



MINUTES

CITY COUNCIL REGULAR MEETING

May 14, 2019
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 4:02 p.m. on May 14, 2019 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Shea presiding.

ROLL CALL

Present:	4	Councilmember:	Melissa Fox
		Councilmember:	Farrah N. Khan
		Mayor Pro Tempore:	Anthony Kuo
		Mayor	Christina Shea

1. CLOSED SESSION

City Attorney Melching announced the following Closed Session item:

- 1.1 **CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) Agency Negotiators: John Russo, City Manager; Marianna Marysheva, Assistant City Manager; Michelle Grettenberg, Deputy City Manager; Mike Hamel, Director of Public Safety/Chief of Police; Jimmee Medina, Director of Human Resources & Innovation; Kristin Griffith, Director of Financial Management & Strategic Planning; Brian King, Manager of Human Resources; Employee Organizations: Associated Supervisory/ Administrative Personnel (ASAP); Irvine City Employees Association (ICEA); Irvine Professional Employees Association (IPEA); Irvine Police Association (IPA); Irvine Police Management Association (IPMA); Management and**

Non-Represented Employees; Confidential Employees; and Part-Time Employees

There were no requests to speak to the Closed Session item.

RECESS

Mayor Shea recessed the regular City Council meeting to Closed Session at 4:04 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Shea reconvened the regular City Council meeting at 4:41 p.m. City Attorney Melching, on behalf of the City Council, announced that there was no reportable action taken in Closed Session.

PLEDGE OF ALLEGIANCE

Councilmember Fox led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Shea asked for a Moment of Silence for those who have died, their families and friends, and all who have been wounded in three deadly shootings across the country in recent weeks at Chabad of Poway, the University of North Carolina at Charlotte, and STEM School Highlands Ranch, Colorado.

INVOCATION

Mayor Pro Tem Kuo provided the invocation.

2. PRESENTATIONS

2.1 Shot Hole Borer Beetle by UC Cooperative Extension

Mayor Shea introduced Dr. Beatriz E. Nobua Behrmann, Urban Forestry Advisor, U.C. Cooperative Extension – Orange and Los Angeles Counties, who provided a presentation to the community about the shot hole borer beetle.

City Council discussion included: expressing concern about beetles moving cross-jurisdictional boundaries between homeowners' association trees and the City's open space, and inquired about responsibilities and potential solutions to control infestation; suggested a coordinated strategy between the City and community partners, including the Irvine Ranch Conservancy, University of California, Irvine, and the County of Orange; and requested that the item be agendaized for the May 28, 2019 City Council meeting to discuss the City's collaboration with community partners.

2.2 Proclaim May 2019 as "Mental Health Awareness Month"

Mayor Shea introduced Police Chief Hamel, Community Services and Public Safety staff, and guests from the National Alliance on Mental Illness and Didi Hirsch Mental Health Services, and presented a proclamation in recognition of May 2019 as "Mental Health Awareness Month." Police Chief Hamel also provided a brief video describing some of the services that are available with respect to mental health.

2.3 Recognition of the Irvine Police Department for Solving a Recent String of Vehicle Burglaries at City Parks

Councilmember Khan recognized members of the Irvine Police Department for their response to the recent case they solved involving vehicle burglaries at parks in the City of Irvine, and presented Certificates of Recognition.

2.4 Recognition of Jennifer Lee Koh, Immigration Clinic at Western State College of Law in Irvine

Councilmember Khan introduced Jennifer Lee Koh, and presented a Certificate of Recognition for work with the Immigration Clinic at Western State College of Law in Irvine.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Khan made the following announcements:

- Councilmember Khan recently attended the 5th Annual Forum on Intercultural Dialogue in Baku, Azerbaijan, where international leaders and members of the United Nations convened, with discussions focused on maintaining societies that embrace and enhance the lives of their diverse community.
- As the City's representative to the Orange County Mosquito and Vector Control District (OCMVCD), Councilmember Khan conducted an onsite visit at the UCI Marsh with OCMVCD to view the areas that needed spraying, and reiterated that any spraying would have to meet the City's nontoxic requirements.
- May is "Older Americans Month," and Orange County Public Libraries offer several programs for seniors.

