



# MINUTES

## CITY COUNCIL ADJOURNED REGULAR MEETING AND ADJOURNED REGULAR JOINT MEETING WITH THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

**November 22, 2022**  
**City Council Chamber**  
1 Civic Center Plaza  
Irvine, CA 92606

### CALL TO ORDER

The adjourned regular meeting of the Irvine City Council and adjourned regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency was called to order at 5:32 p.m. on November 22, 2022, in the City Council Chamber, Irvine Civic Center, 1 Civic Center Plaza, Irvine, California; Mayor/Chairwoman Khan presiding.

### ROLL CALL

Present: 4 Councilmember/Boardmember: Larry Agran  
Councilmember/Boardmember: Tammy Kim  
Vice Mayor/Vice Chairman: Anthony Kuo  
Mayor/Chairwoman: Farrah N. Khan

Absent: 1 Councilmember/Boardmember: Mike Carroll

Mayor/Chairwoman 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/Successor Agency Secretary, 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.

## **PLEDGE OF ALLEGIANCE**

Vice Mayor Kuo led the Pledge of Allegiance.

## **INVOCATION**

Pastor Steve Ban Lee from Mariners Church provided the invocation.

### **1. PRESENTATIONS**

#### **2.1 *Ratify and Proclaim November 13-19, 2022, as "National Nurse Practitioner Week"***

Mayor Khan introduced Dr. Sarah Campbell, Health Sciences Assistant Clinical Professor of the Sue & Bill Gross School of Nursing at UC Irvine, and presented a proclamation recognizing November 13-19, 2022 as "National Nurse Practitioner Week."

#### **2.2 *Proclaim November 2022, as "Sikh Awareness and Appreciation Month"***

Mayor Khan introduced members from Sikh Center of Orange County, Sikh Women's Organization of California, and International Sikh Council for Women; and presented a proclamation recognizing November 2022 as "Sikh Awareness and Appreciation Month."

## **PUBLIC COMMENTS - AGENDIZED ITEMS**

### Item 2.5

Alan Meyerson, Irvine resident, spoke in opposition to Councilmember Carroll participating remotely without video.

Susan Sayre, Irvine resident, spoke in support of remote attendance, and suggested that the same policy apply to Commission meetings; and suggested that Commission meetings be televised.

Item No. 2.10

J.R. Owens, Irvine resident, spoke in support of the City's response to the Grand Jury.

Item No. 2.11

J.R. Owens, Irvine resident, spoke in support of approving the Transit Shelter Services Agreement – Amendment 2.

Item 2.15

The following individuals spoke in support of the second reading and adoption of Ordinance No. 22-13 regarding hotel worker protection:

- Alan Meyerson, Irvine resident
- J.R. Owens, Irvine resident
- Susan Sayre, Irvine resident
- Florice Hoffman
- Debra Scurnick, Irvine resident
- Ada Briceño, Unite Here Local 11 and Democratic Party of Orange County
- Asif Mahmood, Irvine resident
- Dinah Frieden, Irvine resident
- Mirvette Judeh, Irvine resident
- Rev. Terry LePage, Irvine United Congregation Church
- Virginia Parks, Irvine resident
- Lauren Johnson-Norris, Irvine resident
- Sara Denk
- Maria Balderas
- Carmen Luna
- Adriana Perera
- Rosa Peña
- Diana Nufio
- Ajay Mohan
- Victor Valladares
- Gaston Castellanos
- Kathleen Treseder, Irvine resident

The following individuals spoke in opposition:

- Ryan Fitzpatrick
- Che Sutton
- Gaby Gustafson
- Scott Perley
- Tony Bruno
- Tony Zand
- Garrett Busch, Pacific Hospitality Group

- Brandon Parole
- Sid Ramani
- Eric Nashanian, Irvine resident

Item 5.2

Mark Asturias, Executive Director, Irvine Community Land Trust, spoke in support of approval of Irvine Company land for affordable housing and revision of land dedication terms.

Gil Nelsen, Irvine resident, spoke in opposition.

Item No. 5.3

Sharon Wellikson, Irvine Children's Fund, spoke in support of Irvine Recovery Grant funding for Irvine Children's Fund.

