



MINUTES

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

November 26, 2024
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER - CITY COUNCIL

The adjourned regular meeting of the Irvine City Council was called to order at 5:38 p.m. on November 26, 2024, in the City Council Chamber, Irvine Civic Center, 1 Civic Center Plaza, Irvine, California; Mayor Khan presiding.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Vice Mayor Agran led the Pledge of Allegiance.

INVOCATION

Bishop Abel Aguilar from Enjoy Church provided the invocation.

1. PRESENTATIONS

1.1 *Employee Recognition – 20 Years of Service*

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

- Stephen “Steve” Meyer, Police Sergeant
- Robert “RJ” Schwichtenberg, Landscape Maintenance Specialist
- Ryan Caputo, Community Services Leader III

Following presentations, Chief of Staff Al Jabbar from the Office of Orange County Supervisor Doug Chaffee presented a certificate to Mayor Khan in honor of her service to the City.

PUBLIC COMMENTS - NON-AGENDIZED ITEMS

Susan Sayre, Irvine resident, spoke in support of expanding the Irvine CONNECT shuttle service and more inclusive means of public outreach by the City.

Jason Garshfield, Irvine resident, spoke in opposition to comments made by a member of the public at the November 12, 2024, City Council meeting; and to ongoing construction and lack of safety measures at his Irvine Company residence.

Zane spoke in support of children wearing their desired sports jerseys and expressed appreciation to Mayor Khan for her service to the community.

The following individuals expressed appreciation to Mayor Khan for her service to the community:

- Hope
- Sarah
- Lulu Hammad
- Ilaha Eli Omar
- Alan Meyerson

Wing Chow, Irvine resident, congratulated Vice Mayor Agran on his recent mayoral election, expressed his best wishes to outgoing Councilmember Kim, and clarified the role of donations from nonprofit organizations in political campaigns.

Rima Nashashibi, Founder and President of Global Hope 365, expressed appreciation to Mayor Khan and the City Council for its efforts to ensure representation and protection for all, and congratulated Vice Mayor Agran on his recent mayoral election.

The following individuals spoke in support of City Council assistance for Renaissance School International (RSI) to overcome occupancy issues and remain at its current location through the end of the current school year:

- Carrie Mizera, Founder and President of RSI
- Raymond Chen, Irvine resident
- Joe Kramer, Member of the RSI Board of Directors

Mona expressed appreciation to Mayor Khan for her service to the community and congratulated Vice Mayor Agran on his recent mayoral election; and spoke in opposition to the City's payments to the Orange County Fire Authority.

Rania, Irvine resident, expressed appreciation to Mayor Khan for her service to the community and congratulated all winners of the recent election.

Eric Neshanian, Irvine resident, spoke in opposition to the proposed Office of Inclusive Excellence and the misrepresentation of the status of the Diversity, Equity, and Inclusion Committee's Request for Proposals process.

Walter Nobrega questioned the impact of Assembly Bill 205 on energy rates and spoke in opposition to the Orange County Power Authority.

Dee Fox, Irvine resident, expressed appreciation to Mayor Khan for her service to the community, and congratulated Vice Mayor Agran and Councilmember Carroll on their respective elections; and spoke in opposition to previous actions by Councilmember Kim related to the installation of electric vehicle charging stations at the Great Park.

Yasmin expressed appreciation to Mayor Khan for her service to the community; and to Mayor Khan and Vice Mayor Agran for supporting the Irvine CONNECT shuttle service and preserving First Amendment rights for members of the public.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Carroll

- Councilmember Carroll requested that staff follow up with representatives of RSI School.
- Councilmember Carroll expressed appreciation to all who participated and those who were elected in the recent election; and sent best wishes to Mayor Khan.

Vice Mayor Agran

- Vice Mayor Agran expressed appreciation to Mayor Khan for her service and leadership during the COVID pandemic and difficult City Council meetings.

Councilmember Treseder

- Councilmember Treseder expressed appreciation to Councilmember Kim for her service, hard work for the community, support for small businesses, moral courage, and friendship.

