



MINUTES

CITY COUNCIL REGULAR MEETING

November 13, 2018
Conference and Training Center
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 4:07 p.m. on November 13, 2018 in the Conference and Training Center, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Wagner presiding.

ROLL CALL

Present:	5	Councilmember:	Melissa Fox
		Councilmember:	Jeffrey Lalloway
		Councilmember:	Lynn Schott
		Mayor Pro Tempore:	Christina Shea
		Mayor:	Donald P. Wagner

1. CLOSED SESSION

City Attorney Melching announced the following Closed Session items:

- 1.1 ***CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8); Property: APN No. 58076135; Agency Negotiators: John Russo, City Manager; Pete Carmichael, Director of Community Development/Interim Director, Orange County Great Park; Chris Koster, Manager of Great Park Planning & Development; Kaitlyn Nguyen, Manager, Economic Development; Wil Soholt, Kosmont Companies; and Allison Lemoine-Bui, Rutan & Tucker; Negotiating Parties: City of Irvine; Wild Rivers Irvine, LLC; and EPR Irvine, LLC; Under Negotiation: Price and Terms of Payment***

- 1.2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** *Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: one potential case*

- 1.3 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** *(Gov Code § 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 - 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*

RECESS

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

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the regular City Council meeting at 6 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

Pastor Lynn Linis from Free Chapel Orange County in Irvine provided the invocation.

MOMENT OF SILENCE

Mayor Wagner asked for a moment of silence for those who died, their families, their friends, and all the wounded who suffered as a result of the shootings at Tree of Life synagogue in Pittsburgh; the 12 who were killed by a gunman in Thousand Oaks, those injured, their families, and friends, as well as Ventura County Sherriff's deputy, Sergeant Ron Helus, who rushed inside the Borderline Bar & Grill to confront the shooter; and those who were recent victims of the wildfires burning throughout California.

2. PRESENTATIONS

2.1 ***Proclaim November 11-17, 2018 as California Association for Nurse Practitioners' "National Nurse Practitioner Week."***

Mayor Wagner introduced Michelle Laabs from the California Association of Nurse Practitioners, and presented a proclamation recognizing November 11-17, 2018 as National Nurse Practitioner Week."

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Fox provided a brief update on her recent attendance at the National League of Cities conference, and suggested an evaluation of the City's Evacuation Plan.

Councilmember Schott provided a brief report on her recent attendance at the California Special Districts Association conference and the American Goldstar Mothers Weekend event.

Mayor Wagner made the following announcements:

- The City of Irvine and the Irvine 2/11 Marine Adoption Committee Holiday Toy Drive, which is now underway, runs through December 14. The Holiday Toy Drive supports the families of Irvine's adopted 2/11 Marine Battalion. Donations include unwrapped gifts suitable for infants or children up to age 12. Bins are located at the Irvine Civic Center and Irvine Police Department lobbies, as well as the Orange County Great Park Visitors Center. For information, call 949-724-6606 or visit cityofirvine.org.
- The Winter Wonderland event will take place on Sunday, December 2 from 3 to 7 p.m. Children can enjoy crafts and activities, and hop aboard a train for a ride around the Civic Center. A Joyful Jingles holiday program will provide music, and at 5 p.m., Mayor Wagner will preside over a tree-lighting ceremony, which will include "snow" falling over the piazza. Santa will also stop by for a visit. For information, call 949-724-6606 or visit cityofirvine.org.
- This is the final week to bring in donations of canned goods or nonperishable food items for the City's fall food drive at the Orange County Great Park. The "Scare Away Hunger Food Drive" began during the Great Park's Spooktacular Fund Days event, with more than 24,000 pounds of food donated the weekend of October 13 and 14, equal to more than 32,000 meals. Donations will be accepted through Sunday, November 18 at the Visitors Center, Thursdays and Fridays

from 10 a.m. to 10 p.m., and Saturdays and Sundays from 9 a.m. to 10 p.m. For information, visit *ocgp.org*.

- At the November 27 City Council meeting, Councilmembers Jeffrey Lalloway and Lynn Schott will be honored for their dedicated service to the City of Irvine. A presentation will take place at 5 p.m. at the Civic Center, followed by a public reception in the main lobby at 6 p.m. No RSVP is necessary. In addition, the community is invited to join in welcoming new City Councilmembers on Tuesday, December 11, at which time a swearing-in ceremony will be held in the Council Chamber, followed by a reception in the main lobby. For information on the November 27 reception, visit *cityofirvine.org*.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Lalloway, seconded by Mayor Pro Tempore Shea, and unanimously carried to approve City Council Consent Calendar Item Nos. 3.1 through 3.7, with the exception of Consent Calendar Item Nos. 3.4 and 3.6, which were removed for separate discussion.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on October 9, 2018.