Mayor Shea made the following announcements:

- S&P Global Ratings assigned the City's upcoming Reassessment District No. 19-1 refunding bond issue a long-term 'A' rating with a stable outlook. The bond refunding, which is scheduled to go before the City Council in June, will provide savings to 2,660 residential parcels within the Reassessment District, which is made up of Portola Springs, Hidden Canyon, and Cypress Village. Property owners could realize estimated assessment savings between \$135 and \$681 annually. The S&P rating reflects the District's low taxpayer concentration, full development status, good value-to-lien ratio, and solid economic fundamentals, such as very strong buying income, low unemployment rates, and a broad and diverse metropolitan statistical area.
- The community is invited to join Irvine Police Department D.A.R.E. Officers for an evening of fun, food, and games on Saturday, May 18 at 6 p.m. at Heritage Community Park. Disney's *Mary Poppins Returns* will begin at dusk. Residents are encouraged to bring lounge chairs. The event is free, with food available for purchase. For information, call 949-724-7000.
- The City of Irvine will be hosting two Memorial Day events to honor those who have given their lives while defending our nation. The first, held in partnership with the Northwood Memorial Committee, is a special candle lighting ceremony on Sunday, May 26 at 4 p.m. at the Northwood Gratitude and Honor Memorial at Northwood Community Park, which includes presentations by Gold Star families. The second event is the City's annual Memorial Day Ceremony on Monday, May 27 at 10 a.m. at Colonel Bill Barber Marine Corps Memorial Park, where guests will have the opportunity to honor family and friends who have made the ultimate sacrifice in the line of duty by writing a brief remembrance on a memory board. Cards will also be available for well-wishers to send a message of appreciation to Irvine's adopted 2/11 Marine Battalion. Both events are free. For information, visit cityofirvine.org/specialevents.
- The Irvine Ranch Conservancy, which manages the City's open space, has brought in a herd of goats to Bommer Canyon as part of a habitat restoration project, which is an environmentally friendly approach to land management and wildfire prevention. The City will be hosting an event with goats in June to learn more about the benefits of bringing these animals in to help maintain the City's open space.

ADDITIONS AND DELETIONS

City Manager Russo requested that Item No. 4.1 (Revisions to Community Services Fees and Policies for Athletics and Aquatics; Updates to the Cost Recovery Policy for Community Services Programs and Services; and Updates to the Orange County Great Park Balloon and Carousel Fees) be continued to May 28 to provide an opportunity for further outreach to the community.

3. CONSENT CALENDAR

ACTION: Moved by Mayor Pro Tempore Kuo, seconded by Councilmember Fox, and unanimously carried to approve City Council Consent Calendar Item Nos. 3.1 through 3.9, with the exception of Consent Calendar Item No. 3.4, which was removed for separate discussion.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the Irvine City Council held on April 3, 2019.
- 2) Approved the minutes of a special meeting of the Irvine City Council and special joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency held on April 9, 2019.

3.2 PROCLAMATIONS/COMMENDATIONS

ACTION:

- 1) Ratified and commended the Junior League of Orange County, California.
- 2) Ratified and proclaimed May 28, 2019 as "Azerbaijan National Day."
- 3) Proclaimed May 2019 as Lupus Foundation of America's "Lupus Awareness Month."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 19-32 - 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

3.4 IRVINE BUSINESS COMPLEX VISION PLAN STATUS UPDATE

This item was removed for separate discussion at the request of Susan Sayre, Irvine resident, who expressed concern about the lack of park space, interconnected paths, bikeways and bridges in the Irvine Business Complex.

City Council discussion included: noting onsite amenities available to residents; reiterated the contributions and intended uses of in-lieu park fees; and questioned if trails would be in lieu of or in addition to park space.

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

Receive and file.

3.5 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR IRVINE BUSINESS COMPLEX SIDEWALK IMPROVEMENTS

ACTION:

- 1) Approved the construction plans, specifications, and contract documents for the Irvine Business Complex Sidewalk Improvements CIP 311402.
- 2) Approved the Engineer's Estimate, Construction Contingency, and Project Funding Summary.
- 3) Authorized staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder, which is in accordance with the City's purchasing policies and procedures, within the approved project budget.