Councilmember Kim

- Councilmember Kim offered her assistance related to the RSI School matter if needed.
- Councilmember Kim will host two library listening sessions as part of the City's transition to managing its own library system, which will take place on December 3 at 5:30 p.m. at Lakeview Senior Center, and December 5 at 6:30 p.m. at University Park Community Center, where members of the public will be provided with updates on the transition and opportunities to provide feedback and ideas regarding new libraries or rehabilitation of facilities in Woodbridge and University Park.
- Councilmember Kim expressed appreciation to Councilmember Treseder, her colleagues, staff, and Irvine residents, and her gratitude for the honor to serve on the City Council; and noted significant accomplishments during her term.

Mayor Khan

- Members of the public are invited to celebrate the holiday season in Irvine:
 - The Illuminate Irvine event will be held at the Great Park on Saturday, December 7, from 3 to 8 p.m. The Palm Court Arts Complex and Promenade will feature live holiday music, activities for all ages, and the lighting of the Holiday Tree. The Holiday Market will be held in Hangar 244, where visitors can shop from a curated selection of vendors featuring handmade jewelry, folk crafts, woodworking, and more. The Holiday Market will also be held on Sunday, December 8, from 10 a.m. to 3 p.m.
 - Members of the public can support Irvine's adopted 2/11 Marine Battalion by donating to the annual Holiday Toy Drive, and bring a new, unwrapped gift suitable for infants or children up to age 12 to a drive-thru, drop-off event at the Irvine Civic Center on Sunday, December 8, or Saturday, December 14, between 9 a.m. and noon. Donations can also be dropped off at the Great Park Visitors Center, City Hall, or the Irvine Police Department during regular business hours.
 - Children can reach Santa at the North Pole through the Letters to Santa mailboxes located at Heritage Park, Turtle Rock, and Northwood Community Centers through December 13.

For more information, visit cityofirvine.org/events.

- Earlier in the month, the community celebrated the opening of the City's first universal playground at Sweet Shade Neighborhood Park, which is wheelchair accessible and includes adaptive swings; a sensory garden; an adjacent restroom with an adult changing area; and features a Bankshot Basketball court with creatively angled, curved, and uniquely configured basketball backboards. Members of the Irvine Eagles Special Olympics Basketball Team provided a demonstration of the basketball court. Sweet Shade Universal Playground reflects the City's commitment to inclusivity and embodies its theme – "A Space For Everyone." For more information, visit cityofirvine.org/universalplayground.
- Last week, the City opened its first Class IV Protected Bikeway and celebrated with the first official ride on the one-and-a-quarter mile bikeway on Cadence between Radial and Chinon led by Tony Cruz, an Assistant Transportation Analyst in the Department of Public Works & Sustainability who is also a former professional cyclist and Olympian. With a physical barrier separating drivers and cyclists, the Class IV Protected Bikeway will provide a safe option for getting around on a bicycle. At the event, the City's first electric street sweeper, a 2024 Dulevo D-Zero Plus sweeper known as "Evie" was unveiled, and will keep the bikeway clean and well-maintained, while preserving the environment. Together, the bikeway and electric street sweeper will help the City achieve the emissions

reduction goals outlined in the Climate Action and Adaptation Plan. For more information, visit cityofirvine.org/protectedbikeway.

- The winter issue of Inside Irvine is in homes and available online at cityofirvine.org/insideirvine, and contains information about the Irvine Animal Care Center's commitment to caring for animals in need as well as the long-awaited expansion and renovation project; the City's efforts to establish the Gateway Preserve; ways to celebrate the holidays in Irvine, and much more. Readers can browse all programs, camps, and events available for children and adults in the Activity Guide. For more information on the most updated activities and to sign up, visit yourirvine.org.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

CONVENE TO THE SPECIAL JOINT MEETING WITH THE GREAT PARK BOARD

Mayor/Director Khan convened the special joint meeting with the Great Park Board at 7 p.m. and asked the City Clerk to note for the record that all Councilmembers and Directors were present.

