



MINUTES

CITY COUNCIL SPECIAL MEETING AND SPECIAL JOINT MEETING WITH THE GREAT PARK BOARD

February 14, 2023
City Council Chamber
1 Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The special meeting of the City Council was called to order at 2:06 p.m. on February 14, 2023, in the City Council Chamber, Irvine Civic Center, 1 Civic Center Plaza, Irvine, California; Mayor Khan presiding.

ROLL CALL

Present:	5	Councilmember	Larry Agran*
		Councilmember	Mike Carroll
		Councilmember	Kathleen Treseder
		Vice Mayor	Tammy Kim
		Mayor	Farrah N. Khan

* Councilmember Agran arrived at 2:08 p.m.

Mayor Khan noted additional opportunities to participate in the meeting virtually; and encouraged those providing public comments to be civil, polite, and courteous when addressing one another, City staff, and members of the public.

In addition, Carl Petersen, City Clerk, provided instructions on how to participate in the meeting; and noted that the e-comment feature had been extended, which allowed members of the public the ability to submit e-comments on all agenda items, which would be included as part of the official record and uploaded to the City's website.

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(d)(1): City of Irvine vs. All American Asphalt (AAA), Orange County Superior Court Case No. 30-2020-01153015-CU-MC-CJC (All American Asphalt Litigation)**
- 1.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8) - Property: 10671 Jeffrey Rd., Irvine, CA 92602; Agency Negotiators: Oliver Chi, City Manager; Pete Carmichael, Executive Director Great Park; Jeffrey Melching, City Attorney; Negotiating Parties: City of Irvine; Mark Leur, Chief Executive Officer, All American Asphalt: Under Negotiation: Price and Terms of Payment**
- 1.3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8) - Property: APN 10411897 and 10411898; Agency Negotiators: Oliver Chi, City Manager; Pete Carmichael, Executive Director Great Park; Jeffrey Melching, City Attorney; Negotiating Parties: City of Irvine; Paul Hernandez, Senior Vice President, Corporate Affairs, The Irvine Co. LLC and Irvine Community: Under Negotiation: Price and Terms of Payment**
- 1.4 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8) - Property: 8000 Great Park Blvd, Irvine, CA 92618; Agency Negotiators: Oliver Chi, City Manager; Pete Carmichael, Executive Director Great Park; Jeffrey Melching, City Attorney; Negotiating Parties: City of Irvine; Michael Aguilar, Chief Executive Officer, Flying Leathernecks Historical Foundation/Flying Leathernecks Aviation Museum; Under Negotiation: Price and Terms of Payment**
- 1.5 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant Exposure to Litigation (Gov. Code Section 54956.9(d)(2) or (3)): Two Cases**

The following individuals spoke in support of the Flying Leathernecks Aviation Museum at Great Park:

- Tom O'Malley
- David Shuter
- Mike Aguilar

RECESS

Mayor Khan recessed the meeting to Closed Session at 2:21 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Khan reconvened the City Council meeting at 3:33 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

CONVENE TO THE SPECIAL JOINT MEETING

Mayor/Chairwoman Khan convened to the special joint meeting with the Great Park Board at 3:33 p.m.

ROLL CALL

Mayor/Chairwoman Khan noted for the record that all Councilmembers and Directors were present.

PLEDGE OF ALLEGIANCE

Councilmember/Vice Chairman Agran led the Pledge of Allegiance.

INVOCATION

Reverend Dr. Terry LePage from Irvine United Congregational Church provided the invocation.

MOMENT OF SILENCE

Mayor Khan asked for a Moment of Silence for the victims of the recent earthquake in Turkey and Syria.

PUBLIC COMMENTS - AGENDIZED ITEMS - CITY COUNCIL / GREAT PARK BOARD

Item 4.5

Amil Aaron, Chairman of the Diversity, Equity, and Inclusion (DEI) Committee, spoke in support of the proposed bylaws for the DEI Committee.

