



MINUTES

CITY COUNCIL REGULAR MEETING

January 25, 2022
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 5:04 p.m. on January 25, 2022, in the City Council Chamber, Irvine Civic Center, One 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 provided the current guidelines for face coverings for members of the public attending the meeting in person; 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.

Mayor Khan also announced that general public comments for the City Council on items not on the agenda would be considered following Council Business items and prior to adjournment.

PLEDGE OF ALLEGIANCE

Councilmember Kim led the Pledge of Allegiance.

INVOCATION

Pastor Jorge Molina from Mariners Church in Irvine provided the invocation.

1. PRESENTATIONS

1.1 *Recognition of City's 50th Anniversary Efforts*

Mayor Khan provided a brief summary and presented a short video highlighting the 50th Anniversary events that took place over the last year; and expressed her appreciation to staff for their efforts given the challenges of the COVID-19 pandemic.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Vice Mayor Kuo recognized and commended Police Officer Joe Chang from the Portola Traffic Division, who was recognized by a local resident for his professionalism and service while responding to a recent safety concern; and made the following announcement:

- The Orange County Sanitation District reminds residents to limit flushable items to the three Ps (poop, pee, and [toilet] paper).

Vice Mayor Kuo also presented a short video clip of a recent basketball game between Portola High School (PHS) and Laguna Hills High School in which hateful and offensive remarks were made against a PHS player. He noted his recent communication with Irvine Unified School District Superintendent Terry Walker and his Laguna Hills City Council colleagues regarding the incident, reiterating his full support of the PHS team, and that responsible individuals would be held accountable.

Councilmember Agran noted recent communication received from Irvine resident Phyllis Warner about concerns related to the COVID-19 pandemic and individuals who enter stores without face masks, and reminded everyone that masks were required in all indoor public spaces and workplaces regardless of vaccination status through February 15, 2022.

Councilmember Kim offered her support of the Portola High School basketball team regarding the recent hate incident that took place at Laguna Hills High School; and provided the following announcements:

- Orange County Mosquito and Vector Control District confirmed that two mosquito breeds that tested positive for dog heartworm, and reminded residents to be proactive by removing any standing water in and around their properties.
- Orange County Public Libraries now offers fee waivers for late returns.
- The University of California, Irvine Library System is hosting an exhibit called “Americans in the Holocaust,” a traveling exhibition for libraries brought by the American Library Association and the United States Holocaust Memorial Museum, which will be on display from February 2 through March 9.
- Diamond Jamboree will be hosting a Lunar New Year celebration on Saturday, January 29 at 2 p.m.

Councilmember Carroll offered his support for Portola High School's basketball team regarding the recent hate incident that took place at Laguna Hills High School.

Mayor Khan also offered her support for Portola High School's basketball team, and noted that members of the Irvine City Council would be attending the team's next game; provided an update on her recent trip to Washington, D.C. to attend the U.S. Conference of Mayors; and made the following announcements:

- To help renters in the community easily access information they need in one place, a comprehensive Renter Resource webpage has been developed to assist residents get information on a variety of topics, including rental properties, finding affordable housing, rent relief, renter discrimination issues, reporting a safety violation, and more. For information, visit cityofirvine.org/renterresources.
- The Fair Housing Foundation, a nonprofit partner of the City dedicated to eliminating housing discrimination and promoting equal access to housing, will be hosting a free virtual workshop on Tuesday, February 8 from 1:30 to 3 p.m. Participants must register online to participate in the meeting. The workshop is for tenants, landlords, property managers, and other interested parties. For information, visit cityofirvine.org or call 1-800-446-3247.
- Mayor Khan and Councilmember Kim met with a Woodbury Homeowners Association boardmember at the intersection of Vintage and Great Law, where a recent collision took place between a motorist and a bicyclist, to discuss safety features needed not only at that particular intersection, but other similar intersections throughout the City. City Manager Chi also provided a brief update on potential safety measures being explored, including traffic signal enhancements, to provide additional safety at these types of intersections.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

2. CONSENT CALENDAR

ACTION: Moved by Vice Mayor Kuo, seconded by Councilmember Kim, and unanimously carried to approve Consent Calendar Item Nos. 2.1 through 2.10, with the exception of Consent Calendar Item Nos. 2.7 and 2.9, which were removed for separate discussion.

