, and questioned the probability of reimbursement through the CARES Act if funds were advanced; noted concerns raised by University of California, Irvine (UCI) students; inquired about how residency and eligibility requirements would be determined under the program; suggested that applicants be provided a disclosure that disbursement was contingent upon receiving funding from the CARES Act; expressed concern about paying lease termination fees with taxpayer money; noted that the level of rental assistance may not be sufficient; inquired about the implementation of the program, filing period, and application process, as well as the marketing of the program; noted that the Irvine Company was continually working with renters impacted by COVID-19; noted similar financial concerns related to homeowners; and suggested expanding the program to all household members.

City Manager Russo expressed concern that since the June 9, 2020, City Council meeting, staff was less confident that CARES Act funding would be available to the City to fund this program. Assistant City Manager Marysheva also noted that the State budget did not include the allocation of CARES Act funding, and that the Department of Housing and Urban Development (HUD) funding was too restrictive and could not be used as originally anticipated.

Molly Perry, City Clerk, noted that approximately 24 e-comments had been received, most of which were made available to the City Council on the dais, with the exception of the following, which were received after 1 p.m.:

- Chad Kuisel, who expressed concern that Mayor Shea was misunderstanding requests made by UCI students, and spoke in support of providing assistance in the amount of \$1,000 per individual and the exploration of additional support programs.
- Heidi Chen and Ditty Parampathu, who spoke in support of the rental assistance program and additional support programs.

- Anonymous Resident, who spoke in support of \$1,000 of rental assistance, and expressed concern about students who have not established residency in Irvine.
- Courtney Echols, who spoke in support of the suspension of rent, lease break fee assistance, and a moratorium on evictions.
- Marie King, who spoke in opposition to the proposed lottery system as part of the selection process.
- Nalya R., who expressed concern that the rental assistance program did not fully address concerns raised by students, and spoke in support of a moratorium on evictions, foreclosures, and rent increases.

ACTION: Moved by Councilmember Fox, seconded by Councilmember Khan, to:

Make \$5 million of the Rainy Day (Contingency) Fund available to the program immediately.

ACTION: A substitute motion was made by Councilmember Kuo, seconded by Mayor Shea, to:

- 1) Authorize the City Manager to advance \$2 million from the General Fund for a two-tier rental assistance program as authorized on June 9, 2020: 1) with \$1 million available for up to \$1,000 per eligible household for rental payment assistance; and 2) \$1 million designated for up to \$1,000 per eligible household for lease cancellation penalties; with all City funds to be reimbursed by future CARES Act funding distributed by the State of California.
- 2) Authorize the City Manager to advance up to \$826,138 from the General Fund for emergency rental assistance programs administered by Families Forward and South County Outreach to be reimbursed by future ESG-CV and CDBG-CV funding distributed by the U.S. Department of Housing and Urban Development.

Following discussion, Councilmember Kuo withdrew his substitute motion.

ACTION: A substitute motion was made by Vice Mayor Carroll, seconded by Councilmember Kuo, to:

Receive and file.

Following discussion, Vice Mayor Carroll withdrew his substitute motion.

ACTION: A substitute motion was made by Vice Mayor Carroll, seconded by Councilmember Kuo, to:

Affirm the action taken at the June 9, 2020, City Council meeting, with the understanding that the HUD funding component was no longer valid, and make up the difference with CARES Act COVID-19 Relief Funds.

ACTION: A second substitute motion was made by Councilmember Khan, seconded by Councilmember Fox, to:

Authorize the City Manager to advance \$2 million from the General Fund for a two-tier rental assistance program as authorized on June 9, 2020.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Fox and Khan

NOES: 3 COUNCILMEMBERS: Carroll, Kuo, and Shea

ABSENT: 0 COUNCILMEMBERS: None

ACTION: The first substitute motion was moved by Vice Mayor Carroll, seconded by Councilmember Kuo, to:

Affirm the action taken at the June 9, 2020, City Council meeting, with the understanding that the HUD funding component was no longer valid, and make up the difference with CARES Act COVID-19 Relief Funds.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Carroll, Kuo, and Shea

NOES: 2 COUNCILMEMBERS: Fox and Khan

ABSENT: 0 COUNCILMEMBERS: None

5.1A RESOLUTIONS CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 3, 2020; REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION; AND ESTABLISHING REGULATIONS FOR CANDIDATE STATEMENTS OF QUALIFICATIONS AND THE COST THEREOF

Molly Perry, City Clerk, presented the staff report and responded to questions.

