



MINUTES

CITY COUNCIL REGULAR MEETING

October 13, 2020
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 4:06 p.m. on October 13, 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

* via teleconference

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 and uploaded to the City's website. 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.

Mayor Shea also announced that general public comments for the City Council on items not on the agenda would be considered at approximately 6:30 p.m., which had been standard practice prior to the COVID-19 pandemic, and expressed her appreciation for everyone's patience and understanding as the City continued to make adjustments to meeting protocols as needed.

PLEDGE OF ALLEGIANCE

Councilmember Kuo led the Pledge of Allegiance.

INVOCATION

Malti Maheta, Founding Member of Indian Community of Irvine, provided the invocation.

1. CITY COUNCIL RECOGNITIONS

1.1 Commend Janie Choi for Heroic Efforts

Mayor Shea recognized Janie Choi, Irvine resident, for contacting emergency personnel about a fallen tree that resulted in a natural gas leak at the Woodbridge Village Shopping Center, and expressed her appreciation with a commendation for her heroic efforts.

1.2 Employee Recognition - 25, 30, and 35 Years of Service

Marianna Marysheva, Interim City Manager, recognized the following individuals for their years of service to the City of Irvine:

- Michael (Mike) Byrne, Senior Management Analyst (25 years)
- Pamela Duehr, Facilities Reservation Coordinator (25 years)
- Mike Hamel, Irvine Police Chief (25 years)
- Peter Anderson, Senior Transportation Analyst (30 years)
- Alex Mendoza, Police Officer (30 years)
- Nick Teague, Lead Street Maintenance Technician (35 years)

1.3 Commend Public Safety Personnel for Outstanding Service to the Community

Mayor Shea recognized the following Public Safety Personnel on behalf of Irvine resident, Ms. Nashashibi, for their professionalism and compassion in the handling of a recent investigation at a local storage facility:

- Nathan Ridlon, Detective
- Jodi Rahn, Community Services Officer
- Scott Foster, Community Services Officer
- John McDonald, Forensic Specialist II

Mayor Shea also expressed her appreciation to Councilmembers Fox and Khan for bringing this item forward.

2. PRESENTATIONS

2.1 ***Local Recognition of Rights Award for City's Anti-Smoking Ordinance***

Mayor Shea introduced Dr. Dele Ogunseitan, Presidential Chair, Professor of Population Health & Disease Prevention at University of California, Irvine; and Dr. Bob Johnson, representing Non Toxic Neighborhoods, who presented the Local Recognition of Rights Award in recognition of the City's Anti-Smoking Ordinance.

INTERIM CITY MANAGER'S REPORT

There was none.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Shea made the following announcements:

- Irvine is once again the Safest City of its size for violent crime, recording the lowest per capita violent crime rate for all cities in the U.S. with a population over 250,000, according to FBI data just released for calendar year 2019. It is the 15th consecutive year Irvine has recorded the lowest per capita violent crime rate for a city of its size. This success is attributed to several important factors, including: the tireless work of Irvine Police Department (IPD) personnel, residents who consistently work in partnership with IPD to prevent crime and keep our neighborhoods safe; and the support of civic leadership, both past and present, who have remained committed to Public Safety over the years.
- The City of Irvine has once again been voted as "Best City to Live In" in Orange County. This is the fifth consecutive year that Irvine has received this honor in *The Orange County Register's* annual "Best of OC" selections. *Register* readers choose the winners in each category. Schools, public safety, recreation programs, parks and trails, exciting and diverse dining and shopping, and sports facilities all provide an unmatched quality of life.