2.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council and regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency held on December 14, 2021.

2.2 PROCLAMATIONS

ACTION:

- 1) Proclaimed January 2022 as "National Slavery and Human Trafficking Prevention Month."
- 2) Proclaimed January 2022 as "Firefighter Cancer Awareness Month."
- 3) Proclaimed February 1, 2022 as "Lunar New Year."

2.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 22-05 - 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 FISCAL YEAR 2021-23 BUDGET ADJUSTMENTS FOR GREAT PARK ATHLETIC PROGRAMS

ACTION:

- 1) Approved Great Park budget adjustments in Fiscal Year 2021-22 to increase revenues by \$735,470 and expenditures by \$579,719 for Great Park athletic programs.
- 2) Approved Great Park budget adjustments in Fiscal Year 2022-23 to increase revenues by \$653,415 and expenditures by \$594,774 for Great Park athletic programs.

(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.

2.5 NOTICE OF REVIEW FOR TRACT MAPS IN ORCHARD HILLS AND GREAT PARK NEIGHBORHOODS (HERITAGE FIELDS EL TORO, LLC)

ACTION:

Received and filed.

2.6 APPROVAL OF SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THE FISCAL YEAR 2021-22 ANNUAL STREET REHABILITATION AND SLURRY SEAL PROJECT

ACTION:

- 1) Approved the specifications and contract documents for the Fiscal Year 2021-22 Annual Street Rehabilitation and Slurry Seal Capital Improvement Project 312201 and 342003.
- 2) Approved the Engineer's Estimate, Construction Contingency, and Funding Summary.
- 3) Authorized the City Manager to execute the Reimbursement Agreement with Irvine Ranch Water District for installation and adjustment of water facilities within the project area.
- 4) 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.

2.7 BARTON MOUND PLAQUE

This item was removed for separate discussion at the request of Councilmember Kim, who expressed concern about the lack of historical context as it related to Juan Flores and Sherriff James R. Barton.

City Council discussion included noting that most of the funding for the proposed plaque had been secured.

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

Approve installation of a plaque on the San Diego Creek Trail recognizing State Historical Site #218 – Barton Mound.

The motion carried as follows:

AYES: 3 COUNCILMEMBERS Agran, Carroll, and Kuo

NOES: 2 COUNCILMEMBERS: Kim and Khan

ABSENT: 0 COUNCILMEMBERS: None

2.8 CONTRACT AWARD FOR MAINTENANCE OF LANDSCAPE AND ASSOCIATED FACILITIES AT THE GREAT PARK

ACTION:

- 1) Approved and authorized the Mayor to execute the maintenance of landscape and associated facilities service contract with Merchants Landscape Services, Inc., the lowest responsive and responsible bidder, for an annual not-to-exceed amount of \$5,599,314.64. **(Contract No. 20258)**
- 2) Approved a budget adjustment in the amount of \$675,000 from the Great Park Fund 180 fund balance to supplement the funds necessary to complete unanticipated extra work enhancement services for this fiscal year.

(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.

2.9 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

This item was removed for separate discussion at the request of Councilmember Carroll, who asked for City Council consideration of his request for Community Partnership Fund Grant Nomination to Irvine Pony Baseball League in the amount of \$1,000 in support of program costs. Councilmember Agran also requested an additional Community Partnership Fund Grant Nomination to the Irvine Pony Baseball League in the amount of \$1,000 in support of program costs.

There was no City Council discussion.

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

ACTION:

