



MINUTES

CITY COUNCIL REGULAR MEETING

October 22, 2024
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 4:05 p.m. on October 22, 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

1. CLOSED SESSION

City Attorney Melching announced the following Closed Session items:

- 1.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8) – Property: APN 10435508, Irvine; Agency Negotiators: Oliver Chi, City Manager; Pete Carmichael, Assistant City Manager; Chris Slama, Director of Community Services; Jeffrey Melching, City Attorney; Negotiating Parties: City of Irvine; The County of Orange; Under Negotiation: Lease Terms**

**1.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code § 54956.8) – Property: APN 45202112, Irvine;
Agency Negotiators: Oliver Chi, City Manager; Pete Carmichael,
Assistant City Manager; Jeffrey Melching, City Attorney;
Negotiating Parties: City of Irvine; The Irvine Company; Under
Negotiation: Price and Terms of Payment**

There were no requests to speak.

RECESS

Mayor Khan recessed the City Council meeting to Closed Session at 4:09 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Khan reconvened the City Council meeting at 5:02 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

Following City Attorney Melching’s announcement, City Manager Chi noted the continuance of Public Hearing Items 4.1, 4.2, and 4.3 to the November 12, 2024, City Council meeting. He also announced that any members who wished to speak on these items would have the opportunity to do so under “Public Comments – Non-agendized Items”.

PLEDGE OF ALLEGIANCE

Councilmember Treseder led the Pledge of Allegiance.

INVOCATION

Malti Maheta, Founding Member of the Indian Community of Irvine, provided the invocation.

2. PRESENTATIONS

2.1 Tustin Unified School District

Mayor Khan introduced Dr. Maggie Villegas, Assistant Superintendent, who provided a brief overview of Tustin Unified School District’s mission and programs through its partnership with the City of Irvine.

“Recall Tammy” spoke in support of the City’s partnership with Tustin Unified School District.

There was no City Council discussion.

By consensus, received and filed.

PUBLIC COMMENTS - NON-AGENDIZED ITEMS

Wing Chow, Irvine resident, 1) expressed appreciation to the City Clerk’s Office for its assistance during the election; 2) suggested that the diagram reflected in the campaign sign ordinance be modified for clarity, and 3) spoke in support of requiring candidates to list their full-time jobs as ballot designations along with documentation reflecting their education and work experience.

Susan Sayre, Irvine resident, spoke in support of a partnership with University of California, Irvine, to develop an Anteater/Irvine CONNECT public transportation system, and expressed appreciation to City staff for installing a bus bench in front of the Regents Point Senior Community.

Gang Chen, Irvine resident, spoke in opposition to the Bowerman Landfill expansion and the proposal to build 57,000 new homes within close proximity; and in support of retail, a comprehensive school bus system, a smaller amphitheater, and library at Great Park.

Ron Scolesdang, Irvine resident, spoke in support of the City partnering with an e-bike safety certification program.

Sarah spoke 1) in opposition to Councilmember Kim and Fullerton Mayor Pro Tem Fred Jung serving together on the Orange County Power Authority (OCPA) Board of Directors; 2) in opposition to Councilmember Kim’s absence at the League of California Cities Annual Conference; and 3) in support of an investigation into Councilmember Kim’s voting history and spending related to serving on the OCPA board.

Jason Garshfield spoke in opposition to a letter signed by Mayor Khan and Vice Mayor Agran requesting that the Orange County District Attorney drop charges against protestors at the University of California, Irvine, and suggested that Vice Mayor Agran denounce antisemitic hatred.

Mona spoke in opposition to anti-Muslim rhetoric and Councilmember Kim’s absence as a voting delegate at the League of California Cities Annual Conference, and in support of an investigation into Councilmember Kim’s expenditures and voting record.

Michael Ellison and Kenneth Hirst spoke in opposition to the issuance of a permit for a cell phone tower at 4918 Irvine Center Drive.

Wendy, Irvine resident, spoke in opposition to perceived control of Planning matters by the Deputy City Attorney.

Vicki Johnson, Laguna Woods resident, spoke in support of withdrawing from the Orange County Power Authority.