Joyce Tu and Robert Klein, Easter Seals, spoke in support of Irvine Recovery Grant funding for Easter Seals.

Item 5.4

The following individuals spoke in support of a resolution condemning the actions of the government of Iran:

- Farhad Mafue
- Fariba Mehdian
- Debra Scurnick, Irvine resident
- Partou Nikpour, Irvine resident
- Rose, Irvine resident
- Farinaz Bakhtiari, Irvine resident
- Gil Nelsen, Irvine resident
- Asif Mahmood, Irvine resident
- Dinah Frieden, Irvine resident
- Neda Pelar, Irvine resident
- Feridoun Jizan, Irvine resident
- Mirvette Judeh, Irvine resident
- Rev. Terry LePage, Irvine United Congregation Church
- Virginia Parks, Irvine resident
- Lauren Johnson-Norris, Irvine resident
- Hengemeh Abraham, Irvine resident
- Adriana Perera
- Tony Zand
- Mahsa Townsend
- Shahrzad Farjadi, Irvine resident
- Garrett Busch, Pacific Hospitality Group

- Ajay Mohan
- Victor Valladares
- Gaston Castellanos
- Negar Vahabi
- Hayedeh Kalanaki
- Kamran Mansouri
- Kathleen Treseder, Irvine resident

Eric Nashanian, Irvine resident, spoke in opposition.

### **PUBLIC COMMENTS – NON-AGENDIZED ITEMS**

Gil Nelsen, Irvine resident, spoke in support of district voting and Branda Lin for Mayor in 2024; and noted a recent investigation by the Federal Bureau of Investigation (FBI) related to Mayor Khan’s former campaign manager and items related to the Orange County Power Authority.

Christine Knowland, Irvine resident, expressed her appreciation to Vice Mayor Kuo for 12 years of service to the City of Irvine.

Steve Berger, Irvine resident, spoke in support of City Council collaboration over the next two years; a site for veterans at the Amended and Restated Development Agreement (ARDA) site; closure of the All American Asphalt Plant; district elections; and the audit of the Orange County Power Authority.

Melika spoke in support of the proposed resolution condemning the actions of the government of Iran.

Eric Nashanian, Irvine resident, spoke in opposition to Mayor Khan, as well as Councilmember Kim’s endorsement of Mayor Khan.

### **CITY MANAGER’S REPORT**

There was no report.

### **ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

#### Councilmember Kim

- Councilmember Kim expressed her appreciation to those who spoke on Items 2.15 and 5.4.
- Councilmember Kim noted her recent attendance at the World Korean Business Conference, also known as Hansang, in South Korea, along with representatives from Greater Irvine Chamber, University of California - Irvine, and Orange County Korean American Chamber of Commerce. Next year, Hansang will take place in Orange County.

- Councilmember Kim applied to be a representative for the third supervisorial district opening to the Orange County Transportation Authority, which includes the cities of Irvine, Lake Forest, Mission Viejo, Rancho Santa Margarita, Villa Park, and Yorba Linda. Councilmember Kim was the only applicant to apply. All the Mayors of District 3 will vote on the appointment at the December 1, 2022 City Selection Committee meeting.
- Councilmember Kim congratulated Councilmember Agran, and Councilmember-elect Kathleen Treseder, on their successful elections; and expressed her appreciation to Vice Mayor Kuo for his many years of service to the City of Irvine.

### Mayor Khan

- Members of the community are invited for a Climate Action and Adaptation Plan Public Workshop on Tuesday, December 6 at 6:15 p.m. at Irvine City Hall. Staff will review the City's Climate Action and Adaptation Plan process, which will set ambitious but achievable emissions reduction targets for the City and lays out a pathway to achieving climate goals. The workshop will be an opportunity to learn more about the community's greenhouse gas inventory, and interactively engage with the City and community members around emissions reduction measures. For information on the Climate Action and Adaptation Plan, visit [cityofirvine.org/climate](http://cityofirvine.org/climate).
- Great Park has transformed into a winterscape featuring holiday-themed events, displays, and lights. In addition, on Saturday, December 3, celebrate the season as snow falls over the Irvine Civic Center for the Holiday Tree Lighting Ceremony from 4 to 6:30 p.m., which includes visits with Santa Claus, live holiday music, and a winter-themed train route. The Irvine Animal Care Center will also host its 16<sup>th</sup> annual Home for the Holidays Pet Adoption Fair on Sunday, December 11 from 10 a.m. to 2 p.m., with event admission of \$5 per person, and children 13 and younger are free. Last, the City has a magic online mailbox for letters to Santa at [cityofirvine.org/letterstosanta](http://cityofirvine.org/letterstosanta), which must be received by Monday, December 12. For information on holiday events and more, visit [cityofirvine.org/specialevents](http://cityofirvine.org/specialevents).