Item 5.1

The following individuals spoke in support of demolition of the Amended and Restated Development Agreement (ARDA) site:

- Harvey Liss, Irvine resident
- Pat Kennedy, Irvine resident
- Don Geller, Irvine resident

Item 5.2

The following individuals spoke in support of Option No. 1 for the amphitheater at Great Park:

- Brett Gallagher, Live Nation
- Ernesto Medrano
- James Parris
- Andy Kinnon
- Racquel Figlo
- Sam Bowers
- Crazy Tomes
- Ali Pooyah
- Thadius Wold
- Chris O'Mara
- Laura Golden
- Geni Lincoln
- Amelia Guesman
- Brett Blumberg
- Ruth Bruno
- Charles Erdahl
- Jeff Wykoff
- David Richartz
- Scott Baca
- Juan Martinez
- Vicky Juarez
- Kristen Lara
- Maria Mazariegos
- Cliff Boos
- John Gallardo
- Levi Serafin
- Bryan Carlough
- Martin Rabe
- Bobby Danelski
- Carl Greenberg
- John Hanna
- John Tessin
- Leo Falcon
- David Lippman
- Ronna Shipman
- Robert Zoellner
- Felicia Behar
- Lynette Brinkis
- John-Eric Hernandez

- Charles Zhang
- John Parker
- Bill Fagin
- Carl Greenberg

The following individuals spoke in support of Option No. 2 for the amphitheater at Great Park:

- Jane Olinger, Irvine resident
- Sheldon Duncan, Irvine resident
- Andrew Franceschini, Irvine resident
- Camiar Ojadi, Irvine resident
- Michelle Johnson, Irvine resident
- Alan Meyerson, Irvine resident
- Judith Whitmore, Irvine resident
- Abby Edmunds, Irvine resident
- Gil Nelsen, Irvine resident
- Ed McNew, Irvine resident
- Harvey Liss, Irvine resident
- Raj Bhatia, Irvine resident
- Pat Kennedy, Irvine resident
- Don Geller, Irvine resident
- Tom Chomyn, Irvine resident
- Aarti Chopra, Irvine resident
- Branda Lin, Irvine resident

John Forsythe, Pacific Symphony, spoke in support of both Option Nos. 1 and 2 for the amphitheater at Great Park.

John Loper, Irvine resident, spoke in opposition to both Option Nos. 1 and 2 for the amphitheater at Great Park.

Item 6.1

The following individuals spoke in support of including renters in the One Irvine Program:

- Linda Kramer, Irvine resident
- Ayn Craciun, Irvine resident

Item 6.2

Aarti Chopra, Irvine resident, spoke in support of the Transit Vision and Pilot Implementation.

Item 6.3

The following individuals spoke in support of the Climate Action and Adaptation Plan (CAAP):

- Alan Meyerson, Irvine resident
- Linda Kramer, Irvine resident
- Ayn Craciun, Irvine resident
- Harvey Liss, Irvine resident
- Luba Al-Khalili
- Aarti Chopra, Irvine resident

Kayla Asato spoke in support of making the (CAAP) accessible to renters.

Item 6.4

Alan Meyerson, Irvine resident, spoke in support of Dr. Zainab Saadi's appointment to the Irvine Senior Citizens Council as a one-time exception.

Dr. Zainab Saadi spoke in support of her appointment to the Irvine Senior Citizens Council.

Item 6.5

The following individuals spoke in support of revising the public comment process for agenda items:

- Michelle Johnson, Irvine resident
- Alan Meyerson, Irvine resident
- Harvey Liss, Irvine resident
- Don Geller, Irvine resident
- Branda Lin, Irvine resident

Item 6.6

The following individuals spoke in support of withdrawing from the Orange County Power Authority:

- Susan Sayre, Irvine resident
- Alan Meyerson, Irvine resident
- Gil Nelsen, Irvine resident
- Harvey Liss, Irvine resident

The following individuals spoke in opposition to withdrawing:

- Linda Kramer, Irvine resident
- Ayn Craciun, Irvine resident

Item 6.7

The following individuals spoke in support an independent districting commission:

- Julie Vo, Orange County Asian and Pacific Islander Community Alliance (OCAPICA)
- Kayla Asato
- Christina Nguyen, OCAPICA
- Priscilla Huang, Center for Asian Americans in Action
- Victor Valladares, Resilience Orange County
- Gil Nelsen, Irvine resident
- Harvey Liss, Irvine resident

The following individuals spoke in opposition:

- Jane Olinger, Irvine resident
- Susan Sayre, Irvine resident
- Alan Meyerson, Irvine resident

Following in-person public comments for agendized items, Councilmember Carroll noted the need to excuse himself from the remainder of the meeting due to a prior engagement, and asked that the City Council to consider continuing Council Business Item No. 6.7 (Consideration of a Request by Vice Mayor Kim to Establish an Independent Districting Advisory Committee) to the February 28, 2023, City Council meeting.

ACTION: Moved by Councilmember Carroll, seconded by Mayor Khan, to continue Council Business Item No. 6.7 to the February 28, 2023, City Council meeting.