2. CONSENT CALENDAR - CITY COUNCIL

Prior to adoption of the Consent Calendars, the following individuals spoke on the following:

2.2

Eric Neshanian, Irvine resident, spoke in opposition to the City's lack of recognition of Latvian Independence Day, Czechoslovak Independence Day, and other festive holidays via proclamations.

2.16

Sylvia Walker, Irvine resident, spoke in opposition to the proposed anti-camping ordinance.

2.17

Sylvia Walker, Irvine resident, spoke in opposition to the proposed revisions to the Hotel Worker Protection Ordinance.

Moved by Councilmember/Director Kim, seconded by Councilmember/Chairman Carroll, and unanimously carried to approve City Council Consent Calendar Item Nos. 2.1 through 2.6, 2.8 through 2.14, and 2.16; and City Council/Great Park Board Consent Calendar Item No. 3.1. City Council Consent Calendar Item Nos. 2.7, 2.15, and 2.17 were removed for separate discussion.

2.1 MINUTES

ACTION:

- 1) Approved the minutes of a regular meeting of the City Council held on October 22, 2024.
- 2) Approved the minutes of a special meeting of the City Council held on November 5, 2024.

2.2 PROCLAMATIONS

ACTION:

Proclaimed November 30, 2024, as "Small Business Saturday."

2.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 24-86 - 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 TREASURER'S REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2024

ACTION:

Received and filed the Treasurer's Report for the quarter ended September 30, 2024.

2.5 ANNUAL DEVELOPMENT IMPACT FEE REPORT FOR FISCAL YEAR 2023-24

ACTION:

Received and filed.

2.6 FISCAL YEAR 2023-24 MEASURE M2 EXPENDITURE REPORT

ACTION:

Adopted RESOLUTION NO. 24-87 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CONCERNING THE FISCAL YEAR 2023-24 MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF IRVINE

2.7 CITY OF IRVINE INVESTMENT POLICY FOR CALENDAR YEAR 2025

This item was removed for separate discussion at the request of Councilmember Carroll, who expressed concerns regarding Section 7.1 of the proposed investment policy and the discouragement of investments in certain sectors.

Don Collins, City Treasurer, responded to questions. Dahle Bulosan, Director of Administrative Services, was also available for questions.

City Council discussion included: inquiring about investments in certain sectors via mutual funds; questioned investments in fossil fuel companies; and inquired about the possibility to invest in fossil fuel companies based on their green energy efforts.

ACTION: Moved by Councilmember Carroll, seconded by Vice Mayor Agran, to:

Adopt RESOLUTION NO. 24-88 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE CITY’S ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2025, **as amended**, to remove the second sentence of Section 7.1 Social Responsibility of the Investment Policy Calendar Year 2025 that reads as follows: “Additionally, the City discourages direct investments in fossil fuel companies, for-profit prisons, and manufacturers of tobacco, firearms, and alcohol.”

Following discussion, Councilmember Carroll amended his motion.

ACTION: An amendment to the motion was made by Councilmember Carroll to:

Adopt RESOLUTION NO. 24-88 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE CITY’S ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2025, **as amended**, to remove the words “fossil fuel companies” from the second sentence of Section 7.1 Social

Responsibility of the Investment Policy Calendar Year 2025 as follows: “Additionally, the City discourages direct investments in ~~fossil fuel companies~~, for-profit prisons, and manufacturers of tobacco, firearms, and alcohol.”

The amendment was not accepted by Vice Mayor Agran as the seconder.

Following discussion, Councilmember Carroll, with concurrence from Vice Mayor Agran, withdrew his motion.

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

- 1) Adopt RESOLUTION NO. 24-88 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE CITY’S ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2025, **as amended**, to modify the Investment Policy Calendar Year 2025 to disavow and return all sales tax proceeds received by the City derived from the sales of fossil fuels and cigarettes.
- 2) Direct staff to inform the County of Orange that the City of Irvine will return sales tax revenue collected from the sale of fossil fuels and cigarettes.

