



MINUTES

CITY COUNCIL REGULAR MEETING

April 23, 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 4:15 p.m. on April 23, 2019 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Shea presiding.

ROLL CALL

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

Following Roll Call, Mayor Shea noted that in the absence of a Closed Session, the agenda would be reordered as follows: 1) announcements, 2) the Consent Calendar, and 3) Council Business Item Nos. 4.1 through 4.4, with the remainder of agenda items considered after 5 p.m.

PLEDGE OF ALLEGIANCE – IRVINE POLICE COLOR GUARD

Police Chief Hamel introduced the Irvine Police Color Guard and led the Pledge of Allegiance.

INVOCATION

Pastor Jorge Molina from Mariners Church in Irvine provided the invocation.

1. PRESENTATIONS

1.1 Proclaim May 12-18, 2019 as "National Police Week"

Mayor Shea introduced Mike Hamel, Chief of Police; Julia Engen, Assistant Chief of Police; Michael Kent, Police Commander; and members of the Irvine Police Color Guard, and presented a proclamation recognizing May 12-18, 2019 as "National Police Week."

1.2 Young Master's Art Show 2019 Cover Artist

Mayor Shea introduced Assistance League of Irvine President Jill Houskey and Art Teacher Liaison Mary Ann Breckenridge, as well as Heather Lee, fourth grade student from Portola Springs Elementary School, who was selected as the Young Master's Art Show 2019 Cover Artist.

1.3 Proclaim April 28 - May 5, 2019 as "Days of Remembrance"

Councilmember Fox introduced Lisa Armony from Jewish Federation and Family Services Orange County, and presented a proclamation recognizing April 28 – May 5, 2019 as "Days of Remembrance."

1.4 Irvine Business Complex and North Irvine Transportation Mitigation Committee Project Status Update

Jim Houlihan, Manager of Engineering/City Manager, and Melissa Dugan, Supervising Transportation Analyst, provided a brief status update on the Irvine Business Complex and North Irvine Transportation Mitigation Committee Project.

1.5 Bristol Corridor Transit Study

Eric Carlson, Orange County Fire Authority, provided a brief presentation to related to the Bristol Corridor Transit Study.

1.6 Jamboree Pedestrian Bridge Update

This item was removed from the agenda at the request of City Manager Russo. See Additions and Deletions.

CITY MANAGER'S REPORT

There was no report; however, City Manager Russo requested that Item 1.6 (Jamboree Pedestrian Bridge Update) be removed from the agenda, noting that the item would return sometime in the fall. See Additions and Deletions.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore Kuo provided a brief update on volunteer efforts as part of the “1 Million Hour Challenge” campaign, noting that over 15,000 volunteer hours have been logged to date by several members of the community, including Girl Scout Troop 3158, the Irvine Evergreen Chinese Seniors Association, and the Woodbridge Boosters; and announced that April was National Donate Life Month, noting the recent passing of community member Carolyn McInerney, and referred residents to *donatelifenet* for more information on organ donation.

Mayor Shea provided a brief report on a recent meeting with Judge Carter’s office regarding the countywide homeless issue; and made the following announcements:

- One week remains to participate in the National Mayor’s Challenge for Water Conservation. This annual challenge to conserve water, sponsored by the Wyland Foundation in Irvine, reminds residents of the importance of this precious resource. To date, Irvine was among the top ten cities in its population category. To pledge to conserve water and other resources, visit *mywaterpledge.com* by April 30. For more information, visit *cityofirvine.org*.
- Time remains to participate in the Irvine Animal Care Center’s Virtual 5K to support animals in need. To participate, visit *irvineanimals.org* and complete a race (run or walk) at any location by April 30. A medal and certificate of completion will be mailed following participation. Four-legged friends are also eligible to participate and will receive a medal of their own. Proceeds go toward shelter and care for animals at the Center, which offers services such as licensing for Irvine residents, pet adoptions, and events. For information, visit *irvineanimals.org/5K* or call 949-724-7740.
- The City of Irvine has received the Excellence in Public Information and Communications Award by the California Association of Public Information Officials for *Inside Irvine*, the City’s quarterly magazine and activity guide. The award recognizes work that is innovative and has made a lasting impact on a community. Produced by the Public Information Office and the Community Services Department, *Inside Irvine* is mailed to all residents in Irvine, providing information on new and ongoing initiatives, future projects, special events, classes, and programs. The spring issue is now available at *insideirvine.org*, while the summer issue will be mailed to homes and available online on May 15.

ADDITIONS AND DELETIONS

City Manager Russo requested that Item No. 1.6 (Jamboree Pedestrian Bridge Update) be removed from the agenda, noting that the item would return in the fall and Mayor Pro Tempore Kuo requested that Item No. 4.6 (Consideration of Mayor Pro Tempore Kuo’s Request to Discuss the Opposition of Assembly Bill 173) be removed from the agenda, noting that the item would return at a later date after he had the opportunity to work more closely with staff.