The motion carried as follows:

AYES:	4	COUNCILMEMBERS:	Agran, Carroll, Treseder, and Khan
NOES:	1	COUNCILMEMBERS:	Kim
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None

Councilmember/Chairman Carroll also asked that the City Council and Great Park Board consider continuing Council/Board Business Item No. 5.2 (Amphitheater Status Update – Overview of Current Discussions with Live Nation and Review of Smaller Live Music Venue Options at the Great Park) to the February 28, 2023, City Council and Great Park Board meeting.

ACTION: Moved by Councilmember/Chairman Carroll, seconded by Mayor/Director Khan, to continue City Council/Board Business Item No. 5.2 to the February 28, 2023, City Council meeting.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS/DIRECTORS: Agran, Carroll, and Khan

NOES: 2 COUNCILMEMBERS/DIRECTORS: Kim and Treseder

ABSENT: 0 COUNCILMEMBERS/DIRECTORS: None

ABSTAIN: 0 COUNCILMEMBERS/DIRECTORS: None

Councilmember/Chairman Carroll left the meeting at 6:07 p.m.

PUBLIC COMMENTS - AGENDIZED ITEMS - CITY COUNCIL / GREAT PARK BOARD (CONTINUED)

Item 3.1

Dee Fox, Irvine resident, expressed concern about the loss of revenue for Great Park over the last couple of years.

Item 4.5

Eric Nashanian, Irvine resident, spoke in opposition to the proposed bylaws for the Diversity, Equity, and Inclusion Committee.

Item 4.8

Dee Fox, Irvine resident, spoke in support of Ordinance No. 23-05 related to the eligibility to serve on Commissions and Committees.

Item 5.1

Jane Roschmann, Irvine resident, spoke in support of the One Irvine Program.

Item 5.2

Michael Goerdel spoke in support of Option No. 1 for the amphitheater at Great Park.

The following individuals spoke in support of Option No. 2 for the amphitheater at Great Park:

- Dee Fox, Irvine resident
- Jane Roschmann, Irvine resident
- Danny Gray, Irvine resident

Tiffany, Irvine resident, spoke in support of either Option No. 1 or 2 but expressed concern about information provided by the City Manager.

Hoyin Ip, Irvine residents, spoke in opposition to the use of plastics and fireworks during amphitheater events.

Item 6.1

Maryann, Irvine resident, spoke in support of including renters in the One Irvine Program.

Item 6.3

The following individuals spoke in support of the Climate Action and Adaptation Plan (CAAP):

- Maryann, Irvine resident
- Hoyin Ip, Irvine resident
- Buzz McCord, Irvine resident

Item 6.5

The following individuals spoke in support of revising the public comment process for agendized items:

- Dee Fox, Irvine resident
- Doug Elliott, Irvine resident
- Tiffany, Irvine resident

Hoyin Ip, Irvine resident, spoke in support of keeping public comments limited to 90 seconds per speaker.

Eric Nshanian, spoke in opposition based on the time thresholds proposed, and in support of the use of Zoom for members of the public.

Item 6.6

Dee Fox, Irvine resident, spoke in opposition to Best, Best, and Krieger as legal counsel for the Orange County Power Authority.

The following individuals spoke in support of withdrawing from the Orange County Power Authority:

- Doug Elliott, Irvine resident
- Maryann, Irvine resident
- Eric Nashanian, Irvine resident

The following individuals spoke in in opposition to withdrawing from the Orange County Power Authority:

- Danny Gray, Irvine resident
- Hoyin Ip, Irvine resident
- Buzz McCord, Irvine resident

Item 6.7

Daniel Ichinose spoke in support of an independent districting committee.

Dee Fox, Irvine resident, spoke in opposition.

PUBLIC COMMENTS – NON-AGENDIZED ITEMS - CITY COUNCIL / GREAT PARK BOARD

Susan Sayre, Irvine resident, spoke in support of including PowerPoint presentations that are non-celebratory in nature with the agenda publication.

Mark Herbert spoke in support of greater transparency, trust, and the reengagement of democratic values.

Alan Meyerson, Irvine resident, spoke in opposition to the continuance of City Council/Board Business Item No. 5.2; in support of an update on the All American Asphalt plant matter; and in support of security cameras at Lakeview Senior Center.

Camiar Ojadi, Irvine resident, spoke in opposition to Melahat Refiei.

Linda Kramer, Irvine resident, spoke in support of the Climate Adaptation and Action Plan (CAAP).

Branda Lin, Irvine resident, spoke in opposition to alleged misinformation by the Mayor, and in support of a lie detector test.

Walter Nobrega, Irvine resident, spoke in opposition to rates established by the Orange County Power Authority.

