



MINUTES

CITY COUNCIL REGULAR MEETING

May 24, 2022
City Council Chamber
1 Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 5:56 p.m. on May 24, 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

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. SCOPING SESSION

1.1 IRVINE 2045 – GENERAL PLAN UPDATE

Mayor Khan announced that this item would be continued to the next City Council meeting of June 14, 2022.

2. CLOSED SESSION

City Attorney Melching announced the following Closed Session Items:

2.1 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

2.2 * CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1) - County of Orange v. City of Irvine, Sacramento Superior Court Case No. 34-2018-00232248, consolidated and/or related with Case No. 34-2018-80002879, Case No. 34-2018-80002878, Case No. 34-2018-80002883, Case No. 34-2019-80003156, Case. No. 34-2019 80003154, and Case No. 34-2019-80003157 (County 100 Acres and West Alton Parcels Litigation)

There were no requests to speak.

RECESS

Mayor Khan recessed the City Council meeting to Closed Session at 6:02 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Khan reconvened the City Council meeting at 7:08 p.m. City Attorney Melching, on behalf of the City Council, announced that there was no reportable action taken in Closed Session.

PLEDGE OF ALLEGIANCE

Councilmember Agran led the Pledge of Allegiance.

INVOCATION

Vice Mayor Kuo provided the invocation.

MOMENT OF SILENCE

Mayor Khan asked for a moment of silence in memory of the 19 students and 3 adults who succumbed to fatal injuries from the Uvalde Elementary School mass shooting.

3. PRESENTATIONS

3.1 *Road Maintenance Program*

Mayor Khan introduced Steven Carrillo, Manager of Engineering/City Engineer, who provided a brief update on road maintenance and pavement improvements throughout the City of Irvine.

City Council discussion included: noting public inquiries regarding road improvements on Culver between California Interstate 5 and Walnut; inquired about pothole mitigation and how motorists could report potholes; and inquired about average response times to remedy potholes.

There were no requests to speak.

PUBLIC COMMENTS - AGENDIZED ITEMS

Item No. 4.5

The following individuals spoke in support of the proposed memorandum of understanding with the United States Marine Corps, Flying Leatherneck Historical Foundation.

- Amadeo Rodriguez, U.S. Marine Corps
- Hugo Gonzalez, U.S. Marine Corps
- Colonel Tom O'Malley, U.S. Marine Corps
- Pete Bowen, Orange County resident

Item No. 6.2

Esteven Gomez, President of the Long Beach LGBTQ+ Chamber of Commerce, spoke in support of the proposed procurement policy to include members of the LGBTQ+ community for business services.

PUBLIC COMMENTS - NON-AGENDIZED ITEMS

Sandra Rush, Irvine resident, made recommendations for improving the aesthetics of utility boxes operated by AT&T and Southern California Edison; and in support of retail growth and development in the Woodbridge Center.

Robin Gurien, Irvine resident, spoke in support of promoting public trust of local officials.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Agran made the following announcements:

- His office joined the Irvine Climate Coalition to host the first sustainability "Earth Year" event held at Heritage Park on May 14, 2022, and expressed appreciation to Climate Action Campaign, Reform and Sustain, Climate Reality OC, Irvine United Congregational Church, Non-Toxic Neighborhoods, Green Team, Irvine Valley College, OC Fire Watch, Irvine Ranch Conservancy, HERD Foundation, Orange County Beekeepers Association, UCI Biology Department, University High School, Chapman University Science Lab, California Public Interest Research Group (CALPIRG), Visions by Ehsan, Sunrise movement OC, On the Road for Climate Action, Laughter Yoga Institute, Sage Environmental Group, and Sunrise Movement OC for their collaboration in hosting the event.
- All American Asphalt, located in North Irvine, self-reported annual emissions data in 2021, indicating that the company was the leader in benzene emissions in the City; and that the report exceeds the acceptable levels outlined by Irvine Clean Air Act. Councilmember Agran also noted that All American Asphalt had not yet filed Title 5 reports as required by law.
- On May 3, 2022, the Orange County Power Authority (OCPA) Board disclosed a levied penalty of \$1.9 million with an imposed deadline of May 20, 2022, by the California Public Utilities Commission (CPUC) for failure to meet its resource adequacy requirements.

Vice Mayor Kuo made the following announcements:

- A total of 1,357 students 4th through 8th-grade participated in the May 13, 2022, Irvine Junior Games, which raises scholarship funds for before and after school daycare.

