



# MINUTES

## CITY COUNCIL REGULAR MEETING

**May 9, 2023**  
**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 4:03 p.m. on May 9, 2023, in the City Council Chamber, Irvine Civic Center, 1 Civic Center Plaza, Irvine, California; Mayor Khan presiding.

### ROLL CALL

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

### 1. CLOSED SESSION

City Attorney Melching announced the following Closed Session item:

- 1.1 ***CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1): The People of the State of California, by and through the City of Irvine vs. Jason Reynolds, Lionheart OC, Orange County Superior Court Case No. 23HM0014***

There were no requests to speak.

**RECESS**

Mayor Khan recessed the City Council meeting to Closed Session at 4:07 p.m.

**RECONVENE TO THE CITY COUNCIL MEETING**

Mayor Khan reconvened the City Council meeting at 5:08 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

**PLEDGE OF ALLEGIANCE**

Councilmember Treseder led the Pledge of Allegiance.

**INVOCATION**

Pastor John Thomas from Mariners Church provided the invocation.

**MOMENT OF SILENCE**

Mayor Khan asked for a moment of silence in memory of the victims who were injured, as well as those who succumbed to fatal injuries, as a result of the mass shooting at the Allen Premium Outlets in Allen, Texas; as well as those who were injured in Brownsville, Texas, when a driver drove into a crowd of migrants.

**2. PRESENTATIONS**

**2.1 *Association of California Cities - Orange County***

Janine Heft, Mayor of Laguna Hills, and Kris Murray, Executive Director, presented a brief operational review of the Association of California Cities - Orange County (ACC-OC).

City Council discussion included: expressing appreciation for the services of ACC-OC and availability of resources; inquired about why the City of Irvine originally left ACC-OC; questioned the similarities and differences between ACC-OC and other regional organizations such as the League of California Cities, Southern California Association of Governments, and Orange County Council of Governments; inquired about the annual fee and whether the City of Irvine would be guaranteed a seat on the Board of Directors; and expressed concern regarding lack of alignment of beliefs with other board members.

**By consensus**, received and filed.

Following consideration of Presentation Item No. 2.1, Mayor Khan reordered the agenda to consider Council Business Item No. 5.4.

**5.4 CONSIDERATION OF A REQUEST BY MAYOR KHAN TO DISCUSS REJOINING THE ASSOCIATION OF CALIFORNIA CITIES - ORANGE COUNTY**

This item was agendized at the request of Mayor Khan, who asked for City Council support to rejoin the Association of California Cities – Orange County.

City Council discussion included: suggesting that the City of Irvine have a seat on the Board to ensure the City's values and interests are represented; clarified that ACC-OC has its own bylaws and policies; highlighted the need to combat one-size-fits-all legislation in Sacramento; and articulated the non-partisan nature of ACC-OC and how its scope was not limited to the City's borders, including in areas such as sustainability.

Eric Neshanian and Dee Fox, Irvine residents, spoke in support of the City rejoining ACC-OC.

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

Re-join the Association of California Cities – Orange County.

**PUBLIC COMMENTS – NON-AGENDIZED ITEMS**

Cherry Lai, Irvine resident, spoke in support of a proclamation recognizing Buddha's birthday, which occurs in May.

Vinay Narang, Irvine resident, expressed appreciation to the City Council and staff for all their efforts.

Debra Kamm, Irvine resident, spoke in opposition to how the Irvine Unified School District (IUSD) spends public funds, the lack of services for disabled students by IUSD, and legal matters against her.

Alan Meyerson, Irvine resident, expressed appreciation to the City Council for the City's well-managed senior centers and Public Works staff for their prompt response to repairing potholes; and suggested that the City Council work collaboratively to achieve the will of the people.

Eric Neshanian, Irvine resident, spoke in opposition to the Children's Day proclamation reflecting the inclusion of the Turkish American Association.

The following individuals spoke in opposition to the lack of decorum and threats made toward Councilmember Treseder at the City Council meeting of April 25, 2023:

- Ann Haley, Irvine resident
- Bitia Karabian, Irvine resident
- Dan Shalev, Irvine resident
- Kyle Brown, Irvine resident

Following public comments on non-agendized items, the City Council considered Public Hearing Item No. 4.1.

#### **4. PUBLIC HEARINGS**

##### **4.1 PUBLIC HEARING REQUESTING INPUT REGARDING THE COMPOSITION OF POTENTIAL COUNCIL ELECTION DISTRICTS (6 P.M.)**

Mayor Khan opened the public hearing at 6:07 p.m.