The motion failed as follows:

AYES: 1 COUNCILMEMBERS: Carroll

NOES: 4 COUNCILMEMBERS: Agran, Kim, Treseder, and Khan

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None

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

Adopt RESOLUTION NO. 24-88 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE CITY’S ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2025

The motion carried as follows:

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

2.8 UTILITY, CONSTRUCTION, AND IMPLEMENTATION AGREEMENTS TO IMPLEMENT MARINE WAY AND BORREGO CHANNEL RAILROAD UNDERCROSSING PROJECT

ACTION:

- 1) Approved and Authorized the City Manager to Execute Marine Way-Borrego Channel Undercrossing Implementation Agreement in substantially the form provided as Attachment 1 to the staff report, subject to the insertion of commercially reasonable City Insurance Requirements in Exhibit F-1 thereto. **(Contract No. 11985)**
- 2) Approved and Authorized the City Manager to Execute Reimbursement Agreement with SFPP, L.P. for the relocation of utility infrastructure necessary to facilitate the Marine Way-Borrego Channel undercrossing. **(Contract No. 11986)**
- 3) Authorized the City Manager to enter into additional reimbursement, utility relocation, and construction agreements that are consistent with and funded through the Marine Way-Borrego Channel Undercrossing Implementation Agreement.

2.9 FISCAL YEAR 2024-25 BUDGET ADJUSTMENT FOR CICLOIRVINE 2025

ACTION:

Approved a budget adjustment to allocate \$380,000 for the implementation of the 2025 CicloIrvine event.

2.10 ACCEPTANCE OF THE BOARD OF STATE AND COMMUNITY CORRECTIONS BYRNE STATE CRISIS INTERVENTION PROGRAM GRANT

ACTION:

- 1) Accepted a Board of State and Community Corrections (BSCC) Byrne State Crisis Intervention Program (SCIP) Grant award in the amount of \$482,445.

- 2) Authorized the Chief of Police to approve and execute, and the City Clerk to attest to a grant agreement including any amendments thereof, associated with the Byrne SCIP Grant between the BSCC and the City of Irvine.
- 3) Approved a budget adjustment appropriating \$482,445 reflecting an increase in revenues and appropriations.

2.11 AWARD OF CONSTRUCTION CONTRACT FOR MIKE WARD COMMUNITY PARK PICKLE BALL COURTS (CIP 361903)

ACTION:

Awarded a construction contract in the amount of \$6,061,028 for the Mike Ward Community Park Pickle Ball Courts, CIP 361903, to the lowest responsive and responsible bidder, Environmental Construction, Inc. **(Contract No. 21768)**

2.12 CONTRACT APPROVAL FOR LANDSCAPE MAINTENANCE SERVICES FOR THE NON-ATHLETIC COMMUNITY AND NEIGHBORHOOD PARKS

ACTION:

Approved and authorized the Mayor to execute an initial three-year agreement with Merchants Landscape Services, Inc. for a total not-to-exceed contract value of \$2,285,361.18 per year with an option for two one-year renewals. **(Contract No. 21720)**

2.13 SECOND READING AND ADOPTION OF ORDINANCE NO. 24-18 APPROVING ZONE CHANGE 00937305-PZC TO ESTABLISH CITYWIDE OBJECTIVE DESIGN STANDARDS FOR MULTI-FAMILY RESIDENTIAL AND RESIDENTIAL MIXED-USE DEVELOPMENT PROJECTS

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 24-18 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00937305-PZC TO ESTABLISH CITYWIDE OBJECTIVE DESIGN STANDARDS FOR MULTI-FAMILY RESIDENTIAL AND RESIDENTIAL MIXED-USE DEVELOPMENT PROJECTS

(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.

2.14 SECOND READING AND ADOPTION OF ORDINANCE NO. 24-19 REGARDING TECHNICAL UPDATES TO THE MUNICIPAL CODE AND ZONING ORDINANCE

