



MINUTES

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

November 24, 2020
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The special meeting of the Irvine City Council and special joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency was called to order at 2:30 p.m. on November 24, 2020, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor/Chairwoman Shea presiding.

ROLL CALL

Present:	5	Councilmember/Boardmember:	Melissa Fox
		Councilmember/Boardmember:	Farrah N. Khan*
		Councilmember/Boardmember:	Anthony Kuo
		Vice Mayor/Vice Chairman:	Mike Carroll
		Mayor/Chairwoman:	Christina Shea

*Via teleconference

Mayor/Chairwoman 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/Chairwoman 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.

1. CLOSED SESSION

City Attorney Melching announced the following Closed Session items:

- 1.1 THREAT TO PUBLIC SERVICES OR FACILITIES (Gov. Code Section 54957): Consultation with Chief of Police and City Attorney (COVID-19)**
- 1.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant Exposure to Litigation (Gov. Code Section 54956.9): Three Cases**
- 1.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1) - County of Orange v. City of Irvine, Sacramento Superior Court Case No. 34-2018- 00232248, consolidated and/or related with Case No. 34-2018-80002879, Case No. 34-2018-80002878, Case No. 34-2018-80002883, Case No. 34-2019-80003156, Case. No. 34-2019-80003154, and Case No. 34-2019-80003157**
- 1.4 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1): one case - City of Irvine vs. All American Asphalt, Orange County Superior Court Case No. 30-2020-01153015-CU-MC-CJC**
- 1.5 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1): one case - Lamar West v. Christina Shea, United States District Court, Central District of California Case No. 20-01293-CJC**

Carl Petersen, Assistant City Clerk, noted that e-comments had been received related to Closed Session Items 1.1 and 1.4, in opposition to All American Asphalt and associated impacts to air quality in their community, as follows:

- Ning Huang, Irvine resident
- Jim Chang, Irvine resident
- Kevin L.
- Bosai Chen
- John Wu, Irvine resident
- Meng Chen, Irvine resident
- Richard Tse
- Drake Arnold
- Cortland Arnold
- Betty Tsai
- Christina Lien
- Tom Arnold, M.D.
- John Lien
- David Tsai
- Jule Tsai
- Kasia Lien
- Ken Lien, M.D.
- Susan Liu
- Kevin Lien, M.D.
- Ed Wang
- Kyle Lien
- Joannie Sun, M.D.
- Lesley Tan
- Maggie Ma
- Lilly Lin
- John Wu
- Michelle Jing
- Vivian Hu
- Run Wang, Irvine resident
- Sarah Liu, Irvine resident
- Minghua Liu, Irvine resident
- Lina Chu, Irvine resident
- Mickey Zhu, Irvine resident
- Millie Chen, Irvine resident
- Jessie Zhu, Irvine resident
- Thomas Wang, Irvine resident
- Chongguang Yu, Irvine resident
- Jun Lee, Irvine resident
- Maggie Ling, Irvine resident

- Cynthia Chiao, Irvine resident
- Linfeng Wang, Irvine resident
- Paul Peng, Irvine resident
- Lingling Wang, Irvine resident
- Ying Sun, Irvine resident
- Chunli Weng, Irvine resident
- Bing Cai, Irvine resident
- J.G, Irvine resident
- Congrong Lin, Irvine resident
- Hui Yao, Irvine resident
- Feny Yo, Irvine resident

Judy Chodil submitted an e-comment on Item No. 1.4 in opposition to Lakeside.

The following e-comments were submitted related to Closed Session Item 1.5:

- Carroll Burns, who noted that Mayor Shea had previously mentioned that the City Attorney approved of her configuration of the Facebook account for the Mayor's personal use, rather than the official government page and inquired about whether the City Attorney could comment on the validity of this claim and the basis for his reasoning; and asked if Mayor Shea would be entitled to the legal services of Rutan & Tucker for this case upon the end of her term.
- Anonymous Resident, who noted that Mayor Shea wrote about several instances where she has been badgered and harassed for her existence and role within the City of Irvine, and expressed opposition to any elected official in the city enduring this behavior; and thanked Mayor Shea for her leadership and service to the City of Irvine.
- Jonathan Beer, Irvine resident, who expressed opposition to Mayor Shea receiving taxpayer-funded legal representation on this case.

Prior to convening to Closed Session, Mayor Shea noted that the agenda would be reordered to consider the Consent Calendar, Announcements, and Council Business Item Nos. 6.1, 6.2, and 6.5 if the City Council meeting was reconvened at approximately 4:15 p.m., followed by Presentation Item 2.1 at approximately 5:30 p.m.

