



MINUTES

CITY COUNCIL REGULAR MEETING

**September 12, 2018
Conference and Training Center
One Civic Center Plaza
Irvine, CA 92606**

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 5:05 p.m. on September 22, 2018 in the Conference and Training Center, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Wagner presiding.

ROLL CALL

Present:	3	Councilmember:	Lynn Schott
		Mayor Pro Tempore:	Christina Shea
		Mayor:	Donald P. Wagner
Absent:	2	Councilmember:	Jeffrey Lalloway
		Councilmember:	Melissa Fox

Mayor Wagner noted that Councilmember Fox was attending the 2018 League of California Cities Annual Conference and would not be attending the City Council meeting.

1. CLOSED SESSION

City Attorney Melching announced the following Closed Session items:

- 1.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1) -- City of Irvine vs. Unity Church, et al., Orange County Superior Court Case No. 30-2018-00988207**

- 1.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: (Gov Code § 54956.8); Property: Approximately 4.61 acre property at 17352 Derian Ave; Agency Negotiators: Marianna Marysheva, Assistant City Manager; Laurie Hoffman, Director of Community Services; Pete Carmichael, Director of Community Development; and Darlene Nicandro, Project Development Administrator; Negotiating Parties: City of Irvine and MDD Derian 2 LP; Under Negotiation: Price and Terms of Payment**

RECESS

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

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the regular City Council meeting at 4:45 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Prior to the Pledge of Allegiance, Mayor Wagner noted the upcoming ratification of a proclamation for City Council consideration recognizing “Constitution Day and Citizenship Day,” as well as September 17-23, 2018 as “Constitution Week”; and in light of the recognition, the Irvine Police Color Guard, joined by Irvine student Seth Miclea, would be leading the Pledge of Allegiance.

Police Chief Hamel introduced the Irvine Police Color Guard, and Irvine student Seth Miclea led the Pledge of Allegiance.

INVOCATION

Pastor Jake Fouquier from Free Chapel Church in Irvine provided the invocation.

Following the invocation, Councilmember Schott said a few words and provided a short video highlighting “Constitution Day and Citizenship Day” and “Constitution Week,” following which Irvine student Seth Miclea recited the preamble to the Constitution of the United States.

2. PRESENTATIONS

2.1 *OC Human Relations Council Annual Report*

Mayor Wagner introduced Dr. Gurpreet Ahuga, who presented Orange County Human Relations Council’s annual report and review of activities in the City of Irvine over the past year.

2.2 *Proclaim September 2018 as Alzheimer's Orange County's "World Alzheimer's Awareness Month"*

Mayor Wagner introduced Kristen Maahs from Alzheimer’s Orange County, and presented a proclamation recognizing September 2018 as “World Alzheimer’s Awareness Month.”

CITY MANAGER'S REPORT

- **Status Report on County-owned 100-acre parcel adjacent to the Orange County Great Park***

* See Announcements / Committee Reports / Council Reports.

Assistant City Manager Marysheva introduced Police Chief Hamel, who provided a brief report and video on the Irvine Police Department’s Mandarin Community Emergency Response Team (CERT) Program, which earned the California Emergency Services Association’s “Silver Award”, which recognizes organizations or individuals in the public sector who have demonstrated exceptional efforts in the field of emergency services or emergency response.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Schott expressed her appreciation to the Irvine Police Color Guard for attending the meeting in recognition of “Constitution Day and Citizenship Day” and “Constitution Week”; provided an update on the Barclay Theatre’s air conditioning overhaul and electrical repairs; and invited members of the community to attend the first show of the season, “Voodoo Daddy” on Saturday, September 22 in the Bren Events Center. For tickets and show times, visit thebarclay.org.

Mayor Wagner made the following announcements:

- The City of Irvine was named the second best place in America to raise a family, compiled by personal finance website WalletHub. The ranking compared more than 180 U.S. cities based on five key factors, which included: family fun, health and safety, education and childcare, affordability, and socioeconomics. Irvine received exceptionally high marks in the areas of health and safety, education and childcare, and socioeconomics, reflecting the City’s commitment to public safety, schools, parks and open space, and services for children and family.