- The Orange County Fire Authority honored Captain Travis Willis and Engineer Mike Kettleson for achieving the Firefighter of the Year Award.
- Vice Mayor Kuo and Mayor Khan recently visited Sierra Middle School where students who participated in the Science Olympiad won the State Championship and Division B National Championship.
- Vice Mayor Kuo congratulated Community Emergency Response Team (CERT) Class 85 and the Community Police Academy Class 35 on their recent graduations.
- Vice Mayor Kuo, along with representatives from the Orange County Fire Authority and Irvine Police Department, recognized faculty members Kathryn Cleek and Britney Frymire from Portola High School for rescuing a freshman student that collapsed on campus.
- Vice Mayor Kuo and Mayor Khan hosted representatives from Cox Communications and the C-Span competition to recognize Irvine Students Sharon Chen and Amber Khauv for their documentary on the history of space travel in the United States.
- Vice Mayor Kuo was recently appointed by the City Selection Committee to serve on the Orange County Emergency Medical Services Committee.

Councilmember Kim announced that she was invited to join the Irvine Rotary for its Annual "Service Above Self High School Awards", which recognizes Irvine Unified School District students, and congratulated students that received a \$1,000 college scholarship, as well as those who participated in the event.

Mayor Khan expressed her appreciation to the City of Irvine Public Works and Transportation Department for its recent display at Great Park for National Public Works Week; and made the following announcements:

- Members of the community are invited to pay their respects and honor those who have given their lives while defending our nation at two Memorial Day events. On Sunday, May 29, at 4 p.m., a special candle lighting ceremony will be held at the Northwood Gratitude and Honor Memorial at Northwood Community Park. Guest speakers Jim and Carla Hogan, Gold Star parents of Lance Corporal Donald J. Hogan, who lost his life while serving our nation in Afghanistan will honor fallen military. The ceremony is held in partnership with the Northwood Memorial Committee. On Monday, May 30, at 10 a.m., the City is hosting its annual Memorial Day Ceremony in the Formal Garden at Colonel Bill Barber Marine Corps Memorial Park. A Commanding Officer from Irvine's adopted 2/11 Marine Battalion will speak to pay tribute to our military fallen. Guests will have the opportunity to honor family and friends who have died in the line of duty by posting a brief remembrance on a memory board at the event.

Cards will be available for well-wishers to send a message of appreciation and support to members of Irvine's adopted 2/11 Marine Battalion. For more information, call 949-724-6606 or visit cityofirvine.org.

- The 28th Annual Studio Arts Festival will be held at the Irvine Fine Arts Center on Saturday, June 4, from 9 a.m. to 5 p.m. More than 100 artists will display and sell a variety of original art, including ceramics, sculpture, jewelry, painting, photography, woodworking, and glass. The festival will also feature art demonstrations and food. Admission and parking are free. For more information, visit IrvineFineArts.org or call 949-724-6880.
- The Irvine Animal Care Center will hold its annual Super Pet Adoption event on Sunday, June 5 from 10 a.m. to 3 p.m. 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 humans. Cats, dogs, and rabbits available for adoption are spayed or neutered and microchipped. Cats and dogs are vaccinated appropriate to age. Advance ticket purchase is required. Learn more about the event at IrvineAnimals.org/SuperPet.
- Fifteen Vote Centers will be available in Irvine for the upcoming Statewide Direct Primary Election on June 7. Three Vote Centers will open this Saturday, May 28 at the Irvine Civic Center (which will also have a drive-thru ballot drop-off option), Los Olivos Community Center, and Portola Springs Community Center. Twelve additional Vote Centers will open June 4. All registered voters should have received a vote-by-mail ballot. In lieu of voting in person, voters can drop off their completed ballots at:
 - Any Orange County Vote Center
 - A secured ballot drop box in Orange County, with 10 locations in Irvine
 - Any U.S. mailbox

Visit cityofirvine.org/election or ocvote.gov for detailed information on voting options, Vote Center location information, and additional resources.

- The Irvine Police Department, in partnership with Be Well OC, will launch the City of Irvine's Mobile Crisis Response Team on May 31. Recognizing there may be ways to enhance our support of those suffering from mental illness in our community, last year the Irvine Police Department was directed to explore the Mobile Crisis Response Team model. Following that exploration, The City Council subsequently approved a one-year pilot program with Be Well OC. The Be Well OC program embeds the crisis response team into the City's police response systems. Police dispatchers are trained to triage and divert certain calls for service to the new team.

These calls are carefully screened to exclude those involving violence, weapons, and other situations where the presence of a uniformed police officer would be needed. The non-emergency calls these teams would handle include mental illness, substance abuse, and homelessness. The team is staffed by experienced crisis counselors who specialize in the care and management of these types of incidents. Learn more at cityofirvine.org/bewellirvine.

