



MINUTES

CITY COUNCIL REGULAR MEETING AND REGULAR JOINT MEETING WITH THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

**June 26, 2018
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606**

CALL TO ORDER

The regular meeting of the Irvine City Council and regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency was called to order at 4:08 p.m. on June 26, 2018 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor/Chairman Wagner presiding.

ROLL CALL

Present:	4	Councilmember/Boardmember:	Melissa Fox
		Councilmember/Boardmember:	Jeffrey Lalloway
		Mayor Pro Tempore/Vice Chairwoman:	Christina Shea
		Mayor/Chairman:	Donald P. Wagner
Absent:	1	Councilmember/Boardmember:	Lynn Schott

1. CLOSED SESSION

City Attorney Melching announced the following Closed Session item:

- 1.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: one potential case**
- 1.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): two potential cases**
- 1.3 PUBLIC EMPLOYEE APPOINTMENT: Government Code Section 54957 - Title: City Manager**

RECESS

Mayor Wagner convened the City Council meeting to Closed Session at 4:09 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the City Council meeting at 6:08 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Councilmember Lalloway led the Pledge of Allegiance.

INVOCATION

Mayor Wagner provided the invocation.

2. PRESENTATIONS

- 2.1 Presentation by Orange County District Attorney Tony Rackauckas on Rehabilitation Exploitation and Health Care Trafficking**

Mayor Wagner noted that Orange County District Attorney Tony Rackauckas was unable to attend the City Council meeting.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore Shea noted a recent conflict-of-interest complaint filed with the Fair Political Practices Commission (FPPC) against her and Councilmember Fox, who serve as the City's representatives to the Irvine Community Land Trust (ICLT), for participating in a discussion and vote at the prior City Council meeting to allocate funding to the ICLT from Fund 113 for affordable housing. Jeff Melching, City Attorney, opined on why he believed the matter was not a conflict-of-interest, to which Councilmember Shea asked that he provide a written legal opinion to the FPPC.

Councilmember Fox, as the City's representative to the Newport Bay Watershed Committee, provided a summary of accomplishments and projects underway by the Committee.

Mayor Wagner noted that the Orange County Board of Supervisors took action earlier in the day to investigate an alternative site for an Orange County veterans cemetery proposed by Orange County Supervisor Todd Spitzer; and made the following announcements:

- The Irvine Police Association will present the 34th annual Concert on the Green and Fireworks Festival on Wednesday, July 4 at the Irvine High School Stadium. The festivities begin at 3 p.m. and wrap up at 9 p.m. with a Musical Sky Concert and Fireworks Extravaganza. The day includes live music by the Derek Bordeaux Group, a food court, games and activities for children, and the presentation of the colors by the Irvine Police Department Honor Guard. Tickets are available at the Community Services Department front counter, by calling 949-724-0488, or visiting irvinepa.org/events.
- The City's popular Sizzlin' Summer Concerts begin at Mike Ward Community Park – Woodbridge on Sunday, July 8, with the Smith Band and their modern country music. The community is invited to a series of six free, family-friendly concerts in the park covering a variety of musical tastes, from pop variety and dance hits to classical symphony and classic rock. Gourmet food trucks and a children's play area are part of the festivities, which begin at 5:30 p.m. For information and a full concert series schedule, visit cityofirvine.org/play.
- Another 48 acres of amenities are now open at the Orange County Great Park Sports Complex. As of June 15, residents and local sports organizations have taken advantage of six new synthetic soccer/lacross fields, a natural turf flex field that can accommodate four additional soccer fields, and four basketball courts. The additional acres add to the existing 53 acres that opened in August 2017 as part of the developing Sports Complex that enhances the Great Park's 1,300 acres. In all, 130 acres of new playfields and trails are scheduled to open this year. Visit ocgp.org for a complete list of park amenities.

