



MINUTES

CITY COUNCIL REGULAR MEETING

December 11, 2018
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 4:04 p.m. on December 11, 2018 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Wagner presiding.

ROLL CALL

Present:	4	Councilmember:	Melissa Fox
		Councilmember:	Lynn Schott
		Mayor Pro Tempore:	Christina Shea
		Mayor:	Donald P. Wagner

Absent:	1	Councilmember:	Jeffrey Lalloway
---------	---	----------------	------------------

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) – Mary Ann Gaido v. Molly McLaughlin, City Clerk of the City of Irvine, Neal Kelley, Orange County Registrar of Voters, et al., Orange County Superior Court Case No. 30-2018-00972013-CU-JR-CJC**

- 1.2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1): *Oncu vs. City of Irvine (OC Superior Court Case Number 30-2017-00915306)***

- 1.3 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to Government Code Section 54956.8; Property: Approximately 3.19 acre property at 17353 Derian Ave; Agency Negotiators: Marianna Marysheva, Assistant City Manager; Laurie Hoffman, Director of Community Services; Pete Carmichael, Director of Community Development/Interim Director, Orange County Great Park; and Darlene Nicandro, Project Development Administrator; Negotiating Parties: City of Irvine and Group Effort 6 LLC; Under Negotiation: Price and Terms of Payment**

- 1.4 **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): one potential case**

RECESS

Mayor Wagner convened the City Council meeting to Closed Session at 4:05 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the City Council meeting at 4:35 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

2. COUNCIL BUSINESS

- 2.1 **CERTIFY RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2018**

Molly McLaughlin, City Clerk, presented the staff report.

There were no City Council comments or questions.

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

- 1) Receive and file the Certificate of Results for the General Municipal Election held on November 6, 2018 for City Councilmember and Mayoral candidates.
- 2) Adopt RESOLUTION NO. 18-81 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2018, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

Councilmember Schott congratulated newly elected members on their successful elections and left the meeting at 4:40 p.m.

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 Fox, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.10, with the exception of Item No. 3.3, which was removed for separate discussion (3-0 vote conducted prior to the administration of the oaths of office).

3.1 MINUTES

ACTION:

Approve the minutes of a regular meeting of the Irvine City Council held on November 13, 2018.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopt RESOLUTION NO. 18-82 - 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 ADOPTION OF AMENDMENTS TO CITY OF IRVINE CONFLICT OF INTEREST CODE AND ADOPT THE SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY'S 2018 BIENNIAL NOTICE

This item was removed for separate discussion at the request of Jane Olinger, Irvine resident, who expressed concern about Councilmembers' and their respective Commission appointees' non-disclosure and non-recusal of conflict-of-interest related matters.

There was no City Council discussion.

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

- 1) Adopt RESOLUTION NO. 18-83 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING THE CITY'S CONFLICT OF INTEREST CODE AND LIST OF DESIGNATED EMPLOYEES
- 2) Adopt the Successor Agency to the Dissolved Irvine Redevelopment Agency's 2018 Biennial Notice.

3.4 ADOPTION OF CITYWIDE RECORDS RETENTION SCHEDULE AND SUPERSEDING RESOLUTION NOS. 01-25, 06-109, 06-135, 10-96, 11-64, 11-70, 12-141, AND 14-07

ACTION:

Adopted RESOLUTION NO. 18-84 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE CITYWIDE RECORDS RETENTION SCHEDULE AND SUPERSEDING RESOLUTION NOS. 01-25, 06-109, 06-135, 10-96, 11-64, 11-70, 12-141, AND 14-07

3.5 APPROVAL OF SPECIFICATIONS AND CONTRACT DOCUMENTS FOR IRVINE STATION ELEVATOR UPGRADES

ACTION:

- 1) Approved the specifications and contract documents for the Irvine Station Elevator Upgrades, Capital Improvement Project 361911.
- 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, in accordance with the City's purchasing policies and procedures, within the approved project budget.