2. CONSENT CALENDAR

ACTION: Moved by Councilmember Khan, seconded by Mayor Pro Tempore Kuo, and unanimously carried to approve City Council Consent Calendar Item Nos. 2.1 through 2.8, with the exception of Consent Calendar Item No. 2.6, which was removed for separate discussion.

2.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the Irvine City Council held on March 26, 2019.
- 2) Approved the minutes of a regular meeting of the Irvine City Council held on March 26, 2019.
- 3) Approved the minutes of a special meeting of the Irvine City Council held on March 26, 2019.

2.2 PROCLAMATIONS

ACTION:

- 1) Ratified and commended Easterseals Disability Services on its 100th Anniversary.
- 2) Proclaimed April 23, 2019 as “90th Anniversary – Children’s Day in Turkey*.”
- 3) Proclaim April 26, 2019 as "Arbor Day."
- 4) Proclaim May 2019 as "Toastmasters' International Founder's District Month."
- 5) Proclaim May 2019 as "Older Americans Month."

* As amended per the errata memo dated April 22, 2019.

2.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 19-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2.4 DISSOLUTION OF THE IRVINE PUBLIC FACILITIES CORPORATION

ACTION:

Approved the dissolution of the Irvine Public Facilities Corporation.

2.5 APPROVAL OF PROJECT REPORT AND ENVIRONMENTAL DOCUMENT FOR THE JEFFREY OPEN SPACE TRAIL EXTENSION PROJECT FROM BARRANCA TO WALNUT

ACTION:

- 1) Adopted RESOLUTION NO. 14-29 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE PROJECT REPORT AND ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE JEFFREY OPEN SPACE TRAIL EXTENSION PROJECT FROM BARRANCA TO WALNUT
- 2) Authorized staff to proceed with the final design and right-of-way phase of the preferred trail alignment starting no sooner than July 1, 2019, upon City Council approval of the Capital Improvement Program Budget, with funds allocated for the final design and right-of-way phase in Fiscal Year 2019-20 (year one), and construction phase in Fiscal Year 2020-21 (year two).

2.6 FIRST AMENDMENT TO SECOND AGREEMENT WITH CITY OF IRVINE AS ADJACENT LANDOWNER CONCERNING DEVELOPMENT OF 688 ACRES AT THE ORANGE COUNTY GREAT PARK

This item was removed for separate discussion at the request of Jack Fancher, Irvine resident, who spoke in support of a cemetery at the Orange County Great Park, and suggested that a special meeting be called to evaluate each proposed site.

City Council discussion included: reiterating that the matter was unrelated to the proposed Veterans Cemetery at the Orange County Great Park; and clarified inaccuracies noted in Mr. Fancher’s comments.

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

Approve First Amendment to Second Agreement with City of Irvine as Adjacent Landowner, by and between Heritage Fields El Toro, LLC and the City of Irvine. **(Contract No. 8191B)**

2.7 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Shea's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 - a. Orange County Chapter of the American Red Cross (\$500) **(Contract No. 10585)**
 - b. Crime Survivors (\$500) **(Contract No. 10586)**
 - c. UC Irvine Foundation in support of the FRESH Basic Needs Hub (\$800) **(Contract No. 10587)**
- 2) Approved Councilmember Khan's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 - a. Families Forward, Irvine (\$1,000) **(Contract No. 10588)**
 - b. Crime Survivors, Irvine (\$500) **(Contract No. 10586)**
 - c. Assistance League of Irvine (\$500) **(Contract No. 10589)**
 - d. Irvine High School Athletics Boosters Club Inc. (\$500) **(Contract No. 10590)**
 - e. Team Kids Inc., Irvine (\$500) **(Contract No. 10591)**
- 3) Authorized the City Manager to prepare and sign the funding agreement listed in Actions 1 and 2.

2.8 CITY COUNCIL APPOINTMENT TO THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS

ACTION:

Adopted RESOLUTION NO. 19-29 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY’S BOARD OF DIRECTORS

3. PUBLIC HEARINGS

3.1 APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIPS 2019-2020 ACTION PLAN FUNDING RECOMMENDATIONS

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

Mayor Shea opened the public hearing at 6:15 p.m.

The following individuals provided a brief summary of the services provided by their respective organizations, and expressed appreciation to the City Council for its continued support:

Andy Jacobson, Court Appointed Special Advocates (CASA) for Kids
Judy Rose, Human Options
Jenni Frank, South County Outreach

ACTION: By consensus, Mayor Shea closed the public hearing at 6:21 p.m.