- Vista Verde School has been named a 2020 National Blue Ribbon School by the U.S. Department of Education, making it one of 367 schools from across the nation to earn what is widely considered the nation's highest level of recognition for public and private schools. Thirty-six schools in California received this designation, with only five from Orange County. This is the second Blue Ribbon designation for Vista Verde, which was also recognized in 1996. Overall, this is Irvine Unified School District's 19th Blue Ribbon School dating back to the start of the federal program in 1983. Vista Verde was recognized for a culmination of different programs and initiatives focused on a positive school climate, positive student behavior, student academic performance, parent involvement, and a strong sense of family and community.
- The deadline to register to vote in the November 3 election is October 19. Eligible voters may register online at registertovote.ca.gov. After October 19, residents can still register and vote provisionally in the November 3 election. Provisional ballots are counted after elections officials have confirmed that the voter is registered to vote in the county and has not already cast a ballot in the election. In addition, registration status, ballot status, and more can be viewed at ocvote.com. The Orange County Registrar's office has started mailing vote-by-mail ballots to all registered voters. Ballots can be mailed or placed in a Ballot Drop Box. There are seven Drop Boxes available in Irvine and even more throughout Orange County. In-person voting is also available at any Vote Center, 14 of which are located in Irvine, including one here at the Irvine Civic Center. Vote Centers will be open from Friday, October 30 through Tuesday, November 3. For more information about how you can safely cast your ballot, visit ocvote.com or call the City's Election Hotline at 949-724-6159.
- Last month, Mayor Shea had the opportunity to join mayors across Orange County to create a video that drives home a very important message: "Mask up to open up OC." All 34 Orange County mayors took part in the video that was filmed at iconic locations throughout the county. Orange County Mayors wanted to send a powerful message to residents, businesses, and visitors that we are in this together and we must work together to keep fighting coronavirus in our communities. With children back in school and more businesses reopening, wearing masks is more important than ever to ensure that progress is maintained, keeping cases low and preventing another shutdown.

Councilmember Fox requested that an update on the impacts of COVID-19 on the business community by the Greater Irvine Chamber of Commerce, and City Council discussion on how the City could support local businesses, be added to the next agenda. Councilmember Kuo expressed his support.

ADDITIONS AND DELETIONS

Councilmember Fox requested that Council Business Item No. 5.4 (Consideration of a request by Councilmember Khan and Councilmember Fox to reaffirm Irvine's commitment to diversity, equity, and inclusion) be removed from the agenda to a date to be determined, to allow for a speaker to explain the intent of the proposed resolution. Councilmember Khan also clarified that the proposed resolution was not in relation to Proposition 16 on the November 3, 2020, ballot.

3. CONSENT CALENDAR

Moved by Councilmember Kuo, seconded by Councilmember Fox, and unanimously carried to approve Consent Calendar Item Nos. 3.1, 3.2, 3.6, and 3.10. Consent Calendar Item Nos. 3.3, 3.4, 3.5, 3.7, and 3.8 were removed for separate discussion. Consent Calendar Item No. 3.9 was previously removed from the agenda.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the Irvine City Council held on September 8, 2020.
- 2) Approved the minutes of a regular meeting of the Irvine City Council held on September 8, 2020.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 20-82 - 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 LICENSE AGREEMENT BETWEEN THE CITY OF IRVINE AND ORANGE COUNTY TRANSPORTATION AUTHORITY - WIDENING OF STATE ROUTE 55

Carl Petersen, Assistant City Clerk, noted that e-comments had been received from the following individuals expressing opposition to the widening of California State Route 55:

- Justin Fong, Irvine resident
- "Irvine Resident"

City Council discussion included: questioning whether the City had authority over this project; and inquired about how this project would increase mobility for residents and visitors.

Jaimee Bourgeois, Deputy Director of Transportation, responded to City Council questions and concerns.

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

- 1) Approve a License Agreement with the Orange County Transportation Authority. **(Contract No. 11199)**
- 2) Authorize the Interim City Manager or her designee to execute the attached License Agreement.

3.4 ANNUAL RISK MANAGEMENT REPORT

This item was removed at the request of Councilmember Khan, who noted the importance of preventive measures; and questioned the high incidents in both the Public Works and Public Safety Departments.

Marianna Marysheva, Interim City Manager, responded that the City continues efforts in mitigating workers compensation claims.

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

Receive and file the Annual Risk Management Report for Fiscal Year 2019-20.

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

This item was removed at the request of Councilmember Kuo, who questioned whether there were specific requirements associated with the grant.

Mike Hamel, Director of Public Safety/Chief of Police, and Kyle Turner, Police Lieutenant, responded to City Council questions and concerns.

ACTION: It was moved by Councilmember Kuo, seconded by Mayor Shea, and unanimously carried, to:

- 1) Authorize a \$415,000 Selective Traffic Enforcement Program grant award from the State of California, Office of Traffic Safety.
- 2) Approve a budget adjustment appropriating \$415,000 for the California Office of Traffic Safety Selective Traffic Enforcement Program grant.