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

- Courtney Echols, who spoke in support of the November 3, 2020, election and the selection of a new mayor.
- Channa Samynathan, who expressed concern about political signs that remain from the 2018 election, and spoke in support of passing legislation to limit the number of political signs.
- Jonathan Beer, who spoke in opposition to any financial assistance for candidate statements given the impact of the coronavirus impact on the City's budget.

City Council discussion included: inquiring about the start of the nomination period; questioned whether regulations and costs for candidate statements differed between the offices of Mayor and Councilmember; inquired about the cost for a 200-word candidate statement and whether the cost was a flat fee; questioned how the amount for candidate statements was determined; inquired about the number of days that Vote Centers would operate due to COVID-19; questioned whether every registered voter would receive a vote-by-mail ballot and if postage was included; inquired about the availability of ballot drop-off boxes; expressed concern about the financial impact of candidate statement fees and the inability for some candidates to pay; and questioned whether any other costs existed for those who may choose not to file a candidate statement.

ACTION: Moved by Councilmember Fox, seconded by Councilmember Khan, to:

Adjust the financial obligation for a candidate statement to \$800 per candidate.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Fox and Khan

NOES: 3 COUNCILMEMBERS: Carroll, Kuo, and Shea

ABSENT: 0 COUNCILMEMBERS: None

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

ACTION:

- 1) Adopt RESOLUTION NO. 20-55 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CITY CHARTER
- 2) Adopt RESOLUTION NO. 20-56 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE
- 3) Adopt RESOLUTION NO. 20-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020
- 4) Receive and file the Temporary Non-Commercial Sign (Political Signs) Guidelines and Policy.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Carroll, Kuo, and Shea

NOES: 2 COUNCILMEMBERS: Fox and Khan

ABSENT: 0 COUNCILMEMBERS: None

5.2 CALIFORNIA ENVIRONMENTAL QUALITY ACT MANUAL UPDATE, INCLUDING THE VEHICLE MILES TRAVELED IMPACT ANALYSIS GUIDELINES, AND UPDATED TRAFFIC STUDY GUIDELINES

Mayor Shea left the dais at 7:37 p.m. and asked Vice Mayor Carroll to assume the role of presiding officer during her absence.

Melissa Chao, Senior Planner, and Sun-Sun Murillo, Project Development Administrator, presented the staff report and responded to questions.

Mayor Shea returned to the dais at 7:46 p.m.

City Council discussion included: requesting clarification regarding the methodology for land use projects; inquired about potential consequences if implementation was delayed; expressed concern that the vehicle miles traveled (VMT) calculation was a “one-size-fits-all” model; suggested a two-year delay for implementation; inquired about whether the City must follow the calculation process after July 1; expressed concern that new guidelines could increase cost of living, including housing; questioned the options available to applicants if the guidelines were not incorporated into the CEQA manual; and noted the need to provide the appropriate guidance to staff.

ACTION: Moved by Councilmember Fox, seconded by Councilmember Khan, to:

- 1) Adopt RESOLUTION NO. 20-58 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING AN UPDATED CEQA MANUAL (DATED APRIL 2020) FOR CITY IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING VEHICLE MILES TRAVELED (VMT) IMPACT ANALYSIS GUIDELINES
- 2) Adopt RESOLUTION NO. 20-59 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING UPDATED TRAFFIC STUDY GUIDELINES (DATED APRIL 2020)

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Fox, Khan, and Kuo

NOES: 2 COUNCILMEMBERS: Carroll and Shea

ABSENT: 0 COUNCILMEMBERS: None

5.3 RECOMMENDATION FOR APPROVAL TO IMPLEMENT A BODY-WORN CAMERA PROGRAM AND ISSUE A REQUEST FOR PROPOSALS FOR BODY-WORN CAMERA HARDWARE, SOFTWARE, AND IMPLEMENTATION SERVICES FOR THE IRVINE POLICE DEPARTMENT

Mike Hamel, Director of Public Safety/Chief of Police, presented the staff report and responded to questions.

