



## MINUTES



# SPECIAL JOINT MEETING OF THE CITY COUNCIL WITH THE ORANGE COUNTY GREAT PARK BOARD

**July 23, 2019**  
**City Council Chamber**  
One Civic Center Plaza  
Irvine, CA 92606

### CALL TO ORDER

The special joint meeting of the Irvine City Council with the Orange County Great Park Board was called to order at 5:08 p.m. on July 23, 2019, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor/Director Shea presiding.

### ROLL CALL

Present:	5	Councilmember/Director:	Michael C. Carroll
		Councilmember/Director:	Melissa Fox
		Councilmember/Chairwoman:	Farrah N. Khan
		Mayor Pro Tempore/Vice Chairman:	Anthony Kuo
		Mayor/Director:	Christina Shea

Mayor Shea provided a brief overview with regard to the proceedings for the special joint meeting; and introduced William Martecorena, Rutan and Tucker, who was acting in the absence of Jeff Melching, City Attorney/Board Counsel.

**1. CITY COUNCIL / BOARD BUSINESS**

**1.1 SOUTHERN CALIFORNIA STATE VETERANS CEMETERY**

John Russo, City Manager/Executive Director, provided a brief overview of the two proposals (golf course and Amended and Restated Development Agreement [ARDA] sites) before the City Council, and noted reasons why staff was recommending the proposed golf course site for the Cemetery.

William Marticorena, Acting City Attorney/Board Counsel, provided a legal opinion related to the effects of Measure B (City of Irvine, Ordinance No. 17-08, Facilitating Veterans Cemetery Through Relocation of Previously-Planned Development).

Rebecca Bridgeford, Manager of Great Park, and Bill Rodrigues, Senior, Planner, presented the staff report and responded to questions.

Mike Padian, representing Padian Consulting, provided an independent report/analysis on both the ARDA and golf course sites, noting that the golf course would be the preferred site for the Cemetery based on his analysis.

City Council/Board discussion included: inquiring about the golf course site boundaries; discussed the loss of an \$18 million amenity as well as the potential for lost revenue if the golf course site was chosen for the Cemetery; discussed financial considerations related to both sites; inquired about information presented to each of the City's Commissions and their findings; and questioned FivePoint's obligations with respect to a public golf course.

The following individuals spoke in support of the proposed golf course site:

Bill Cook, Orange County Veterans Memorial Park  
Ira Galasky, Boardmember, Irvine Unified School District

The following individuals spoke in support of the ARDA site:

Susan Sayre, Irvine resident  
Tom Umberg, California State Senator

**RECESS**

Mayor/Director Shea called a recess at 6:30 p.m.

## **RECONVENE**

Mayor Shea reconvened the meeting 6:36 p.m.

The following individuals spoke in support of the proposed golf course site:

Jack Fancher, Irvine resident  
Steve Greenberg, Chair, Transportation Commission  
Greg Rath, Mayor, City of Mission Viejo  
Bill Sandlin, Irvine resident and on behalf of VFW, VVA, and USM League  
Ronnie Guyer  
Robert Brower, Irvine resident and on behalf of American Legion  
Faruk Bhagani, Irvine resident  
Greg Smith, Chair, Vice Chair, Planning Commission  
Patrick Strader, Starpointe Ventures on behalf of FivePoint Communities  
Nick Berardino, on behalf of Valor  
Catherine Clark, Irvine resident  
Jim Shute, Chair, Finance Commission  
Martha Huff, American Legion  
Zeke Hernandez

The following individuals spoke in support of the ARDA site:

Ray Roschmann, Irvine resident  
Frank McGill, Irvine resident  
Carolyn Inmon, Irvine resident  
Larry Agran, Irvine resident  
Harvey Liss, Irvine resident  
Barbara Parker Fox, Fuscoe Engineering  
Eileen Vincent, Irvine resident  
Pat Fuscoe, Fuscoe Engineering  
Steven Berger, Irvine resident  
Carl Mariz, Irvine resident  
Larry Bales  
Gail Lewis, Irvine resident  
Jim Sachau  
Gil Nelsen, Irvine resident  
Angelo Vassos, Irvine resident  
Ira Lewis  
Laurel Davila  
Ginny Bailis, Lake Forest resident  
Gloria Dehurta  
Michelle Johnson  
Jaci Woods, Irvine resident  
Johnny Gurule, Irvine resident  
Robin Umberg, Irvine resident

Joe McLaughlin, Irvine resident  
Kev Abazajian, Irvine resident  
Ron Fauth, CEO, Musicians for Vets  
Jane Roschmann, Irvine resident  
Jean Ann Turner, Irvine resident

Bob Holtzclaw, Lake Forest resident, spoke in support of a location near California State Route 241 and Bake Parkway currently occupied by a nursery in the City of Lake Forest.