- Irvine was named one of the best cities in the country for young families, according to the consumer research group ValuePenguin, ranking 15 out the 318 largest cities in the United States based on several factors, which include economic opportunity, education, health and safety. The ranking is further evidence that schools, economy, public safety, dedicated open space, and diversity set Irvine apart and make the City one of the best cities for young families looking to live, work, and play.

ADDITIONS AND DELETIONS

There were no additions or deletions.

CONVENE TO THE REGULAR JOINT MEETING

Mayor/Chairman Wagner convened to the regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 6:20 p.m.

3. CONSENT CALENDAR - CITY COUNCIL

ACTION: Moved by Mayor Pro Tempore/Vice Chairwoman Shea, seconded by Councilmember/Boardmember Lalloway, and unanimously carried by those members present (Councilmember/Boardmember Schott absent), to approve City Council Consent Calendar Item Nos. 3.1 through 3.13, and Successor Agency Consent Calendar Item Nos. 4.1 and 4.2, with the exception of City Council Consent Calendar Item Nos. 3.5, 3.6, 3.9, and 3.11, which were removed for separate discussion.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the Irvine City Council held on June 5, 2018.
- 2) Approved the minutes of a special meeting of the Irvine City Council held on June 12, 2018.
- 3) Approved the minutes of a regular meeting of the Irvine City Council and special joint meeting with the Orange County Great Park Board held on June 12, 2018.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 18-53 - 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 DEFINED BENEFIT AND DEFINED CONTRIBUTION PENSION PLAN AUDITS FOR THE YEAR ENDED DECEMBER 31, 2017

ACTION:

Received and filed the Defined Benefit and the Defined Contribution Pension Plan audits for the year ended December 31, 2017.

3.4 FINAL REPORT AND DECLARATION OF SURPLUS FOR ASSESSMENT DISTRICT NO. 07-22 (STONEGATE)

ACTION:

- 1) Received and filed the Final Report for Assessment District No. 07-22 (Stonegate).
- 2) Adopted RESOLUTION NO. 18-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DECLARING A SURPLUS IN THE IMPROVEMENT FUND FOR THE CITY OF IRVINE ASSESSMENT DISTRICT NO. 07-22

3.5 PISTOIA APARTMENTS DENSITY BONUS HOUSING AGREEMENT

This item was removed for separate discussion at the request of Mayor Pro Tempore Shea, who noted that more information related to the Density Bonus agreement was needed to address development density and traffic impacts.

Judith Gass spoke in support of affordable housing and raising its allocation to over ten percent, but expressed concern about proximity to schools and associated traffic concerns.

City Council discussion included: suggesting the item be continued for 60 to 90 days for additional analysis; reiterated that the State of California determines the required number of affordable homes; noted that the agreement had been pending for several years; and questioned project status and potential consequences if approval of the agreement was delayed.

Ray Timmons and Johnny Lu, representing 17422 Derian, Irvine, LLC, provided a brief status of the project and potential consequences if approval of the agreement was delayed.

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

Direct staff to return to the City Council within 60 days with more detail regarding density bonus, any flexibility the City has with the State with these density bonuses, and any other nuances the City Council needs to understand regarding the uniqueness of the project structure.

3.6 MILANI APARTMENTS DENSITY BONUS HOUSING AGREEMENT

This item was removed for separate discussion at the request of Mayor Pro Tempore Shea, who expressed similar concerns to the Pistoia Apartments Density Bonus Agreement (Consent Calendar Item No. 3.5), and asked that similar action be taken to continue the matter and direct staff to return within 60 days with additional analysis.

There was no City Council discussion.