Brian King, Assistant City Manager; and Justin Levitt, Vice President, National Demographics Corporation, presented the staff report and responded to questions.

City Council discussion included: comparing submittal of maps in comparison to other cities that have transitioned to districts; inquired about public participation to date; discussed possible shifts in advertising strategies; noted some difficulties related to the map drawing tools; inquired about whether villages would be considered neighborhoods for mapping purposes; questioned whether the consideration of maps would be limited to those compliant with the California Voting Rights Act; requested staff provide total costs for the transition to district elections; inquired about the role of the City Council related to drawing and reviewing submitted maps; and reiterated the need to factor in new communities of interest and multi-family housing, as well as representation of historically marginalized communities, to ensure that new marginalized areas were not being created.

Susan Sayre, Irvine resident, spoke in opposition to the City's current outreach efforts related to the districting process.

The following individuals spoke in support of keeping the University of California at Irvine (UCI) together, and in opposition to combining UCI with surrounding areas such as Turtle Rock and Shady Canyon:

- Hasti Soutekhashan, Irvine resident and UCI student
- Ann Le, Irvine resident and UCI student
- Michelle Dong, Irvine resident and UCI student
- Kylie Jones, Irvine resident and UCI student
- Lauren Melvin, Irvine resident and UCI student

Doug Elliott, Irvine resident, noted that he would be submitting a map that was compliant and respectful of village boundaries.

Eric Neshanian, Irvine resident, noted transitory resident populations in both the northern and southern parts of the City, as well as populations based on seasons related to UCI students, that are not accurately represented by the Census; and suggested that gerrymandering could be a potential issue.

Harvey Liss, Irvine resident, inquired about how the Census counted UCI students.

Dee Fox, Irvine resident, spoke in support of the map submittal process and website, and reiterated that UCI residents were not long-term residents.

**ACTION: Moved by Councilmember Carroll, seconded by Mayor Khan, and unanimously carried to close the public hearing at 7:15 p.m.**

**By consensus**, received and filed.

## **CITY MANAGER'S REPORT**

There was no report.

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

### Mayor Khan

- Orange County Transportation Authority (OCTA) will be holding a bike rally on Thursday, May 18 from 7:30 a.m. to 9:00 a.m. starting at the Orange Metrolink Station and ending at OCTA headquarters. Prize drawings, snacks, T-shirts, and a fun group ride would be available. To register, visit [OCTA.net/bikemonth](https://www.octa.net/bikemonth).

- Mayor Khan recognized and congratulated Irvine Robotics Team “Flying Cheese” for winning the teamwork championship in the design division and STEM Research Project Award at the 2023 VEX IQ Robotics Competition, which was held in Dallas, Texas. A Chat with the Mayor with the team was recorded, which sparked interest in many Irvine youth, and resulted in 14 Irvine teams competing, consisting of ten elementary school teams and four middle school teams. There were a total of 760 teams from around the world.
- Octane kicked off Innovation Week, anchored by the organization’s annual tech innovation forum, which goes from May 9 through 11. Innovation Week is in partnership with the City of Irvine, Greater Irvine Chamber, Orange County Business Council, and UCI Beall Applied Innovation. Members of the community are invited to attend the many events scheduled throughout the three-day event.
- The City is continuing to hold community forums regarding a possible shift from at-large City Councilmember elections to district elections. Two forums will be held this month: Saturday, May 13, at 3 p.m. at the South Coast Chinese Cultural Center, and Saturday, May 27, at 10 a.m. at Lakeview Senior Center. Members of the public are invited to learn about the districting process, and discover tools available to draw maps to ensure their neighborhood is fairly represented. To learn more about Council Districting and Expansion, visit [DrawIrvine.org](http://DrawIrvine.org).
- Member of the public are invited to attend the Public Works Week on Wednesday, May 24 from 10 a.m. to 2 p.m. at Great Park Hangar 244 to learn how Public Works serves the community. Attendees will have an opportunity to see construction equipment up close, discover how traffic signal systems operate, learn about careers in the field of public works, and more. There will be giveaways and the chance to earn prizes. Food will be available for purchase. Admission is free. No RSVP is necessary. For information, visit [cityofirvine.org/PublicWorksWeek](http://cityofirvine.org/PublicWorksWeek).
- The City of Irvine is hosting two Memorial Day events to honor and remember the sacrifice of fallen American service members. A special candle-lighting ceremony will be held at the Northwood Gratitude and Honor Memorial at Northwood Community Park on Sunday, May 28, at 4 p.m. Jim and Carla Hogan, Gold Star parents of Lance Corporal Donald J. Hogan, who lost his life while serving in Afghanistan, will be the featured speakers. The ceremony is held in partnership with the Northwood Memorial Committee. Guests are encouraged to bring lawn chairs or blankets for seating.