Harvey Liss, Irvine resident, 1) spoke in opposition to the placement of campaign signs in front of Vice Mayor Agran's, 2) spoke in opposition to being characterized as antisemitic, 3) the Casco agreement, 4) the addition of 15,000 new housing units in the Irvine Business Complex, and 5) Councilmember Kim's acceptance of campaign contributions from the Orange County Professional Firefighters Association while considering Irvine's participation in the Orange County Fire Authority.

Yael Shany, Irvine resident, 1) spoke in opposition to postponing the appeal related to a proposed cell phone tower at 4918 Irvine Center Drive; and 2) inquired about the lack of an investigation into funds spent on the Great Park, and 3) noted the City's lack of fulfilling its promise of a Great Park larger than Central Park.

Lurette Forrest spoke 1) in support of the Armenian Genocide memorial at the Great Park, 2) in support of the letter from Mayor Khan and Vice Mayor Agran to the Orange County District Attorney requesting charges be dropped for protestors at the University of California, Irvine, and 3) noted a lack of public trust due to recent events in Orange County.

Karen J. spoke in support of an investigation into the knocking over of campaign signs; 2) in opposition to stalking and personal attacks on candidates, 3) referenced Vice Mayor Agran's voting history, and 4) spoke in opposition to Vice Mayor Agran's connection with Irvine Community News & Views.

Janet Hsu spoke in support of City Council protection against the power of the contracted Deputy City Attorney.

Gil Nelsen spoke 1) in opposition to an alleged inappropriate relationship involving Councilmember Kim; 2) in support of a City Council censure of Councilmember Kim, and 3) in support of Councilmember Kim's resignation or removal from the OCPA Board of Directors.

Nikita Ganatra, Lake Forest business owner, noted the current state of education as it relates to Irvine Unified School District and needs of parents within the district.

Eric Neshanian, Irvine resident, spoke 1) in opposition to the inconsistency of non-English language signs with the General Plan, and 2) noted Mayor Khan's record in office.

"Moms phone" spoke in opposition to Councilmember Kim's fundraising practices and discrepancies in her campaign filings, and noted multiple Fair Political Practices Commission (FPPC) complaints filed against her.

Tiffany Im, Irvine resident, 1) noted an increase in the number of observed unhoused individuals and spoke in support of directing them to community resources; 2) spoke in support of promoting the Access Irvine phone application, and 3) in opposition to the mention of alleged affairs of elected officials.

Lulu Hammad spoke 1) in opposition to an alleged inappropriate relationship involving Councilmember Kim, and 2) in support of an investigation into Councilmember Kim's conduct and expenses, noting complaints filed against her with the Fair Political Practices Commission (FPPC).

(949) ***-*347 spoke in opposition to the lack of transparency related to OCPA and in support of withdrawal from the agency.

"Recall Tammy" spoke in support of Councilmember Kim recusing herself from OCPA matters and those heard by other boards she serves on with Fullerton Mayor Pro Tem Fred Jung, and in support of an investigation into Councilmember Kim's alleged inappropriate relationship.

Doug Elliott, Irvine resident, spoke in opposition to the politics of personal destruction.

Alexandria Barr, Irvine resident, spoke in opposition to the lack of substantive discussion at the City Council meeting.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Khan

- Mayor Khan and City staff attended the League of California Cities Annual Conference in Long Beach over the last week, which included several general sessions and the Mayor's moderation of two well-attended panels related to wildfire preparedness/prevention and the rise of e-bikes.
- Members of the public are invited to join Mayor Khan and Commissioner Darcie Houck from the California Public Utilities Commission (CPUC) on Friday, October 25, from 9:30 a.m. to 5 p.m. for a Climate Adaptation Community Engagement and Equity Workshop at the Quail Hill Community Center. The CPUC is hosting these workshops to strengthen relationships with local organizations as they seek to improve policies that can ensure equity and resilient energy services. To register, visit tinyurl.com/CPUCIrvine.