- The community is invited for a free, special event on Sunday, September 16 at 1 p.m. for the official opening of the new baseball stadium at the Orange County Great Park. The opening of the baseball stadium will give the Mayor and City Council the opportunity to promote the “Play Ball” initiative, now in its fourth year and supported by the U.S. Conference of Mayors and Major League Baseball to promote the sport and encourage youth to play baseball. Earlier in the day, FivePoint Communities will host a community fun-fact walk in the Great Park with kiosks and giveaways beginning at 8:30 a.m. in the Soccer Stadium; and will activate the baseball fields and Softball Stadium with several games in the late morning. For information, visit cityofirvine.org.
- The third annual “Comedy Unleashed” fundraiser will take place on Tuesday, September 18 at the Irvine Improv, located in the Irvine Spectrum Center. The \$35 admission fee includes dinner and a show featuring comedians Gary Cannon, Patrick Keane, and Taylor Tomlinson. Nearly half the proceeds will go toward the Irvine Animal Care Center, which provides shelter, care, and enrichment for homeless, neglected, abused, or unwanted animals. Doors open at 5:30 p.m., and the show begins at 7 p.m. for information, visit irvineanimals.org.
- The 17th Annual Irvine Global Village Festival, the City’s signature event and one of Orange County’s most highly attended multicultural festivals, will take place on Saturday, September 22 at the Orange County Great Park. The event features international cuisine, live entertainment, a Kids Village with crafts and activities, cultural and religious exhibits, and an international marketplace. Festival admission and parking are free. For information, visit irvinefestival.org.
- The City Council is aware of complaints related to noise from the FivePoint Amphitheatre. While the City Council is able to keep live music in Irvine, equally important is maintaining a high quality of life, including quiet neighborhoods. City staff monitors the sound levels at every concert. Despite what was mistakenly said in a public comment at the last City Council meeting, the enforcement of noise complains has not been turned over to anyone else. The City has full enforcement rights, and to date, there has not been a violation of the City’s Noise Ordinance. City staff is working with Live Nation to resolve the problem. Mayor Wagner has met with Live Nation and its representatives to emphasize the importance of the matter and to help find solutions, and Live Nation has agreed to take significant steps toward reducing sound levels. For disruptive noise concerns, contact Public Safety Dispatch at 949-724-7200.

Following announcements, Mayor Wagner provided a brief status report on the County-owned 100-acre parcel adjacent to the Orange County Great Park.

Jane Olinger, Irvine resident, expressed concern about the County’s development on its 100-acre parcel adjacent to the Orange County Great Park and its impacts on Great Park development and traffic in and around the area.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

ACTION: Moved by Mayor Pro Tempore Shea, seconded by Councilmember Schott, and unanimously carried to by those members present (Councilmembers Fox and Lalloway absent), to approve City Council Consent Calendar Item Nos. 3.1 through 3.9, with the exception of Item Nos. 3.5 and 3.10, which were removed for separate discussion.

3.1 PROCLAMATIONS

ACTION:

- 1) Proclaimed September as Kids Cancer Connection, Inc.'s "Childhood Cancer Awareness Month."
- 2) Proclaimed September as Second Harvest Food Bank's "Hunger Action Month."
- 3) Ratified and Proclaimed September 17, 2018 as Daughters of the American Revolution's "Constitution Day and Citizenship Day"; and September 17-23, 2018 as "Constitution Week."

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 18-65 - 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 EXTENSION OF INFORMATION SERVICES AGREEMENT

ACTION:

Approved the Eleventh Amendment to the Information Services Agreement with Conduent Enterprise Solutions, LLC, extending the current term for as-needed services on a time and materials basis for an initial six months from October 1, 2018 through April 30, 2019 with a not-to-exceed value of \$250,000; of which, services for the Orange County Great Park shall not exceed \$100,000, and allow the City Manager discretion to approve an additional six months with a not-to-exceed value of \$250,000 (**Contract No. 4900K**).

