



MINUTES

CITY COUNCIL REGULAR MEETING

Steven Choi
Mayor

Lynn Schott
Mayor Pro Tempore

Beth Krom
Councilmember

Jeffrey Lalloway
Councilmember

Christina Shea
Councilmember

**August 9, 2016
4:00 PM**

**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 p.m. on August 9, 2016 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Choi presiding.

ROLL CALL

Present:	4	Councilmember:	Beth Krom*
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Lynn Schott
		Mayor:	Steven Choi
Absent:	1	Councilmember:	Jeffrey Lalloway (excused)

*Councilmember Krom arrived at 4:40 p.m. and was not present for Closed Session.

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, subdivision (d)(1) – one case: Heltebrake v. City of Irvine, et al., Los Angeles Superior Court Case No. BC507269.**

There were no requests to speak to the Closed Session item.

RECESS

Mayor Choi convened the City Council meeting to Closed Session at 4:01 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the regular City Council meeting at 5:02 p.m. City Attorney Melching, on behalf of the City Council, announced that there was no reportable action taken in Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Choi led the Pledge of Allegiance.

INVOCATION

Mayor Choi invited Pastor Graham McGuinness from Woodbridge Community Church in Irvine to provide the Invocation.

MUSICAL PRESENTATION

Mayor Choi introduced Ashley Sun, tenth grade student from Woodbridge High School, who performed “America.”

2. PRESENTATIONS

- 2.1 Recognition of Eric Tolles, Assistant City Manager, Orange County Great Park**

City Manager Joyce recognized Eric Tolles, Assistant City Manager, Orange County Great Park, for 31 years of service with the City of Irvine and presented him with a City tile plaque, wishing him well in his upcoming retirement.

2.2 Orange County Human Relations Annual Report

Mayor Choi introduced Dr. Gurpreet Ahuja and Fran Rahimi, representing Orange County Human Relations, who presented the annual report and a review of activities in the City of Irvine over this past year.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore Schott made the following announcements:

- Residents are invited to attend the Irvine Barclay Theatre's upcoming 2016-17 season that begins this September, which marks the start of a new program initiative that includes a jazz series and the Great American Songbook. In addition, the Barclay Theatre is renewing its commitment to family programming, and beginning an expansion of arts reach program that takes artists performing on the Barclay Theatre stage into the classroom and community outreach programs. For information or to obtain a free copy of the Patron Guide, call the box office at 949-854-4646 or visit thebarclay.org.
- The Orange County Mosquito and Vector Control District has identified West Nile Virus as the disease of most concern in Southern California, with certain areas of Irvine having an increased risk. In a continued effort to prevent West Nile and Zika viruses, residents are encouraged to remain vigilant against mosquitos and mosquito bites by repairing window and door screens, wearing insect repellent, and conducting routine property inspections for runoff and any standing water. For information, call the Orange County Mosquito and Vector Control District at 949-654-2421 or visit ocvector.org.

Councilmember Shea announced that residents are invited to attend an upcoming Solidarity Walk hosted by Christ Our Redeemer Church on Saturday, August 13 at 11 am. Participants will meet at the church and board a shuttle to the Los Olivos Marketplace where the walk will commence.

Mayor Choi made the following announcements:

- Irvine ranked second among the "10 Best College Towns" by livability.com. The online portal provides information on what makes cities great places to work, visit and live. The criteria for the national ranking include an educated workforce that supports employment, multiple higher education opportunities, significant tech campuses, safety, and growth.

- Irvine residents who would like to visit Laguna Beach this summer can take advantage of the new “Summer Breeze” shuttle service operated by the Orange County Transportation Authority (OCTA). Residents can enjoy a free ride to Laguna Beach from a private parking lot near Laguna Canyon Road in Irvine on Saturdays and Sundays from 11 a.m. to midnight through August 28. For information, visit octa.net.
- The Sizzlin’ Summer Concert series comes to an end this Sunday, August 14 at Mike Ward Community Park – Woodbridge. For information and the concert series schedule, visit cityofirvine.org.
- The City Council will not convene on Tuesday, August 23. Meetings will resume on the regular schedule, the second and fourth Tuesday of each month, on September 14.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried by those members present (Councilmember Lalloway absent) to approve Consent Calendar Item Nos. 3.1 through 3.3, and Items 3.5 through 3.7. Item Nos. 3.4 and 3.9 were removed for separate discussion. Councilmember Shea abstained on Item No. 3.8.