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 24-19 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00935551-PZC TO AMEND THE IRVINE ZONING ORDINANCE BY PROVIDING NEW AND REVISED ZONING PROVISIONS RELATED TO CHAPTER 1-2- DEFINITIONS; CHAPTER 2-14- HOME OCCUPATION; CHAPTER 2-15- INTERIM USE PERMIT; CHAPTER 2-18- COTTAGE FOOD OPERATOR PERMIT; CHAPTER 2-40- RESIDENTIAL SETBACK DEVIATION PROCEDURE; CHAPTER 3-3- LAND USE MATRIX; CHAPTER 3-8- WIRELESS COMMUNICATION FACILITY, SATELLITE DISH, AND ANTENNA STANDARDS; CHAPTER 3-10- CHILD CARE CENTER STANDARDS; CHAPTER 3-27- SETBACK STANDARDS; CHAPTER 3-35- WALL AND FENCE STANDARDS; CHAPTER 3-37- ZONING DISTRICT LAND USE REGULATIONS AND DEVELOPMENT STANDARDS; AND CHAPTER 4-3- AUTOMOBILE, MOTORCYCLE, HANDICAP, AND BICYCLE OFF-STREET PARKING REQUIREMENTS

(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.

2.15 SECOND READING AND ADOPTION OF ORDINANCE NO. 24-20 ADDING DIVISION 8 TO TITLE 3 AND AMENDING THE CITY OF IRVINE MUNICIPAL CODE AS NECESSARY DUE TO THE EXPANSION OF CITY COUNCIL MEMBERSHIP

This item was removed for separate discussion by Mayor Khan, who requested clarification on age requirements for members of the Senior Citizens Council.

Oliver Chi, City Manager, responded to questions.

City Council discussion included: inquiring about age requirements for the Senior Citizens Council and its applicability to a current appointee.

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

Read by title only, second reading and adoption of ORDINANCE NO. 24-20 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING DIVISION 8 TO TITLE 3 AND AMENDING THE CITY OF IRVINE MUNICIPAL CODE AS NECESSARY DUE TO THE EXPANSION OF CITY COUNCIL MEMBERSHIP

The motion carried as follows:

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

2.16 SECOND READING AND ADOPTION OF ORDINANCE NO. 24-21 REGARDING ADDITION OF DIVISION 12, TITLE 4 TO THE IRVINE MUNICIPAL CODE RELATING TO THE PROHIBITION OF UNAUTHORIZED CAMPING AND THE STORAGE OF PERSONAL PROPERTY IN PROHIBITED PUBLIC PLACES AND REMOVAL OF SEC. 6-3-5

ACTION:

Read by title only, second reading and adoption of ORDINANCE NO. 24-21 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING DIVISION 12 TO TITLE 4 OF THE IRVINE MUNICIPAL CODE RELATING TO THE PROHIBITION OF UNAUTHORIZED CAMPING AND THE STORAGE OF PERSONAL PROPERTY IN PROHIBITED PUBLIC AREAS AND REMOVAL OF SEC. 6-3-575 AND 6-3-585

(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 4-1 (Councilmember Treseder voted no).

2.17 SECOND READING AND ADOPTION OF ORDINANCE NO. 24-22 REGARDING MODIFICATIONS TO MAXIMUM WORKLOAD LIMITATIONS, MINIMUM COMPENSATION REQUIREMENTS, AND ASSOCIATED REGULATIONS APPLICABLE TO HOTEL WORKERS AND THEIR EMPLOYERS

This item was removed for separate discussion by Vice Mayor Agran, who sought to make amendments to the proposed ordinance.

Oliver Chi, City Manager, and Jeff Melching, City Attorney, responded to questions.

City Council discussion included: inquiring about the number of waiver applications filed with the City; questioned the timetable for second reading and next steps; inquired about the continuation of the exemption process in the event of hotel noncompliance; questioned whether the proposed ordinance would apply to general hotel workers or be limited to housekeepers only; inquired about hotels in Irvine with 50 rooms or less; questioned whether any hotel workers have benefitted from the existing ordinance; inquired about application of the ordinance to union or non-union hotels; and questioned the status of exemption hearings.