3.6 AT-LARGE COMMITTEE MEMBER APPOINTMENTS TO GREEN RIBBON ENVIRONMENTAL COMMITTEE

ACTION:

Appointed Ms. Bemmy Maharramli and Dr. Kathleen Treseder to fill the two at-large committee member vacancies on the Green Ribbon Environmental Committee.

3.7 NOTICE OF REVIEW FOR A TRACT MAP IN THE GREAT PARK NEIGHBORHOODS (HERITAGE FIELDS EL TORO, LLC)

ACTION:

Received and filed.

3.8 SECOND READING OF ORDINANCE NO. 19-06 APPROVING ZONE CHANGE 00771096-PZC TO AMEND THE ZONING ORDINANCE AND PROVIDE NEW CITYWIDE REGULATIONS FOR SMALL UTILITY FACILITIES

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 19-06 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00771096-PZC TO AMEND THE ZONING ORDINANCE AND PROVIDE NEW CITYWIDE REGULATIONS FOR SMALL UTILITY FACILITIES

(Unless otherwise directed by a Member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

Approved 4-0.

3.9 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Pro Tempore Kuo's request for Community Partnership Fund Grant Nomination to the Meadow Park PTA in the amount of \$500 in support of program costs. **(Contract No. 10609)**
- 2) Authorized the City Manager to prepare and sign the funding agreement listed in Action 1.

4. PUBLIC HEARINGS

4.1 REVISIONS TO COMMUNITY SERVICES FEES AND POLICIES FOR ATHLETICS AND AQUATICS; UPDATES TO THE COST RECOVERY POLICY FOR COMMUNITY SERVICES PROGRAMS AND SERVICES; AND UPDATES TO THE ORANGE COUNTY GREAT PARK BALLOON AND CAROUSEL FEES

This item was continued to the May 28, 2019 City Council meeting. See Additions and Deletions.

4.2 COST OF SERVICES ANALYSIS AND RELATED FEE RECOMMENDATIONS FOR CITY CLERK, PUBLIC SAFETY AND DEVELOPMENT-RELATED SERVICES

Amy Roblyer, Senior Management Analyst, presented the staff report and responded to questions.

Mayor Shea opened the public hearing at 5:40 p.m. There were no requests to speak.

ACTION: Moved by Councilmember Fox, seconded by Mayor Pro Tempore Kuo, and unanimously carried to close the public hearing at 5:40 p.m.

City Council discussion included: inquiring about whether independent contractors who are part of a larger firm, such as realtors or law partners, would be required to obtain a separate business license.

City Attorney Melching clarified that independent contractors would fall under the umbrella of the firm in which they represent and would not be required to obtain a separate business license.

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

- 1) Approve the proposed hourly rate calculation methodology for development-related, Public Safety, and City Clerk services.
- 2) Adopt RESOLUTION NO. 19-33 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, REPLACING CITY COUNCIL RESOLUTION NO. 13-50 AND ESTABLISHING DEVELOPMENT PROCESSING AND INSPECTION FEES, REPLACING AND SUPERSEDING ALL PREVIOUS RESOLUTIONS THAT ARE INCONSISTENT THEREWITH
- 3) Adopt RESOLUTION NO. 19-34 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ESTABLISHING FEES FOR SERVICES RELATED TO THE CITY CLERK SECTION, REPLACING AND SUPERSEDING ALL PREVIOUS RESOLUTIONS THAT ARE INCONSISTENT THEREWITH

- 4) Adopt RESOLUTION NO. 19-35 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ESTABLISHING FEES FOR SERVICES RELATED TO PUBLIC SAFETY, REPLACING AND SUPERSEDING ALL PREVIOUS RESOLUTIONS THAT ARE INCONSISTENT THEREWITH

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

Introduce for first reading and read by title only ORDINANCE NO. 19-07 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING SECTION 4-6-216, "LICENSE FEE" TO THE IRVINE MUNICIPAL CODE AND IMPOSING A BUSINESS LICENSE FEE

5. COUNCIL BUSINESS

5.1 **DESIGNATE REPRESENTATIVE TO THE INSTITUTE FOR LOCAL GOVERNMENT'S BEACON PROGRAM**

Sona Coffee, Environmental Programs Administrator, presented the staff report.

Councilmember Khan expressed her interest to serve as the City's representative.

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

Appoint Councilmember Farrah N. Khan to serve as the representative for the Institute for Local Government's Beacon Program.