City Council discussion included: expressing concern related to allocating Community Development Block Grant (CDBG) funding to City projects; expressed support for reallocating funding from Irvine Station improvements to Human Options; discussed whether One Irvine Program funding should be disbursed as grants or loans; noted the City's ongoing financial support to Irvine Public Schools Foundation, and suggested redistributing funds to other nonprofit entities; and expressed support for increasing funding to Court Appointed Special Advocates (CASA) for Kids.

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

Redistribute \$188,346 in Community Development Block Grant (CDBG) Capital Project Funding from City of Irvine Public Works Irvine Station Americans with Disabilities Act (ADA) Improvements to Human Options, Inc. – Rehabilitation Project.

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

Redistribute \$12,500 in Community Development Block Grant (CDBG) Public Service Program Funding from Irvine Public Schools Foundation to all nonprofit organizations who were not recommended for full funding, to be distributed equally among each group with no group receiving more funding than their requested amount.

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

Structure the City of Irvine One Irvine Energy Efficiency Grants program as a loan program.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Kuo and Shea

NOES: 2 COUNCILMEMBERS: Fox and Khan

ABSENT: 0 COUNCILMEMBERS: None

ACTION: Moved by Councilmember Khan to:

Redistribute \$3,319 in CDBG Capital Project funding from the City of Irvine One Irvine Program to Human Options; and structure the City of Irvine One Irvine Program as a grant program.

Motion failed for lack of second.

Following discussion, Councilmember Khan amended her motion.

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

Redistribute \$3,319 in CDBG Capital Project funding from the City of Irvine One Irvine Program to Human Options; and structure the City of Irvine One Irvine Program as a grant program, with a maximum grant amount of \$2,000 per applicant.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Fox, Khan and Kuo

NOES: 1 COUNCILMEMBERS: Shea

ABSENT: 0 COUNCILMEMBERS: None

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

Adopt RESOLUTION NO. 19-30 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE 2019-2020 ACTION PLAN FOR FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIPS ENTITLEMENT GRANT PROGRAMS **as amended** per the errata memo dated April 23, 2019.

3.2 AMENDMENT TO THE ZONING ORDINANCE FOR ADMINISTRATIVE PROCEDURES FOR SMALL UTILITY FACILITIES

Stacy Tran, Senior Planner, presented the staff report and responded to questions. Tim Gehrich, Deputy Director of Community Development, was also available for questions.

Mayor Shea opened the public hearing at 6:38 p.m.

The following individuals spoke in opposition to the proposed ordinance:

Robert Jystad, Crown Castle
Bridgett Pleasant

Greg Smith, Planning Commission Chair Pro Tempore, spoke in favor of the ordinance, and reiterated that the proposed Ordinance would provide the City with maximum protection under the law.

ACTION: By consensus, Mayor Shea closed the public hearing at 6:55 p.m.

City Council discussion included: inquiring about health studies and regulations related to 5G towers and potential health impacts; questioned what the proposed ordinance would affirm; suggested a larger distance between 5G towers if possible on both larger and smaller streets; inquired about placing 5G towers in street medians; and inquired about a recent Supreme Court decision of April 4, 2019 (T-Mobile West vs. City and County of San Francisco), and whether that decision would have a favorable impact on the City of Irvine.

City Attorney Melching noted that Federal law prohibits the City from considering any adverse health effects of wireless antennas, and confirmed that the Federal Communications Commission (FCC) is the regulatory authority and has such jurisdiction.

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

Introduce for first reading and read by title only 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

4. COUNCIL BUSINESS

4.1 *COMPREHENSIVE FISCAL POLICIES

This item was removed from the agenda originally posted on April 11, 2019.

4.2 CONSIDERATION OF DEVELOPMENT AGREEMENT REQUESTS AND APPOINTMENT OF NEGOTIATING COMMITTEE FOR TWO RESIDENTIAL PROJECTS LOCATED IN THE IRVINE BUSINESS COMPLEX, PLANNING AREA 36

Stacy Tran, Senior Planner, presented the staff report and responded to questions. Tim Genrich, Deputy Director of Community Development, was also available for questions.

City Council discussion included: questioning why Councilmembers were not recommended to serve on the subcommittees; inquired about permanent affordable units for both projects; and questioned whether either project was mixed-use.

Tim Strader, Starpointe Ventures on behalf of the applicant, responded to questions.

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

Appoint Mayor Pro Tempore Kuo and Councilmember Fox to serve on the 15 Degrees South and Elements Development Agreement Negotiating Committees.

4.3 IRVINE ANIMAL CARE CENTER AND OPERATIONAL SUPPORT FACILITY PROJECT CONCEPT

Mike Cribbin, Manager of Community Services, and Jim Houlihan, Manager of Engineering/City Engineer, presented the staff report and responded to questions.