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

Reintroduce for first reading and read by title only ORDINANCE NO. 24-22 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, REVISING DIVISION 6 TO TITLE 3 OF THE IRVINE MUNICIPAL CODE REGARDING HOTEL WORKER PROTECTIONS, **as amended**, to include the following modifications:

- 1) Re-insert the special workload and compensation requirements adopted by the City Council in November 2022, through Ordinance No. 22-13.
- 2) Revise the exemption and waiver requirement in Section 3-6-104, so that any hotelier that pays its hotel workers a minimum of \$25 per hour is exempted from the special workload and compensation requirements, and that exemption would only be available upon all of the following requirements being satisfied:
 - a. The hotel makes a written demonstration that it is paying each hotel worker at least \$25 per hour.
 - b. The City Manager agrees that the hotelier's showing is sufficient; and
 - c. The hotel continues to pay each hotel worker at least \$25 per hour.

ACTION: A friendly amendment was made by Councilmember Kim, accepted by Vice Mayor Agran as the maker and Mayor Khan as the seconder, to:

Reintroduce for first reading and read by title only ORDINANCE NO. 24-22 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, REVISING DIVISION 6 TO TITLE 3 OF THE IRVINE MUNICIPAL CODE REGARDING HOTEL WORKER PROTECTIONS, **as amended**, to include the following modifications:

- 1) Re-insert the special workload and compensation requirements adopted by the City Council in November 2022, through Ordinance No. 22-13.

- 2) Revise the exemption and waiver requirement in Section 3-6-104, so that any hotelier that pays its hotel workers a minimum of \$25 per hour is exempted from the special workload and compensation requirements. That exemption would only be available upon all of the following requirements being satisfied:
 - a. The hotel makes a written demonstration that it is paying each hotel worker at least \$25 per hour.
 - b. The City Manager agrees that the hotelier's showing is sufficient; and
 - c. The hotel continues to pay each hotel worker at least \$25 per hour.

- 3) Insert a new Subsection A to Section 3-6-104 to read as follows: "The requirements of Section 3-6-103 shall not apply to a hotel with fewer than 50 guest rooms."

At Vice Mayor Agran's request and prior to the vote, the following additional public comments were received:

- Maria Mazariegos, organizer for Unite Here Local 11, spoke in opposition.
- An unidentified speaker spoke in opposition to previous comments made by Councilmember Carroll and in support of the labor movement.
- Tony Zand spoke in support of City collaboration with hoteliers pertaining to proposed revisions and the removal of provisions that exempt union properties.
- Alan Meyerson, Irvine resident, spoke in support of the union working with the hoteliers on behalf of workers rather than the City.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Agran and Kim

NOES: 3 COUNCILMEMBERS: Carroll, Treseder, and Khan

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None

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

Continue the item for consideration by the new City Council within 30 to 60 days.

3. CONSENT CALENDAR - CITY COUNCIL / GREAT PARK BOARD

3.1 FISCAL YEAR 2023-24 YEAR-END REPORT

ACTION:

- 1) Approved a budget adjustment allocating the Fiscal Year 2023-24 General Fund year-end of \$4.8 million and Special Funds year-end of \$1.2 million for continuing activities.
- 2) Adopted RESOLUTION NO. 24-89 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND SUPERSEDING RESOLUTION NO. 24-79, WHICH IS INCONSISTENT THEREWITH
- 3) Approved the closure of 63 Capital Improvement Program projects, continue 151 City and Great Park administered projects, and capital project adjustments.
- 4) Received and filed Community Facility District (CFD) annual reports for CFD 2004-1 Central Park, CFD 2005-2 Columbus Grove, and CFD 2013-3 Great Park.

ADJOURNMENT - SPECIAL JOINT MEETING WITH THE GREAT PARK BOARD

Moved by Councilmember/Director Kim, seconded by Councilmember/Chairman Carroll, and unanimously carried to adjourn the special joint meeting with the Great Park Board at 8:13 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Khan reconvened the City Council meeting at 8:13 p.m.

4. COUNCIL BUSINESS

4.1 CONSIDERATION OF A REQUEST BY COUNCILMEMBER CARROLL TO DISCUSS REZONING OF THE BOOMERS FAMILY AMUSEMENT PARK AND IRVINE BOWLING LANES SITES AND CONFIRMING THEIR ORIGINAL MASTER PLAN ZONING FOR COMMERCIAL RECREATION

This item was agendaized at the request of Councilmember Carroll, who asked for City Council consideration to discuss the rezoning of Boomers family amusement park and Irvine Bowling Lanes sites and confirming their original master plan zoning for commercial recreation.