Eric Nashanian, Irvine resident, spoke in opposition to a video that included Mayor Khan with members of the Turkish community.

Tiffany, Irvine resident, spoke in support of transparency and making more information accessible to the public, including online access and town hall meetings.

Doug Elliott, Irvine resident, spoke in support of allowing speakers to speak on agenda items under Public Comments – Non-Agenda Items.

Dee Fox, Irvine resident, spoke in opposition to the non-disclosure of power purchasing contracts by the Orange County Power Authority.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Khan

- On Sunday, February 12, Mayor Khan hosted a coat and blanket drive to support the victims of the recent earthquake in Turkey and Syria, and expressed her appreciation in those who participated in the event.
- Last week, Mayor Khan welcomed the art community and Dr. Maria Rosario Jackson, Chair of the National Endowment for the Arts, and the 13th Creative Edge Lecture by Arts OC.
- Mayor Khan was invited to participate in the Black History Month Parade, and expressed her appreciation to Rivian for providing vehicles, as well as members of the Diversity, Equity, and Inclusion Committee, Pastor Ralph Williamson and first lady of Christ Our Redeemer AME Church, UCI Assistant Vice Chancellor Marguerite Bonous-Hammarth, UCI Paul Merage School of Business Dean Ian Williamson, UCI Black Alumni Chapter President Jesse Moore, and local business owner Linda Umar R. for joining her at the event.
- Mayor Khan congratulated Neil Pal, who earned his eagle rank with Boy Scout Troop 606 and built bench tables to display religious items and offerings for the Irvine Hindu Mandir; and Josephine Lee, who was selected for the International Skating Union World Junior Figure Skating Championships 2023.

Councilmember Treseder

- Councilmember Treseder provided a brief update on the Orange County Power Authority (OCPA), expressing concern about OCPA's Chief Executive Officer's leadership, noting the recent resignation of OCPA's legal counsel. She also noted her request to replace OCPA's CEO at its special meeting of February 10, 2023, but did not receive a second. She then asked the City Council to consider the continuance of Council Business Item 6.6 (Consideration of a Request by Councilmember Treseder Regarding City of Irvine's Continued Participation in the Orange County Power Authority) to the February 28, 2023, City Council meeting.

ACTION: Moved by Councilmember Treseder, seconded by Mayor Khan, and unanimously carried by those members present (Councilmember Carroll absent, to:

Continue Council Business Item No. 6.6 to the February 28, 2023, City Council meeting.

Vice Mayor Kim

- Vice Mayor Kim provided a brief update on the latest Orange County Fire Authority, noting that labor negotiations were currently underway.
- The first ever Irvine Tech Week will be held from March 22 - 26. This week will include a week of innovation and inspiration, as well as networking opportunities for those interested in starting their own business. For information about the event and opportunities to participate, visit irvinetechweek.com.

Councilmember Agran

- Councilmember Agran suggested that a placeholder be included on future agendas regarding the Orange County Power Authority (OCPA) with a ten-minute report on OCPA matters; and suggested that both City Council representatives to the OCPA Board speak with one unified voice.

Mayor Khan

- Members of the community are invited to cheer on the UC Irvine men's basketball team at City of Irvine Day this Saturday, February 18. The UCI men's basketball team will take on UC Davis at 1 p.m. at the Bren Events Center. For discounted tickets and more information, visit ucirvinesports.com/Irvine.

- Help support the single Marines, single parents, and geographic bachelors of Irvine's adopted 2/11 Marine Battalion by donating bedding and towels for their barracks. Donations of new, unused towels, washcloths, standard pillows, and standard pillowcases can be dropped off through February 28 at Irvine City Hall and the Great Park Visitors Center. Monetary donations are also accepted. To learn more, visit irvine211marines.org.
- Get a unique look into Great Park's past by attending the opening reception of "Life on the Base: MCAS El Toro," Sunday, February 19, from 1 to 3 p.m. at the Great Park Gallery. In collaboration with OC Archives in Action, the exhibition features a curated selection of photographs that provides a glimpse into the recreational lives led by the men and women who served at Marine Corps Air Station El Toro. In support of the exhibition, there will be a three-part live swing and jazz music series, Swingin' in the Palm Court, February 19, March 12, and April 23 from 1 to 3 p.m. Bring folding chairs and blankets for seating around the Gallery and Palm Court and enjoy the swing and jazz music that filled the banquet halls of early MCAS El Toro. No advance registration is needed for these free events. To learn more, visit yourgreatpark.org/arts.
- Members of the community are invited to attend the annual State of the City address on Tuesday, March 7. This year, the event will once again be held at the Irvine Barclay Theatre and include performances by local organizations. A public reception will begin at 5 p.m. and the address will start at 6 p.m. Mayor Khan will share accomplishments of the past year, plans for 2023, and celebrate the City's wonderful community at this event. More information will be available at cityofirvine.org.

