



MINUTES

CITY COUNCIL ADJOURNED REGULAR MEETING

May 10, 2022
City Council Chamber
1 Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The adjourned regular meeting of the Irvine City Council was called to order at 5:06 p.m. on May 10, 2022, 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	Tammy Kim*
Vice Mayor	Anthony Kuo*
Mayor	Farrah N. Khan

**via teleconference*

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

Mayor Khan announced that the following Closed Session Item would be considered at the next City Council Regular Meeting scheduled on May 24, 2022:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8) -- Property: 8000 Great Park Blvd, Irvine, CA 92618; Agency Negotiators: Oliver Chi, City Manager; Joel Belding, Deputy Director of Planning and Development; Jeffrey Melching, City Attorney; Negotiating Parties: City of Irvine; Dan Hedigan, Chief Executive Officer, Five Point Holdings, LLC; Under Negotiation: Price and Terms of Payment

PLEDGE OF ALLEGIANCE

Michael Kent, Director of Public Safety/Chief of Police, introduced the Irvine Police Color Guard and led the Pledge of Allegiance.

INVOCATION

Pastor Frank Williams of Woodbridge Community Church provided the invocation.

1. PRESENTATIONS

1.1 Proclaim May 15-21, 2022 as "National Police Week"

Mayor Khan introduced Michael Kent, Director of Public Safety/Chief of Police, and members of the Irvine Police Honor Guard, and presented a proclamation recognizing May 15-21, 2022, as "National Police Week.

1.2 Employee Recognition: 20, 25, and 30 Years of Service

Mayor Khan introduced and recognized the following individuals, and presented Certificates of Recognition and a numeral milestone for 20, 25, and 30 years of public service to the City of Irvine:

20 Years of Service

- Tom Goodbrand, Police Lieutenant
- Jacqueline "Jackie" Stein, Community Services Senior Leader

25 Years of Service

- Brian King, Deputy Director of Human Resources
- Diana “Dini” Schwartz, Community Services Senior Leader

30 Years of Service

- Dave Klug, Police Commander

1.3 Celebrating National Bike Month

Mayor Khan announced the City of Irvine’s designation as a Bicycle Friendly Community by the League of American Bicyclists; and invited Jaimee Bourgeois, Interim Director of Public Works and Transportation, and Mike Davis, Transit and Transportation Administrator, to provide information on bicycle infrastructure.

City Council discussion included: questioning whether the City had any data on compliance with bicycle safety laws, such as helmet requirements; suggested that a summary of proactive programs be provided to the City Council; suggested community outreach efforts related to potential dangers of bicycle riding and how to mitigate such risks; and noted the construction of the Venta Spur Bridge.

1.4 Update by City of Hope

Mayor Khan introduced Annette Walker, President of City of Hope, Orange County, who provided a brief update on City of Hope’s Orange County Cancer Campus in the City of Irvine.

PUBLIC COMMENTS - AGENDIZED ITEMS

Item No. 2.2

Doug Elliott, Irvine Resident, spoke in support of the proclamations which recognize Older Americans and the City of Irvine’s official vegetable during National Asparagus Month.

Item No. 2.9

Dee Fox, Irvine Resident, spoke in support of the Memorandum of Understanding with Orange County Libraries, and stated the importance of upholding a diverse collection of library books for accessibility to children. Ms. Fox also noted Councilmember’s Kim appointment on the Library Board of Trustees and made recommendations for library funding.

Item No.4.2

Katie Porter, Congresswoman, and Doug Elliott, Irvine Resident, spoke in support of the proposed resolution.

Item No. 4.3

John Hanna, Orange resident, spoke in support of the proposed ordinance.

Doug Elliott, Irvine Resident, spoke in support of the guidelines for contractor disclosures and public benefits.

PUBLIC COMMENTS - NON-AGENDIZED ITEMS

Hansen Scott, Irvine resident, spoke in support of expanding the City's existing Sister City Program.

Dana Cornelius, Irvine resident, expressed concern about ballot harvesting, and spoke in support of security measures of vote ballot drop off boxes.

Dee Fox, Irvine resident, spoke in opposition to the Orange County Power Authority and Councilmember Carroll's appointment to the Board.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Kim noted that she and Vice Mayor Kuo were participating in the City Council meeting virtually due to their attendance at the Affordable Housing Conference in Washington, D.C.; and noted her recent attendance at the Southern California Association of Governments (SCAG) regional conference in Palm Springs and participation in the April 30th round table event "Teaching for Justice" at the University of Irvine that discussed the role of education for APPI students.