RECESS

Mayor Shea recessed the special City Council meeting to Closed Session at 2:51 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Shea reconvened the special City Council meeting at 5:13 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

Mark Steuer, Director of Public Works and Transportation, provided an update on the County landfill issues resulting from the Silverado Fire; and Pete Carmichael, Director of Community Development, provided an update on actions taken related to the All American Asphalt plant, which are also available on the City's website at cityofirvine.org/aaa.

Mayor Shea also noted that due to the duration of Closed Session, the agenda would not be reordered as previously indicated.

PLEDGE OF ALLEGIANCE

Mayor Shea turned to Police Chief Hamel, who introduced the Irvine Police Color Guard and lead the Pledge of Allegiance.

INVOCATION

Pastor Lynn Linis from Free Chapel provided the invocation.

2. PRESENTATIONS

2.1 *Recognition of Outgoing Mayor Christina Shea and Councilmember Melissa Fox*

Carl Petersen, Assistant City Clerk, noted that e-comments were received from the following individuals:

- Mark Newgent, Irvine resident, who expressed appreciation to Mayor Shea and Councilmember Fox for their service to the community.
- Steven Greenberg, and Pamela Wykoff, Irvine residents, who expressed appreciation to Mayor Shea for her service to the community.
- Don Croucher and Anonymous Resident, who expressed appreciation to Mayor Shea and Councilmember Fox for their service to the community.
- A.A., who expressed opposition to Mayor Shea's recognition.

Marianna Marysheva, Interim City Manager, presented videos highlighting accomplishments by Mayor Shea and Councilmember Fox during their tenure, and presented each with a commendation and commemorative plaque.

Mayor Shea and Councilmember Fox also expressed appreciation to the community and their colleagues for their support.

INTERIM CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Kuo noted his recent attendance at a drive-thru luncheon for Silverado Fire first responders hosted by Crean Lutheran High School, and expressed his appreciation to students and parents for their efforts.

Mayor Shea made the following announcements:

- A virtual Holiday Tree Lighting Ceremony will be held on December 1 at 5 p.m. The presentation will be shown on ICTV at cityofirvine.org/ictv and on the City's Facebook page. The holiday tree and decorations will be available at the Irvine Civic Center from December 2 through January 4. The community can also enjoy holiday cheer at the Orange County Great Park, which has transformed into a "winterscape" featuring holiday-themed art, music, and lights. Holidayz at the Park is underway through January 3. To learn more, visit ocgp.org.
- The 14th annual Home for the Holidays Pet Adoption Fair is going digital to allow for everyone to come together to help animals from all over find new adoptive homes this season. The Irvine Animal Care Center will be online and on social media from December 1 through December 15 to help find furry family members this holiday season. To learn more about other participating shelters and rescue groups with available animals for adoption, and how to support pet-related vendors the center's lifesaving programs, visit irvineanimals.org.
- The City of Irvine continues to identify potential locations for a pedestrian bridge over Jamboree Road, between the 405 Freeway and Barranca Parkway. The feasibility study kicked off with an informational meeting in September, and the next virtual meeting will be held on Wednesday, December 2 at 5 p.m. to discuss potential bridge locations. To register for the online meeting, watch the September recording, and learn more about the upcoming project, visit ibconnects.com.
- The City of Irvine received an award for Incorporating Innovative Technology at the Orange County Business Council's Turning Red Tape into Red Carpet virtual ceremony. The award was for the City's "IrvineREADY!" Program, the streamlined, web-based platform for planning and building applications, and represents more than two years of hard work by the City's innovative and dedicated team in the Community Development Department. Irvine is the only City in Southern California to develop a completely paperless, web-based permitting system that has facilitated more than \$1 billion in investment in the region over the last year, and has provided an economic lifeline to the City's businesses, keeping City Hall and permitting operations open in the face of COVID-related shutdowns. The City continues to be dedicated to

innovation and outstanding customer service and “IrvineREADY!” represents the City’s enduring values and commitments to its residents and business community.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

CONVENE TO THE JOINT MEETING WITH THE SUCCESSOR AGENCY

Mayor/Chairwoman Shea convened to the special joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 5:56 p.m.

3. CONSENT CALENDAR - CITY COUNCIL

Prior to consideration of the Consent Calendar, Assistant City Clerk Petersen noted that Item 3.3 on the Consent Calendar included a commendation in appreciation of the Armenian Community as well as a proclamation recognizing November 2020 as “Sikh Awareness and Appreciation Month,” and unfortunately, due to the pandemic, the organizations could not be recognized personally.