- On Monday, October 28, from 6 to 9 p.m., Mayor Khan will scoop for a cause at Handel's Ice Cream at Alton Square in support of the Irvine Children's Fund.
- Members of the public are invited to pay tribute to veterans and their families at a special Veterans Day Ceremony on Monday, November 11, from 11 a.m. to 12:30 p.m. in the formal garden area at Colonel Bill Barber Marine Corps Memorial Park. Among those honored will be the nation's past and present troops, local veterans, veteran groups, and military organizations. For more information, call 949-724-6606 or visit cityofirvine.org/specialevents.
- The community is invited to attend the 42nd annual Holiday Faire on Saturday, November 9, from 10 a.m. to 4 p.m. at the Great Park. This year's faire continues a tradition of supporting and celebrating the art community, with more than 100 local and regional artisans showcasing unique handmade gifts for purchase, including holiday decorations, hand-blown glass, ceramics, jewelry, folk crafts, and clothing. The event will take place throughout the Great Park Palm Court Arts Complex and will feature live music in a creative-focused atmosphere. Admission is free and open to the public. For more information, visit irvinefinearts.org/holidayfaire.
- Beginning on Saturday, October 26, three Vote Centers will open in Irvine, providing more early voting opportunities for the November 5 General Municipal Election, which include Los Olivos Community Center, Portola Springs Community Center, and the Irvine Civic Center, which will also include a drive-thru drop-off option. Twelve additional Vote Centers will open in Irvine on Saturday, November 2. Voters can also mail their ballots or deliver them to any secure Ballot Drop Box in Orange County. This is the City's first district-based election. Voters in every district have the opportunity to elect a Mayor for a two-year term. Voters in Districts 1, 2, 3, and 4 will elect a Councilmember to represent their districts. Voters in Districts 5 and 6 will vote for a Councilmember to represent their districts in November 2026. Until then, residents will continue to be represented by Councilmembers at-large. Members of the public can view the interactive district dashboard at cityofirvine.org/yourdistrict to find their district. For more information on the election, including Vote Center hours and locations, visit cityofirvine.org/election.
- The City of Irvine has partnered with Love Irvine for the fourth annual Love Irvine Citywide Serve Day on Saturday, November 2, from 7:30 a.m. to noon. Residents will have the ability to connect with others who want to participate in volunteer opportunities, which include: harvesting produce at Harvest Solutions Farm; sorting food at Families Forward and South County Outreach; making blankets for the 2/11 Marine Battalion; organizing clothing at Working Wardrobes; teaching technology to seniors; and packing 30,000 meals to feed hungry children. A kickoff event will begin at 7:30 a.m. at Heritage Community Park, and afterward, volunteers will report to their respective volunteer locations. To view Love Irvine's Citywide Serve Day projects and register, visit loveirvine.org/serveday.

Councilmember Carroll

- Councilmember Carroll provided an update regarding the proposed dog park in Oak Creek Community Park, resident engagement efforts, and collaboration with City staff to ensure that concerns were addressed before any construction takes place. The City will hold an Oak Creek Dog Park Listening Session on Wednesday, October 23, at 6 p.m. at the Operations Support Facility at 6427 Oak Canyon. Councilmember Carroll expressed appreciation to Sean Crumby, Director of Public Works & Sustainability; Chris Slama, Director of Community Services; and Alex Salazar, Manager of Project Delivery, for joining him in meetings with residents.
- Councilmember Carroll's office supported the Andy & Aiden Safety Group at the Second Annual Communities Come Together Event in Irvine. The Andy & Aiden Safety Group works with law enforcement and first responders to provide a fun environment for children and their families to learn about safety in the community. At last week's event, the organization partnered with the Irvine Unified School District, Irvine Police Department, and Orange County Fire Authority.
- Councilmember Carroll and his office supported the annual Irvine Valley College Walk of Hope, which raises awareness about suicide awareness and prevention. The event included a 1.4 mile loop around campus and resource fair.

Vice Mayor Agran

- Vice Mayor Agran's office has received numerous calls and emails from residents concerned about loud vehicles, exhaust, speeding, and burnouts that disturb the peace and damage roads. Once the new City Council is seated, Vice Mayor Agran will ask the City Manager and Chief of Police to provide a detailed report on potential solutions. In the meantime, the Police Chief Kent assured that there would be increased enforcement efforts to address these issues. Vice Mayor Agran encouraged those experiencing or witnessing this behavior to continue reporting incidents to the Irvine Police Department.