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

Direct staff to return to the City Council within 60 days with more detail regarding density bonus, any flexibility the City has with the State with these density bonuses, and any other nuances the City Council needs to understand regarding the uniqueness of the project structure.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Fox, Shea and Wagner

NOES: 0 COUNCILMEMBERS: None

ABSENT: 1 COUNCILMEMBERS: Schott

ABSTAIN: 1 COUNCILMEMBERS: Lalloway

3.7 NEWPORT BAY WATERSHED COOPERATIVE AGREEMENT MA-080-18011416

ACTION:

- 1) Approved Agreement MA-080-18011416 to fund nutrient, fecal coliform and toxics Total Maximum Daily Load programs and activities in the Newport Bay Watershed. **(Contract No. 10259)**
- 2) Authorized the Mayor to sign the Agreement on behalf of the City.

3.8 NOTICE OF REVIEW FOR TRACT MAPS IN ORCHARD HILLS

ACTION:

Received and filed.

3.9 GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR ELECTRICAL FACILITIES WITHIN A CITY-OWNED LANDSCAPE LOT

This item was removed for separate discussion at the request of Mayor Pro Tempore Shea, who noted that this grant of easement was a result of collaborative efforts to relocate the proposed Southern California Edison Safari Substation, originally located on Wald Street.

There was no City Council discussion.

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

Approve the Easement Deed with Southern California Edison Company (SCE) for installation of electric facilities within a city-owned landscape lot, and authorized the Mayor to execute the Easement Deed and SCE Offer Letter. **(Deed No. 1627)**

3.10 APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS FOR IRVINE CENTER DRIVE/EDINGER AVENUE REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROJECT

ACTION:

- 1) Approved construction plans, specifications, and contract documents for Irvine Center Drive/Edinger Avenue Regional Traffic Signal Synchronization Program, Capital Improvement Project 331702.
- 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.

3.11 APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS FOR VON KARMAN AVENUE/TUSTIN RANCH ROAD REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROJECT

This item was removed for separate discussion at the request of Councilmember Lalloway, who noted the significance of this and similar projects to improve traffic in and around the Irvine Business Complex; and expressed appreciation to the City of Tustin, Orange County Transportation Authority, and City staff for working collaboratively to move these projects forward.

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

- 1) Approve the construction plans, specifications, and contract documents for Von Karman Avenue/Tustin Ranch Road Regional Traffic Signal Synchronization Program, Capital Improvement Project 331703.
- 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.

3.12 CONSIDER MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRVINE AND THE IRVINE BARCLAY THEATRE OPERATING COMPANY

ACTION:

Authorized the Mayor to sign a Memorandum of Understanding between the City of Irvine and Irvine Barclay Theatre Operating Company memorializing and clarifying the City's obligations for annual funding for operations and maintenance. **(Contract No. 10260)**

3.13 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Councilmember Lalloway's requests for Community Partnership Fund Grant nominations to the following organizations:
 - a. Children's Hospital Orange County (CHOC) Foundation in support of CHOC Small World Guild (\$1,000) **(Contract No. 10261)**
 - b. Chabad of Irvine in support of program costs (\$1,000) **(Contract No. 10262)**
 - c. Beckman High School Athletic Booster Club in support of the Cross County program (\$2,000) **(Contract No. 10263)**
- 2) Authorized the City Manager to prepare and sign the funding agreements listed in Action 1.

4. CONSENT CALENDAR - SUCCESSOR AGENCY

4.1 MINUTES

ACTION:

Approve the minutes of the regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency with the Irvine City Council held on April 24, 2018.

4.2 WARRANT AND WIRE TRANSFER RESOLUTION – CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

ACTION:

Adopted RESOLUTION NO. 18-04 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ALLOWING CERTAIN CLAIMS AND DEMANDS OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

PUBLIC COMMENT - SUCCESSOR AGENCY

There were no public comments.

ADJOURNMENT - REGULAR JOINT MEETING

Moved by Mayor Pro Tempore/Vice Chairwoman Shea, seconded by Councilmember/Boardmember Lalloway, and unanimously carried by those members present (Councilmember/Boardmember Schott absent), to adjourn the regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 6:37 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the regular City Council meeting at 6:38 p.m.