3. CONSENT CALENDAR - CITY COUNCIL/GREAT PARK BOARD

Moved by Vice Mayor Kim, seconded by Councilmember Carroll, and unanimously carried by those members present (Councilmember/Chairman Carroll absent), to approve City Council/Great Park Board Consent Calendar Item No. 3.1, and City Council Consent Calendar Item Nos. 4.1 through 4.9, with the exception of City Council Consent Calendar Item No. 4.8, which was removed for separate discussion.

3.1 GREAT PARK FUNDS FINANCIAL STATEMENT AUDIT - FISCAL YEAR 2021-22

ACTION:

Received and filed.

4. CONSENT CALENDAR - CITY COUNCIL

4.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the City Council held on December 29, 2022.
- 2) Approved the minutes of a regular meeting of the City Council and special joint meeting with the Great Park Board held on January 10, 2023.

4.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed February 2023, as "Black History Month."
- 2) Proclaimed February 2023, as "Teen Dating Violence Awareness Month."

4.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 23-18 - 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

4.4 FINDINGS ALLOWING FOR REMOTE PARTICIPATION IN PUBLIC MEETINGS (ASSEMBLY BILL 361)

ACTION:

Declared that the findings made in RESOLUTION NO. 21-68, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, MAKING FINDINGS NECESSARY FOR REMOTE PARTICIPATION IN PUBLIC MEETINGS OF LEGISLATIVE BODIES OF THE CITY OF IRVINE, AS AUTHORIZED BY ASSEMBLY BILL 361" remained valid and applicable, so as to allow for remote participation in public meetings for the next 30 days.

4.5 CONSIDERATION OF BYLAWS FOR THE DIVERSITY, EQUITY, AND INCLUSION COMMITTEE

ACTION:

Reviewed and approved the proposed Diversity, Equity, and Inclusion Committee Bylaws.

4.6 SECOND READING AND ADOPTION OF ORDINANCE NO. 23-02 APPROVING THE FIRST AMENDMENT TO THE AGREEMENT WITH WASTE MANAGEMENT COLLECTION & RECYCLING, INC. FOR SOLID WASTE HANDLING SERVICES AND FINDING THAT THE ORDINANCE IS EXEMPT FROM CEQA

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 23-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING A FIRST AMENDMENT TO THE AGREEMENT FOR SOLID WASTE HANDLING SERVICES BETWEEN THE CITY OF IRVINE AND WASTE MANAGEMENT COLLECTION & RECYCLING, INC., A CALIFORNIA CORPORATION, DBA WASTE MANAGEMENT OF ORANGE COUNTY; AND, ADOPTION OF FINDINGS THAT THE ORDINANCE IS EXEMPT FROM CEQA

(Unless otherwise directed by a Member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

4.7 SECOND READING AND ADOPTION OF ORDINANCE NOS. 23-03 AND 23-04 LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 12 AND 13 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3(B) (GREAT PARK)

ACTION:

- 1) Read by title only, second reading and adoption of ORDINANCE NO. 23-03 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3(B) (GREAT PARK) LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 12 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3(B) (GREAT PARK)
- 2) Read by title only, second reading and adoption of ORDINANCE NO. 23-04 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3(B) (GREAT PARK) LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 13 OF THE CITY OF IRVINE COMMUNITY FACILITIES DISTRICT NO. 2013-3(B) (GREAT PARK)

(Unless otherwise directed by a Member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

(Approved 4-0, Councilmember Carroll absent)

4.8 SECOND READING AND ADOPTION OF ORDINANCE NO. 23-05 AMENDING CHAPTER 2 OF DIVISION 4 OF TITLE 1 OF THE MUNICIPAL CODE RELATING TO ELIGIBILITY TO SERVE ON COMMISSIONS AND COMMITTEES

This item was removed for separate discussion at the request of Vice Mayor Kim, who noted her previous dissention at first reading of the ordinance, and expressed her continued opposition.