3.1 MINUTES



ACTION:

Approved the minutes of a 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 held on July 26, 2016.

3.2 PROCLAMATIONS

ACTION:

Proclaimed September 17-23, 2016 as "Constitution Week."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 16-68 - 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 CONFLICT OF INTEREST WAIVER FOR LEGAL SERVICES ON THE INN AT WOODBRIDGE PROJECT

This item was removed for separate discussion at the request of Mayor Pro Tempore Schott, who noted concerns of a potential conflict-of-interest expressed by one of the ownership partners of the Inn at Woodbridge affordable housing project, and requested additional clarification on how a conflict-of-interest waiver could be applied.

City Attorney Melching noted that the Rules of Professional Conduct allow for a knowing waiver of conflict-of-interest under similar circumstances when a law firm represents both parties. He also noted that while Rutan & Tucker has not represented Jamboree Housing Corporation (Jamboree) with respect to the Inn at Woodbridge project, it has represented Jamboree on other matters; therefore, it would be appropriate, if both sides were willing, to allow Rutan & Tucker to continue representing the City of Irvine on this particular matter. Additionally, if the waiver was approved, he would not be in communication with anyone within the firm who has worked on any Jamboree matter on the City's behalf and vice versa, which would thereby create an ethical wall.

City Council discussion included: noting that both the City and Jamboree would need to agree to the waiver and questioned whether Jamboree had already agreed; ensuring that matters of both agencies would not conflict; and whether Rutan & Tucker was contracted with Jamboree or used only on an as-needed basis.

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

Authorize the City Manager to execute a conflict of interest waiver letter to allow City Attorney's office to provide legal services in connection with Inn at Woodbridge affordable housing project.

3.5 RESPONSE TO ORANGE COUNTY GRAND JURY REPORT "DRONES: KNOW BEFORE YOU FLY"

ACTION:

Authorized the Mayor to sign a response letter, on behalf of the City Council, to the Orange County Grand Jury report on "Drones: Know Before You Fly" for submittal to the Presiding Judge of the Superior Court of Orange County by the statutory deadline of August 24, 2016.

3.6 MAINTENANCE AGREEMENTS WITH CALTRANS AND THE IRVINE COMPANY FOR TECHNOLOGY DRIVE LANDSCAPE IMPROVEMENTS

ACTION:

Authorized the Mayor to execute Landscape Maintenance Agreements with the State of California Department of Transportation and The Irvine Company for the installation and maintenance of landscaping within Caltrans property along Technology Drive.

3.7 NOTICE OF REVIEW AND PENDING APPROVAL FOR TRACT MAPS IN GREAT PARK NEIGHBORHOODS

ACTION:

Received and filed.

3.8 SECOND READING AND ADOPTION OF ORDINANCE NO. 16-06 APPROVING ZONE CHANGE (00665620-PZC) TO AMEND DIVISION 1 AND 7 OF THE ZONING ORDINANCE RELATED TO SIGN REGULATIONS

This item was removed for separate discussion by Councilmember Shea, who noted a conflict-of-interest based on her profession as a real estate professional and abstained from voting on the item.

ACTION: Moved by Mayor Pro Tempore Schott, seconded by Mayor Choi, to:

Read by title only, second reading and adoption of ORDINANCE NO. 16-06 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE (00665620-PZC) TO AMEND DIVISIONS 1 AND 7 OF THE ZONING ORDINANCE RELATED TO SIGN REGULATIONS; FILED BY THE CITY OF IRVINE COMMUNITY DEVELOPMENT DEPARTMENT

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Krom, Schott and Choi

NOES: 0 COUNCILMEMBERS: None

ABSENT: 1 COUNCILMEMBERS: Lalloway

ABSTAIN: 1 COUNCILMEMBERS: Shea

3.9 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

This item was removed for separate discussion at the request of Irvine residents Kimberly and Beau Connell, who expressed their appreciation for the City Council's support of Team Kids.

City Council discussion included: recognition of the 15th Anniversary of Team Kids; and suggested that Team Kids submit a formal request for a community grant from the City.

Councilmember Krom also noted her support and requested the inclusion of \$1,000 to Team Kids in support of program costs from her Community Partnership Grant Funds allocation.