City Council discussion included: noting the cost-effectiveness of rehabilitating the existing facilities; noted prior concerns related to the relocation of Central Bark Dog Park; and suggested reaching out to Oak Creek and Orangetree residents regarding proposed dog parks adjacent to those neighborhoods.

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

Authorize staff to initiate a Request for Proposals for environmental review, final design, and preparation of construction documents for a renovated Irvine Animal Care Center and Operational Support Facility, CIP 361718.

4.4 IRVINE CIVIC CENTER AND IRVINE TRANSPORTATION CENTER TENANT IMPROVEMENTS

Jim Houlihan, Manager of Engineering/City Engineer, presented the staff report and responded to questions. Julia Engan, Assistant Chief of Police, and Jaime Bourgeois, City Traffic Engineer, were also available for questions.

There was no City Council discussion.

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

Authorize staff to proceed to final design for preparation of construction documents for the Civic Center and Irvine Transportation Center Tenant Improvements, CIP 361717, 361803, and 361804.

4.5 DISCUSSION OF SELECTION PROCESS PERTAINING TO CITY COUNCIL VACANCY

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

Susan Sayre, Irvine resident, spoke in support of two public forums for applicant consideration to allow additional opportunities for public participation.

Taylor Williams and Maria Oliviera Minney, Irvine resident, spoke in support the appointment process as a cost-effective measure, but also in support of a special election if consensus could not be reached.

The following individuals spoke in support of a special election:

Luis Andres Perez, UCI Student and political director, Democratic party of Orange County
Sherry Avella
Jerome Raphael

Doug Eliot
Kev Abazajian, Irvine resident
Ellie Young, Irvine resident
Laurel Davilla, Irvine resident
Lauren Johnson-Norris, Irvine resident
Joe McLaughlin, Irvine resident
Lynn Woods, Irvine resident
Ken Stahl, Irvine resident
Ilya Tseglin
Tim Steed, Orange County Employees Association

The following individuals spoke in support of the appointment process:

Scott Hansen
Michael Carroll, Irvine resident

City Council discussion included: inquiring about revisiting the list of candidates if no applicant received a majority vote; reiterated Municipal Code requirements to fill a vacancy; expressed concern about the cost of a special election and discussed the funding source; noted potential complexities with the appointment process; requested clarification of the City Clerk's random selection process for scheduling interviews; suggested various appointment process guidelines and deadlines; suggested that the City Clerk conduct the random drawing in a public environment; questioned whether all applicants would be interviewed; and noted that deliberations could continue to the meeting of May 28 if consensus was not reached by May 14.

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

- 1) Allow each Councilmember to choose up to four individuals to interview.
- 2) Direct the City Clerk to conduct a random selection process in a public setting to determine the order of interviews.
- 3) Provide each candidate/applicant 15 minutes total, which includes their presentation and a City Council question/answer period, with phone interviews permitted for those who cannot attend in person; and politely request that interviewees not enter the Council Chamber until their scheduled interview.
- 4) Following interviews, allow each Councilmember to select 2-3 finalists, which the City Clerk will list based on a random process as to who will be listed first, at which time the City Council will go down the list of finalists until a majority vote is reached.

The motion carried as follows:

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

4.6 CONSIDERATION OF MAYOR PRO TEMPORE KUO'S REQUEST TO DISCUSS THE OPPOSITION OF ASSEMBLY BILL 1273

This item was removed from the agenda at the request of Mayor Pro Tempore Kuo. See Additions and Deletions.

PUBLIC COMMENTS

Bianca A, Irvine resident, spoke about the importance of recognizing the Armenian Genocide.

Brian Kaye spoke in support of organic pesticides and in opposition to Caltrans's use of RoundUp weed killer.

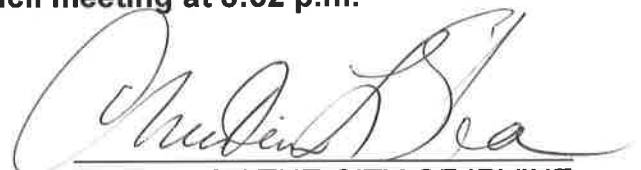
Brigitte spoke in opposition to recent actions taken by the Orange County Board of Supervisors; and on behalf of her friend, Ilya Tseglin, related to a domestic issue with his autistic son.

Ken Finoccio, Irvine resident, expressed concern about the high cost of housing prices in Irvine; and street racing in Irvine.

Ilya Tseglin spoke in support of a special election and on behalf of his autistic son, Nate.

ADJOURNMENT

Moved by Mayor Pro Tempore Kuo, seconded by Councilmember Khan, and unanimously carried to adjourn the City Council meeting at 8:32 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

May 28, 2019