- The City is proud to partner again with HomeAid Orange County in support of its annual Diaper Drive. Now through June 9, drop off new, unopened packages of diapers, wipes, and baby food at City Hall or Great Park. This annual drive seeks to gather one million essential items for the many families with babies and toddlers experiencing homelessness in our community. Donations can be dropped off during operating hours, and can also be made online. For more information, visit homeaidoc.org/events/diapers.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

4. CONSENT CALENDAR

ACTION: Moved by Vice Mayor Kuo, seconded by Mayor Khan, and unanimously carried to approve Consent Calendar Item Nos 4.1 through 4.13

4.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on April 26, 2022.

4.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed June 2022 as "Men's Health Month."
- 2) Proclaimed June 2022 as "LGBTQ+ Pride Month."
- 3) "Proclaimed June 3, 2022, as "National Gun Violence Awareness Day."

4.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 22-45 - 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" remain valid and applicable, so as to allow for remote participation in public meetings for the next 30 days.

4.5 MEMORANDUM OF UNDERSTANDING BETWEEN THE TRAINING AND EDUCATION COMMAND (TECOM) OF THE UNITED STATES MARINE CORPS, THE FLYING LEATHERNECK HISTORICAL FOUNDATION/FLYING LEATHERNECK AVIATION MUSEUM (FLHF/FLAM) AND THE CITY OF IRVINE

ACTION:

Approved the Memorandum of Understanding between the Training and Education Command (TECOM) of the United States Marine Corps., the Flying Leatherneck Historical Foundation/Flying Leatherneck Aviation Museum (FLHF/FLAM) and the City of Irvine, and authorize the City Manager to execute the agreement attached to the staff report.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 5-0.

4.6 APPROVAL OF THE 2022-2025 CONSULTANT TEAM

ACTION:

- 1) Approved the City of Irvine's 2022-2025 Consultant Team for professional consultant services for a three-year period from July 1, 2022 through June 30, 2025, as set forth in the Recommended 2022-2025 Consultant Team List.
- 2) Authorized department directors to execute master contracts with the recommended Consultant Team firms.

4.7 APPOINT MARK D. ALVARADO, CPA, AS AN INTERIM RETIRED ANNUITANT TO THE VACANT POSITION OF DIRECTOR OF FINANCIAL MANAGEMENT AND STRATEGIC PLANNING

ACTION:

Approved the appointment of Mark D. Alvarado, CPA, as an Interim Retired Annuitant to the vacant position of Director of Financial Management and Strategic Planning.

4.8 IRVINE RECOVERY PLAN PROJECT FUNDING REALLOCATION FOR THE GREAT PARK

ACTION:

Approved a budget adjustment in the amount of \$400,000 for Landscape Maintenance Contract Services at the Great Park.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 5-0.

4.9 MEASURE M2 ENVIRONMENTAL CLEANUP GRANT APPLICATION – CITYWIDE RETROFIT OF CATCH BASINS WITH TRASH FILTERS – PHASE 3

ACTION:

Adopted RESOLUTION NO. 22-46 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE MEASURE M2 TIER 1 ENVIRONMENTAL CLEANUP PROGRAM

4.10 APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS FOR THE VALLEY OAK FIBER INSTALLATION

ACTION:

- 1) Approved the plans, specifications, and contract documents for the Valley Oak Fiber Installation.
- 2) Approved the Engineer's Estimate, Construction Contingency, and Project Funding Summary.
- 3) Authorized 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.

4.11 CONTRACT AWARD FOR TREE-TRIMMING SERVICES

ACTION:

Approved and authorized the Mayor to execute a tree maintenance service contract with Great Scott Tree Services, Inc., the lowest responsive and responsible bidder, for an annual not-to-exceed amount of \$3,099,650.

4.12 SECOND READING AND ADOPTION OF ORDINANCE NO. 22-06 AMENDING SECTION 5-9-205 OF CHAPTER 2 OF DIVISION 9 OF TITLE 5 OF THE MUNICIPAL CODE RELATING TO CERTAIN CONTRACTOR DISCLOSURES

ACTION:

Read by title only, second reading and adoption of 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

(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 Carroll voted no)

4.13 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Councilmember Kim's request for Community Partnership Fund Grant Nominations to the following organization in support of program costs:
 - a) Korean American Publication Action Committee (KAPAC) (\$1,500)
 - b) Korean American Federation of Orange County (\$1,200)
 - c) Northwood Little League (\$1,000)

- 2) Approved Councilmember Agran's request for Community Partnership Fund Grant Nominations to the following organization in support of program costs:
 - a) National Alliance on Mental Health (NAMI) (\$2,000)
 - b) South Coast Chinese Cultural Association (\$2,000)
 - c) Newport Mesa Irvine Interfaith Council (\$1,500)
 - d) Friends of Outreach (\$1,500)

- 3) Approved Councilmember Carroll's request for Community Partnership Fund Grant Nominations to South Coast Chinese Cultural Association in the amount of \$2,500 in support of program costs.
- 4) Authorized the City Manager to prepare and sign a funding agreements for individual awards of \$1,000 or more.