5. COUNCIL BUSINESS

5.1 CONSIDERATION OF SUBMITTAL OF NOTICE OF WITHDRAWAL FROM THE ORANGE COUNTY FIRE AUTHORITY

Mayor Wagner provided a brief summary regarding ongoing concerns by the City with respect to significant overfunding by the City to the Orange County Fire Authority (OCFA) for fire protection services, and why it was suggested that the City submit a Notice of Withdrawal by the June 30, 2018 deadline.

City Council discussion included: reiterating a desire for continued negotiations between the City, County of Orange, and OCFA; noted regional services provided by OCFA and the high level of service provided over the years; suggested overpayment be used toward additional stations, hand crews, and a training station; noted concerns about OCFA's pension liability and its potential impact on the City; noted the importance of bringing fairness to City taxpayers; and expressed appreciation to Councilmember Fox for her continued efforts in serving as the City's representative to the OCFA Board of Directors.

ACTION: Moved by Mayor Wagner, seconded by Councilmember Lalloway, to:

Authorize the Mayor to execute a Notice of Withdrawal from the Orange County Fire Authority.

The motion carried as follows:

- AYES: 3 COUNCILMEMBERS: Lalloway, Shea and Wagner
- NOES: 1 COUNCILMEMBERS: Fox
- ABSENT: 1 COUNCILMEMBERS: Schott

5.2 ORDINANCE ESTABLISHING CHANGES AND ADDITIONS TO POSTED SPEED LIMITS

Tran Tran, Senior Transportation Engineer, presented the staff report and responded to questions. Jaime Bourgeois, City Traffic Engineer, was also available for questions.

There was no City Council discussion.

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

Introduce for first reading, and read by title only – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DIRECTING AN AMENDMENT TO THE “CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS,” AS MAINTAINED BY THE CITY ENGINEER AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

PUBLIC COMMENT-CITY COUNCIL

Scott Purley, and H.K. Rahlfs, Irvine residents, spoke in support of a veterans cemetery at the Orange County Great Park.

Susan Sayre, Irvine resident, spoke about public role in City government, and expressed concern about the validity of certain developments and traffic studies.

Don Croucher, Orange County Fire Museum (OCFM), spoke in support of a fire museum and safety learning center at the Orange County Great Park, noting recent accomplishments made by the OCFM.

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

Amir Khoshnijohi and Scott Krynock, representing SmartTrac, presented a brief summary of the services provided by the company.

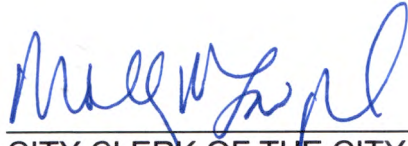
Gil Nelsen and Harvey Liss, Irvine residents, spoke in support of a veterans cemetery at the Amended and Restated Development Agreement (ARDA) site.

Brigitte spoke in support of the Tseglin family and related concerns with an autistic family member.

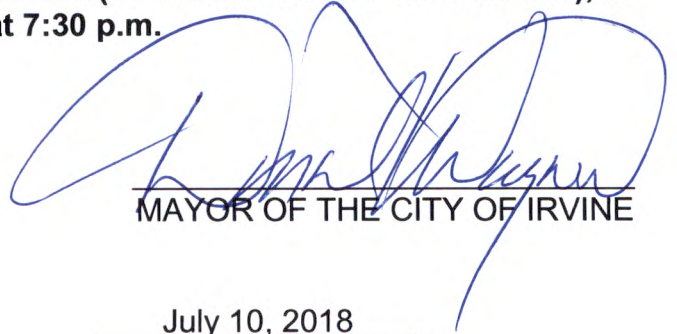
Ilya Tseglin spoke about concerns related to his autistic son.

ADJOURNMENT-CITY COUNCIL

Moved by Councilmember Lalloway, seconded by Mayor Pro Tempore Shea, and unanimously carried by those members present (Councilmember Schott absent), to adjourn the regular City Council meeting at 7:30 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

July 10, 2018