3.6 NOTICE OF PENDING APPROVAL FOR TRACT MAPS IN IRVINE BUSINESS COMPLEX AND LOS OLIVOS

ACTION:

Received and filed.

3.7 QUITCLAIM OF UTILITY AND EMERGENCY ACCESS EASEMENTS IN GREAT PARK NEIGHBORHOODS

ACTION:

Authorized the Mayor to execute two quitclaim deeds relinquishing easements on private property no longer needed for public utility and emergency access purposes. **(Deed Nos. 1641 and 1642)**

3.8 ELECTRIC VEHICLE CHARGING FEE

ACTION:

Adopted RESOLUTION NO. 18-85 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE ACCEPTANCE OF AN ELECTRIC VEHICLE (EV) CHARGING FEE OF UP TO 50 CENTS PER KILOWATT HOUR ALONG WITH A CONNECTION FEE OF 50 CENTS PER USE AT PUBLIC EV CHARGING STATIONS ON CITY PROPERTY

3.9 SECOND READING OF ORDINANCE NO. 18-11 APPROVING ZONE CHANGE TO AMEND CHAPTER 9-6 OF THE IRVINE ZONING ORDINANCE RELATED TO THE DISTRIBUTION OF DWELLING UNITS WITHIN PLANNING AREA 6 (PORTOLA SPRINGS)

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 18-11 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00693253-PZC TO AMEND CHAPTER 9-6 OF THE IRVINE ZONING ORDINANCE TO REALLOCATE 226 DWELLING UNITS FROM THE 8.1A TRAILS AND TRANSIT ORIENTED DEVELOPMENT ZONING DISTRICT TO THE 2.3K MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT WITHIN PLANNING AREA 6 (PORTOLA SPRINGS); FILED BY IRVINE COMPANY

3.10 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Pro Tempore Shea's request for Community Partnership Fund Grant nomination to Radiant Health Centers in support of local program costs (\$250). **(Contract No. 10480)**
- 2) Authorized the City Manager to prepare and sign the funding agreement listed in Action 1.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore Shea announced that Section 9101 of the Farm Bill was defeated based on extensive advocacy efforts locally and across the nation, which would have affected local control decision-making authority on organic pesticides; and expressed her appreciation to present and recently departed Councilmembers, former Community Services Commissioner Kim Konte, and Landscape Maintenance Supervisor Dennis Chiotti for their support and efforts.

Councilmember Fox expressed her appreciation to staff for the recent Winter Wonderland event, and suggested relocating the event to the Orange County Great Park based on its popularity.

Mayor Wagner provided a brief update on his recent trip to Mexico City to attend the inauguration of Mexican President Andres Lopez Obrador as part of Mayors Delegation through the United States Conference of Mayors; and made the following announcements:

- City staff has reached an agreement on the economic terms of a 65-year ground lease with Wild Rivers Inc., for a new Wild Rivers water park at the Orange County Great Park, with details scheduled for consideration by the Great Park Board and the City Council at their respective meetings on January 22. The new water park holds the promise of what its unique, popular business brings to the community, which include economic impact, numerous summer jobs for youth, and a big draw for the Great Park. While some regulatory issues remain to be worked out with both the Navy and with the State of California, the January 22 meetings will provide the City Council with the opportunity to finalize the City's deal with Wild Rivers and their development partners.
- In observance of the Christmas holiday, the Irvine Civic Center will be closed Monday, December 24 and Tuesday, December 25. City Hall will be open December 26, 27, and 28 with limited staffing. The Civic Center will also be closed Tuesday, January 1, for New Year's Day.
- The annual Toy Drive, in partnership with the Irvine 2/11 Marine Battalion, continues through December 14. Participants can make the season brighter for Irvine's Marine Battalion families by donating a new, unwrapped gift suitable for infants or children up to age 12. Donations can be dropped off at the Irvine Civic Center, Irvine Police Department, and the Orange County Great Park Visitors Center.