3.6 ACCEPTANCE OF 2020 ORANGE COUNTY OPERATIONAL AREA AGREEMENT OF THE COUNTY OF ORANGE AND POLITICAL SUBDIVISIONS

ACTION:

- 1) Approved the 2020 Orange County Operational Area Agreement of the County of Orange and Political Subdivisions. (**Contract No. 11200**)
- 2) Authorized the Interim City Manager to execute the 2020 Orange County Operational Area Agreement of the County of Orange and Political Subdivisions.

3.7 NOTICE OF PENDING APPROVAL FOR TRACT MAPS IN ORCHARD HILLS

Carl Petersen, Assistant City Clerk, noted that e-comments had been received from the following individuals in opposition to All American Asphalt continuing to operate its facility within a closed distance from neighboring communities:

- Peter Lin, Irvine resident
- Lesley Tan, Irvine resident
- Genny Guo, Irvine resident
- Kevin Lien, MD, Irvine resident
- Thomas Scott, Irvine resident
- Armond Ashgatugan, Irvine resident
- Emily Lynn, Irvine resident
- Channa Samynathan, Irvine resident
- Rose Wang, Irvine resident
- Meng Chen, Irvine resident
- Lina Chu, Irvine resident
- Dennis Lo, Irvine resident
- Chungliang Lee, Irvine resident

City Council discussion included: questioning whether the City requires disclosure to potential homebuyers; suggested that maps be updated on the City's website to include the All American Asphalt facility; and reiterated that the County of Orange approved the All American Asphalt permit in 1994.

City Attorney Melching responded that the City does not require disclosures at this time, but would work with Community Development as zoning maps were regulatory matters.

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

Receive and file.

3.8 APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS FOR CULVER DRIVE/BONITA CANYON DRIVE/FORD ROAD REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM PROJECT

This item was removed for separate discussion at the request of Councilmember Kuo, who noted that signal synchronization in this area had already been completed in 2016, and inquired about what additional measures, if any, were to be accomplished through the proposed project.

Eduardo Lopez, Associate Engineer, responded to City Council questions and concerns.

City Council discussion included: questioning how often signal synchronization should be performed; and inquiring about the approximate timeframe for synchronization to be completed.

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

- 1) Approve construction plans, specifications, and contract documents for Culver Drive/Bonita Canyon Drive/Ford Road Regional Traffic Signal Synchronization Program, Capital Improvement Project 331901.
- 2) Approve the Engineer's Estimate, Construction Contingency, and Project Funding Summary.
- 3) Authorize staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder, in accordance with the City's purchasing policies and procedures, within the approved project budget.

3.9 REMOVED

3.10 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

Approved Councilmember Khan's request for Community Partnership Fund Grant Nominations to Irvine Adult Day Health Services in the amount of \$500 in support of program costs.

4. PUBLIC HEARINGS

4.1 ORDINANCE AMENDING THE CITY'S REGULATIONS RELATING TO SHORT-TERM RENTALS

Mayor Shea opened the public hearing at 5:21 p.m., noting that staff had requested continuance of this item to January 12, 2021.

Councilmember Kuo inquired as to why staff was requesting a continuance on the item, to which Pete Carmichael, Director of Community Development, noted that staff needed additional time to finalize the ordinance.

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

Continue the public hearing to January 12, 2021.

5. COUNCIL BUSINESS

5.1 COVID-19 SITUATIONAL UPDATE AND DIRECTION TO DIRECTOR OF EMERGENCY SERVICES ON RELEVANT ACTION ITEMS

Michelle Grettenberg, Assistant City Manager, presented the staff report and responded to questions.

City Council discussion included; reiterating that the County was responsible for the distributing State funding; expressed appreciation to staff for ensuring that families could enjoy the City's parks in the community; and appreciated positive news and the focus on success stories during these difficult times.

Carl Petersen, Assistant City Clerk, noted that no e-comments had been received on this item.

By consensus, the City Council received and filed.

5.2 DISCUSSION OF PUBLIC PARTICIPATION IN IRVINE CITY COUNCIL AND COMMISSION MEETINGS DURING THE COVID-19 PANDEMIC

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

City Council discussion included: inquiring about the use of voicemail messaging during public meetings whereby the public could leave a voicemail that could be played during the meeting; noted that while the priority would be to open City Hall, the County was still in the

“substantial red” category; questioned whether staff could expand the character limit of e-comment from 500 characters to 1,000; expressed concern over the potential inappropriate comments that could be left on a voicemail; and suggested that the City Attorney work collaboratively with the City Clerk to consider any legal concerns.