ACTION: Moved by Councilmember/Boardmember Kuo, seconded by Vice Mayor/Vice Chairman Carroll, and unanimously carried by those members present (Councilmember/Boardmember Khan absent for vote due to technical difficulties) to approve City Council Consent Calendar Item Nos. 3.1, 3.2, 3.4 through 3.10, 3.13, and 3.16; and Successor Agency Consent Calendar Item Nos. 4.1, 4.2, and 4.3. City Council Consent Calendar Item Nos. 3.3, 3.11, 3.12, 3.14, 3.15, and 3.17 were removed for separate discussion.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the Irvine City Council held on October 27, 2020.
- 2) Approved the minutes of a regular meeting of the Irvine City Council held on October 27, 2020.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 20-93 – 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 **COMMENDATIONS/PROCLAMATIONS**

Carl Petersen, Assistant City Clerk, noted the following e-comments were received in support of the Armenian community:

- Alice Apkarian, Irvine resident
- Kev Abazajian, Irvine resident
- Vartkess Apkarian, Irvine resident
- Lisa Kalustian, Laguna Hills resident
- Mihran Toumajan, Glendale resident
- Arteen Dorian
- Haroutune Bedelian, Irvine resident
- Yvette Tatoulian, Irvine resident
- Aline Franklin, Irvine resident
- Salpi Agopian, Irvine resident
- Lily Franklin, Irvine resident
- Joe Shalaby, Irvine resident
- Garabed Agopian, Irvine resident
- Violet Bulujian-Franklin, Irvine resident
- Anya Agopian, Irvine resident
- Eleeza Agopian, Irvine resident
- H B, Irvine resident
- Nora Mara, Irvine resident
- Sam Hijazin, Irvine resident
- Carrie Atikian O'Malley, Irvine resident

Councilmember Khan expressed concerns with the City Council participating in international affairs based on the City's Municipal Code, and asked Jeff Melching, City Attorney, to opine on the matter.

Mayor Shea noted that an errata was provided to the City Council amending the Armenian proclamation. Jeff Melching, City Attorney, confirmed that the commendation as originally submitted was inconsistent with the City's Municipal Code, and read into the record the changes requested by Mayor Shea.

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

- 1) Approve commendation in Appreciation of the Armenian Community **as amended** per the errata memo dated November 24, 2020.
- 2) Proclaim November 2020 as "Sikh Awareness and Appreciation Month.'

3.4 2021 CITY COUNCIL MEETING CALENDAR

ACTION:

Approved the proposed 2021 City Council Meeting Calendar.

3.5 ANNUAL DEVELOPMENT IMPACT FEE REPORT FOR FISCAL YEAR 2019-20

ACTION:

Received and filed.

3.6 FISCAL YEAR 2019-20 MEASURE M2 EXPENDITURE REPORT

ACTION:

Adopted RESOLUTION NO. 20-94 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CONCERNING THE FISCAL YEAR 2019-20 MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF IRVINE

3.7 AIR QUALITY IMPROVEMENT SPECIAL REVENUE FUND AUDIT FOR THE FISCAL YEAR ENDED JUNE 30, 2020

ACTION:

Received and filed.

3.8 ORANGE COUNTY GREAT PARK FUNDS FINANCIAL STATEMENT AUDIT- FISCAL YEAR 2019-20

ACTION:

Received and filed.

3.9 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2020 AND AUDITORS' COMMUNICATIONS

ACTION:

Received and filed.

3.10 FISCAL YEAR 2020-21 FIRST QUARTER BUDGET UPDATE

ACTION:

Received and filed the Fiscal Year 2020-21 First Quarter Budget Update.

3.11 CITY OF IRVINE RESPONSE TO GRAND JURY REPORT ENTITLED "PROTECTING THOSE WHO PROTECT AND SERVE"

Carl Petersen, Assistant City Clerk, noted that an e-comment was received from Jonathan Beer, who expressed opposition to Orange County Sheriff Barnes' continuing disregard for public safety, constant scandals, and allegations of abuses of power, and urged the Grand Jury to consider how to fix that department before providing a stress reduction program.

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

Authorize the Mayor to sign a response letter, on behalf of the City Council, to the Orange County Grand Jury Report on "Protecting Those Who Protect and Serve" for submittal to the Presiding Judge of the Superior Court of Orange County by the statutory deadline of November 25, 2020.