### **ADDITIONS AND DELETIONS**

City Manager Chi requested that Consent Calendar Item No. 2.11 (Transit Shelter Services Agreement Amendment 2) be removed from the agenda and deferred until the next City Council meeting; and also asked that Consent Calendar Item No. 2.12 be removed at the developer's request.

### **CONVENE TO THE REGULAR JOINT MEETING**

Mayor/Chairwoman Khan convened the adjourned regular joint meeting of the City Council with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 7:59 p.m.

**PUBLIC COMMENTS - SUCCESSOR AGENCY – AGENDIZED ITEMS**

There were no requests to speak.

**PUBLIC COMMENTS - SUCCESSOR AGENCY – NON-AGENDIZED ITEMS**

There were no requests to speak.

**2. CONSENT CALENDAR - CITY COUNCIL**

**Moved by Councilmember/Boardmember Kim, seconded by Vice Mayor/Vice Chairman Kuo, and unanimously carried by those members present (Councilmember/Boardmember Carroll absent) to approve City Council Consent Calendar Item Nos. 2.1 through 2.3, 2.5 through 2.9, 2.13, 2.14, and 2.16; and Successor Agency Consent Calendar Item Nos. 3.1 3.3, with the exception of City Council Consent Calendar Item Nos. 2.4, 2.10, 2.13, and 2.15, which were removed for separate discussion. City Council Consent Calendar Item Nos. 2.11 and 2.12 were removed from the agenda at the request of City Manager Chi. See Additions and Deletions (page 6).**

**2.1 MINUTES**

**ACTION:**

- 1) Approved the minutes of an adjourned regular meeting of the Irvine City Council held on October 11, 2022.
- 2) Approved the minutes of a special meeting of the Irvine City Council held on October 25, 2022.
- 3) Approved the minutes of a regular meeting of the Irvine City Council and regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency held on October 25, 2022.

**2.2 PROCLAMATIONS**

**ACTION:**

Proclaimed November 26, 2022, as "Small Business Saturday."

**2.3 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 22-92 - 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 2023 CITY COUNCIL MEETING CALENDAR**

This item was removed for separate discussion at the request of Councilmember Kim, who suggested that the City Council meeting of Tuesday, February 14, 2023 not be rescheduled to Wednesday, February 15, 2023 in order to avoid any potential confusion by members of the public.

There was no City Council discussion.

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

Approve the proposed 2023 City Council Meeting Calendar **as amended** to exclude the rescheduling of the Tuesday, February 14, 2023 City Council meeting to Wednesday, February 15, 2023.

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

**ACTION:**

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

**2.6 FISCAL YEAR 2022-23 FIRST QUARTER BUDGET UPDATE**

**ACTION:**

Received and filed the Fiscal Year 2022-23 First Quarter Budget Update.

**2.7 FISCAL YEAR 2021-22 CAPITAL IMPROVEMENT AND SPECIAL FUNDS YEAR-END REPORT**

**ACTION:**

- 1) Approved the closure of 25 completed projects with \$24.6 million in expenditures and release appropriations of \$4.9 million in applicable special funds.
- 2) Approved the continuation of 179 City and Great Park administered capital projects with budgets totaling \$302.7 million to Fiscal Year (FY) 2022-23.