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

- Annie Barker and Scott Harris, Irvine resident, who expressed support for using Zoom to enhance public participation.
- Isabel Ignacio, Irvine resident, who expressed support for a phone-in system or an improved e-comment system with no character limit.
- Jonathan Beer, who expressed support for public participation via other methods.
- John Smith, who expressed opposition to the 500 character limitation of e-comment in comparison to the time limit provided to speak in person.

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

Direct staff to return to the City Council within 30 to 45 days and investigate the possibility or the protocols for accepting voicemail or pre-recorded public comments on agenda items in advance of City Council meetings that would then be played during the hearing.

5.3 *CONSIDERATION OF A REQUEST BY MAYOR SHEA TO ADOPT A RESOLUTION ENCOURAGING TELECOMMUTING FOR THE CITY AND ITS BUSINESSES*

This item was agendized at the request of Mayor Shea, who asked for City Council consideration of a resolution encouraging telecommuting for the City and its businesses; and read her memo into the record dated September 29, 2020, which outlined positive lessons that have resulted, including a reduction in traffic and benefits to the environment.

Marianna Marysheva, Interim City Manager, noted that if approved, a City policy would come forward in January 2021; and that the Greater Irvine Chamber of Commerce was supportive of this concept.

City Council discussion included: expressing support of the proposed resolution; noted how productivity had not decreased, morale increased, and commutes were reduced; and stated that there was full confidence that staff has continued to do the job that they had been asked to do.

Carl Petersen, Assistant City Clerk, noted that no e-comments had been received on this item.

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

Adopt RESOLUTION NO. 20-83 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ENCOURAGING LONG-TERM TELECOMMUTING, WHERE POSSIBLE, FOR THE CITY AND ITS BUSINESSES

5.4 CONSIDERATION OF A REQUEST BY COUNCILMEMBER KHAN AND COUNCILMEMBER FOX TO REAFFIRM IRVINE'S COMMITMENT TO DIVERSITY, EQUITY AND INCLUSION

This item was removed from the agenda at the request of Councilmember Fox. See Additions and Deletions (page 5).

PUBLIC COMMENTS

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

- Lin Zhao, Alice Jin, Daniel Pavlich, Yan Ge, Linda Li, and Jenny Ju, Irvine residents, who expressed opposition to Proposition 16.
- Tiffany Fuji, Irvine resident, who wrote on the prevention of voter fraud and in support of saving local businesses.
- Ava Hall, San Jose resident, who expressed concern about City Councilmembers using City resources to reflect their own views on State propositions.
- Xiaojun Xu, Weijie Huang, Haiying Chen, Alex Laing, Qiong Liu, and Sue Zhang, Irvine residents, spoke on vandalized political signs in the community.
- Jay Ding, Irvine resident, requested support for local business.
- Irvine Populace, wrote on how they were looking forward to welcoming a new Mayor.

- John Smith, Irvine resident, inquired about Vice Mayor Carroll's use of \$72,000 in City funds to finance his campaign.

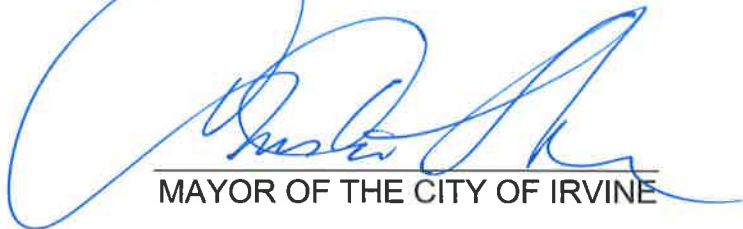
ADJOURNMENT – IN MEMORIAM

Councilmember Kuo requested that the City Council adjourn the meeting in memory of longtime Northwood High School Basketball Coach Tim O'Brien.

Moved by Councilmember Kuo, seconded by Mayor Shea, and unanimously carried to adjourn at 6:11 p.m. in memory of Northwood High School Basketball Coach Tim O'Brien.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

November 10, 2020