3.12 CITY OF IRVINE RESPONSE TO GRAND JURY REPORT ENTITLED "OC RECYCLING: DOING IT THE RIGHT WAY"

Carl Petersen, Assistant City Clerk, noted that an e-comment was received by Anonymous Resident, who inquired about whether the City could request that comprehensive instructions regarding single use plastic shopping bags and recycling instructions to facilitate proper sorting of waste be published in the next issue of Inside Irvine as well as the next issue of Homeowners' Association Newsletters within the City of Irvine.

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

ACTION:

Authorize the Mayor to sign a response letter, on behalf of the City Council, to the Orange County Grand Jury Report on "OC Recycling: Doing it the Right Way" for submittal to the Presiding Judge of the Superior Court of Orange County by the statutory deadline of November 25, 2020.

3.13 SECOND READING OF ORDINANCE NO. 20-08 AMENDING CHAPTERS 3-37 AND 9-12 OF THE IRVINE ZONING ORDINANCE RELATED TO THE REDISTRIBUTION OF NON-RESIDENTIAL DEVELOPMENT INTENSITY RESULTING IN THE OVERALL REDUCTION OF INTENSITY WITHIN PLANNING AREA 12 (OAK CREEK)

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 20-08 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00800352-PZC TO AMEND CHAPTERS 3-37 AND 9-12 OF THE IRVINE ZONING ORDINANCE FOR THE OVERALL REDUCTION OF NON-RESIDENTIAL DEVELOPMENT INTENSITY, A CHANGE TO THE ZONING DESIGNATION MAP, AND A MODIFICATION TO THE CURRENT TRIP MONITORING PROGRAM FOR PLANNING AREA 12; FILED BY IRVINE COMPANY

3.14 COMMUNITY PARTNERSHIP FUND GRANT NOMINATION

Carl Petersen, Assistant City Clerk, noted that e-comments were received from the following individuals:

- Anonymous Resident, who expressed appreciation to Mayor Shea, Councilmember Kuo, and Councilmember Fox for their leadership in supporting community partners and organizations as they continue to navigate the struggles and challenges of the COVID-19 pandemic, especially the various organizations that represent the diverse arts and cultures of our city and those that help others facing food insecurity.
- Irvine Resident, who expressed concern with Councilwoman Fox's nominations and indicated that the grant money should be saved and allocated to the new Council for distribution.

City Council discussion included: noting that allocations for Community Partnership Fund Grant nominations by outgoing Councilmembers are reduced by their respective terms.

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

- 1) Approve Mayor Shea and Councilmember Kuo's request for Community Partnership Fund Grant Nomination to Irvine Adult Day Health Services in the amount of \$500 in support of program costs.
- 2) Approve Councilmember Fox's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 - a) Second Harvest Food Bank (\$500)
 - b) Irvine Adult Day Health Services (\$500)
 - c) Irvine Korean Evergreen Association (\$250)
 - d) Jamboree Housing (Rental Assistance Fund) (\$500)
 - e) Arts Orange County (\$500)

- f) Ektaa Center (\$250)
- g) Orange County Food Bank (\$500)
- h) Sea & Sage Audobon Society (\$250)
- i) Irvine Barclay Theatre (\$250)
- j) Irvine Chinese Evergreen Association (\$250)
- k) Association of Iranian American Seniors (NEDA) (\$250)

3.15 APPROVE A BUDGET ADJUSTMENT TO THE CITY COUNCIL BUDGET

Carl Petersen, Assistant City Clerk, noted that the following e-comments were received in opposition to the proposed budget adjustment to the City Council budget:

- Pam Smith, Irvine resident
- Carroll Burns
- Channa Samynathan, Irvine resident
- Branda Lin, Irvine resident
- Jing Sun
- Anonymous Resident
- Kev Abazajian, Irvine resident
- Richard Murphy
- Gene Kaplan, Irvine resident
- Ed McNew, Irvine resident
- Lenore Rauch, Irvine resident
- Patricia Kennedy, Irvine resident
- Steve Berger, Irvine resident
- Janis Morris, Irvine resident
- Ernestina Benson, Irvine resident
- Katherine Daigle, Irvine resident
- John Wu, Irvine resident
- Kevin Lien, MD, Irvine resident
- Susan Sayre, Irvine resident
- Jane Roschmann, Irvine resident
- John Wu, Irvine resident
- Jerri Kaplan, Irvine resident
- Phil Braden, Irvine resident
- Jun Lee, Irvine resident
- Peggy Heitzenrader, Irvine resident
- Avram Grossman, Irvine resident
- Michelle Johnson, Irvine resident
- Melissa Masri, Irvine resident
- Henry Kass, Irvine resident
- Lesley Tan, Irvine resident
- L Jordan, Irvine resident