- 3) Approved the adjustments relating to inter-fund transfers for FY 2022-23 open capital projects among various special and capital project funds.
- 4) Approved budget adjustments for four new projects for FY 2022-23: Irvine Business Center (IBC) Creekwalk Trail (Warner to Coronado), \$1.1 million; IBC Creekwalk Trail (Coronado to Michelson/I-405), \$2.0 million; IBC Barranca Chanel Trail (Jamboree to Creekwalk), \$1.9 million, and Bake Parkway and Rockfield Signal Synchronization, \$300 thousand and authorize the Mayor to sign and execute the agreement with Orange County Transportation Authority (OCTA).
- 5) Approved the revisions in the scope of works for existing projects: Hicks Canyon Community Park Improvements, CIP 361404 and Bill Barber Community Park Pickleball Courts and Parking Lot, CIP 361907.
- 6) Approved funding for the continuation of outstanding purchase orders in the Special Funds totaling \$6.2 million.
- 7) Approved funding new purchase orders and continuing activities in the Special Funds totaling \$22.1 million.
- 8) 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.

**2.8 ANNUAL DEVELOPMENT IMPACT FEE REPORT FOR FISCAL YEAR 2021-22**

**ACTION:**

Received and filed.

**2.9 FISCAL YEAR 2021-22 MEASURE M2 EXPENDITURE REPORT**

**ACTION:**

Adopted RESOLUTION NO. 22-93 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CONCERNING THE FISCAL YEAR 2021-22 MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF IRVINE

**2.10 RESPONSE TO GRAND JURY REPORT TITLED “HOW IS ORANGE COUNTY ADDRESSING HOMELESSNESS?”**

This item was removed for separate discussion at the request of Mayor Khan, who asked that prior conversations with the City of Tustin be renewed regarding potential shared opportunities for an emergency shelter and related services and move that project forward and assist with the issue of homelessness.

There was no City Council discussion.

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

Approve and authorize the Mayor to sign response to the Orange County Grand Jury Report titled "How is Orange County Addressing Homelessness?"

**2.11 TRANSIT SHELTER SERVICES AGREEMENT AMENDMENT 2**

This item was removed from the agenda at the request of City Manager Chi. See Additions and Deletions (page 6).

**2.12 NOTICE OF REVIEW FOR TRACT MAPS IN ORCHARD HILLS LOCATED ADJACENT TO THE INTERSECTION OF PORTOLA PARKWAY AND JEFFREY ROAD**

This item was removed from the agenda at the request of City Manager Chi. See Additions and Deletions (page 6).

**2.13 BUDGET ADJUSTMENT AND AWARD OF CONSTRUCTION CONTRACT FOR WALNUT AVENUE AND THE MALL TRAFFIC SIGNAL IMPROVEMENTS**

This item was removed for separate discussion at the request of Vice Mayor Kuo, who expressed his appreciation to Mayor Khan for her leadership in bringing this item forward to the City Council.

There was no City Council discussion.

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

- 1) Award a construction contract in the amount of \$991,836 for the Walnut Avenue and The Mall Traffic Signal Improvements, Capital Improvement Program project 331906, to the lowest responsive and responsible bidder, Crosstown Electrical & Data Inc.
- 2) Approve the Project Funding Summary and corresponding budget adjustment in the amount of \$470,000.

**2.14 APPROVAL OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS FOR IRVINE CENTER DRIVE IMPROVEMENTS FROM JEFFREY ROAD TO SAND CANYON AVENUE**

**ACTION:**

- 1) Approved the construction plans, specifications, and contract documents for the Irvine Center Drive Pavement Rehabilitation, Capital Improvement Project 312003.
- 2) Approved the Engineer's Estimate, Construction Contingency, and Project Funding Summary.
- 3) Authorized Staff to solicit competitive bids in accordance with the City's purchasing policies and procedures.

**2.15 SECOND READING AND ADOPTION OF ORDINANCE NO. 22-13 ADDING DIVISION 6 TO TITLE 3 OF THE MUNICIPAL CODE REGARDING HOTEL WORKER PROTECTION**

This item was removed from the Consent Calendar at the request of Mayor Khan, who suggested that the Ordinance include all hotels, whether unionized or not.

City Council discussion included: whether an amendment was being offered to the Ordinance; reiterated that amending an ordinance at second reading had not been past practice; inquired about who would determine substantive changes to an ordinance; and noted that unionized workers already have collective bargaining agreements in place with equal or stronger protections.