Vice Mayor Kuo noted his recent participation in the Crime Survivors Walk with Law Enforcement at Mason Regional Park; and made the following announcement:

- During the weekend of May 14 and 15, 2022, the City of Irvine will host the Irvine Junior Games and announced that additional participants are needed at the Irvine High School track meet for 4th-8th graders to provide scholarship for before and after school care services. For more information, visit Irvinejuniorgames.com.

Councilmember Agran reiterated his request to agendize the disclosure of Orange County Power Authority (OCPA) operations for City Council discussion.

Mayor Khan expressed her gratitude to the community partners of “Love Irvine” who hosted the National Day of Prayer event last Thursday; and made the following announcements:

- Irvine students Sharon Chen and Amber Khauv were recently awarded third prize along with \$750 for a winning video submission in the C-Span City Competition.
- The City of Irvine park system has been ranked among the top 10 in the nation for the 7th consecutive year by the Trust for Public Land. Irvine also ranked 8th in the country, and 2nd in California in the national nonprofit’s annual ParkScore Index, which is recognized as the national gold-standard comparison of park systems across the 100 most populated cities in the United States. In this year’s ParkScore Index, the City once again earned a perfect score for the percentage of area within the City dedicated to parkland, the number of basketball hoops per 10,000 residents, and the number of recreation/senior centers per 20,000 residents. The index also found that 89% of residents live within a half-mile walk of a park. To learn more, visit cityofirvine.org.
- Members of the community are invited to attend the City’s inaugural Pride in Irvine event on Sunday, May 22 from 9 to 10:30 a.m. at the Irvine Civic Center Piazza. The gathering will feature the raising of the Progress Flag in front of City Hall in honor of Harvey Milk Day, and in preparation for June Pride Month. Local organizations representing the LGBTQ+ community will provide educational activities and information. The event is free. For information, visit cityofirvine.org/pride.
- The Irvine Animal Care Center’s annual Super Pet Adoption event has returned for its 16th year on Sunday, June 5. This family-friendly event features pet rescue groups expected to bring more than a hundred homeless dogs, cats, birds, and other small animals for adoption. The annual event also features gourmet food trucks and bake sale, opportunity drawings, and vendors and services for pets and their owners. Cats, dogs, and rabbits available for adoption are spayed or neutered, microchipped, and evaluated by a veterinarian. Cats and dogs are also vaccinated appropriate to age. Advance ticket purchase is required. To learn more about the event and purchase tickets, visit irvineanimals.org/superpet.

- Eric Lee from Irvine High School, Monica Pal from San Joaquin High School, and Abigail Samson from Beckman High School, were selected for the prestigious Edison Scholars program. These students were among 30 throughout Southern California who were selected by Southern California Edison to receive \$40,000 college scholarships to pursue STEM degrees. Visit energizeedison.com to learn what has inspired these students and their plans for the future.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

2. CONSENT CALENDAR

ACTION: Moved by Vice Mayor Kuo, seconded by Councilmember Kim, and unanimously carried to approve Consent Calendar Item Nos. 2.1 through 2.10, with the exception of Consent Calendar Item Nos. 2.6 and 2.9, which were removed for separate discussion.

2.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on April 12, 2022.

2.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed May 2022 as "Older Americans Month."
- 2) Proclaimed May 2022 as "Food Allergy Awareness Month."
- 3) Proclaimed May 2022 as "National Asparagus Month."
- 4) Proclaimed May 2022 as "Jewish American Heritage Month."
- 5) Proclaimed May 15-21, 2022, as "National Public Works Week."
- 6) Proclaimed May 19, 2022, as "National Stop the Bleed Day."
- 7) Proclaimed May 21, 2022, as "Kids to Parks Day."

2.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 22-41 – 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

2.4 APPROVAL OF SOLE SOURCE CONTRACT FOR PROJECT INDEPENDENCE TO PROVIDE MAIL CENTER SERVICES

ACTION:

Approved a sole source contract for Project Independence to provide Mail Center services in the amount of \$139,700 for Fiscal Year 2022-23.

2.5 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.

2.6 SECOND READING AND ADOPTION OF ORDINANCE NO. 22-07 APPROVING ZONE CHANGE 00863847-PZC TO AMEND THE ZONING ORDINANCE AND MUNICIPAL CODE TO PROVIDE NEW CITYWIDE REGULATIONS FOR RESIDENTIAL BEEKEEPING

This item was removed for separate discussion at the request of Councilmember Agran, who expressed concern related to the proposed fee schedule and suggested a quarterly progress report on how the program is working.