Councilmember Treseder

- Councilmember Treseder referenced aspects related to the mayoral election, spoke in opposition to attacks on Councilmember Kim, and requested that members of the public demonstrate humanity, kindness, and respect for opponents.

Councilmember Kim

- Councilmember Kim spoke in opposition to sexism and misogyny that she recently experienced, and noted her willingness to resign from the Orange County Power Authority Board of Directors. In addition, Councilmember provided the rationale for having her campaign headquarters and residence where they are located.

ADDITIONS AND DELETIONS

Public Hearing Item Nos. 4.1, 4.2, and 4.3 were continued at the request of City Manager Chi. See page 2.

3. CONSENT CALENDAR

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

3.2

Sarah spoke in support of the Childhood Lead Poisoning Prevention Week proclamation and in opposition to the effect of lead and other toxins on children in Gaza.

Mona spoke in support of the Childhood Lead Poisoning Prevention Week and Childhood Cancer Awareness Week proclamations, and in opposition to contaminated water and other environmental factors that affect children including in Gaza, Lebanon, and Syria.

Jason Garshfield spoke in support of the Childhood Lead Poisoning Prevention Week proclamation and Councilmember Kim’s standing with the Jewish community, and in opposition to Vice Mayor Agran’s campaign practices.

Eric Neshanian, Irvine resident, spoke in opposition to the use of proclamation items on the Consent Calendar to discuss unrelated topics such as Israel and Gaza.

“Recall Tammy” spoke in opposition to comments made by Jason Garshfield related to the mayoral race during City Council meetings, and noted her 14-month old niece’s death from cancer.

Moved by Councilmember Kim, seconded by Councilmember Carroll, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.11, with the exception of Consent Calendar Item No. 3.8, which was removed for separate discussion. Mayor Khan requested that her vote for Consent Calendar Item 3.9 be recorded as an abstention.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the City Council held on September 24, 2024.
- 2) Approved the minutes of a regular meeting of the City Council held on September 24, 2024.

3.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed October 20 – 26, 2024, as "Childhood Lead Poisoning Prevention Week."
- 2) Proclaimed October 20 – 26, 2024, as "Childhood Cancer Awareness Week."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 24-78 - 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

3.4 CONSIDERATION OF AN EXCLUSIVE NEGOTIATING AGREEMENT WITH CHUCK JONES CENTER FOR CREATIVITY

ACTION:

Approved and authorized the City Manager finalize and sign an Exclusive Negotiating Agreement with the Chuck Jones Center for Creativity. **(Contract No. 11977)**

(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.

3.5 AWARD OF CONSTRUCTION CONTRACT FOR NORTHERN SECTOR DEMOLITION PHASE II, CIP 372417

ACTION:

Awarded a construction contract in the amount of \$6,187,000.00 for Northern Sector Demolition Phase II, CIP 372417, to the lowest responsive and responsible bidder, Resource Environmental, Inc. **(Contract No. 21441)**

(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.

3.6 APPROVAL OF ENGINEERING SERVICES, CONSTRUCTION MANAGEMENT SERVICES, AND ADDITIONAL STAFFING FOR GREAT PARK FRAMEWORK IMPLEMENTATION

ACTION:

- 1) Approved an agreement with DMc Engineering for engineering support services in the amount of \$2,000,000. **(Contract No. 21516)**
- 2) Approved an agreement with Griffin Structures, Inc. for construction management services in the amount of \$2,000,000. **(Contract No. 21515)**
- 3) Delegated authority to the City Manager to amend contracts for engineering support services and construction management services provided the cost is within the Great Park Framework budget.
- 4) Approved a budget appropriation of \$750,000 for staffing to implement the Great Park Framework Plan.
- 5) Adopted RESOLUTION NO. 24-79 - 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. 24-53, WHICH IS INCONSISTENT THEREWITH

(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.