PUBLIC COMMENTS

Susan Sayre, Irvine resident, congratulated Councilmembers-elect Khan and Kuo on a successful election; and spoke about the importance of voting, public participation, and transparency.

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

Brigitte spoke about recent actions taken by the Orange County Board of Supervisors.

Michelle Murphy, representing United Way, spoke in support of ending the County's homeless crisis.

Ilya Tseglin spoke about a domestic issue related to his autistic son.

Ryan Farsai spoke about election matters and the national debt.

RECESS

Mayor Wagner recessed the City Council meeting at 5:14 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the City Council meeting at 5:30 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

Mayor Wagner introduced The Most Reverend Kevin W. Vann, Bishop of Orange, to provide the invocation.

MOMENT OF SILENCE

Mayor Wagner asked for a Moment of Silence in memory of President George H.W. Bush, 41st president of the United States, who passed away in November at the age of 94.

MUSICAL PRESENTATION

Mayor Wagner introduced Irvine High School ninth grade student Cece Labowe, who performed the National Anthem.

ADMINISTRATION OF OATH OF OFFICE FOR NEWLY ELECTED MAYOR AND CITY COUNCILMEMBERS

Mayor Wagner introduced elected officials in attendance; and invited the Honorable Megan L. Wagner, Orange County Superior Court Judge, to administer the Oath of Office and present him with a Certificate of Election.

Councilmember-elect Anthony Kuo introduced the Honorable Eric Woolery, Orange County Auditor/Controller, who administered the ceremonial Oath of Office, and presented him with a Certificate of Election.

Councilmember-elect Farrah N. Khan introduced the Honorable Halim Dhanidina, California Court of Appeal Judge, to administer the Oath of Office.

CITY COUNCIL COMMENTS

Mayor Wagner and Councilmembers Khan and Kuo congratulated each other on their respective elections and thanked family, friends, and the community for their support. Mayor Pro Tempore Shea and Councilmember Fox also congratulated Mayor Wagner and Councilmembers Khan and Kuo on their successful elections.

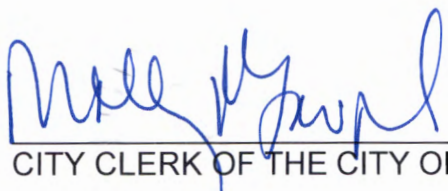
CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR PRO TEMPORE

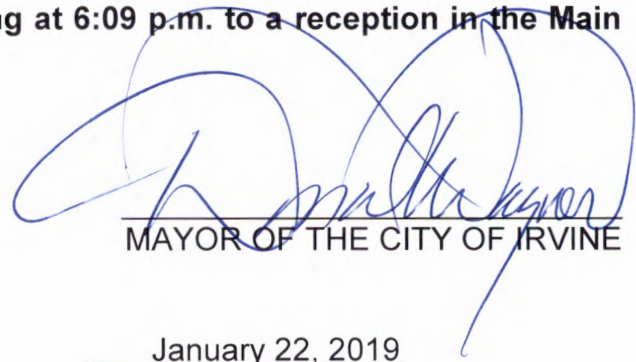
Mayor Wagner opened the floor for nominations for the selection of Mayor Pro Tempore for the ensuing year. Councilmember Kuo nominated Mayor Pro Tempore Shea to continue serving for the ensuing year.

ACTION: Moved by Councilmember Kuo, seconded by Mayor Wagner, and unanimously carried to close nominations and select Mayor Pro Tempore Shea to continue serving for the ensuing year.

ADJOURNMENT TO RECEPTION - 6 P.M.

Moved by Councilmember Kuo, seconded by Mayor Pro Tempore Shea, and unanimously carried to adjourn the meeting at 6:09 p.m. to a reception in the Main Lobby.


CITY CLERK OF THE CITY OF IRVINE


MAYOR OF THE CITY OF IRVINE
January 22, 2019