Scott R. Hansen, Irvine resident, spoke in support of the proposed Anaheim Hills site or an alternative site outside of the City.

John Carson spoke in support of a Veterans Cemetery but did not state his preferred location.

Tammy Kim, Irvine resident, spoke in opposition to suggested discrimination by a public speaker.

Evan Wolf, Victoria Marwahan, and Amy Van Ayken, City Council interns working with Councilmember Khan, provided a brief history of the Veterans Cemetery matter.

Tom Chomyn, Irvine resident, spoke in support of a Veterans Cemetery in either location; and in support of a public golf course at the Orange County Great Park.

The following individuals submitted a Request to Speak but did not speak:

Richard Tovar, Irvine resident  
Doug Elliott  
Masourmeh Kiahasheim  
Ray Genaway, Irvine resident  
Richard Alegre  
Norm Abbod

**RECESS**

Mayor/Director Shea called a recess at 8:55 p.m.

**RECONVENE**

Mayor Shea reconvened the meeting 9:02 p.m.

Additional City Council/Board discussion included: reiterating efforts made to defeat an airport at the former El Toro Marine Corps Air Station; questioned zoning on the ARDA site and why FivePoint Communities had first right of refusal; questioned whether the ARDA site would be released to FivePoint Communities if the golf course site were approved for the Veterans Cemetery; inquired about State and Federal approvals for the ARDA site; questioned the number of buildings at the ARDA site; inquired about unintended consequences if land was deeded to the state and the Cemetery was never built due to its opposition to a deed restriction; reiterated that the ARDA site was not located within the Great Park boundaries; and discussed options for discussing and rezoning the ARDA site to restrict certain uses.

City Manager/Executive Director Russo provided clarification with respect to California Assembly Bill 8368 (AB 8368) and federal regulations and requirements for a Veterans Cemetery.

**Acting as the City Council, the following actions were discussed and/or approved:**

ACTION: Moved by Councilmember Khan to:

Designate 100 acres of the ARDA site for a Veterans Cemetery, leaving a 25-acre buffer adjacent to nearby homes and schools.

**Motion failed for lack of second.**

ACTION: Moved by Councilmember Carroll to:

Direct staff to perform an analysis of the existing zoning on the ARDA site, and provide recommendations at the August 13, 2019 City Council meeting on the specific steps that are necessary and required to ensure that the ARDA site is not developed with any residential uses whatsoever.

City Manager Russo noted that the Planning Commission would need to review the matter related to the rezoning of the ARDA site and could do so at its August 15 meeting.

Additional City Council/Board discussion included: incorporating language related to “binding assurances” in the resolution; noted the need to review intensity to determine alternative uses; and reiterated the need for community participation.

**Following discussion, Councilmember Carroll amended his motion.**

**ACTION:** Moved by Councilmember Carroll, seconded by Mayor Shea, to:

- 1) Adopt RESOLUTION NO. 19-76 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DESIGNATING THE CITY'S PREFERRED SITE FOR THE DEVELOPMENT AND OPERATION OF THE SOUTHERN CALIFORNIA VETERANS CEMETERY, AND RESCINDING AND SUPERSEDING ALL PRIOR RESOLUTIONS RELATING TO THAT SUBJECT MATTER
- 2) Direct staff to refer to the Planning Commission for further review and subsequent submission to the City Council, an analysis of the existing zoning on the Amended and Restated Development Agreement (ARDA) site, and to provide recommendations to the City Council at the soonest possible City Council meeting on the specific steps that are necessary and required to ensure that the ARDA site is not developed with any residential uses whatsoever, which includes the removal of two hotels, a retail development center, and 250 units of housing.

Additional discussion ensued regarding the need to retain the development of a retail development center, thereby only removing the development of two hotels and 250 units of housing.