3.7 *AGREEMENT WITH EHRLICH YANAI RHEE CHANEY ARCHITECTS FOR ARCHITECTURE, ENGINEERING, AND OTHER DESIGN RELATED SERVICES TO BUILDING 369 IN THE GREAT PARK*

ACTION:

- 1) Awarded and authorized the City Manager to execute an agreement with Ehrlich Yanai Rhee Chaney Architects for architecture, engineering, and other design related services for Building 369 in the Great Park in the amount of \$1,698,260. **(Contract No. 21489)**
- 2) Authorized the City Manager to amend the contract within the project budget.

(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.

3.8 *SECOND READING AND ADOPTION OF ORDINANCE NO. 24-17 APPROVING ZONE CHANGE TO ADD FOCUS AREA 1 TO THE RESIDENTIAL AND RESIDENTIAL MIXED USE OVERLAY DISTRICT IN SUPPORT OF THE 2045 GENERAL PLAN UPDATE*

This item was removed for separate discussion at the request of Vice Mayor Agran, who reiterated his opposition to the ordinance at first reading, and requested that the ordinance reflect his dissention.

There was no City Council discussion.

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

Read by title only, second reading and adoption of ORDINANCE NO. 24-17 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00938046-PZC TO AMEND CHAPTER 5-9 OF THE IRVINE ZONING ORDINANCE TO EXPAND THE RESIDENTIAL AND RESIDENTIAL MIXED USE OVERLAY DISTRICT TO INCLUDE FOCUS AREA 1 IN SUPPORT OF THE COMPREHENSIVE 2045 GENERAL PLAN UPDATE

The motion carried as follows:

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

NOES: 1 COUNCILMEMBERS: Agran

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None

3.9 ECONOMIC DEVELOPMENT ADMINISTRATION 2024 BUILD TO SCALE PROGRAM APPLICATION FOR CREATION OF AN INNOVATION AND ENTREPRENEURIAL DEVELOPMENT FACILITY

ACTION:

- 1) Authorized the City Manager, or designee, to submit a competitive grant application to the U.S. Economic Development Administration’s 2024 Build to Scale Program, which will require local matching funds up to \$1,000,000 per year (totaling \$4,000,000), for the establishment of an innovation and entrepreneurial development facility.
- 2) Authorized the Mayor to sign the letter on behalf of the City, committing the City to the minimum required match.

Approved 4-0 (Mayor Khan abstained).

3.10 UPDATE TO THE WALKABLE HISTORICAL TIMELINE AT GREAT PARK

ACTION:

Approved a budget appropriation of \$200,000 for painting updated entries on the Walkable Historical Timeline at the Great Park, design and printing of an updated timeline handbook, and implementation of a digital strategy.

(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.

3.11 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Councilmember Carroll's request for Community Partnership Fund Grant Nomination for Love Irvine, Inc., in the amount of \$2,000 in support of program costs. **(Contract No. 11978)**
- 2) Authorized the City Manager to prepare and sign a funding agreement for the organization listed above.

4. PUBLIC HEARINGS

4.1 CITYWIDE OBJECTIVE DESIGN STANDARDS FOR MULTI-FAMILY RESIDENTIAL AND RESIDENTIAL MIXED-USE PROJECTS

By consensus, this item was continued to the November 12, 2024, City Council meeting.

4.2 ZONING ORDINANCE TECHNICAL UPDATE

By consensus, this item was continued to the November 12, 2024, City Council meeting.

4.3 APPEAL OF PLANNING COMMISSION DENIAL OF A CONDITIONAL USE PERMIT FOR A NEW CLASS 10 WIRELESS COMMUNICATION FACILITY (CAMOUFLAGED AS A MONO-EUCALYPTUS TREE) LOCATED AT 4918 IRVINE CENTER DRIVE IN PLANNING AREA 11 (EL CAMINO REAL)

By consensus, this item was continued to the November 12, 2024, City Council meeting.

4.4 APPROVAL OF TAX-EXEMPT BOND ISSUANCE BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY FOR FINANCING THE COSTS OF ACQUISITION, CONSTRUCTION IMPROVEMENTS, FURNISHING AND EQUIPPING THE JAMES, A RENTAL SENIOR LIVING COMMUNITY

Mayor Khan opened the public hearing at 7:07 p.m.