City Council discussion included: questioning whether the body cameras were battery operated; inquired about how the program would interact with the Computer Aided Dispatch (CAD) system; clarified the definition of "official contact;" inquired about existing policies related to audio recorders; questioned the retention policy for dash cam and audio recordings, and whether body cameras would replace these devices; inquired about whether camera footage could be viewed remotely; questioned the types of expenditures that would qualify under Asset Forfeiture Funding; inquired about whether funding for the program would qualify as a "front line" use; and asked that staff return to the City Council once the program was implemented.

Molly Perry, City Clerk, noted that approximately 26 e-comments had been received, of which the majority had been received prior to the cut-off time of 1 p.m. E-comments received after were read into the record as follows:

- Corona Virus and Chad Kuisel, who spoke in support of utilizing existing allocated funding to implement the program, and in opposition to allocating additional funds.
- Nalya R., who spoke in support of defunding the Irvine Police Department, noting that extensive research showed that body cameras do not prevent officers from engaging in violent or discriminatory ways.
- Marie King, who spoke in support of defunding the Irvine Police Department and investing in the community.
- Courtney Echols, who spoke in opposition to the use of body cameras, and in support of less financial investment in the police and additional investment in other community programs.
- Heidi Chen and Anonymous Resident, who spoke in support of the use of body cameras.

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

- 1) Approve the Department of Public Safety to implement a Body-worn Camera Program.
- 2) Approve for staff to issue a formal Request for Proposals for body-worn camera hardware, software, and implementation services, as the first step in implementing a Body-worn Camera Program for the Irvine Police Department.

5.4 CONSIDERATION OF A REQUEST BY COUNCILMEMBER FOX AND COUNCILMEMBER KHAN TO ADOPT RESOLUTIONS ESTABLISHING POLICIES FOR THE DISPLAY OF FLAGS, INCLUDING THE PRIDE FLAG, AT CITY HALL

This item was agendaized at the request of Councilmembers Fox and Khan, who asked for City Council support to establishment of a policy for the display of flags, including the Pride Flag, at City Hall.

City Council discussion included: clarification of scrivener errors reflected in the proposed resolutions; inquired about the proposed display order of flags; questioned the proposed length of time for the display of the Pride Flag; referenced the issuance of a proclamation for LGBTQ Pride Month by the City Council at the June 9, 2020, meeting; noted the meaning and significance behind the colors of the Pride Flag; and expressed concern that requests from individual groups to display their respective flags could become problematic.

Molly Perry, City Clerk, noted that approximately 55 e-comments had been received, of which the majority had been received prior to the cut-off time of 1 p.m. E-comments received after were read into the record as follows:

- Corona Virus, Bren Unger, Heidi Chen, Anonymous Resident, Jenny H, David Nagel, Jennifer Mirmak, Justin Fong, Hardip Paswsananti, Felicity Figueroa, Ditty Parampathu, and Michele Guindani, who spoke in support of displaying the Pride Flag at City Hall.
- Amy Tran, who spoke in opposition to flying the Pride Flag at City Hall.

ACTION: Moved by Councilmember Fox, seconded by Councilmember Khan, to:

- 1) Adopt RESOLUTION NO. 20-60 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING THE ANNUAL DISPLAY OF THE PRIDE FLAG AT CITY HALL TO COMMEMORATE HARVEY MILK DAY AND LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PRIDE MONTH **as amended** to include Councilmember Khan as a proponent, and amend the adoption date of the resolution.
- 2) Adopt RESOLUTION NO. 20-61 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ESTABLISHING A POLICY FOR THE DISPLAY OF FLAGS AT CITY HALL **as amended** to update the adoption date of the resolution.

The motion carried as follows:

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

NOES: 1 COUNCILMEMBERS: Shea

ABSENT: 0 COUNCILMEMBERS: None

5.5 CONSIDERATION OF A REQUEST BY COUNCILMEMBER FOX AND COUNCILMEMBER KHAN TO DISCUSS AMENDED AND RESTATED DEVELOPMENT AGREEMENT (ARDA) SITE IMPROVEMENTS

This item was agendaized at the request of Councilmembers Fox and Khan, who asked for City Council discussion related to Amended and Restated Development Agreement (ARDA) site improvements.