There was no City Council discussion.

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

Read by title only, second reading and adoption of ORDINANCE NO. 22-07 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00863847-PZC TO AMEND THE ZONING ORDINANCE AND MUNICIPAL CODE TO PROVIDE NEW CITYWIDE REGULATIONS FOR RESIDENTIAL BEEKEEPING

2.7 SECOND READING AND ADOPTION OF ORDINANCE NO. 22-08 APPROVING A ZONE CHANGE TO AMEND CHAPTER 9-39 OF THE MUNICIPAL CODE AND REZONING THE VILLAGE OF LOS OLIVOS (PLANNING AREA 39) FROM 2.4 TO 2.4H

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 22-08 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00832948-PZC TO AMEND CHAPTER 9-39 OF THE IRVINE ZONING ORDINANCE BY INCREASING THE MAXIMUM RESIDENTIAL CAP BY 330 DWELLING UNITS AND REZONING THE SUBJECT PROPERTY FROM 2.4 TO 2.4H MEDIUM-HIGH DENSITY RESIDENTIAL; LOCATED AT THE NORTHEAST CORNER OF ENCANTO AND DANA IN PLANNING AREA 39 (LOS OLIVOS); FILED BY IRVINE COMPANY

(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 5-0.

2.8 SECOND READING AND ADOPTION OF ORDINANCE NO. 22-09 ADDING CHAPTER 1 OF DIVISION 23 OF TITLE 4 TO THE MUNICIPAL CODE REGARDING THE POLICE DEPARTMENT'S ACQUISITION AND USE OF EQUIPMENT PURSUANT TO ASSEMBLY BILL 481

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 22-09 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING CHAPTER 1 OF DIVISION 23 OF TITLE 4 TO THE IRVINE MUNICIPAL CODE ESTABLISHING RULES PURSUANT TO ASSEMBLY BILL 481 REGARDING THE IRVINE POLICE DEPARTMENT'S ACQUISITION AND USE OF EQUIPMENT

(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 5-0.

2.9 LETTER OF AGREEMENT BETWEEN THE CITY OF IRVINE AND THE COUNTY OF ORANGE RESERVING FUNDS SET ASIDE UNDER 2012 LIBRARY MEMORANDUM OF UNDERSTANDING

This item was removed for separate discussion at the request of Councilmember Kim, who requested an update in the negotiation of the proposed agreement.

Oliver Chi, City Manager, provided a brief update on negotiations.

There was no City Council discussion.

ACTION: Moved by Councilmember Carroll, seconded by Councilmember Kim, and unanimously carried to:

Authorize the City Manager to execute a letter of agreement between the City of Irvine and the County of Orange, under which the County will reserve funds previously set aside under a 2012 library services Memorandum of Understanding (MOU) for a period of 90 days, during which time the City and County will continue to negotiate a new MOU that will provide for the use of those funds on library facilities in Irvine.

2.10 COMMUNITY PARTNERSHIP FUND GRANT NOMINATION

ACTION:

- 1) Approved Councilmember Carroll's request for Community Partnership Fund Grant Nomination to the Ryan Lemmon Foundation in the amount of \$2,000 in support of program costs.
- 2) Authorized the City Manager to prepare and sign a funding agreement in the amount of \$2,000.

3. PUBLIC HEARINGS

3.1 OVERRULE OF THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION OF INCONSISTENCY TO THE 2021-2029 HOUSING ELEMENT UPDATE (00832121-PGA)

Mayor Khan opened the public hearing at 7:02 p.m.

Marika Poynter, Principal Planner, presented the staff report and responded to questions, Kerwin Lau, Manager of Planning Services, was also available for questions.

City Council discussion included: verifying the participation of the overrule process of the Orange County Airport Land Use Commission's determination from neighboring cities; and inquired about the procedural process to provide residents in the Irvine Business Complex (IBC) area with advanced insulation.

There were no requests to speak.

ACTION: Moved by Vice Mayor Kuo, seconded by Councilmember Kim, and unanimously carried by those members present (Councilmember Carroll absent) to close the public hearing at 7:07 p.m.