Josh Brooks, Deputy Director of Administrative Services, presented the staff report and responded to questions. Dahle Bulosan, Director of Administrative Services, was also available for questions.

There were no requests to speak.

There was no City Council discussion.

ACTION: Moved by Councilmember Carroll, seconded by Councilmember Kim, and unanimously carried to close the public hearing at 7:09 p.m.

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

Adopt RESOLUTION NO. 24-80 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE ISSUANCE BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY OF REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$485,000,000 TO BENEFIT P3 IRVINE SL HOLDINGS, LLC AND CERTAIN OTHER MATTERS RELATING THERETO

5. COUNCIL BUSINESS

5.1 APPROVAL OF DEVELOPMENT MANAGEMENT AGREEMENT WITH BROOKFIELD RESIDENTIAL FOR GATEWAY RESIDENTIAL VILLAGE

Pete Carmichael, Assistant City Manager, presented the staff report and responded to questions. Oliver Chi, City Manager, also responded to questions. Steve Torelli, Deputy Director, Great Park, was also available for questions.

Jay B. noted the importance of Section 2.5 regarding Design Review Guidelines in Exhibit F of the form builder agreement attached to the staff report and spoke in support of its allowance of City oversight regarding aesthetic design elements in the Gateway Village.

City Council discussion included: inquiring about the timeline for clearing the All-American Asphalt site; questioned potential mechanisms to ensure owner occupation of homes; inquired about the timeline for Planning Commission review and grading; and noted opportunities to provide affordable properties for entry-level buyers and workforce individuals/families.

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

Approve and authorize the City Manager to execute a Development Management Agreement with Brookfield Residential for the Gateway Residential Village project. **(Contract No. 11979)**

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

5.2 CONSIDER PURCHASE OF 17572 AND 17622 ARMSTRONG AVENUE TO ADVANCE DEVELOPMENT OF THE SYSTEM TO SUPPORT AND ADDRESS AT-RISK AND HOMELESS POPULATIONS IN IRVINE

Oliver Chi, City Manager, presented the staff report and responded to questions. Michael Kent, Director of Public Safety/Chief of Police, and Jeff Melching, City Attorney, also responded to questions. Pete Carmichael, Assistant City Manager, was also available for questions.

The following individuals spoke in support of the property purchase to assist the at-risk and unhoused populations:

- Alan Meyerson, Irvine resident
- Mona
- Jay B.
- Sylvia Walker, Irvine resident

Annastasia Rose Beal, Executive Director of Harm Reduction Circle, spoke in support of City collaboration with nonprofit organizations who have already established trust and rapport with the at-risk and unhoused populations.

Eric Neshanian, Irvine resident, expressed concern that the proposal appeared to be conceptual; questioned costs, Planning Commission involvement, and communication with the Irvine Business Complex; and spoke in support of increased discretion and diligence in the process.

Melisa Masri 1) spoke in support of the property purchase, 2) in opposition to criminalization of unhoused individuals, 3) expressed concern about the lack of transportation for those served, and 4) inquired about data regarding the success of the Be Well mobile unit.

Joshua Moore, Irvine resident, spoke in support of the property purchase, and expressed concern about the upcoming proposed anti-camping ordinance.

Nikita Ganatra spoke in support of the property purchase and employing a human-first approach that preserves the dignity of the population served.

Raj Bhatia spoke in support of the property purchase; in opposition to funding the Irvine Police Department's Cybertruck in lieu of funding for homelessness; and inquired about Finance and Planning Commission review, and consultation with stakeholders in the Irvine Business Complex.

City Council discussion included: inquiring about in-house operation of the proposed facility and the transition from Be Well OC; questioned funding opportunities for the proposed facility; discussed potential financial impacts to program sustainability; inquired about characteristics of the growing unhoused population; questioned the existence of similar proposals elsewhere in the country; suggested working with the Irvine Company and University of California, Irvine, to provide additional housing units; suggested collaborating with Mind OC; expressed concern about the potential attraction of out-of-town individuals to the proposed facility; questioned the impact of the Boise case on California law; inquired about actions taken by other Orange County cities in response to relevant case law; inquired about the City's proposed anti-camping ordinance; and suggested increasing public outreach and commission review.