- Paul Beltz, Irvine resident
- Sharon Toji, Irvine resident
- Arthur Strauss, Irvine resident
- Jonathan Beer, Irvine resident
- Sylvia Walker, Irvine resident
- John Irvine, Irvine resident
- Debra Greet, Irvine resident
- William Aulenbach, Irvine resident
- June Kurata, Irvine resident
- Curtis Lane, Irvine resident
- Steve Steve, Irvine resident
- Michael Schwager, Irvine resident
- Catt Paxton, Irvine resident
- Michaela Montaner, Irvine resident
- Dee Fox, Irvine resident

Irvine Resident (1), noted opposition to Mayor Shea and the Mayor's Corner videos; expressed concerns with Lesley Tan wanting a City Council Special Study Session on her special interest; and stated that these comments are from people with a political agenda and should be ignored.

Irvine Resident (2), noted opposition to the complaints against Vice Mayor Carroll; expressed appreciation for the communications via mail and town hall meetings during the Corona Virus outbreak; commented on the false words and personal attacks against Vice Mayor Carroll; and expressed support for the item.

Scott Hansen, Irvine resident, noted that the California Fair Political Practices Commission website allowed Vice Mayor Carroll to have sent mailers more than 60 days prior to the election, and special rules did not apply; and encouraged the City Council to hire a Council Services Manager that existed during former Mayor Krom's 16 years of public service.

City Council discussion included: expressing concern that the item had been placed on the consent calendar; noted the absence of an investigation into Vice Mayor Carroll's use of funds for postage and mailing unless approved by a majority vote of the City Council; reiterated the City Council's approved budget for postage and mailing; noted protocols for requests by Councilmembers; questioned existing budgetary controls; inquired about the source of the data retrieved for the mailings; questioned how to avoid similar types of expenditures in the future; inquired about why only a partial budget adjustment was brought forward for City Council consideration; suggested a proposal be brought forward to replenish the amount spent by Vice Mayor Carroll for postage and mailing; suggested that the matter be reviewed by the newly elected City Council; and suggested that staff provide

a detailed report and breakdown of the City Council budget that provides clarity and a better understanding by the public.

Marianna Marysheva, Interim City Manager, provided a brief summary of how the amount in the proposed budget adjustment for City Council consideration was determined; and noted that moving forward, negative line items within each department’s budget would be reconciled. She also noted that because of the requirements of City Council Resolution No. 19-57, budget adjustments from one line item to another within the City Council budget could not be handled administratively, and therefore, required City Council approval.

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

Approve budget transfer from the Council Executive Aide account to the Postage and Mail Services accounts.

The motion carried as follows:

AYES:	3	COUNCILMEMBERS:	Carroll, Khan, and Kuo
NOES:	2	COUNCILMEMBERS:	Fox and Shea
ABSENT:	0	COUNCILMEMBERS:	None

3.16 LETTER REGARDING USE OF CAPITAL FUNDS FOR IRVINE BARCLAY THEATRE OPERATIONS DUE TO COVID-19

ACTION:

Approved letter to the Irvine Barclay Theatre and UCI outlining the City's obligations and concurrence to re-classify the use of Capital Funds provided by University of California, Irvine, for Irvine Barclay Theatre operations due to the COVID-19 pandemic.

3.17 REQUEST TO CONVENE A CLOSED SESSION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) REGIONAL COUNCIL REGARDING RECOMMENDATIONS OF REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) LITIGATION STUDY TEAM

Carl Petersen, Assistant City Clerk, noted that e-comments were received from the following individuals:

- Anonymous Resident, who expressed support for convening the closed session meeting and expressed concern with the current RHNA allocations for the City of Irvine.

- Pamela Wykoff, Irvine resident, who expressed concern that Irvine has only one elected official for representation on the SCAG Board, that the Great Reset would include the elimination of a middle-class population, COVID-19 could destroy small businesses, and the need to think for ourselves in order to avoid a complete destruction of American culture and freedom.

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

Authorize the Mayor and Vice Mayor to sign the letter of support requesting the SCAG Regional Council convene a special closed session to discuss the recommendations of the SCAG RHNA Litigation Study Team.

4. CONSENT CALENDAR - SUCCESSOR AGENCY

4.1 MINUTES

ACTION:

Approved the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency with the Irvine City Council held on September 22, 2020.