Oliver Chi, City Manager, responded to questions.

The following individuals spoke in support:

- Susan Sayre, Irvine resident
- Alan Meyerson, Irvine resident
- Dee Fox, Irvine resident

James spoke in opposition to rezoning the sites solely for commercial recreation due to impacts on housing production.

City Council discussion included: inquiring about zoning restrictions related to commercial entertainment; questioned the ability of Boomers and Irvine Lanes to remain at their current location if desired; inquired about the wishes of the property owners and other stakeholders; questioned the unit allocation for Zoning Code 4.2A; and questioned ownership of the land at the sites.

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

- 1) Affirm the City's opposition to the land uses facilitated by the zoning overlay for the Boomers family amusement park and Irvine Bowling Lanes sites.
- 2) Direct staff to develop an implementation plan to maintain the Commercial Recreation zoning and use of the properties occupied by Boomers family amusement park and Irvine Bowling Lanes.

ACTION: A substitute motion was made by Councilmember Kim, seconded by Councilmember Treseder, to:

Continue the item to a date uncertain for consideration by the new City Council.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Kim and Treseder

NOES: 3 COUNCILMEMBERS: Agran, Carroll, and Khan

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None

Following the vote on the substitute motion, a vote was taken on the main motion.

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

- 1) Affirm the City's opposition to the land uses facilitated by the zoning overlay for the Boomers family amusement park and Irvine Bowling Lanes sites.
- 2) Direct staff to develop an implementation plan to maintain the Commercial Recreation zoning and use of the properties occupied by Boomers family amusement park and Irvine Bowling Lanes.

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Agran, Carroll, Kim, and Khan

NOES: 1 COUNCILMEMBERS: Treseder

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None

4.2 CONSIDERATION OF A REQUEST BY COUNCILMEMBER TRESEDER TO CONSIDER ADJUSTMENTS TO IRVINE'S DEFAULT ELECTRICAL POWER MIX PROFILE THROUGH ORANGE COUNTY POWER AUTHORITY

This item was agendaized at the request of Councilmember Treseder, who asked for City Council consideration to adjust Irvine's default electrical power mix profile through Orange County Power Authority (OCPA).

The following individuals provided a brief overview of the Orange County Power Authority's procurement strategy for the City of Irvine and responded to questions:

- Joe Mosca, Chief Executive Officer;
- Tiffany Law, Chief Financial Officer;
- Louis Ting, Director of Power Resources;
- Owen Lee, Director of Finance & Data Analytics; and
- Jacquie Henderson, Director of Communications & External Affairs

Oliver Chi, City Manager, also responded to questions.

The following individuals spoke in opposition to OCPA's proposed changes to the procurement strategy for the City of Irvine:

- Alan Meyerson, Irvine resident
- Vicki Johnson
- Harvey Liss, Irvine resident
- Mona
- Sarah
- Jim Phelps
- Dee Fox, Irvine resident

Yui Saito and Kyler Chin, Irvine residents, spoke in support of Orange County Power Authority.

City Council discussion included: inquiring about experiences and responses by Southern California Edison and other Community Choice Aggregation programs to energy market volatility; discussed proposed tier and rate changes for impacted customers; inquired about the timeline of OCPA's notification related to the need for the proposed power mix adjustments; questioned recommendations and OCPA plans for similar situations in the future; inquired about the impact on rates for the 100% Renewable Choice tier; discussed the rationale for transitioning customers to the Basic Choice tier; inquired about the

percentage of renewable energy delivered to homes; discussed opting down to lower tiers and what was most beneficial; inquired about actions taken by other cities; questioned carbon-free energy; inquired about the cost of the Riverside project; discussed the amount of renewable energy provided to other states; questioned OCPA's reserve balances; suggested the repayment of the City's loan to OCPA; noted the lack of upfront costs for other municipalities; discussed improvements implemented by OCPA; questioned the impact of the issuance of a notice of intent to withdraw from OCPA; inquired about the lack of financial penalties for other local government entities that have withdrawn from OCPA; and questioned the timeline for action by other municipalities.