5.2 **REVIEW OF APPLICATIONS, DETERMINATION OF SELECTION OF CANDIDATES, AND APPOINTMENT FOR CITY COUNCIL VACANCY**

Mayor Shea provided a brief summary of the steps that had been taken by the City Council to date with respect to the process for filling the vacancy on the City Council, including applicant interviews that had taken place earlier in the day at the special meeting. She also noted that the City Council would vote on each finalist, listed by the City Clerk in a random order, until a majority vote was reached.

The following individuals spoke in opposition to the appointment process and in support of a special election:

Joe McLaughlin, Irvine resident
Kev Abazajian, Irvine resident
Cassius Rutherford, UCI Student
Laurel Daivila, Irvine resident

The following individuals spoke in support of appointing Irvine resident Carrie O'Malley to the City Council:

Wayne Call, Irvine resident
Olesya Drozdova, Irvine resident
Byron Luoma, Irvine resident
Richard Denzer, Irvine resident
Vicken Sarkissian, Irvine resident
Michael Cho, Irvine resident
Kendie Schlecht, Irvine resident
Heather Chu, Irvine resident
Matt Cortez, Irvine resident
Cecilia Hong, Irvine resident
Rose Casey, Irvine resident
Patty Le, Irvine resident
Barry Katz, Irvine resident
John Park, Irvine resident

Arrel Dino, Fullerton resident, spoke in support of appointing Irvine resident and former Mayor Sukhee Kang.

City Council discussion included: advantages and disadvantages of appointment vs. a special election; expressed concern about the cost to conduct a special election; noted concerns with the upcoming budget, including anticipated shortfall and increases to certain fees; referenced a recent Municipal Code amendment with respect to vacancies on the City Council; suggested best efforts to compromise on an appointment; and reiterated that transparency was a top priority throughout the vacancy process.

ACTION: By consensus, a vote was taken to appoint Scott Robert Hansen to fill the vacant City Council seat.

The motion failed as follows:

AYES: 1 COUNCILMEMBERS: Khan
NOES: 3 COUNCILMEMBERS: Fox, Kuo, and Shea
ABSENT: 0 COUNCILMEMBERS: None

ACTION: By consensus, a vote was taken to appoint Sukhee Kang to fill the vacant City Council seat.

The motion failed as follows:

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

ACTION: By consensus, a vote was taken to appoint Lauren Johnson-Norris to fill the vacant City Council seat.

The motion failed as follows:

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

ACTION: By consensus, a vote was taken to appoint Carrie O'Malley to fill the vacant City Council seat.

The motion failed as follows:

AYES: 1 COUNCILMEMBERS: Shea
NOES: 3 COUNCILMEMBERS: Khan, Kuo and Fox
ABSENT: 0 COUNCILMEMBERS: None

ACTION: By consensus, a vote was taken to appoint Greg Smith to fill the vacant City Council seat.

The motion failed as follows:

AYES: 1 COUNCILMEMBERS: Shea
NOES: 3 COUNCILMEMBERS: Khan, Kuo and Fox
ABSENT: 0 COUNCILMEMBERS: None

ACTION: By consensus, a vote was taken to appoint Michael C. Carroll to fill the vacant City Council seat.

The motion failed as follows:

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

ACTION: By consensus, a vote was taken to appoint Conrad Metz to fill the vacant City Council seat.

The motion failed as follows:

AYES: 1 COUNCILMEMBERS: Kuo
NOES: 3 COUNCILMEMBERS: Fox, Khan and Shea
ABSENT: 0 COUNCILMEMBERS: None

ACTION: By consensus, a vote was taken to appoint Shiva Khamsi-Farivar to fill the vacant City Council seat.

The motion failed as follows:

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

City Council discussion included: suggesting that a second vote be taken on the finalists who received at least two votes in the affirmative.