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

ACTION:

Adopted RESOLUTION NO. 20-03 - 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

4.3 ADOPTION OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE FORMER IRVINE REDEVELOPMENT AGENCY AND THE ADMINISTRATIVE BUDGET FOR THE SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY, FOR JULY 1, 2021 THROUGH JUNE 30, 2022

ACTION:

- 1) Adopted the Recognized Obligation Payment Schedule of the former Irvine Redevelopment Agency for July 1, 2021 through June 30, 2022, and authorize revisions to the reporting format, if needed, to comply with potential form changes by the State of California Department of Finance.
- 2) Adopted the Administrative Budget for the Successor Agency for July 1, 2021 through June 30, 2022.

PUBLIC COMMENT - SUCCESSOR AGENCY

There were no public comments.

ADJOURNMENT – SPECIAL JOINT MEETING

Moved by Mayor/Chairwoman Shea, seconded by Councilmember/Boardmember Kuo, and unanimously carried to adjourn the special joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 6:44 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Shea reconvened the special City Council meeting at 6:45 p.m.

5. PUBLIC HEARINGS

5.1 APPEAL OF THE PLANNING COMMISSION'S DECISION TO UPHOLD THE APPROVAL BY THE DIRECTOR OF COMMUNITY DEVELOPMENT RELATED TO A SIDE-YARD SETBACK FOR A PROPOSED RESIDENTIAL SECOND STORY REMODEL AND ADDITION AT 20 MANDARIN IN PLANNING AREA 15 (WOODBIDGE)

Diane Vu, Senior Planner, and Kerwin Lau, Manager of Planning Services, presented the staff report and responded to questions. Tim Gehrich, Deputy Director of Community Development, also responded to questions.

Mayor Shea opened the public hearing at 6:48 p.m.

Michael Hagemann, Appellant, spoke in opposition to the proposed remodel and expressed related concerns. .

Ellie Mashhoon, Applicant, provided a brief summary of the proposed remodel and spoke in support of the project.

City Council discussion included: requesting clarification on the setback requirements and concerns; suggested updates be made to the Zoning Code with respect to setback requirements; questioned whether the

Woodbridge Homeowners Association had provided preliminary design approval; inquired about the square footage of nearby homes and the consistency with the proposed remodel; questioned the visibility and line of sight of the proposed remodel; and inquired about whether any criminal conduct had ensued or if the matter was simply a dispute between neighbors.

Carl Petersen, Assistant City Clerk, noted the following e-comments were received in support of the proposed remodel:

- Nancy Hill, Irvine resident
- Colleen Amaro, Irvine resident
- Sarah Silane, Irvine resident
- Nicole Rommelfanger, Irvine resident
- Sabrina Gardner, Irvine resident
- Oleksiy Kondratenko, Irvine resident
- Coleman Hundebly, Irvine resident
- Michelle VanHorn, Irvine resident

Carl Petersen, Assistant City Clerk, noted the following e-comments were received in opposition of the proposed remodel:

- Srinivasan Rangamani, Irvine resident
- Aparna Rangamani, Irvine resident
- Jonny Wang, Irvine resident
- Janet Quigley, Irvine resident
- Pamela Lukas, Irvine resident
- Kay Gonzalez, Irvine resident
- Felipe Delgado, Irvine resident
- Sandy Cramer, Irvine resident
- Audry McGillicuddy, Irvine resident
- Laura Bonsall, Irvine resident
- Joseph Kovacevich, Irvine resident
- Chenpou Wu, Irvine resident
- Khank Vu, Irvine resident
- Danny Vu, Irvine resident
- Cindy Vogt, Irvine resident
- Chris Viola, Irvine resident
- Jenny Tschen, Irvine resident
- Tracee Tsai, Irvine resident
- Jason Truong, Irvine resident
- William Troy, Irvine resident
- Helen Troy, Irvine resident
- Diem Tran, Irvine resident
- Chau Tran, Irvine resident

- Ellen Switzer, Irvine resident
 - Steven Switzer, Irvine resident
 - L Sun, Irvine resident
 - Carol Sheridan, Irvine resident
 - Rashmi Schaefers, Irvine resident
 - Robert Rivera, Irvine resident
 - Linda Remley, Irvine resident
 - Jason Reiher, Irvine resident
 - Linda Posen, Irvine resident
 - Chandon Petty, Irvine resident
 - Joanne PantazKaviani, Irvine resident
 - Fred Nepolello, Irvine resident
 - Sharon Nantell, Irvine resident
 - Frank Murillo, Irvine resident
 - Aleheh Mohseni, Irvine resident
 - Michael Mavrovouniotis, Irvine resident
 - Julie Matsumoto, Irvine resident
 - Catina Lovett, Irvine resident
 - Faye Lee, Irvine resident
 - Tina Hoang, Irvine resident
 - Kirk Harris, Irvine resident
 - Judy Gordon, Irvine resident
 - Theresa Evers, Irvine resident
 - Peggy Evans, Irvine resident
 - Jerry Dworkin, Irvine resident
 - Mike Duong, Irvine resident
 - Marilyn Cross, Irvine resident
 - MB Coker, Irvine resident
 - Suzie Cito, Irvine resident
 - Chuanyu Chung, Irvine resident
 - Janet Campbell, Irvine resident
 - Surinder Bawa, Irvine resident
 - Judy Chodil, Irvine resident
 - Loann Ng, Irvine resident
 - Cheryl Alexander, Irvine resident
 - Anonymous Resident
-
- Carroll Burns, Irvine resident, noted the importance of compromise and suggested that the neighbors meet in the middle with the approval of a four-foot setback to resolve the matter.