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

Adopt RESOLUTION NO. 22-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, FINDING THE GENERAL PLAN 2021-2029 HOUSING ELEMENT UPDATE CONSISTENT WITH THE PURPOSES OF THE STATE AERONAUTICS ACT AND OVERRULE THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE 2021-2029 HOUSING ELEMENT UPDATE IS INCONSISTENT WITH THE 2008 JOHN WAYNE AIRPORT ENVIRONS LAND USE PLAN

The motion carried as follows:

AYES: 4 COUNCILMEMBERS Agran, Kim, Kuo, Khan

NOES: 1 COUNCILMEMBERS: Carroll*

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None

* Due to technical difficulties with teleconferencing, Councilmember Carroll was absent for the vote; however, shortly after, he asked via written confirmation to the City Clerk that his dissenting vote be recorded.

Councilmember Carroll returned via teleconference at 7:11 p.m.

3.2 GENERAL PLAN - AMENDED ADOPTED 2021-2029 HOUSING ELEMENT

Mayor Khan opened the public hearing at 7:09 p.m.

Marika Poynter, Principal Planner, presented the staff report and responded to questions. Kerwin Lau, Manager of Planning Services, was also available for questions.

City Council discussion included: noting concerns about the State's oversight of local control; and acknowledged the next phase stipulated in the requirements of the approval process.

There were no requests to speak.

ACTION: Moved by Councilmember Kim, seconded by Vice Mayor Kuo, and unanimously carried to close the public hearing at 7:15 p.m.

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

Adopt RESOLUTION NO. 22-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE AMENDED ADOPTED 2021-2029 HOUSING ELEMENT IN ITS CURRENT FORM, AND RECOMMENDING THAT THE CITY COUNCIL APPROVE CORRESPONDING GENERAL PLAN AMENDMENT 00832121-PGA IN FURTHERANCE THEREOF

The motion carried as follows:

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

4. COUNCIL BUSINESS

4.1 CONTRACT AWARD FOR NEW PERMITTING AND LAND MANAGEMENT SOFTWARE SOLUTION

Jim Bersig, Interim Chief Information Officer, and Amy Roblyer, Senior Management Analyst, presented the staff report and responded to questions.

City Council discussion included: questioning the timeline to procure new technological services, liabilities, and the implementation process; questioned which entities would be responsible for implementation and maintenance; and inquired about licensing fees and server capacity.

Oliver Chi, City Manager, provided a brief summary of the contract provisions and responded to questions.

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

- 1) Approve and authorize the Mayor to execute an agreement with Clariti Cloud, Inc., for permitting and land management software subscription licensing for a ten-year period not to exceed \$3,470,760.
- 2) Approve and authorize the Mayor to execute an agreement with Avocette, Inc., for a one-time implementation costs, a 10% contingency reserve and a maintenance service contract for a ten-year period not to exceed \$2,862,426.

4.2 *CONSIDERATION OF A REQUEST BY COUNCILMEMBER AGRAN, MAYOR KHAN, AND COUNCILMEMBER KIM TO ADOPT A RESOLUTION OF SUPPORT FOR THE MENTAL HEALTH JUSTICE ACT OF 2021*

This item was agendaized at the request of Councilmember Agran, who asked for City Council consideration of a resolution in support of the Mental Health Justice Act of 2021.

There was no City Council discussion.

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

Adopt RESOLUTION NO. 22-44 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, TO EXPRESS SUPPORT FOR THE MENTAL HEALTH JUSTICE ACT OF 2021

4.3 *CONSIDERATION OF AMENDMENTS TO SECTION 5-9-205 OF CHAPTER 2 OF DIVISION 9 OF TITLE 5 OF THE IRVINE MUNICIPAL CODE RELATING TO CERTAIN CONTRACTOR DISCLOSURES*

This item was re-introduced for City Council consideration and discussion at the request of Mayor Khan, who provided clarification on the restated guidelines for contractor disclosures in the proposed ordinance.

Oliver Chi, City Manager, provided a brief summary and responded to questions. He also noted additional amendments to the proposed ordinance, including those outlined in the errata memo dated May 10, 2022.

City Council discussion included noting protections for workers outlined in the proposed ordinance.

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

Re-introduce for first reading and read by title only ORDINANCE NO. 22-06 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING SECTION 5-9-205 OF CHAPTER 2 OF DIVISION 9 OF TITLE 5 OF THE IRVINE MUNICIPAL CODE RELATING TO CERTAIN CONTRACTOR DISCLOSURES **as amended** per the errata memo dated May 10, 2022; and to include the following in Section 105.10:

“No person shall contract or subcontract construction work without a valid contractor’s license pursuant to applicable provisions of the State of California Business and Professions Code.”

The motion carried as follows:

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

ADJOURNMENT

Moved by Vice Mayor Kuo, seconded by Councilmember Kim, and unanimously carried to adjourn the City Council meeting at 7:42 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

June 14, 2022