3.2 PROCLAMATIONS/COMMENDATIONS

ACTION:

- 1) Ratified and commended Danielian Associates for its 50th Anniversary.
- 2) Proclaimed November 24, 2018 as Women Impacting Public Policy’s “Small Business Saturday.”
- 3) Proclaimed 2018 as Sea and Sage Audubon Society’s "Centennial Anniversary of the Migratory Bird Treaty Act, Year of the Bird."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 18-75 - 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

3.4 FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH CONCORDIA UNIVERSITY TO REDUCE THE MAXIMUM DAILY TRIP CAP

Mayor Wagner noted a conflict-of-interest and left the dais at 6:19 p.m.

This item was removed for separate discussion at the request of Mayor Pro Tempore Shea, who reiterated the reduction of the maximum daily trip cap resulting from the termination of the Joint Use of College Facilities Agreement between Lutheran Church-Missouri Synod (ownership entity for Concordia University) and the City of Irvine.

There was no City Council discussion.

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

Authorize the Mayor, or his designee, to execute the First Amendment to the Memorandum of Understanding between the City of Irvine and Concordia University to reduce the maximum daily trip cap for the University from 4,732 trips per day to 4,678 trips per day. **(Contract No. 9953A)**

Mayor Wagner returned to the dais at 6:22 p.m.

3.5 NOTICE OF PENDING APPROVAL FOR TRACT MAPS IN ORCHARD HILLS AND THE GREAT PARK NEIGHBORHOODS (HERITAGE FIELDS EL TORO, LLC)

ACTION:
Received and filed.

3.6 SECOND READING OF ORDINANCE NO. 18-10 ADDING DIVISION 15 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE - PUBLIC MEETINGS AND PUBLIC RECORDS, TO BE KNOWN AS THE IRVINE SUNSHINE ORDINANCE, AND MAKING CONFORMING MODIFICATIONS

This item was removed for separate discussion by the following individuals, who spoke in support of adoption of the ordinance:

Brigitte
Susan Sayre, Irvine resident

There was no City Council discussion.

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

Read by title only, second reading and adoption of ORDINANCE NO. 18-10 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING DIVISION 15 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE - PUBLIC MEETINGS AND PUBLIC RECORDS, TO BE KNOWN AS THE IRVINE SUNSHINE ORDINANCE, AND MAKING CONFORMING MODIFICATIONS TO CHAPTER 2-1 (GENERAL) OF DIVISION 2 OF TITLE 1, CHAPTER 2-2 (RULES OF ORDER) OF DIVISION 2 OF TITLE 1, CHAPTER 4-1 (IN GENERAL) OF DIVISION 4 OF TITLE 1; CHAPTER 4-2 (IN GENERAL) OF DIVISION 4 OF TITLE 1, DIVISION 13 (FINANCE COMMISSION) OF TITLE 2, DIVISION 3 (COMMUNITY SERVICES COMMISSION) OF TITLE 3, DIVISION 3 (PLANNING COMMISSION) OF TITLE 5, AND CHAPTER 9 (TRANSPORTATION COMMISSION) OF DIVISION 3 OF TITLE 6 OF THE IRVINE MUNICIPAL CODE

3.7 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Pro Tempore Shea's request for Community Partnership Fund Grant nomination to IvyMax Foundation in support of local program costs (\$1,000). **(Contract No. 10455)**
- 2) Approved Councilmember Lalloway's requests for Community Partnership Fund Grant nominations to the following organizations:
 - a. Chabad of Irvine in support of program costs (\$1,000) **(Contract No. 10456)**
 - b. Beckman High School Athletic Booster Club in support of the Cross Country program (\$2,000) **(Contract No. 10457)**
 - c. Velosport Cycling, Inc. in support of program costs (\$1,000) **(Contract No. 10458)**
- 3) Authorized the City Manager to prepare and sign the funding agreements listed in Actions 1 and 2.

4. COUNCIL BUSINESS

4.1 BOND ISSUANCE FOR REASSESSMENT DISTRICT NO. 05-21 GROUP FOUR

Councilmember Lalloway noted a conflict-of-interest and left the dais at 6:31 p.m.

Patricia Song, Manager of Fiscal Services, presented the staff report and responded to questions.

There was no City Council discussion.

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

Adopt RESOLUTION NO. 18-76 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$27,995,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF IRVINE REASSESSMENT DISTRICT NO. 05-21 LIMITED OBLIGATION IMPROVEMENT BONDS, FIXED RATE SERIES, GROUP FOUR, APPROVING THE EXECUTION AND DELIVERY OF A FOURTH SUPPLEMENTAL INDENTURE AND A BOND PURCHASE AGREEMENT

Councilmember Lalloway returned to the dais at 6:35 p.m.