ACTION: Moved by Councilmember Treseder, seconded by Mayor Khan, to:

Read by title only, second reading and adoption of ORDINANCE NO. 23-05 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING SECTION 1-4-103 OF CHAPTER 2 OF DIVISION 4 OF TITLE 1 OF THE IRVINE MUNICIPAL CODE RELATING TO ELIGIBILITY TO SERVE ON CITY COMMISSIONS AND COMMITTEES

The motion carried as follows:

AYES:	3	COUNCILMEMBERS:	Agran, Treseder, and Khan
NOES:	1	COUNCILMEMBERS:	Kim
ABSENT:	1	COUNCILMEMBERS:	Carroll
ABSTAIN:	0	COUNCILMEMBERS:	None

4.9 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Councilmember Treseder's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 - a) Crime Survivors, Inc. (\$1,000) (**Contract No. 11577**)
 - b) Clergy and Laity United for Economic Justice (CLUE) (\$1,000) (**Contract No. 11578**)
- 2) Authorized the City Manager to prepare and sign funding agreements for the organizations listed above.

5. CITY COUNCIL/BOARD BUSINESS

5.1 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR AMENDED RESTATED DEVELOPMENT AGREEMENT (ARDA) DEMOLITION AND CONCEPTUAL DEVELOPMENT PLANS

Joel Belding, Deputy Director of Great Park Planning and Development, provided the staff report and responded to questions.

City Council/Board discussion included: inquiring about the selection and preservation process for historical art and other features; questioned the process of demolition and the ability to eliminate the potential spread of asbestos and other toxic materials; suggested public outreach notifying nearby residents of the process and potential impacts; noted the world's largest photo through the use of one of the hangars at the ARDA site; inquired about the storage of preservation elements; questioned whether the proposal will include underground infrastructure demolition; and inquiring about whether the contract award will include prevailing wage.

ACTION: Moved by Councilmember/Vice Chairman Agran, seconded by Vice Mayor/Director Kim, and unanimously carried by those members present (Councilmember/Chairman Carroll absent), to:

- 1) Approve the construction plans, specifications and contract documents for the ARDA Site Demolition.
- 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.
- 4) Approve a budget appropriation in the amount of \$13,745,225 from the Department of Finance Settlement Fund (Fund 181) and create the ARDA Site Demolition Capital Improvement Project to receive the allocation.

5.2 AMPHITHEATER STATUS UPDATE – OVERVIEW OF CURRENT DISCUSSIONS WITH LIVE NATION AND REVIEW OF SMALLER LIVE MUSIC VENUE OPTIONS AT THE GREAT PARK

This item was continued to the February 28, 2023, City Council meeting. See page 8.

ADJOURNMENT - SPECIAL JOINT MEETING WITH THE GREAT PARK BOARD

Moved by Vice Mayor/Director Kim, seconded by Councilmember/Director Treseder, and unanimously carried by those members present (Councilmember/Chairman Carroll absent), to adjourn the special joint meeting with the Great Park Board at 7:33 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Khan reconvened the City Council meeting at 7:33 p.m.

6. COUNCIL BUSINESS

6.1 ONE IRVINE PROGRAM UPDATE AND EXPANSION

Keri Bullock, Neighborhood Services Administrator, presented the staff report and responded to questions. Lisa Varon, Manager of Housing, was also available for questions.

City Council discussion included: questioning whether American Rescue Plan Act (ARPA) funds would be used to expand the program; inquired about expansion of the program for renters and whether it would conflict with efforts by landlords; questioned whether the City had apartment complexes older than 1975; inquired about applicability of the program to multi-family dwellings; questioned how 1975 and older was determined with respect to eligibility, and inquired about the number of homes that fit this category; inquired about eligibility for low-income residents; reiterated the efforts to promote climate goals; noted a desire to restrict owners of apartment complexes; clarified the definition of applicant and associated eligibility; and inquired about solar panel installation eligibility to

homeowner associations.

ACTION: Moved by Mayor Khan, seconded by Vice Mayor Kim, to:

- 1) Approve Program Guidelines for the One Irvine Green Home Grant Program, the Program Guidelines for the Home Improvement Loan Program, including expansion of program eligibility to owners of all Irvine homes built during or prior to 1975, and include condominium dwellings subject to the availability and use of Capital Improvement Funds.
- 2) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, MODIFYING THE DATES FOR THE ONE IRVINE SINGLE-FAMILY RESIDENTIAL BUILDING AND PLANNING FEE HOLIDAY PROGRAM FOR CERTAIN RESIDENTIAL IMPROVEMENTS TO EXISTING SINGLE-FAMILY RESIDENTIAL IN NORTH EL CAMINO REAL AND EXISTING SINGLE-FAMILY RESIDENTIAL BUILT IN OR PRIOR TO 1975
- 3) Approve a Budget Adjustment allocating the remaining \$3,052,000 from the Irvine Recovery Plan to specific One Irvine program budget line items.
- 4) Authorize the City Manager or his designee to adjust the One Irvine program budget line items as needed to ensure full expenditure within the next four years.