3.4 ACCEPTANCE OF AWARD FROM THE DEPARTMENT OF FINANCE OF THE STATE OF CALIFORNIA

ACTION:

- 1) Approved and accepted a \$100,000 award from the Department of Finance of the State of California.
- 2) Approved a budget adjustment allocating the \$100,000 award funds to Fund 149.

3.5 CITY OF IRVINE SENIOR CITIZENS COUNCIL PROPOSED BYLAW AMENDMENTS

This item was removed for separate discussion at the request of Mayor Pro Tempore Shea, who expressed concern about the proposed changes to the bylaws with respect to the absence policy.

Sheila Driscoll, Community Services Manager, responded to questions.

City Council discussion included: expressing concern regarding the lack of flexibility over absences; suggested that Councilmembers should be consulted when absences of their respective appointed Boardmembers becomes a concern; noted that the absence policy should take health and family illnesses into consideration; inquired about the discussion and vote of the proposed bylaw revisions by the Senior Citizens Council; questioned whether a distinction was made between excused and unexcused absences; and suggested that the bylaws go back to the Senior Citizens Council for review to consider concerns raised by the City Council.

No action was taken.

3.6 ACCEPTANCE OF AGREEMENT FOR TRANSFER OR PURCHASE OF EQUIPMENT/SERVICES OR FOR REIMBURSEMENT OF TRAINING COSTS FOR FISCAL YEAR 2017 URBAN AREAS SECURITY INITIATIVE GRANT

ACTION:

- 1) Authorized the Director of Public Safety to accept the Agreement for Transfer or Purchase of Equipment/Supplies or for Reimbursement of Training Costs for Fiscal Year 2017 Urban Areas Security Initiative Grant **(Contract No. 10377)**.
- 2) Authorized the Director of Public Safety to accept equipment, technology, services or supplies purchased by the City of Santa Ana and transferred to the City of Irvine to enhance countywide emergency preparedness.

- 3) Approved a budget adjustment request in the amount of \$50,000 in grant revenues and appropriations for training costs and necessary personnel; as well as equipment, supplies, or services.
- 4) Authorized the Director of Public Safety to submit for reimbursement up to \$25,000 in training and personnel costs, and \$25,000 in approved equipment, supplies, or services through the Fiscal Year 2017 Urban Areas Security Initiative Grant.

3.7 ACCEPTANCE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT

ACTION:

- 1) Authorized a \$460,000 Selective Traffic Enforcement Program grant award from the State of California, Office of Traffic Safety (**Contract No. 10384**).
- 2) Approved a budget adjustment appropriating \$460,000 for the California Office of Traffic Safety Selective Traffic Enforcement Program grant.

3.8 NOTICE OF REVIEW AND PENDING APPROVAL FOR TRACT MAPS IN GREAT PARK NEIGHBORHOODS (HERITAGE FIELDS EL TORO, LLC)

ACTION:

Received and filed.

3.9 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Pro Tempore Shea's requests for Community Partnership Fund Grant nominations to the following organizations in support of program costs unless otherwise noted:
 - a. Crime Survivors in support of A Heart for Healing Donor Wall (\$1,000) (**Contract No. 10378**)
 - b. Second Chance Orange County (\$500) (**Contract No. 10379**)
 - c. Tender Touch Ministries (\$1,000) (**Contract No. 10380**)
- 2) Authorized the City Manager to prepare and sign the funding agreements listed in Action 1.

3.10 CITY COUNCIL RESOLUTION AFFIRMING EXISTING GENERAL PLAN AND ZONING CODE LAND USE DESIGNATIONS FOR RANCHO SAN JOAQUIN GOLF COURSE PROPERTY

This item was removed for separate discussion by the following individuals, who expressed their support and appreciation to the City Council for its affirmation of the existing General Plan and Zoning Code Land Use designations for the Rancho San Joaquin Golf Course property:

- Gloria, Irvine resident
- Mari Fujii, Irvine resident
- Guy Doran, Irvine Resident
- Richard Denzer, Irvine resident

City Council discussion included: noting that the proposed resolution would provide additional security for Rancho San Joaquin residents; and reiterated the importance of working collaboratively with the community.