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

- 1) Authorize the City Manager to finalize a Real Estate Purchase and Sale Agreement for the property at 17572 and 17622 Armstrong Avenue, for use as part of the City’s health and wellness strategy to address Irvine’s at-risk and homeless populations. **(Contract No. 11980)**
- 2) Approve a budget appropriation of \$18,500,000 for the purchase of 17572 Armstrong and 17622 Armstrong Avenue.
- 3) Approve a budget appropriation and expenditure of an amount not to exceed \$1,500,000 for associated property acquisition and site redevelopment capital improvement efforts, inclusive of insurance, due diligence, brokerage fees, and site design services.

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

5.3 CONSIDERATION OF A REQUEST BY VICE MAYOR AGRAN TO DISCUSS RESIDENTIAL ROOFTOP SOLAR AND STORAGE ADOPTION

This item was agendaized at the request of Vice Mayor Agran, who asked for City Council consideration regarding residential rooftop solar and storage adoption.

Sean Crumby, Director of Public Works & Sustainability, provided an overview of the City’s solar and energy storage efforts and responded to questions.

The following individuals spoke in support of increased assistance from the City for solar and storage adoption by residents:

- Dr. Kev Abazajian, University of California, Irvine, professor and Sustainability Commission Vice Chair
- Mike Belfield, Irvine resident
- Don Geller, Irvine resident and Finance Commission Chair,

Dee Fox, Irvine resident, questioned Councilmember Treseder's previous comment that solar panels were not necessary if one was enrolled with the Orange County Power Authority.

Kyler Chin, University of California, Irvine, student, spoke in support of the Orange County Power Authority and utility-level solar power in lieu of rooftop solar.

City Council discussion included: reiterating the need to scale up the City's solar efforts; and discussed the coupling of efforts to increase solar energy and storage adoption efforts with the work of the Orange County Power Authority.

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

Direct the City Manager and staff to prepare a report reviewing what the City can do to accelerate the installation of rooftop solar and battery storage in residential, business, and City of Irvine governmental settings, and return to the City Council with that report once the new City Council is seated. Further, in preparing this report, the City Manager and staff shall keep the Sustainability and Finance Commissions informed regarding its work and progress.

5.4 CONSIDERATION OF A REQUEST BY VICE MAYOR AGRAN TO DISCUSS E-BIKE LEGISLATION AND LOCAL AUTHORITY

This item was agendized at the request of Vice Mayor Agran, who asked for City Council consideration regarding e-bike legislation and local authority.

Rebecca Moss, Senior Management Analyst, provided an overview of e-bike legislation and local authority. Oliver Chi, City Manager, and Jeff Melching, City Attorney, also responded to questions. Michelle Grettenberg, Assistant City Manager, was also available for questions.

The following individuals spoke in support of further addressing e-bike safety and local authority in the City:

- Mona
- Alan Meyerson, Irvine resident
- Beth Black, founder of the Bellemont Project
- Eric Neshanian, Irvine resident

Dee Fox, Irvine resident, noted that e-bikes were never designed for children, and spoke in support of an increase in school buses to reduce the need for children to use e-bikes and age requirements in accordance with the Department of Motor Vehicles rulebook for driver licenses.

Melisa Masri, local school teacher, spoke in opposition to the language used to describe e-bike riders under the age of 18 and in support of consideration of programs such as the Bellemont Project to address the e-bike situation in the City.

Joshua Moore, Irvine resident, spoke in support of incorporating facts on the comparability of Class 1 and 2 e-bike velocities to that of regular bicycles in the City Council discussion.

Nikita Ganatra noted minor e-bike operators speeding near Pioneer Middle School and Northwood High School, and in support of parent education and accountability.

Adam, Irvine resident, and Tomas Castro, member of RISE and Citizens Climate Lobby, spoke in support of improved transportation infrastructure for e-bike riders.

City Council discussion included: expressing concern about state efforts to restrict local government authority pertaining to e-bikes; acknowledged local education and enforcement initiatives; questioned previous work on the matter by the Legislative Committee; suggested leveraging technology to regulate e-bikes; requested clarification on the ability to impose licensure requirements; and noted the prevalence of e-bike injuries in Orange County.