ACTION: Moved by Councilmember Fox, seconded by Councilmember Kuo, and unanimously carried to close the public hearing at 7:43 p.m.

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

Adopt RESOLUTION NO. 20-95 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DENYING AN APPEAL BY KELLY HAGEMANN AT 18 MANDARIN AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION TO UPHOLD THE DIRECTOR OF COMMUNITY DEVELOPMENT'S APPROVAL ALLOWING A REDUCED SIDE-YARD SETBACK FOR A PROPOSED RESIDENTIAL SECOND STORY ADDITION LOCATED AT 20 MANDARIN IN PLANNING AREA 15 (WOODBIDGE)

6. COUNCIL BUSINESS

6.1 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.

Michael Kent, Assistant Chief of Police, provided an update on the latest Stay-at-Home Orders and enforcement awareness.

Carl Petersen, Assistant City Clerk, announced that an e-comment was received from Anonymous Resident, who noted that while the City has done an excellent job in mitigating the spread of COVID-19, recent days have been represented by a steep increase in cases within the city, county, state, and nation; and encouraged families to remain vigilant and act in the best interest of the public health and safety of all residents.

By consensus, received and filed. No action was taken.

6.2 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 questions.

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

- Jing Sun, Kev Abazajian, Richard Murphy, Gene Kaplan, Ed McNew, Lenore Rauch, Ernestina Benson, Jane Roschmann, Melissa Masri, Michelle Johnson, Henry Kass, L Jordan, and Sharon Toji, Irvine residents, who expressed support for utilizing the Zoom platform.

- Steve Berger, Irvine resident, who expressed support for implementing feasible and practical ways to enhance public presence and participation in public meetings.
- Jonathan Beer, Irvine resident, who expressed support for additional participation options beyond a 500 character text box as comments read are frequently misread, skipped, or summarized which could be avoided by direct participation.

City Council discussion included: suggesting that the new City Council consider the matter at the January 12, 2021, City Council meeting.

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

Continue the item to the January 12, 2021, City Council meeting.

6.3 WESTPARK COMMUNITY PARKING REGULATIONS

Jaimee Bourgeois, Deputy Director of Transportation, presented the staff report and responded to questions. Kenneth Montgomery, Vice Chair of the Transportation Commissioner, also responded to questions and provided a summary of the findings of the Transportation Commission's recommendations.

City Council discussion included: questioning remedies in other neighborhoods with similar concerns; inquired about the Homeowners Association (HOA) administration of the parking permit program; noted concerns regarding the 67% support of the membership requirement; questioned parking availability for delivery drivers; and inquired about the provisions in the original proposal.

Carl Petersen, Assistant City Clerk, noted the following e-comments were received in support of the proposed parking restrictions:

- Venkat Yamani, Irvine resident
- Kunal Mittal, Irvine resident
- Louriane Martinez, Irvine resident
- Byron Luoma, Irvine resident
- Jen Hsieh, Irvine resident
- Sandra Hunnicutt, Irvine resident
- Shahzeen Siganporia, Irvine resident
- Stephen Palm, Irvine resident
- William FangYuen, Irvine resident
- John Danielian, Irvine resident
- Yenju Lai, Irvine resident
- Peter Lai, Irvine resident

- Gary Lai, Irvine resident
- Sheree Wang, Irvine resident
- Illeana Lai, Irvine resident
- Ali Fetanat, Irvine resident
- Vasantha Kandsamy, Irvine resident
- Jennifer Nguyen, Irvine resident
- Lourdes Urrutia, Irvine resident
- Andrew Nguyen, Irvine resident
- Tracey Plemon, Irvine resident
- Amanda Lin, Irvine resident
- Sandra Hunnicutt, Irvine resident
- Ken Lin, Irvine resident

Carroll Burns and Anonymous Resident, who expressed opposition to the proposed parking restrictions.