**ACTION\*:** A friendly amendment was made by Councilmember Khan, accepted by Councilmember Carroll as the maker of the motion, seconded by Mayor Shea, to:

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- 2) Direct staff to refer to the Planning Commission for further review and subsequent submission to the City Council, an analysis of the existing zoning on the Amended and Restated Development Agreement (ARDA) site, and to provide recommendations to the City Council at the soonest possible City Council meeting on the specific steps that are necessary and required to ensure that the ARDA site is not developed with any residential uses whatsoever, which includes the removal of two hotels and 250 units of housing.

**The motion carried as follows:**

AYES: 4 COUNCILMEMBERS: Carroll, Khan, Kuo and Shea

NOES: 1 COUNCILMEMBERS: Fox

ABSENT: 0 COUNCILMEMBERS: None

\* The amended motion carried and takes precedence over the main motion; therefore, a vote was not taken on the main motion.

**Acting as the Orange County Great Park Board, the following actions were discussed and/or approved:**

ACTION: Moved by Director Shea, seconded by Vice Chairman Kuo, to:

- 1) Recommend to the City Council that it designate up to 100 acres of land located on the site of the former Marine Corps Air Station El Toro adjacent to the Agua Chinon, commonly known as "Golf Course Site" in the Orange County Great Park for development of a Southern California State Veterans Cemetery.
- 2) Recommend to the City Council that it direct the City Manager, with the assistance of the City Attorney, to immediately begin negotiations with the State of California on an agreement to transfer the Golf Course Site to the State of California, at no cost, once the State provides binding assurances to the City that there are sufficient funds available to remediate the entire site and to complete Phase 1 of the Southern California Veterans Cemetery (Transfer Agreement).
- 3) Recommend to the City Council that it direct the City Manager to take all steps necessary to, contingent on approval of the Transfer Agreement, remove Heritage Fields' right and obligation under the "Second Agreement with City of Irvine as Adjacent Landowner" (ALA II) to construct a golf course at the Orange County Great Park, and in its place secure a commitment that Heritage Fields will contribute \$18,000,000 toward the construction of the Southern California Veterans Cemetery on the Golf Course Site.

**This motion was tabled pending City Council actions.**

**ACTION: Moved by Director Carroll, seconded by Director Shea, to:**

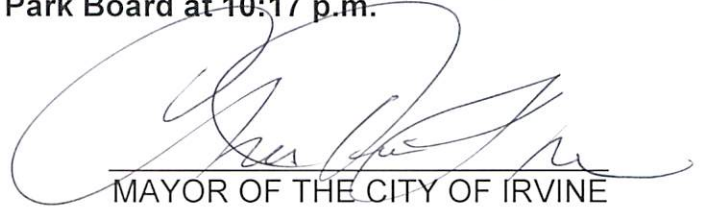
- 1) Recommend to the City Council that it designate up to 100 acres of land located on the site of the former Marine Corps Air Station El Toro adjacent to the Agua Chinon, commonly known as “Golf Course Site” in the Orange County Great Park for development of a Southern California State Veterans Cemetery.
- 2) Recommend to the City Council that it direct the City Manager, with the assistance of the City Attorney, to immediately begin negotiations with the State of California on an agreement to transfer the Golf Course Site to the State of California, at no cost, once the State provides binding assurances to the City that there are sufficient funds available to remediate the entire site and to complete Phase 1 of the Southern California Veterans Cemetery (Transfer Agreement).
- 3) Recommend to the City Council that it direct the City Manager to take all steps necessary to, contingent on approval of the Transfer Agreement, remove Heritage Fields’ right and obligation under the “Second Agreement with City of Irvine as Adjacent Landowner” (ALA II) to construct a golf course at the Orange County Great Park, and in its place secure a commitment that Heritage Fields will contribute \$18,000,000 toward the construction of the Southern California Veterans Cemetery on the Golf Course Site.
- 4) Recommend to the City Council that it direct staff to initiate all necessary revisions to the entitling documents for the Orange County Great Park to facilitate the development of a State Veterans Cemetery on the Golf Course Site.

**The motion carried as follows:**

AYES:	4	DIRECTORS:	Carroll, Khan, Kuo and Shea
NOES:	1	DIRECTORS:	Fox
ABSENT:	0	DIRECTORS:	None

**ADJOURNMENT**

**Moved by Councilmember/Director Carroll, seconded by Mayor Pro Tempore / Vice Chairman Kuo, and unanimously carried to adjourn the special joint meeting of the City Council with the Orange County Great Park Board at 10:17 p.m.**



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

September 10, 2019