ACTION: By consensus, a vote was taken to appoint Sukhee Kang to fill the vacant City Council seat.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Fox and Khan

NOES: 2 COUNCILMEMBERS: Kuo and Shea

ABSENT: 0 COUNCILMEMBERS: None

ACTION: By consensus, a vote was taken to appoint Lauren Johnson-Norris to fill the vacant City Council seat.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Fox and Khan

NOES: 2 COUNCILMEMBERS: Kuo and Shea

ABSENT: 0 COUNCILMEMBERS: None

ACTION: By consensus, a vote was taken to appoint Michael C. Carroll to fill the vacant City Council seat.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Kuo and Shea

NOES: 2 COUNCILMEMBERS: Khan and Fox

ABSENT: 0 COUNCILMEMBERS: None

ACTION: By consensus, a vote was taken to appoint Shiva Khamsi-Farivar to fill the vacant City Council seat.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Fox and Khan

NOES: 2 COUNCILMEMBERS: Kuo and Shea

ABSENT: 0 COUNCILMEMBERS: None

City Council discussion included: reiterating best efforts to reach a consensus to appoint one of the finalists to the City Council and to continue with a third round of voting for those applicants who received at least two votes in the affirmative.

ACTION: By consensus, a vote was taken to appoint Sukhee Kang to fill the vacant City Council seat.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Fox and Khan

NOES: 2 COUNCILMEMBERS: Kuo and Shea

ABSENT: 0 COUNCILMEMBERS: None

ACTION: By consensus, a vote was taken to appoint Lauren Johnson-Norris to fill the vacant City Council seat.

The motion failed as follows:

AYES: 1 COUNCILMEMBERS: Fox

NOES: 3 COUNCILMEMBERS: Khan, Kuo and Shea

ABSENT: 0 COUNCILMEMBERS: None

ACTION: By consensus, a vote was taken to appoint Shiva Khamsi-Farivar to fill the vacant City Council seat.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Fox and Khan

NOES: 2 COUNCILMEMBERS: Kuo and Shea

ABSENT: 0 COUNCILMEMBERS: None

ACTION: By consensus, a vote was taken to appoint Michael C. Carroll to fill the vacant City Council seat.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Khan, Kuo and Shea

NOES: 1 COUNCILMEMBERS: Fox

ABSENT: 0 COUNCILMEMBERS: None

PUBLIC COMMENTS

Jack Fancher, Irvine resident, spoke in support of a Veterans Cemetery at the Orange County Great Park.

Nathan Searcy, on behalf of Assemblywoman Connie Petrie-Norris, announced an upcoming student debt informational hearing on May 17 at 10 a.m. at the University of California, Irvine, as well as a town hall meeting with Assemblywoman Petrie-Norris on Saturday, June 8 at 9 a.m. at Laguna Beach Fire Station No. 1; and also noted the recent passage of Assembly Bill 65, which changes Proposition 68 funding prioritizing "green" infrastructure.

The following individuals spoke in support of a Climate Action Plan for the City of Irvine:

Ayn Cracian, Irvine resident

Jet Ju, Irvine resident

Jose Trinidad Castaneda, Orange County resident

Linda Kraemer, Costa Mesa resident

Patty Yoo, Irvine resident

Ray Regalado, Orange County resident

Talor Williams, University of California, Irvine student

Nick Van Amburg, University of California, Irvine student

Robin Ganahl, Tustin resident

Kev Abazajian, Irvine resident

Joshua Block, University of California, Irvine student

Cassius Rutherford, University of California, Irvine student

Saah Exco Eno, Irvine resident

Rick Vanzini, Irvine resident

Gianna Lum, University of California, Irvine student

Kimberly Duong, Irvine resident

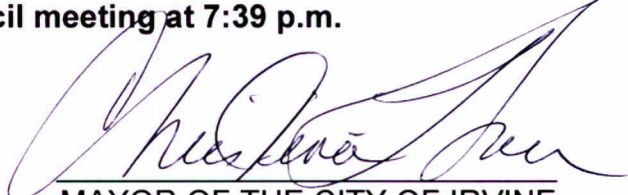
Fabienne Noble, Irvine resident

Ray Roschmann spoke about sports fields fees related to youth sports.

Joe McLaughlin, Irvine resident, expressed his disappointment with the City Council appointment process and lack of a special election, as well as his opposition to the current composition of the City Council.

ADJOURNMENT

Moved by Mayor Pro Tempore Kuo, seconded by Councilmember Khan, and unanimously carried to adjourn the City Council meeting at 7:39 p.m.


MAYOR OF THE CITY OF IRVINE


CITY CLERK OF THE CITY OF IRVINE

June 25, 2019