ACTION: Moved by Mayor Pro Tempore Shea, seconded by Councilmember Schott, and unanimously carried by those members present (Councilmembers Fox and Lalloway absent), to:

Adopt RESOLUTION NO. 18-66 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AFFIRMING EXISTING GENERAL PLAN AND ZONING CODE LAND USE DESIGNATIONS FOR RANCHO SAN JOAQUIN GOLF COURSE PROPERTY

Following approval of the Consent Calendar, Mayor Wagner noted that Council Business Item No. 5.1 would be considered by the City Council prior to Public Hearing Item Nos. 4.1 and 4.2.

4. PUBLIC HEARINGS

4.1 ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIPS GRANT END-OF-YEAR PROGRESS REPORT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

This item was considered after Council Business Item No. 5.1.

Steve Holtz, Manager of Neighborhood Services, and Charles Kovac, Housing Administrator, presented the staff report and responded to questions.

Mayor Wagner opened the public hearing at 5:53 p.m. There were no requests to speak.

ACTION: By consensus of those members present (Councilmembers Fox and Lalloway absent), Mayor Wagner closed the public hearing at 5:54 p.m.

City Council discussion included: noting the efforts by the Community Services Commission to review and propose annual recipient allocations; and highlighted the services and programs available that receive community development block grant funding.

ACTION: Moved by Councilmember Schott, seconded by Mayor Pro Tempore Shea, and unanimously carried by those members present (Councilmembers Fox and Lalloway absent), to:

Receive and file the Consolidated Annual Performance and Evaluation Report and authorize submission to the United States Department of Housing and Urban Development.

4.2 GENERAL PLAN AMENDMENT, ZONE CHANGE AND APPEAL OF PLANNING COMMISSION ACTION DENYING MEDICAL OFFICE MASTER PLAN FOR 2 OSBORN IN PLANNING AREA 15 (WOODBIDGE)

Stacy Tran, Senior Planner, and Joel Belding, Principal Planner, presented the staff report and responded to questions.

Mayor Wagner opened the public hearing at 6:01 p.m.

Jeremy Hart, representing LPA on behalf of the applicant, provided a brief summary of the project, and spoke in opposition to denying the appeal.

The following individuals spoke in opposition to the proposed General Plan Amendment and Zone Change, and in support of denying the appeal:

- Wayne Call, Irvine resident
- Russell Taitz, Irvine resident
- Sandra Rush, Irvine resident
- Linda Freshwater, Irvine resident
- Ann Adams, Irvine resident
- Barry Katz, Irvine resident and on behalf of Woodbridge Village Association
- Dale Cheema, Irvine resident and on behalf of Woodbridge Village Association
- Gil Nelsen, Irvine resident
- Hillary Willett, Irvine resident
- Elliot Wooten, Irvine resident

Linda Wooten, Irvine resident
Jackie Malec, Irvine resident
Carrie O'Malley, Irvine resident
Anthony Kuo, Irvine resident

ACTION: By consensus of those members present (Councilmembers Fox and Lalloway absent), Mayor Wagner closed the public hearing at 6:46 p.m.

City Council discussion included: reiterating that community members, staff, and all City Commissions were in opposition to the project as proposed; noted that the project did not fit within the nature of the community, and would change the character of the neighborhood; expressed concern about additional traffic; inquired about the percentage of those in support or against the project; noted concerns raised by members of the community regarding the possible replacement of the Woodbridge Village Shopping Center with high density housing prior to its recent renovation; stated the difference between the General Plan and Master Plan; noted the importance of neighborhood preservation; and suggested medical building expansions be limited to major corridors.