The City will also host its annual Memorial Day Ceremony in the Formal Garden at Colonel Bill Barber Marine Corps Memorial Park Monday, May 29, at 10 a.m. A Commanding Officer from Irvine’s adopted 2/11 Marine Battalion will speak to recognize fallen service members and their sacrifice. Guests will have the opportunity to honor family and friends who died in service to the nation by posting a brief remembrance on a memory board at the event. For those wishing to express gratitude to members of Irvine’s adopted 2/11 Marine

Battalion, cards will be available to send a message of appreciation and support. For more information visit [cityofirvine.org/specialevents](http://cityofirvine.org/specialevents).

- In honor of Harvey Milk Day and June Pride Month, the City is hosting the second annual Pride in Irvine event on Monday, May 22, from 5 to 7 p.m., at the Irvine Civic Center Piazza. The Progress Flag will be raised in recognition and support of our LGBTQIA+ community. Members of the community are also invited to explore programs provided by local advocacy and support organizations, and enjoy live music, refreshments, and activities while learning about valuable resources, making connections, and celebrating Pride. Admission is free. For information, visit [cityofirvine.org/pride](http://cityofirvine.org/pride).

#### Councilmember Treseder

- Councilmember Treseder noted an incident that took place at the last City Council meeting, at which time the Council was discussing adoption of a gun safety ordinance, and a gentleman from the audience had threatened to post her home address on various internet sites if she continued supporting an ordinance. She also noted that a significant amount of progress had been made since the incident took place, and that the matter was just about resolved.

#### Vice Mayor Kim

- Vice Mayor Kim provided a brief report on her trip to Washington, DC, for an official state visit at the White House by the President of the Republic of Korea. During her trip, she was also invited to a Joint Session of Congress, at which time President Yoon spoke; and was also invited to attend the speakers' reception with former ambassador to the Republic of Korea, U.S. Ambassador Kathleen Stephens.

#### Councilmember Agran

- Councilmember Agran congratulated Mary Ann Guido for receiving the prestigious Ralph Kennedy Award at the 2023 Affordable Housing Breakfast. The award honors those making a difference in the lives of extremely low-income families in Orange County.

### **ADDITIONS AND DELETIONS**

There were no additions or deletions to the agenda.

**3. CONSENT CALENDAR - CITY COUNCIL**

Prior to adoption of the Consent Calendar, the following individuals spoke on Item Nos. 3.2 and 3.11:

Item 3.2

Sandi Lester and Beverly Jacobs, Irvine residents, expressed appreciation to the City Council for recognizing May as Jewish American Heritage month.

Phyllis Agran, Irvine resident, presented a brief informational video on drowning prevention awareness.

Item 3.11

Lexi Hernandez and Ayn Craciun, representing Climate Action Campaign, spoke in support of transitioning from fossil fuels, and in support of all future vehicle purchases being electric or zero emission vehicles.

**Moved by Councilmember Carroll, seconded by Vice Mayor Kim, and unanimously carried to approve City Council Consent Calendar Item Nos. 3.1 through 3.12, with the exception of City Council Consent Calendar Item Nos. 3.2, 3.4, and 3.7, which were removed for separate discussion.**

**3.1 MINUTES**

**ACTION:**

- 1) Approve the minutes of a special meeting of the City Council held on April 11, 2023.
- 2) Approve the minutes of a regular joint meeting of the City Council held on April 11, 2023.

**3.2 PROCLAMATIONS**

This item was removed for separate discussion at the request of Councilmember Agran, who highlighted drownings by children in California every year due to drowning, and suggested that the matter be agendaized at a future meeting to explore options to reduce drowning throughout Orange County; and proposed the establishment of a statewide drowning registry.

There was no City Council discussion.

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

- 1) Proclaim May 21-27, 2023, as "National Public Works Week."
- 2) Proclaim May 20, 2023, as "Kids to Parks Day."
- 3) Proclaim May - October 2023, as "Drowning Prevention Awareness."
- 4) Proclaim the month of May 2023, as "Asian American and Pacific Islander Heritage Month."
- 5) Proclaim the month of May 2023, as "Jewish American Heritage Month."