City Manager Chi noted that any amendments to the Ordinance would require a reintroduction of first reading of the Ordinance, with second reading and adoption at a subsequent meeting.

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

Reintroduce for first reading and read by title only ORDINANCE NO. 22-13 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING DIVISION 6 TO TITLE 3 OF THE IRVINE MUNICIPAL CODE REGARDING HOTEL WORKER PROTECTION **as amended** to revise Section 3-6-108, and any others if necessary, to include protection for all hotel workers, whether unionized or not.

Following discussion, Mayor Khan withdrew her motion.

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

Read by title only, second reading and adoption of ORDINANCE NO. 22-13 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING DIVISION 6 TO TITLE 3 OF THE IRVINE MUNICIPAL CODE REGARDING HOTEL WORKER PROTECTION

**The motion carried as follows:**

AYES: 3 COUNCILMEMBERS: Agran, Kim, and Khan

NOES: 1 COUNCILMEMBERS: Kuo

ABSENT: 1 COUNCILMEMBERS: Carroll

ABSTAIN: 0 COUNCILMEMBERS: None

**2.16 SECOND READING AND ADOPTION OF ORDINANCE NO. 22-14 ESTABLISHING AN EXPEDITED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS**

**ACTION:**

Read by title only, second reading and adoption of ORDINANCE NO. 22-14 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING CHAPTER 7 TO DIVISION 9 OF TITLE 5 OF THE IRVINE MUNICIPAL CODE ESTABLISHING AN EXPEDITED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS

**3. CONSENT CALENDAR - SUCCESSOR AGENCY**

**3.1 MINUTES**

**ACTION:**

Approved the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency with the Irvine City Council held on October 25, 2022.

**3.2 WARRANT AND WIRE TRANSFER RESOLUTION – CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY**

**ACTION:**

Adopted RESOLUTION NO. 22-06 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ALLOWING CERTAIN CLAIMS AND DEMANDS OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

**3.3 ADOPTION OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE FORMER IRVINE REDEVELOPMENT AGENCY AND THE ADMINISTRATIVE BUDGET FOR THE SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY, FOR JULY 1, 2023 THROUGH JUNE 30, 2024**

**ACTION:**

- 1) Adopted the Recognized Obligation Payment Schedule of the former Irvine Redevelopment Agency for July 1, 2023 through June 30, 2024, and authorize revisions to the reporting format, if needed, to comply with potential form changes by the State of California Department of Finance.
- 2) Adopted the Administrative Budget for the Successor Agency for July 1, 2023 through June 30, 2024.

**ADJOURNMENT – REGULAR JOINT MEETING**

**Moved by Councilmember/Boardmember Kim, seconded by Vice Mayor/Vice Chairman Kuo, and unanimously carried by those members present (Councilmember/Boardmember Carroll absent), to adjourned the regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 8:13 p.m.**

**RECONVENE TO THE CITY COUNCIL MEETING**

Mayor Khan reconvened the adjourned regular City Council meeting at 8:13 p.m. At Vice Mayor Kuo's suggestion, Mayor Khan reordered the agenda to consider Council Business Item No. 5.4 prior to the Public Hearings and remaining Council Business items.

**5. COUNCIL BUSINESS**

**5.4 CONSIDERATION OF A REQUEST BY MAYOR KHAN AND VICE MAYOR KUO TO SUPPORT A RESOLUTION CONDEMNING THE ACTIONS OF THE GOVERNMENT OF IRAN**

This item was agendaized at the request of Mayor Khan and Vice Mayor Kuo, who asked for City Council support to adopt a resolution condemning the actions of the government of Iran.

City Council discussion included: reiterating Irvine's diversity of ethnicities and cultures; noted the violation of human and civil rights in Iran; suggested collaboration with other cities through the U.S. Conference of Mayors, League of California Cities, or the City's own network, to join together in solidarity condemning the actions of the government of Iran; and suggested that stronger efforts be made to make the resolution more impactful and meaningful.