ACTION: A friendly amendment was made by Councilmember Treseder, accepted by Mayor Khan as the maker, and Vice Mayor Kim as the seconder, and unanimously carried by those members present (Councilmember Carroll absent), to:

- 1) Approve Program Guidelines for the One Irvine Green Home Grant Program, the Program Guidelines for the Home Improvement Loan Program, including expansion of program eligibility to owners of all Irvine homes built during or prior to 1975, and include condominium dwellings using Capital Improvement Funds, **and direct staff to return to the City Council at a future meeting with a report on how renters could be included into the program.**
- 2) Adopt RESOLUTION NO. 23-19 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, MODIFYING THE DATES FOR THE ONE IRVINE SINGLE-FAMILY RESIDENTIAL BUILDING AND PLANNING FEE HOLIDAY PROGRAM FOR CERTAIN RESIDENTIAL IMPROVEMENTS TO EXISTING SINGLE-FAMILY RESIDENTIAL IN NORTH EL CAMINO REAL AND EXISTING SINGLE-FAMILY RESIDENTIAL BUILT IN OR PRIOR TO 1975

- 3) Approve a Budget Adjustment allocating the remaining \$3,052,000 from the Irvine Recovery Plan to specific One Irvine program budget line items.
- 4) Authorize the City Manager or his designee to adjust the One Irvine program budget line items as needed to ensure full expenditure within the next four years.

6.2 TRANSIT VISION AND PILOT IMPLEMENTATION

Melissa Dugan, Supervising Transportation Analyst, presented the staff report and responded to questions. Jeremiah LaRose, representing Fehr & Peers, was also available for questions.

City Council discussion included: inquiring about cost concerns related to microtransit; questioned how soon the Yale Avenue-Barranca Parkway Option 2 fixed-route service could be implemented if the pilot program was successful; expressed concern about Americans with Disabilities Act (ADA) accessibility and lack of options for transportation to Great Park; expressed support for interconnections with Irvine Station, as well as Irvine businesses, schools, and residences; reiterated the need for community support; noted working with Orange County Transportation Authority on more viable options; inquired about costs for natural gas buses versus electric buses; expressed opposition to the Woodbury-Great Park microtransit option; discussed ways to incentivize ridership through community outreach to businesses and the Greater Irvine Chamber of Commerce; inquired about the Transportation Commission's recommendation; suggested leasing natural gas buses in the interim; and suggested increasing the frequency of the fixed route to 20 minutes.

ACTION: Moved by Mayor Khan, seconded by Vice Mayor Kim, and unanimously carried by those members present (Councilmember Carroll absent), to:

Direct staff to proceed with finalizing the pilot implementation plan for Yale Avenue-Barranca Parkway Option 2 fixed-route service.

6.3 CONSIDERATION OF A REQUEST BY COUNCILMEMBER TRESEDER TO DISCUSS THE CITY OF IRVINE CLIMATE ACTION AND ADAPTION PLAN (CAAP)

This item was agendized at the request of Councilmember Treseder, who suggested enhancement of the Climate Action and Adaptation Plan (CAAP) to include a timeline for certain benchmarks.

City Council discussion included: questioning whether certain proposed timelines were attainable; suggested timelines be reasonably achievable; and expressed concern about potentially slowing down housing goals.

ACTION: Moved by Councilmember Treseder, seconded by Vice Mayor Kim, and unanimously carried by those members present (Councilmember Carroll absent), to:

Direct Environmental Programs staff to facilitate and accelerate creation and adoption of a CEQA-qualified, legally-binding CAAP with targets and measures to meet state GHG targets under SB 32 and aspirational targets and measures to meet Irvine's 2030 zero carbon goal, adhering to the following timeline, with all tasks completed no later than the dates specified below:

- a) Jan. - Dec. 2023 - Conduct ongoing CAAP outreach, focusing on pollution-burdened communities and communities of concern based on the most recent version of the California Communities Environmental Health Screening Tool: CalEnviroScreen.
- b) Feb. 28, 2023 - Publish all existing CAAP documents and working drafts on the City of Irvine website.
- c) June 13, 2023 - Return to the City Council with a CEQA-qualified, legally-binding CAAP draft with targets and measures to meet state GHG targets under SB 32 and aspirational targets and measures to meet Irvine's 2030 zero carbon goal. CAAP measures should be selected based on their potential to reduce GHGs, address environmental injustices and increase equity. The CAAP draft should include draft implementation and funding plans with timelines, benchmarks, department/staff member responsible and projected costs for each measure.
- d) Mid-2024 - Return to the City Council with a final CAAP and CAAP Environmental Impact Report (EIR) for adoption.