5. PUBLIC HEARINGS

5.1 **ZONING ORDINANCE UPDATE REGULATING SINGLE FAMILY RESIDENTIAL DUPLEXES AND URBAN LOT SPLITS**

Mayor Khan opened the public hearing at 7:53 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: acknowledging the impacts of the proposed ordinance on local planning and homeowner associations; suggested contacting local state legislators for assistance in amending Senate Bill 9 (SB 9); noted recent correspondence supporting adoption of the proposed ordinance; inquired about the application of SB 9 on land owned by the University of California, including lot splitting; questioned whether SB 9 and the proposed ordinance accounted for school formulation, sanitation, trash hauling, fire protection, and other municipal services; and inquired about parking and park in-lieu fees.

Cherry Lai, Irvine resident, spoke in support of the proposed ordinance.

ACTION: Moved by Councilmember Carroll, seconded by Councilmember Kim, and unanimously carried to close the public hearing at 8:06 p.m.

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

Introduce for first reading and read by title only ORDINANCE NO. 22-10 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE CALIFORNIA, ADDING CHAPTER 42 TO DIVISION 3 OF THE CITY OF IRVINE ZONING ORDINANCE REGULATING SINGLE FAMILY RESIDENTIAL DUPLEXES, AND ADDING CHAPTER 43 TO DIVISION 3 OF THE CITY OF IRVINE ZONING ORDINANCE REGULATING URBAN LOT SPLITS (00864201-PZC)

The motion carried as follows:

AYES:	3	COUNCILMEMBERS	Agran, Kim, and Khan
NOES:	2	COUNCILMEMBERS:	Carroll and Kuo
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None

6. COUNCIL BUSINESS

6.1 UPDATE TO VACCINATION REQUIREMENTS FOR IN-PERSON CONGREGATE MEAL PROGRAM

Cory Hilderbrand, Community Services Manager, provided the staff report and responded to questions.

City Council discussion included: questioning outreach efforts to participants of the congregate meal program in repealing vaccination requirements; inquired about the vaccination prerequisites for public entry; expressed concern about another potential wave of the pandemic and the need to protect the elderly population; inquired about the Meals on Wheels program; and questioned state and county recommendations for repealing existing policies.

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

Introduce for first reading and read by title only ORDINANCE NO. 22-11 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, REPEALING REQUIREMENTS FOR PROOF OF VACCINATION FOR PARTICIPATION IN IN-PERSON CONGREGATE MEAL PROGRAM

The motion carried as follows:

AYES:	3	COUNCILMEMBERS	Carroll, Kuo, and Khan
NOES:	2	COUNCILMEMBERS:	Agran and Kim
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None

6.2 CONSIDERATION OF A REQUEST BY MAYOR KHAN FOR INCLUSIVE PROCUREMENT AND BUSINESS OUTREACH

This item was agendized at the request of Mayor Khan, who asked for City Council consideration to provide new opportunities and specialized resources for local business owners, including the LGBTQ+ community.

City Council discussion included: inquiring about the approval process of the proposed procurement policy and eligibility guidelines; inquired about historical practices and whether any discrimination of local business groups had occurred in the past; questioned how a similar program worked in the City of Long Beach; and recommended that that a comprehensive policy be agendized at a later date for City Council review.

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

- 1) Direct the City Manager to incorporate businesses that are majority owned by people who identify as LGBTQ+, veterans, and people with disabilities in the City's procurement and purchasing process.
- 2) Recognize nationally approved third-party certifications for businesses, including but not limited to those certified by the National LGBT Chamber of Commerce (LGBT Business Enterprises / LGBTBEs), National Veteran Owned Business Association (Veteran Owned Business Enterprises / NOBEs), and Disability: IN (Disability Owned Business Enterprises / DOBEs).
- 3) In partnership with the National LGBT Chamber, the National Veteran Business Development Council, and Disability: IN, conduct outreach to identify Irvine based businesses that are at least 51% owned by people who identify as LGBTQ+, veterans, and people with disabilities.
- 4) Widely distribute City procurement opportunities with those identified businesses, and include associated information regarding those certifications in reports prepared for City Council regarding outreach and contracts awarded.
- 5) Adopt RESOLUTION NO. 22-47 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, RELATING TO INCLUSIVE PROCUREMENT PROCEDURES

The motion carried as follows:

AYES:	3	COUNCILMEMBERS	Agran, Kim, and Khan
NOES:	2	COUNCILMEMBERS:	Carroll and Kuo
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None

ADJOURNMENT

Moved by Councilmember Kim, seconded by Councilmember Carroll, and unanimously carried to adjourn the regular City Council meeting at 8:58 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

June 28, 2022