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

- 1) Approve Mayor Choi's request for Community Partnership Fund Grant nomination to the Segerstrom Center for the Arts in the amount of \$500 in support of the Center Stage Chapter.
- 2) Approve Councilmember Shea's requests for Community Partnership Fund Grant nominations to the following organizations in support of program costs:
 1. Crime Survivors (\$500)
 2. Irvine Historical Society (\$300)
 3. Irvine Korean Evergreen Association (\$1,000)
 4. Team Kids (\$1,000)
 5. Working Wardrobes (\$300)
- 3) Approve Councilmember Krom's request for Community Partnership Fund Grant nomination to Team Kids in the amount of \$1,000 in support of program costs.

- 4) Authorize the City Manager to prepare and sign the funding agreements listed in Actions 1, 2 and 3.

4. COUNCIL BUSINESS

4.1 **AGREEMENT REGARDING CITY COUNCIL APPROPRIATED QUIMBY FUNDS FOR SPORTS PARK DESIGN ENHANCEMENTS**

Pete Carmichael, Manager of Great Park Planning and Development, presented the staff report and responded to questions. He also noted that the staff report inadvertently reflected a unanimous vote by the City Council related to this matter at its September 8, 2015 meeting and clarified for the record that the vote was 3-2, with Mayor Choi and Councilmember Krom dissenting.

City Council discussion included: total amount of Quimby funds available to the City; referenced provisions in the Municipal Code that protect the General Fund for Great Park development; noted the importance and significance of Quimby funds for providing alternative park space throughout the City; whether funding from Fund 180 was considered for Sports Park design enhancements; noted that enhancements such as seating and security cameras should have been included in the original Great Park Plan and expressed concern with using Quimby fees for such enhancements; whether approximate costs were based on economies of scale; expressed concern about public perception that enhancements were made by the developer rather than the City; reiterated the mechanism in place should a conflict arise between the City and FivePoint Communities; and whether Bill Barber Park was considered park space serving the Irvine Business Complex.

City Attorney Melching summarized the provisions in Section 4(d) of the Letter Agreement, which outlined the process for resolution should a conflict arise between the City and the developer.

City Manager Joyce noted that the recommended amount of Quimby fees was based on a percentage for park space in and around the Irvine Spectrum area.

Assistant City Manager Tolles noted that Bill Barber Park serves residents in the Irvine Business Complex north of Interstate 405.

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

Authorize the City Manager to execute a letter agreement with Heritage Fields El Toro, LLC for the use of Quimby Funds for enhancements within the Sports Park Subarea of the Orange County Great Park Improvement Area.

PUBLIC COMMENTS

The following individuals spoke in opposition to a Southern California Edison substation on Wald in the Irvine Spectrum Area:

- Mike Agueruo
- Doug Bender
- Arie Goldberg
- Jane Klassen
- William Klassen
- Sohrab Charna
- Zeki Kayiran
- Lei Voo
- Norman Voo
- Gary Hobson
- Darrik Baker
- Nicholas Lowe
- Paul Wang
- Betsy A. Lindsay

John Jaeger, Irvine resident, spoke about illegally placed signs in Irvine and other parts of the state, which he believed were in violation of the California Penal Code.

Mike Hutchison provided an overview of the services offered through his vehicle detection company and expressed an interest in meeting with City traffic engineers.

Ilya and Robert Tseglin reiterated a domestic issue related to an autistic family member.

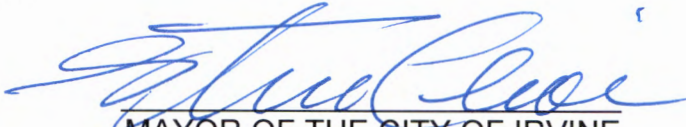
Following Public Comments, Councilmember Shea suggested agendaizing the Southern California Edison (SCE) Substation matter for public discussion at the September 13, 2016 City Council meeting, to which City Attorney Melching suggested the item be discussed in Closed Session prior to public discussion as the matter was currently in litigation. Mayor Choi concurred that the matter should first be discussed in Closed Session prior to formally agendaizing the matter for public discussion.

ADJOURNMENT

Moved by Mayor Pro Tempore Schott, seconded by Councilmember Shea, and unanimously carried by those members present (Councilmember Lalloway absent) to adjourn the meeting at 7:15 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

September 13, 2016