- 1) Approve Councilmember Agran's request for Community Partnership Fund Grant Nomination to California Cultural Resources Preservation Alliance, Inc. in the amount of \$2,000 in support of program costs **(Contract No. 11413)**; **as amended** to also include Councilmember Agran's request for Community Partnership Fund Grant Nomination to Irvine Pony Baseball League in the amount of \$1,000 in support of program costs. **(Contract No. 11414)**
- 2) Approve Mayor Khan's request for Community Partnership Fund Grant Nomination to Irvine Pony Baseball League in the amount of \$1,000 in support of program costs. **(Contract No. 11414)**
- 3) Approve Vice Mayor Kuo's request for Community Partnership Fund Grant Nominations to the following organizations in support of program costs:
 - a) Pretend City Children's Museum (\$1,000) **(Contract No. 11415)**
 - b) Northwood High School Athletic Boosters (\$1,000) **(Contract No. 11416)**
 - c) Irvine Pony Baseball League (\$1,000) **(Contract No. 11414)**
 - d) Family Assistance Ministries (\$500)
 - e) Global Hope 365 (\$500)
- 4) Approve Councilmember Carroll's request for Community Partnership Fund Grant Nomination to Irvine Pony Baseball League in the amount of \$1,000 in support of program costs. **(Contract No. 11414)**
- 5) Authorize the City Manager to prepare and sign a funding agreements for individual awards of \$1,000 or more.

2.10 SECOND READING AND ADOPTION OF ORDINANCE NO. 22-01 ESTABLISHING A STANDING DIVERSITY, EQUITY, AND INCLUSION COMMITTEE

ACTION:

Read by title only, second reading and adoption of Ordinance No. 22-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADDING DIVISION 16 TO TITLE 1 OF THE IRVINE MUNICIPAL CODE ESTABLISHING A STANDING DIVERSITY EQUITY AND INCLUSION COMMITTEE

3. PUBLIC HEARINGS

3.1 APPROVAL OF TAX-EXEMPT BOND ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR FINANCING AN AFFORDABLE MULTIFAMILY RENTAL HOUSING PROJECT FOR LYNX FAMILY APARTMENTS

Mayor Khan opened the public hearing at 5:45 p.m.

Gemma Calilong, Management Analyst II, presented the staff report.

There was no City Council discussion.

There were no requests to speak.

ACTION: Moved by Vice Mayor Kuo, seconded by Councilmember Kim, and unanimously carried to close the public hearing at 5:50 p.m.

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

Adopt RESOLUTION NO. 22-06 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$55,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, AND DEVELOPMENT OF LYNX FAMILY APARTMENTS AND CERTAIN OTHER MATTERS RELATING THERETO

Following Public Hearing Item No. 3.1, Mayor Khan considered public comments on items not on the City Council agenda. See page 12.

RECESS

Mayor Khan called a recess at 6:41 p.m.

RECONVENE

Mayor Khan reconvened the City Council meeting at 7:01 p.m.

4. COUNCIL BUSINESS

4.1 POLICY AMENDMENTS TO ESTABLISH OUTDOOR DINING ON A PERMANENT BASIS

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

City Council discussion included: inquiring about whether any fees would be applicable for these types of permits; questioned whether American Rescue Plan Act (ARPA) funds could be used to off-set costs; inquired about the estimated number of establishments that would potentially be applying for permanent outdoor dining space; suggested additional outreach be conducted to inform restaurant owners of the program, including business owners whose English is a second language; questioned how this program would differ from a Conditional Use Permit or a Minor Modification Permit; inquired about potential encroachment issues with shared parking lots; and questioned whether electronic signatures would be acceptable on applications

The following individuals spoke in support of permanent outdoor dining:

Kevin Corrigan, Irvine resident
Doug Elliott, Irvine resident

Pam Wykoff, Irvine resident, spoke in opposition.

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

Adopt RESOLUTION NO. 22-07 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING A REVIEW PROCESS TO PERMIT OUTDOOR DINING WITHIN EXISTING COMMERCIAL CENTERS

4.2 COUNCIL BUSINESS ITEM NO. 4.2 WAS REMOVED FROM THE AGENDA PREVIOUSLY ORIGINALLY POSTED ON JANUARY 13, 2022.

4.3 CONSIDERATION OF A REQUEST BY VICE MAYOR KUO AND COUNCILMEMBER CARROLL TO ADOPT A RESOLUTION EXPRESSING SUPPORT FOR THE "BRAND-HUANG-MENDOZA TRIPARTISAN LAND USE INITIATIVE"

This item was agendized at the request of Vice Mayor Kuo and Councilmember Carroll, who asked for City Council consideration to adopt a resolution in support of the "Brand-Huang-Mendoza Tripartisan Land Use Initiative."