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

- 1) Direct the City Manager and City Attorney to identify options for City regulation of e-bikes to increase pedestrian, cyclist, and e-bike user safety. Without limitation, the City Manager and City Attorney shall:
 - a. Survey the practices of other cities and counties in California.
 - b. Analyze the limits of state law preemption and determine the extent to which the City may impose training requirements, licensure and/or registration requirements, restrictions on e-bike modifications, restrictions on locations and directions of travel, and enhanced penalties for violations of e-bike laws.
 - c. In coordination with the Chief of Police, examine options for increased enforcement of local and state e-bike laws.
 - d. Working with our state legislators, propose modifications to state law to expand municipal authority over e-bikes.

- 2) Direct the City Manager and City Attorney will provide a report on these items by the November 26, 2024, City Council meeting.

ACTION: A substitute motion was made by Councilmember Kim to:

Within the framework of California law, direct staff to work with the Irvine Police Department to explore leveraging technology in developing a technological framework to assist with e-bike enforcement, including, but not limited to: utilization of geofencing technology, technological applications, and drone technology.

The motion failed for lack of second.

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

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

- 1) Direct the City Manager and City Attorney to identify options for City regulation of e-bikes to increase pedestrian, cyclist, and e-bike user safety. Without limitation, the City Manager and City Attorney shall:
 - a. Survey the practices of other cities and counties in California.
 - b. Analyze the limits of state law preemption and determine the extent to which the City may impose training requirements, licensure and/or registration requirements, restrictions on e-bike modifications, restrictions on locations and directions of travel, and enhanced penalties for violations of e-bike laws.
 - c. In coordination with the Chief of Police, examine options for increased enforcement of local and state e-bike laws.
 - d. Working with our state legislators, propose modifications to state law to expand municipal authority over e-bikes.

- 2) Direct the City Manager and City Attorney will provide a report on these items by the November 26, 2024, City Council meeting.

5.5 CONSIDERATION OF A REQUEST BY MAYOR KHAN TO DISCUSS AN ANALYSIS OF AVAILABLE OPTIONS TO INCREASE IRVINE'S DISTRIBUTED SHARE OF COLLECTED PROPERTY TAX FUNDS

This item was agendaized at the request of Mayor Khan, who asked for City Council consideration regarding an analysis of available options to increase Irvine's distributed share of collected property tax funds.

Oliver Chi, City Manager, provided an overview of a property tax collection analysis and distribution, and responded to questions.

The following individuals spoke in support of an analysis of available options to increase Irvine's distributed share of collected property tax funds and withdrawal from the Orange County Fire Authority (OCFA):

- Sarah
- Alan Meyerson, Irvine resident
- Mona

Gil Nelsen and Don Geller, Irvine residents, spoke in support of an analysis of available options to increase Irvine's distributed share of collected property tax funds:

Eric Neshanian, Irvine resident, 1) spoke in opposition to the timing of the agenda item, 2) in opposition to the large amount of spending by the City, and 3) in support of withdrawal from the OCFA.

Nikita Ganatra spoke in support of reviewing the local control funding formula for schools.

City Council discussion included: reviewing the historical financial analysis; questioned the subsidization of other cities; inquired about the number of OCFA members; questioned the allocation of funding for Irvine Unified School District; inquired about the number of OCFA stations in the City; and questioned the methodology of property tax allocation calculation methods and how to improve them.

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

Direct the City Manager to coordinate a comprehensive review of the local property tax collection rates of Orange County cities, and return to the City Council with details and options related to increasing Irvine's share of locally generated property tax dollars.

ACTION*: A friendly amendment was made by Councilmember Carroll, accepted by Mayor Khan as the maker, and unanimously carried to:

Direct the City Manager to coordinate a comprehensive review of the local property tax collection rates of Orange County cities and University of California, Irvine, landowners, and return to the City Council with details and options related to increasing Irvine's share of locally generated property tax dollars.

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

ADJOURNMENT

Moved by Councilmember Carroll, seconded by Vice Mayor Agran, and unanimously carried to adjourn the meeting at 10:57 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

November 26, 2024