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

Adopt RESOLUTION NO. 22-95 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DECLARING SUPPORT OF THE IRANIAN-AMERICAN COMMUNITY AND CONDEMNING THE VIOLENCE PERPETRATED BY THE GOVERNMENT OF IRAN AGAINST ITS PEOPLE

**4. PUBLIC HEARINGS**

**4.1 BUILDING AND FIRE CODE ADOPTION**

Mayor Khan opened the public hearing at 8:27 p.m.

Jesse Cardoza, Chief Building Official, presented the staff report and responded to questions. Tim Gehrich, Director of Community Development, also responded to questions.

City Council discussion included: inquiring about why the Planning Commission did not review the item.

**ACTION: Moved by Vice Mayor Kuo, seconded by Councilmember Kim, and unanimously carried by those members present (Councilmember Carroll absent), to close the public hearing at 8:37 p.m.**

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

- 1) Adopt RESOLUTION NO. 22-94 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS THAT REQUIRE CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA BUILDING STANDARDS CODE REASONABLY NECESSARY FOR BUILDING OCCUPANCIES IN THE CITY OF IRVINE
- 2) Introduce for first reading and read by title only ORDINANCE NO. 22-15 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING CHAPTERS 1, 2, 3, 4, AND 5 OF DIVISION 9 OF TITLE 5 OF THE IRVINE MUNICIPAL CODE PERTAINING TO BUILDING AND FIRE CODE REGULATIONS

#### **4.2 DEVELOPMENT AGREEMENT STATUS REPORT**

Mayor Khan opened the public hearing at 8:38 p.m.

Diane Vu, Senior Planner, presented the staff report and responded to questions. David Law, Principal Planner, was also available for questions.

There was no City Council discussion.

**ACTION: Moved by Councilmember Kim, seconded by Vice Mayor Kuo, and unanimously carried by those members present (Councilmember Carroll absent), to close the public hearing at 8:41 p.m.**

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

Find all active City Development Agreements in compliance with their respective terms and conditions.

**4.3 APPEAL OF THE PLANNING COMMISSION ACTION APPROVING VESTING TENTATIVE TRACT MAP 19226 AND A PARK PLAN ASSOCIATED WITH THE MCGAW RESIDENTIAL PROJECT LOCATED AT 2602 MCGAW AVENUE IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX)**

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

Continue the public hearing to January 10, 2023, at 5 p.m. or soon thereafter.

**5. COUNCIL BUSINESS (CONTINUED)**

**5.1 FISCAL YEAR 2021-22 YEAR-END REPORT FOR THE GENERAL FUND**

Mark Alvarado, Interim Director of Administrative Services, presented the staff report and responded to questions.

City Council discussion included: noting the lack of policy with respect to utilizing contingency reserves to ensure jobs and core services are maintained during economic downturns; and suggested that the City Manager and the appropriate staff to return to the City Council at a future date with recommendations to establish a policy to utilizing contingency reserves.

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

Approve a budget adjustment allocating the Fiscal Year 2021-22 General Fund year-end surplus balance of \$29.8 million for one-time projects, programs and unfunded Council priorities.

**5.2 APPROVAL OF IRVINE COMPANY LAND FOR AFFORDABLE HOUSING AND REVISION OF LAND DEDICATION TERMS**

Lisa Varon, Manager of Housing, presented the staff report and responded to questions. Tim Gehrich, Director of Community Development, and Mark Asturias, Executive Director, Irvine Community Land Trust, were also available for questions.

City Council discussion included: inquiring about additional requests by the Irvine Community Land Trust (ICLT); questioned which entity would be responsible for sidewalk development along Great Park Boulevard;

inquired about concurrent processing of applications between Irvine Company and ICLT; inquired about height restrictions and whether that restriction could be removed; questioned the proposed number of units per acre; inquired about the proposal of three acres to the ICLT; questioned how the entrance would look over the next 10 to 20 years with respect to landscaping, setback, sidewalks, and other aesthetics; and suggested that Great Park staff reexamine the design of the entryway of Great Park.