4.2 BOMMER CANYON COMMUNITY PARK CATTLE CAMP REHABILITATION PROJECT

Darlene Nicandro, Project Development Administrator, and Kathleen Haton, Senior Planner, presented the staff report and responded to questions.

Dick Owens, Irvine resident and Community Services Commissioner, spoke in support.

City Council discussion included: inquiring about the Americans with Disabilities Act (ADA) accessibility features and suggested seeking review by the Irvine Residents with Disabilities Advisory Board (IRDAB) before moving forward; suggested additional trees and other shade alternatives; noted the importance of maintaining the history of the Cattle Camp; inquired about community outreach efforts and next steps; and suggested safety enhancements to Bommer Canyon Road.

Received and filed.

4.3 CONSIDERATION OF MAYOR WAGNER'S REQUEST FOR DISCUSSION OF A CITY OF IRVINE MATCHING REWARD IN THE AMOUNT OF \$5,000 TO THE ANTI-DEFAMATION LEAGUE, MATCHING THE REWARD BY THE ANTI-DEFAMATION LEAGUE FOR INFORMATION TO SOLVE A RECENT HATE CRIME

This item was agendized at the request of Mayor Wagner, who asked for City Council support of a matching reward in the amount of \$5,000 to the Anti-Defamation League, matching its reward for information to solve a recent hate crime.

The following individuals spoke in support:

Susan Sayre, Irvine resident
Ilya Tseglin

City Council discussion included: noting the recent vandalism at the Beth Jacob Congregation, as well as the recent incident in Pittsburgh; noted the recent press conference with multi-faith organizations; suggested that members from multi-faith organizations provide a united invocation at the City Council meeting in January; and reiterated Irvine's commitment to diversity and unity.

ACTION: Moved by Mayor Wagner, seconded by Councilmember Lalloway, and unanimously carried to:

- 1) Approve Mayor Wagner's request for a matching reward in the amount of \$5,000 to the Anti-Defamation League.
- 2) Allocate \$5,000 to the Anti-Defamation League from the funds set aside for City Council from the Community Impact Grant as recommended by staff.

PUBLIC COMMENTS

Trevor Konte, Irvine resident, expressed his appreciation to Mayor Pro Tempore Shea and the City's Transportation, Public Works, and Public Safety departments for their efforts on improving safety on City streets.

Arnov Singh, Irvine resident, spoke about a recent incident in which he was struck by a moving vehicle, and suggested a stop sign be placed at Arborwood and Canyonwood.

Ilya Tseglin spoke in opposition to recent actions by the Orange County Board of Supervisors, and on behalf of his autistic son.

Brigitte spoke on behalf of the Tseglin family related to an autistic family member, and recent actions by the Orange County Board of Supervisors.

Joe McLaughlin spoke about a recent public records request, in opposition to Senate Bill 54, and in support of a matching reward to the Anti-Defamation League.

Jane Olinger, Irvine resident, noted her concurrence with comments made by the previous speaker, Susan Sayre.

Cathy Serio spoke in support of an ordinance prohibiting smoking in condominium communities.

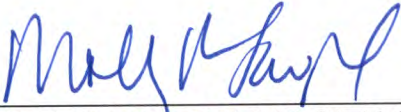
Ken Finocchio spoke in support of affordable housing, and expressed concern about traffic in the City.

Stephen Wontrobski expressed concern about a proposal by the Orange County Fire Authority regarding accelerated pay down of pension liability.

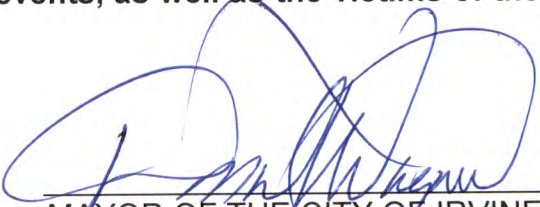
Neetu Khilnani, Irvine resident, spoke in support of a crossing guard near her son's school located at the intersection of Alberwood and Canyonwood, and suggested collaboration between the City of Irvine, the Irvine Unified School District, and Irvine parents to address traffic concerns at and around school sites.

ADJOURNMENT

Moved by Mayor Pro Tempore Shea, seconded by Councilmember Lalloway, and unanimously carried to adjourn the City Council meeting in memory of the victims in the Pittsburgh and Thousand Oaks events, as well as the victims of the recent wildfires, at 7:42 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

December 11, 2018