

# A different pondering over an Orange County Veterans Cemetery

by Harvey H. Liss

The Voice of OC article published May 30<sup>th</sup>, “Santana: This Memorial Day, Orange County Veterans Ponder a Cemetery Of Their Own” would be better to have Pondered a Cemetery of Their Own with more truth, rather than as a propagandist’s dream of revisionist history.

First, “Local veteran leaders have [NOT] spent more than a decade in the civic trenches, fighting for a cemetery of their own.” Councilmember Larry Agran’s motion to designate the ARDA site at the Great Park in Irvine as the site for the Southern California Veterans Memorial Park and Cemetery was unanimously approved by the Irvine City Council on July 22, 2014. That was the necessary completion of Assemblywoman Sharon Quirk-Silva’s AB 1453 (Southern California Veterans Cemetery) that permitted the bill to be rapidly passed successively by the State Assembly and the Senate and signed by Governor Jerry Brown on September 27, 2014.

Then, CalVet went to work issuing their “Concept Plan” in June 2016, which was a 333-page comprehensive study of the ARDA site including a conceptual design of the Veterans Cemetery. In September 2016, on the basis of the Concept Plan, the Veterans Cemetery on the ARDA site was approved for listing by the U.S. Department of Veterans Affairs on their Veterans Cemetery Grants Program for \$10 million, where it is still listed. That’s when the delays and fighting began, five and a half years ago—not ten years.

And why was there a delay? At the April 4, 2017 Irvine City Council meeting, Councilmember Jeff Lalloway made a motion to:

“Authorize and direct the City Manager to take all necessary steps in cooperation with CalVet and the U.S. Veterans Administration to accelerate the process and final approvals...with the goal of commencing memorial park and cemetery operations on or before Veterans Day 2019!”

After Councilmember Melissa Fox suddenly changed her vote from yay to nay shortly after the vote was taken, claiming confusion, Lalloway’s motion failed 2-3. That was the beginning of the fight—a City Council majority beholden to developer FivePoint Communities’s alternative site plan vs. the residents of Irvine and Orange County veterans and their families.

On May 26, 2017, Quirk-Silva announced in a press release while standing next to former Governor Jerry Brown, that \$30 million had been inserted into the State budget specifically to demolish the buildings, remove the small quantities of contaminated soil that had been identified and clear the ARDA site in preparation for grading and construction of the Veterans Cemetery. That State money met the specific financial requirement Fox had stated in her qualified disapproval of Lalloway’s motion, an obstacle she obviously never expected to be overcome.

So, faced with imminent success in seeing the Veterans Cemetery actually built on the ARDA site, 11 days later on June 6, 2017, Mayor Don Wagner called an emergency meeting to propose moving the designated site for the Veterans Cemetery from the ARDA site to a site adjacent to the I-5/I-405 freeway interchange. That freeway site was called “Strawberry Fields” by its supporters because strawberries were growing on it. However, contrary to its idyllic name, it was adjacent to one of the nation’s 10 busiest, noisiest and most polluted highway interchanges. Nevertheless, on a 3-2 vote, the Council under the leadership of Wagner adopted that motion, thereby rejecting the State’s \$30 million grant!

On October 10, 2017, still under Mayor Wagner's leadership, the Council passed Ordinance 17-08, that rezoned the ARDA site for 812,000 square feet of office, commercial and apartment development. That ordinance enabled a companion contract negotiated by Wagner with FivePoint to transfer ownership of the ARDA site to FivePoint in an even exchange for the freeway site owned by FivePoint, although it was a highly uneven exchange in market value. That change of Veterans Cemetery location would have restarted what was a 2-year process to gain CalVet and VA approvals for the ARDA site.

To overturn Ordinance 17-08, signatures of 19,125 Irvine residents were gathered on a Referendum that was put on the ballot on June 5, 2018, as Measure B. Happily, Irvine voters overwhelmingly defeated Measure B by 63% to 37% with roughly the same ratio in every voting precinct. That was fair proof that Irvine residents citywide wanted the Veterans Memorial Park & Cemetery in Irvine at the Great Park on the ARDA site.

And that defeat was accomplished in the face of a massive campaign of mailers and TV ads to pass Measure B by the Veterans Alliance of Orange County (VALOR), an organization led by Nick Bernardino, president (quoted in the Santana article) and Bill Cook, treasurer (whose photo appears in the Santana article). VALOR was funded by FivePoint/Heritage Fields to the tune of \$800,000 specifically to support "Yes on Measure B."\*\*

So, the defeat of Measure B only invalidated Ordinance 17-08 and the associated land-swap with FivePoint. It did nothing to prevent a similar ordinance from being passed after a year had passed. What was still needed was a measure to ensure that the ARDA site could never be used for any purpose other than a State Veterans Memorial Park & Cemetery. That required the Initiative that was launched by the *Build the Great Park Veterans Cemetery*. On March 17, 2020, we turned in 19,795 signatures on an Initiative Petition to rezone the ARDA site, permanently and exclusively, for a State Veterans Memorial Park & Cemetery. That was proof, again, of its enormous support by Irvine residents.

After the Orange County Registrar of Voters certified the sufficiency of the signatures on April 28, 2020, the City Council then had the choice of either adopting the Initiative as an ordinance or putting it on the ballot. It adopted the Initiative on May 12, 2020, making it City law!

So, why does the City Council, all except Councilmember Larry Agran, still refuse to even discuss moving forward with the Veterans Cemetery on the ARDA site, when all it takes is a majority vote to begin the process of negotiating with the State for transfer of the ARDA site, and has nothing to do with what is happening in the State Legislature or at Gypsum Canyon, just the latest "alternative" site?

Maybe it's no longer obvious who is benefitting from the constant delaying tactics; however, it is obvious who is being hurt—the thousands of veterans and their families waiting for a convenient State Veterans Cemetery that pays full burial benefits. I hope and expect the voters of Irvine will elect the right candidates in November to make sure we have the grand opening of the State Veterans Memorial Park & Cemetery on the ARDA site on Veterans Day 2024!

\*\*As reported on Recipient Committee Form 460 filed as I.D. 1402624 on 7/30/2018 with the City of Irvine