Pamela Wykoff, Irvine resident, who stated the CA Homeowner's Association donated \$25,197.21 to Vice Mayor Carroll's 2020 campaign and suggested he consider recusing himself because of a conflict of interest and expressed opposition to the proposed parking restrictions.

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

Adopt RESOLUTION NO. 20-96 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, TO ESTABLISH A PILOT PREFERENTIAL PARKING DISTRICT PROGRAM IN THE WESTPARK AND WESTPARK II NEIGHBORHOODS (PLANNING AREA 14 AND 38) **as amended** to remove the requirement for approval by 67% of the households within the proposed district and instead at the authority of the homeowner's association to establish the pilot preferential parking district.

6.4 SECOND READING OF ORDINANCE NO. 20-09 AUTHORIZING IMPLEMENTATION OF COMMUNITY CHOICE AGGREGATION PROGRAM

Ryan Baron, Special Counsel, Best Best and Krieger, presented the staff report and responded to questions.

There were no e-comments received.

City Attorney Melching noted that in addition to adopting the Ordinance, the City Council would need to appoint two of its members to the Orange County Power Authority Board.

ACTION: Moved by Councilmember Kuo, seconded by Mayor Shea, and unanimously carried to appoint Vice Mayor Carroll and Councilmember Khan to the Orange County Power Authority Board.

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

Read by title only, second reading and adoption of ORDINANCE NO. 20-09 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM

6.5 CONSIDERATION OF A REQUEST BY MAYOR-ELECT KHAN AND COUNCILMEMBER KUO REGARDING REVISIONS TO THE CITY COUNCIL POLICY/PROCEDURE CONCERNING CITY COUNCIL INITIATED AGENDA ITEMS

This item was agendized at the request of Mayor-elect Khan and Councilmember Kuo, who suggested that the existing City Council Policy/Procedure concerning City Council initiated agenda items be modified to remove the sunset clause, thereby making the policy permanent.

City Council discussion included: suggesting that the item be continued to a future meeting for consideration by the new City Council.

Carl Petersen, Assistant City Clerk, noted that the following e-comments had been received in opposition to the policy/procedure:

- Kev Abazajian, Irvine resident
- Gene Kaplan, Irvine resident
- Richard Murphy, Irvine resident
- MaryAnn Gaido, Irvine resident
- Branda Lin, Irvine resident
- Ernestina Benson, Irvine resident
- Steve Berger, Irvine resident
- John Wu, Irvine resident
- Jane Roschmann, Irvine resident
- Susan Sayre, Irvine resident
- Ken Lien, MD, Irvine resident
- Joannie Sun, MD, Irvine resident
- Kevin Lien, MD, Irvine resident
- John Wu, Irvine resident
- Richard Green, Irvine resident
- Peggy Heitzenrader, Irvine resident
- Melisa Masri, Irvine resident

- Avram Grossman, Irvine resident
- Michelle Johnson, Irvine resident
- Henry Kass, Irvine resident
- Debra Green, Irvine resident
- L Jordan, Irvine resident
- Lesley Tan, Irvine resident
- Sharon Toji, Irvine resident
- Becky Newman, Irvine resident
- Laurel Davila, Irvine resident
- Doug Elliott, Irvine resident
- Diane Nied, Irvine resident
- Sylvia Walker, Irvine resident
- A A, Irvine resident
- Arthur Strauss

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

Continue to the December 8, 2020, City Council meeting.

PUBLIC COMMENT-CITY COUNCIL

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

- John Wu, Irvine resident, who expressed concern regarding the All American Asphalt plant and its negative impacts on students, teachers, and residents.
- Geeta Sikand, who referenced a City Council resolution reaffirming the City Council's commitment to its city charter and to its citizens to focus valuable city council meetings on local city matters pertaining to the betterment and welfare of all citizens of the City of Irvine, and that the City Council would refrain from its business any resolutions pertaining to international matters as these require subject experts which are well beyond the financial resources of the City of Irvine.
- Bruce Dickens, Irvine resident, who inquired about the status of the bike path at Peters Canyon and the Cuomo Channel underneath the railroad tracks.

ADJOURNMENT-CITY COUNCIL

Prior to adjournment, Mayor Shea expressed her appreciation to Irvine residents for allowing her to serve as their Mayor, and noted that she would be hosting the virtual Holiday Tree Lighting Event on December 1.

Moved by Vice Mayor Carroll, seconded Councilmember Fox, and unanimously carried to adjourn the special City Council meeting at 8:43 p.m.



INTERIM CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

January 12, 2021