6.4 CONSIDERATION OF A REQUEST BY COUNCILMEMBER TRESEDER REGARDING APPOINTMENT REQUIREMENTS FOR THE IRVINE SENIOR CITIZENS COUNCIL

This item was agendized at the request of Councilmember Treseder, who asked for City Council support to amend the appointment requirements with respect to the minimum age to serve on the Irvine Senior Citizens Council, and approve her appointment of Dr. Zainab Saadi.

City Council discussion included: expressing support to make an exception to the policy but not changing the policy itself; and noting concerns by members of the Irvine Senior Citizens Council.

ACTION: Moved by Councilmember Treseder, seconded by Councilmember Agran, and unanimously carried by those members present (Councilmember Carroll absent), to:

Approve a one-time waiver of the minimum age requirement to serve on the Irvine Senior Citizens Council and approve the appointment of Dr. Zainab Saadi as Councilmember Treseder's recommended appointee to the Irvine Senior Citizens Council.

6.5 CONSIDERATION OF A REQUEST BY VICE MAYOR KIM TO REVISE PUBLIC COMMENT PROCEDURE ON AGENDIZED ITEMS

This item was agendized at the request of Vice Mayor Kim, who asked for City Council support for modifications to City Council Policies and Procedures related to public participation on agendized items.

City Council discussion included: suggesting public comments be taken following staff presentations on each item; discussed amending the policy to allow three minutes per speaker on all items regardless of the number of speakers, with the option to waive that requirement by the Mayor or a majority of the City Council; suggested that the Zoom camera focus on the City Council as opposed to the City seal; inquired about whether the policy impacts public comments on non-agendized items; suggested that exceptions be made by those who need to speak be allowed to speak under non-agendized items; and discussed setting a time certain on items of significant interest to members of the community.

City Attorney Melching noted that while an implementing resolution would need to come back to the City Council to amend the current City Council Policies and Procedures, the City Council could waive the requirement to implement the change without an amended resolution; and that staff could return at a future meeting with an implementation resolution to formally adopt the amended policy.

ACTION: Moved by Vice Mayor Kim, seconded by Councilmember Treseder, and unanimously carried by those members present (Councilmember Carroll absent), to:

Modify City Council Policy and Procedures related to public participation on agendized items as follows:

- 1) Public comment on agendized items shall be received when the item is brought up for consideration by the City Council, following staff's presentation, with public comment time allotment broken down as follows:

- a) Three (3) minutes per speaker per item for up to ten (10) speakers.
 - b) Two (2) minutes per speaker per item for 11 to 15 speakers.
 - c) Ninety (90) seconds per speaker per item for 16 or more speakers.
- 2) Permit indefinitely the ability for public comment to be received virtually through Zoom or other City-approved virtual platform.
 - 3) Waive the requirement to implement these changes by way of a City Council resolution to allow these changes to take effect immediately.

6.6 *CONSIDERATION OF A REQUEST BY COUNCILMEMBER TRESEDER REGARDING CITY OF IRVINE'S CONTINUED PARTICIPATION IN THE ORANGE COUNTY POWER AUTHORITY*

This item was continued to the February 28, 2023, City Council meeting. See page 12.

6.7 *CONSIDERATION OF A REQUEST BY VICE MAYOR KIM TO ESTABLISH AN INDEPENDENT DISTRICTING ADVISORY COMMITTEE*

This item was continued to the February 28, 2023, City Council meeting. See page 12.

ADJOURNMENT

Prior to adjournment, Mayor Khan asked that the City Council meeting be adjourned in memory of Peter Chan, a long-time volunteer in the City of Irvine who worked to enhance cultural understanding within the community, who served as a Boardmember and past president of the Irvine Evergreen Chinese Senior Association, a volunteer with Irvine Senior Services, and as an office assistant volunteer for the Keen Center for Senior Resources. Mr. Chan was recognized several times for his volunteer work and dedication to the senior community. His name was also added to the Wall of Recognition at Bill Barber Park in 2013 for his contributions.

Moved by Vice Mayor Kim, seconded by Mayor Khan, and unanimously carried by those members present (Councilmember Carroll absent), to adjourn the City Council meeting in memory of long-time volunteer Peter Chan at 8:57 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

March 14, 2023