ACTION: Moved by Councilmember Treseder, seconded by Councilmember Kim, to:

Take the following action with respect to Orange County Power Authority (OCPA):

- 1) Leave the OCPA rate design unchanged.
- 2) Temporarily opt down Irvine customers to the Smart Choice tier as the default rate for 2025 and 2026.
- 3) Allow individual customers to opt up to 100% Renewable Choice or opt down to Basic Choice at any time, or leave altogether to Southern California Edison.
- 4) Conduct a renewable energy content adjustment to temporarily reduce renewable energy content in Smart Choice to 55% for 2025 and 60% for 2026, supplemented with 40% carbon-free energy content each year.

ACTION: A friendly amendment was made by Mayor Khan, accepted by Councilmember Treseder as the maker of the motion, to:

Take the following action with respect to OCPA:

- 1) Leave the OCPA rate design unchanged.
- 2) Temporarily opt down Irvine customers to the Smart Choice tier as the default rate for 2025 and 2026.
- 3) Allow individual customers to opt up to 100% Renewable Choice or opt down to Basic Choice at any time, or leave altogether to Southern California Edison.
- 4) Conduct a renewable energy content adjustment to temporarily reduce renewable energy content in Smart Choice to 55% for 2025 and 60% for 2026, supplemented with 40% carbon-free energy content each year.

- 5) Leave customers at the Smart Choice tier after 2026 unless they request to opt up to the 100% Renewable Choice tier.

The friendly amendment was not accepted by Councilmember Kim as the seconder.

ACTION: A substitute motion was made by Vice Mayor Agran, seconded by Mayor Khan, to:

Direct the City Manager to contact the appropriate authorities to opt down the City of Irvine as an OCPA customer to the Basic Choice tier.

ACTION: A second substitute motion was made by Councilmember Kim, seconded by Councilmember Treseder, to:

- 1) Direct the City Manager to contact the appropriate authorities to opt down the City of Irvine as an OCPA customer to the Basic Choice tier.
- 2) Move Irvine residents down to the Smart Choice tier.
- 3) Direct Councilmember Treseder, if still a member of the OCPA Board of Directors, to request a repayment of the City of Irvine's \$7.5 million investment in the agency.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Kim and Treseder

NOES: 3 COUNCILMEMBERS: Agran, Carroll, and Khan

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None

Following a vote on the second substitute motion, a vote was taken on the first substitute motion.

ACTION*: A substitute motion was made by Vice Mayor Agran, seconded by Mayor Khan, to:

Direct the City Manager to contact the appropriate authorities to opt down the City of Irvine as an OCPA customer to the Basic Choice tier.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Carroll, and Khan

NOES: 2 COUNCILMEMBERS: Kim and Treseder

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None

* The substitute motion carried and took precedence over the main motion; therefore, a vote was not taken on the main motion.

Following a vote on the substitute motion, Councilmember Treseder made a new motion.

ACTION: Moved by Councilmember Treseder, seconded by Councilmember Kim, to:

- 1) Leave the OCPA rate design unchanged.
- 2) Opt down residents and businesses in Irvine to Smart Choice as the default rate product, with the option to move up or down.
- 3) Adjust the renewable energy content down to 55% for 2025 and 60% for 2026 for the Smart Choice tier, supplemented with 40% carbon-free content each year.
- 4) Direct Councilmember Treseder, if still a member of the OCPA Board of Directors, to request a repayment of the City of Irvine’s \$7.5 million investment in the agency.

ACTION*: A substitute motion was made by Vice Mayor Agran, seconded by Mayor Khan, to:

Continue this matter to a meeting of the new City Council in December 2024.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Agran, Carroll, and Khan

NOES: 2 COUNCILMEMBERS: Kim and Treseder

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None

* The substitute motion carried and took precedence over the main motion; therefore, a vote was not taken on the main motion.

ADJOURNMENT - CITY COUNCIL

Moved by Vice Mayor Agran, seconded by Councilmember Kim, and unanimously carried to adjourn the meeting at 11:01 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

January 14, 2025