City Council discussion included: reiterating the need for more local control with respect to land use decisions; expressed concern about impacts to open space and housing gentrification; noted housing shortage and the need to meet such demands; expressed concern that the measure could potentially worsen the housing crisis and increase the overall cost of housing; inquired about the implications of Senate Bill 9 and its impact on the City's Master Plan; questioned the approximate number of home lots that had the ability to place multiple units on a single unit lot; expressed concern that the proposed initiative could have unintended consequences; and suggested that the initiative be further explored and analyzed by the City Attorney prior to expressing City Council support;

The following individuals spoke in support of the proposed resolution:

Andrew Aguero
Jon Paul White
(949) ***-*965

Doug Elliott, Irvine resident, spoke in opposition.

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

Continue the item to a date uncertain, and refer the item to a temporary subcommittee comprised of Councilmember Carroll and one other Councilmember to develop new language within the resolution.

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

- 1) Continue the item to the February 22, 2022 or March 8, 2022 City Council meeting.
- 2) Refer the item to a temporary subcommittee comprised of Councilmember Carroll and one other Councilmember.
- 3) Direct the City Manager to provide information on the number of parcels impacted under Senate Bill 9, and work with the City Attorney to analyze the “Brand-Huang-Mendoza Tripartisan Land Use Initiative” for potential unintended consequences to amending the California Constitution.

City Manager Chi noted that while preliminary information was available with respect to the number of impacted units, staff was still in the process of working through language of the bill given that much of the language was subject to interpretation. He also noted that staff was analyzing provisions within SB9 to the advantage that additional local control could still be maintained, and that a proposed ordinance would be forthcoming for City Council consideration.

Councilmember Kim nominated Councilmember Agran to serve with Councilmember Carroll on the subcommittee, to which Councilmember Agran respectfully declined.

Additional City Council discussion included: suggesting that Councilmember Kim work with Councilmember Carroll on the subcommittee as the City’s current representative to the Southern California Association of Governments (SCAG).

Following discussion, Vice Mayor Kuo amended his motion, and agreed to by Councilmember Carroll as the seconder, to have Councilmember Kim serve on the subcommittee with Councilmember Carroll.

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

- 1) Continue the item to the February 22, 2022 or March 8, 2022 City Council meeting.
- 2) Refer the item to a temporary subcommittee comprised of Councilmember Carroll and Councilmember Kim.
- 3) Direct the City Manager to provide information on the number of parcels impacted under Senate Bill 9, and work with the City Attorney to analyze the “Brand-Huang-Mendoza Tripartisan Land Use Initiative” for potential unintended consequences.

PUBLIC COMMENTS

The following individuals spoke in opposition to a recent hate incident at Laguna Hills High School:

- Sabrina Brown, Irvine resident
- Heather Chu, Irvine resident
- Philip Lo, Irvine resident
- Brian Hosokawa

Cherry Lai, Irvine resident, spoke in support of practicing intellectual humility; and encouraged community members to attend the next Portola High School basketball game to show their support.

The following individuals Kyler Chin, Rachel, and Alejandro, Irvine residents, spoke in opposition to a recent hate incident at Laguna Hills High School, and in support of 100% renewable energy:

- Kyler Chin, Irvine resident
- Rachel, Irvine resident
- Alejandro, Irvine resident
- Michelle Olson, Irvine resident
- Luis Huang, Irvine resident

Steven Coffey and David, Irvine residents, spoke in support of 100% renewable energy.

Dee Fox, Irvine resident, spoke in opposition to the Orange County Power Authority.

Kim Konte, Irvine resident, spoke in opposition to All American Asphalt and the ensuing odors emitted by the plant.

Dennis Lo, Irvine resident, spoke in opposition to Councilmembers leaving the dais during public comments; and in opposition to All American Asphalt and the ensuing odors emitted by the plant.

Kevin Corrigan, Irvine resident, spoke in opposition to the proposed Piper Preschool project in the Woodbridge Village Shopping Center.

ADJOURNMENT

Moved by Councilmember Kim, seconded by Vice Mayor Kuo, and unanimously carried to adjourn the meeting at 8:10 p.m.



 MAYOR OF THE CITY OF IRVINE



 CITY CLERK OF THE CITY OF IRVINE

February 22, 2022