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

- 1) Approve the location of a four-acre site at Sand Canyon and Great Park Boulevard (“Sand Canyon Site”) to meet a portion of the Irvine Company’s remaining obligation to dedicate and convey seven acres of land for affordable housing development.
- 2) Approve an amendment to the Amended and Restated Master Affordable Housing Plan outlining the terms, conditions and schedule for the four-acre land conveyance, extending the deadline for the outstanding three-acre dedication and conveyance for six months, to June 30, 2023, and providing the City Manager with authority to extend for a second six month period if the Irvine Company demonstrates good faith efforts to finalize the land transfer.
- 3) As allowed by the Amended and Restated Master Affordable Housing Plan, designate the Irvine Community Land Trust as the future fee title owner of the Sand Canyon Site.
- 4) Authorize the City Manager to enter into any agreements associated with site control and/or the direct transfer of title from Irvine Company to the Irvine Community Land Trust for the future development of 100% affordable housing.

**5.3 APPROVAL OF THE IRVINE RECOVERY PLAN GRANTS REVIEW SUBCOMMITTEE FUNDING RECOMMENDATIONS**

Lisa Varon, Manager of Housing, and Kari Bullock, Neighborhood Services Administrator, presented the staff report and responded to questions. Sharon Wellikson, Irvine Children’s Fund, and Amil Aaron, Chairman of the Diversity, Equity, and Inclusion Committee, also responded to questions.

City Council discussion included: reiterating a desire to not overlook vulnerable populations; suggested outreach to businesses that don't typically receive Community Development Block Grant (CDBG) funding; and inquired about the recommendations made by the Irvine Recovery Plan Grants Review Subcommittee (IRP Subcommittee).

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

Finalize and approve the Irvine Recovery Plan Grants Program funding allocations with the exception of the following:

- a) Remove Families Forward, United Way, South County Outreach, and 211 OC from the list of Vulnerable Population Grants for a total of \$674,336 to allow opportunities for local organizations that serve diverse populations.
- b) Reduce Charitable Ventures from the list of Small Business Grants in the amount of \$600,000, and convert half of that amount to the Vulnerable Populations Grants and half to Emerging Nonprofits Grants.
- c) Reissue a Notice of Funding Availability (NOFA) for the Emerging Nonprofits Grants removing the three-year in operation requirement

Additional City Council discussion included; expressing concern that the IRP Subcommittee went outside of City Council parameters when making recommendations for funding; discussed the CDBG process; noted the recent allocation of American Rescue Plan Act of 2021 (ARPA) funding to all communities; inquired about how the City could ensure that funding benefit City of Irvine; noted the services offered by Easterseals' and United Way; suggested Team Kids Irvine and Adult Day Care Center also be removed from receiving funding based on prior CDBG funding; suggested the creation of a City Council subcommittee to work collaboratively with the IRP Subcommittee to reconsider recommendations for certain organizations; inquired about whether all allocated funds would be audited by the federal government at some point in the future; and suggested approving all other funding allocations with the exception of those noted in Mayor Khan's motion, of which the unallocated funds could be distributed proportionally.

Following discussion, Mayor Khan amended her motion.

**ACTION: An amendment to the main motion was made by Mayor Khan, and accepted by Vice Mayor Kuo as the seconder, and unanimously approved by those members present (Councilmember Carroll absent), to:**

- 1) Finalize and approve the Irvine Recovery Plan Grants Program funding allocations with the exception of the following five organizations:
  - a) Families Forward
  - b) United Way
  - c) South County Outreach
  - d) 211 OC
  - e) Charitable Ventures
  
- 2) Create a City Council Subcommittee, consisting of Mayor Khan and Councilmember Kim, to work with the Irvine Recovery Plan Grants Review Subcommittee to reexamine the funding allocations of the five organizations noted above, and return to the City Council in January, 2023 for final approval.

**ADJOURNMENT – CITY COUNCIL MEETING**

**Moved by Vice Mayor Kuo, seconded by Councilmember Kim, and unanimously carried by those members present (Councilmember Carroll absent), to adjourn the meeting at 10:24 p.m.**

  
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 MAYOR OF THE CITY OF IRVINE

  
 \_\_\_\_\_  
 CITY CLERK OF THE CITY OF IRVINE

\_\_\_\_\_  
 January 10, 2023