At the request of Councilmember Fox, Larry Agran, Irvine resident, and Patrick Fuscoe, Fuscoe Engineering, presented a video related to the approximate costs and design of the proposed Southern California Veterans Memorial Park and Cemetery (Veterans Cemetery).

Mayor Shea noted her opposition, expressing concern that the location of the Veterans Cemetery did not go before the voters; and suggested that the Veterans Cemetery be dedicated to the State with land restrictions.

Mayor Shea left the meeting at 8:55 p.m., at which time Vice Mayor Carroll assumed the role as presiding officer.

Molly Perry, City Clerk, noted that approximately 25 e-comments had been received, of which the majority had been received prior to the cut-off time of 1 p.m. E-comments received after were read into the record as follows:

- Gil Nelsen, who spoke in support of the immediate funding for cleanup at the ARDA site.
- Anonymous Resident, who spoke in support of hearing more about the results of negotiations with FivePoint Communities and the site dedication event.

ACTION: Moved by Councilmember Fox, seconded to Councilmember Khan, to:

- 1) Direct the City Manager to inform Governor Gavin Newsom, CalVet officials, State legislative leaders (including all of the members of the Orange County delegation), California's two U.S. Senators, and the Orange County congressional delegation, that the City's May 12, 2020, adoption of the "Build the Great Park Veterans Cemetery" Initiative, that the site-selection process in Irvine is over; and that the 125-acre ARDA site at the Orange County Great Park is Irvine's designated and exclusive site for construction of the long-promised Southern California Veterans Memorial Park and Cemetery.
- 2) Direct the City Manager to work with CalVet officials to establish a mutually productive relationship to:
 - a) Confirm the continuing availability of ample State and Federal funding sources to move forward with the planning and construction of the Southern California Veterans Memorial Park and Cemetery;
 - b) Coordinate City and State planning and construction on the ARDA site in advance of negotiating the terms and conditions of an ARDA Site Transfer Agreement;
 - c) Meet with the Building Trades Council to discuss veteran and local hire opportunities; and
 - d) Ensure that among the contemplated terms and conditions of the Transfer Agreement are provisions for the reimbursement to the City of funds expended, if any, by the City to improve the ARDA site prior to the actual transfer of the property to the State.

- 3) Direct the City Manager and Planning staff to return to the City Council on July 28, 2020, with a preliminary evaluation of the plan presented this evening and confirming the indicated timelines and the estimated costs to achieve the improvements at the ARDA site, including:
 - a) Demolition, clearance, and cleanup of the 125-acre ARDA site;
 - b) Seeking an understanding of the kinds of jobs and employment that would ensue, including the approximate number of individuals that would be working on the site.
 - c) Preservation and restoration of certain historic features, including the Aircraft Control Tower, Airplane Hangars, associated tarmac and runways, and the re-purposing and incorporation of these features into an Aviation Museum;
 - d) Creation of a perimeter system of berm trails, trees, and memorial gardens; and
 - e) Construction of the first phase (15 acres) of the Veterans Cemetery itself, to be State-funded and State-operated in perpetuity with no burden on the City and dedicated as the Southern California Veterans Memorial Park and Cemetery, beginning no later than Veterans Day, 2023.

City Council discussion included: inquiring about reimbursable costs by CalVet that were expended by the City; questioned restrictions, if any, on State funding and whether it had been approved; questioned the approximate value of the 125-acre ARDA site; expressed concern that certain design features were not feasible; noted that the proposal had not been through CEQA review or reviewed by other City Commissions; expressed concern that State funding may be pulled due to the COVID-19 pandemic, and suggested that representatives from the City meet with CalVet to discuss costs, including remediation and demolition due to the potential impacts; expressed support to expedite the development of the Veterans Cemetery; inquired about the discrepancy estimates between Fuscoe Engineering and CalVet; noted that California State Senator Tom Umberg had confirmed the Governor's commitment to provide funding for the Veterans Cemetery; and suggested that remediation of the 125-acre site take place as soon as possible.

City Manager Russo expressed concern that the proposal would not receive Federal funding, and that the Federal government would not reimburse for remediation and demolition of the 125-acre site. He also noted that staff felt that the golf course site would have been more likely to receive Federal funding.