ACTION: Moved by Councilmember Schott, seconded by Mayor Wagner, and unanimously carried by those members present (Councilmembers Fox and Lalloway absent), to:

- 1) Adopt RESOLUTION NO. 18-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DENYING GENERAL PLAN AMENDMENT 00600172-PGA TO INCREASE GENERAL PLAN INTENSITY CAPS TO ACCOMMODATE THE DEVELOPMENT OF A 46,800-SQUARE-FOOT MEDICAL OFFICE BUILDING LOCATED AT 2 OSBORN IN PLANNING AREA 15 (WOODBIDGE), FILED BY STERLING AMERICA INVESTMENTS, INC.
- 2) Adopt RESOLUTION NO. 18-68 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DENYING ZONE CHANGE 00600175-PZC TO INCREASE ZONING ORDINANCE INTENSITY CAPS TO ACCOMMODATE THE DEVELOPMENT OF A 46,800-SQUARE-FOOT MEDICAL OFFICE BUILDING LOCATED AT 2 OSBORN IN PLANNING AREA 15 (WOODBIDGE), FILED BY STERLING AMERICA INVESTMENTS, INC.

- 3) Adopt RESOLUTION NO. 18-69 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DENYING AN APPEAL THEREBY UPHOLDING THE PLANNING COMMISSION’S DECISION TO DENY MASTER PLAN 00645299-PMP FOR DEVELOPMENT OF A 46,800-SQUARE-FOOT MEDICAL OFFICE BUILDING LOCATED AT 2 OSBORN IN PLANNING AREA 15 (WOODBIDGE), FILED BY STERLING AMERICA INVESTMENTS, INC.

RECESS

Mayor Wagner recessed the City Council meeting at 6:58 p.m.

RECONVENE

Mayor Wagner reconvened the City Council meeting at 7:04 p.m.

5. COUNCIL BUSINESS

5.1 MUNICIPAL CODE AMENDMENT TO MODIFY ZONING ADMINISTRATOR APPOINTMENT PROCEDURE

This item was considered by the City Council prior to Public Hearing Item Nos. 4.1 and 4.2.

Joel Belding, Principal Planner, presented the staff report and responded to questions.

There was no City Council discussion.

ACTION: Moved by Mayor Pro Tempore Shea, seconded by Councilmember Schott, and unanimously carried by those members present (Councilmembers Fox and Lalloway absent), to:

Introduce for first reading and read by title only ORDINANCE NO. 18-09 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING AMENDMENTS TO THE CITY’S MUNICIPAL CODE RELATED TO ASSOCIATE ZONING ADMINISTRATOR APPOINTMENT PROCEDURES; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC COMMENT

Andrew Pollard, Irvine Ranch Water District candidate, provided a brief biography on his qualifications for office.

Jane Olinger, Irvine resident, spoke about traffic studies related to the two potential sites for a Veterans Cemetery near the Orange County Great Park, and traffic bottlenecks that occur at intersections throughout the City.

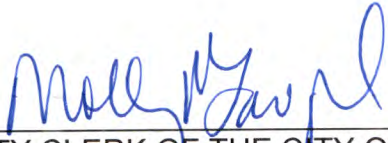
Ilya and Robert Tseglin reiterated a domestic issue related to an autistic family member.

Judith Gass, Irvine resident, invited the City Council and community members to attend an upcoming candidate forum.

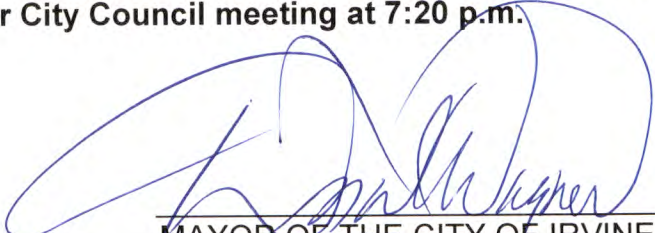
Brigitte spoke on behalf of the Tseglin family and a domestic issue related to their autistic family member.

ADJOURNMENT

Moved by Mayor Pro Tempore Shea, seconded by Councilmember Schott, and unanimously carried by those members present (Councilmembers Fox and Lalloway absent), to adjourn the regular City Council meeting at 7:20 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

October 9, 2018