ACTION: A substitute motion was made by Councilmember Kuo to:

Continue the item until such time that staff can respond to the proposed motion made by Councilmember Fox.

The motion failed for lack of second.

ACTION: Moved by Councilmember Fox, seconded to Councilmember Khan, to:

- 1) Direct the City Manager to inform Governor Gavin Newsom, CalVet officials, State legislative leaders (including all of the members of the Orange County delegation), California's two U.S. Senators, and the Orange County congressional delegation, that the City's May 12, 2020, adoption of the "Build the Great Park Veterans Cemetery" Initiative, that the site-selection process in Irvine is over; and that the 125-acre ARDA site at the Orange County Great Park is Irvine's designated and exclusive site for construction of the long-promised Southern California Veterans Memorial Park and Cemetery.
- 2) Direct the City Manager to work with CalVet officials to establish a mutually productive relationship to:
 - a) Confirm the continuing availability of ample State and Federal funding sources to move forward with the planning and construction of the Southern California Veterans Memorial Park and Cemetery;
 - b) Coordinate City and State planning and construction on the ARDA site in advance of negotiating the terms and conditions of an ARDA Site Transfer Agreement;
 - c) Meet with the Building Trades Council to discuss veteran and local hire opportunities; and
 - d) Ensure that among the contemplated terms and conditions of the Transfer Agreement are provisions for the reimbursement to the City of funds expended, if any, by the City to improve the ARDA site prior to the actual transfer of the property to the State.
- 3) Direct the City Manager and Planning staff to return to the City Council on July 28, 2020, with a preliminary evaluation of the plan presented this evening and confirming the indicated timelines and the estimated costs to achieve the improvements at the ARDA site, including:

- a) Demolition, clearance, and cleanup of the 125-acre ARDA site;
- b) Seeking an understanding of the kinds of jobs and employment that would ensue, including the approximate number of individuals that would be working on the site.
- c) Preservation and restoration of certain historic features, including the Aircraft Control Tower, Airplane Hangars, associated tarmac and runways, and the re-purposing and incorporation of these features into an Aviation Museum;
- d) Creation of a perimeter system of berm trails, trees, and memorial gardens; and
- e) Construction of the first phase (15 acres) of the Veterans Cemetery itself, to be State-funded and State-operated in perpetuity with no burden on the City and dedicated as the Southern California Veterans Memorial Park and Cemetery, beginning no later than Veterans Day, 2023.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Fox and Khan

NOES: 2 COUNCILMEMBERS: Carroll and Kuo

ABSENT: 1 COUNCILMEMBERS: Shea

No action was taken.

PUBLIC COMMENTS

Molly Perry, City Clerk, noted that approximately 25 e-comments had been received, of which the majority had been received prior to the cut-off time of 1 p.m. E-comments received after were read into the record as follows:

- Three e-comments under the name “Christina Shea,” who spoke in support of Mayor Shea’s immediate resignation.
- Chad Kuisel and Dee Fox, who spoke in opposition to Mayor Shea’s position on the display of the Pride Flag at City Hall.
- Courtney Echols, who spoke in opposition to Mayor Shea’s position on the display of the Pride Flag at City Hall, and in support of the suspension of rent and defunding of the Irvine Police Department.

- Corona Virus, who spoke in opposition to comments made by Mayor Shea with respect to the LGBTQ community.
- Justin Fong, who spoke in support of allowing public comments via Zoom or telephone, and expressed concern with the character limit of e-comment.
- Nalya R, who spoke in support of a moratorium on evictions, foreclosures, and rent increases; and in support of banning lease break fees.
- Anonymous Resident, who expressed concern about the recent increase in traffic collisions, and suggested the Irvine Police Department address such concerns.
- Luke Hilty, who spoke in support of reopening playgrounds.
- Natalie KobsaMark, who spoke in support of reallocating funding from the Irvine Police Department to other community services and the Irvine Unified School District.

ADJOURNMENT

Moved by Councilmember Khan, seconded by Councilmember Kuo, and unanimously carried by those members present (Mayor Shea absent), to adjourn the City Council meeting at 9:36 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

July 28, 2020