**3.3 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 23-37 - 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 NEWPORT BAY WATERSHED COOPERATIVE AGREEMENT MA-080-23010376**

This item was removed for separate discussion at the request of Councilmember Carroll, who expressed concern about Irvine Ranch Water District's (IRWD) allocation in relation to the City and Irvine's allocation.

Jesse Cardoza, Deputy Director of Community Development, and Thomas Lo, Water Quality Administrator, responded to questions.

City Council discussion included: noting cooperation between multiple cities and water districts; inquired about why Irvine Company and IRWD's allocation was down, while the City of Irvine's allocation was up; noted the volume of IRWD's real estate assets; inquired about whether the City could request IRWD's prior allocation; questioned whether the City's allocation was the highest; and inquired about adjusting the approval date.

**ACTION:** Moved by Councilmember Carroll, seconded by Councilmember Agran, to:

Continue the item to the May 23, 2023 City Council meeting, and direct staff to work with Irvine Ranch Water District to see if it would be amenable to assuming its prior allocation.

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

- 1) Approve Agreement MA-080-23010376 to fund nutrient, fecal coliform and toxics Total Maximum Daily Load programs and activities in the Newport Bay Watershed.
- 2) Authorize the Mayor to sign the Agreement on behalf of the City.

The motion failed as follows:

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

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

Continue the item to the May 23, 2023 City Council meeting, and direct staff to work with Irvine Ranch Water District to see if it would be amenable to assuming its prior allocation.

**The motion carried as follows:**

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

**3.5 RESOLUTION OF DECLARATION OF SURPLUS LAND IN THE CULTURAL TERRACE WEST DEVELOPMENT AREA**

**ACTION:**

Adopted RESOLUTION NO. 23-38 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA DECLARING CITY OWNED PROPERTY SURPLUS PROPERTY PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54221

**3.6 AMENDMENT TO LEASE BETWEEN CITY OF IRVINE AND TIERRA VERDE INDUSTRIES**

**ACTION:**

Approved Amendment No. 3 to Amended and Restated Lease between City of Irvine and Tierra Verde Industries, and authorized the City Manager to execute the Amendment on behalf of the City. **(Contract No. 5247E)**

(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 BUDGET ADJUSTMENT AND AWARD OF CONSTRUCTION CONTRACT FOR FISCAL YEAR 2022-23 ANNUAL STREET REHABILITATION AND SLURRY SEAL PROJECT**

This item was removed for separate discussion at the request of Councilmember Agran, who suggested that staff explore what other cities may be doing in relation to white streets.

Sean Crumby, Director of Project Delivery and Sustainability, responded to questions.

City Council discussion included: noting the benefits of white streets in furthering the City's efforts to meet its Climate Action Plan goals by reducing heat absorbed by streets.

**ACTION: Moved by Councilmember Agran, seconded by Councilmember Treseder, and unanimously carried, to:**

- 1) Award a construction contract in the amount of \$15,200,825 for the Fiscal Year 2022-23 Annual Street Rehabilitation and Slurry Seal Capital Improvement Program Project 312301, to the lowest responsive and responsible bidder, Excel Paving Company.
- 2) Approve the project funding summary and corresponding budget adjustment appropriating \$2,469,925 Gas Tax Fund, Fund 111, to Fiscal Year 2022-23 Annual Street Rehabilitation and Slurry Seal Capital Improvement Program project 312301.

**3.8 APPROVAL OF PLANS, SPECIFICATIONS, CONTRACT DOCUMENTS AND FUNDING FOR ELECTRIC VEHICLE CHARGER INSTALLATION AT IRVINE CIVIC CENTER PHASE II**

**ACTION:**

- 1) Approved the construction plans, specifications, and contract documents for Electric Vehicle Charger Installation at Irvine Civic Center Phase II, Capital Improvement Program (CIP) project 361908.
- 2) Approved a budget adjustment in the amount of \$221,000 for Electric Vehicle Charger Installation at Irvine Civic Center Phase II, CIP project 361908.
- 3) Approved the Engineer's Estimate, Construction Contingency, and Project Funding Summary.
- 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.

**3.9 APPROVAL OF PLANS, SPECIFICATIONS, CONTRACT DOCUMENTS AND FUNDING FOR NORTHWOOD AQUATICS CENTER DECK REPLACEMENT**

**ACTION:**

- 1) Approved the construction plans, specifications, and contract documents for Northwood Aquatics Center Deck Replacement project, Capital Improvement Program (CIP) project 362004.
- 2) Approved a budget adjustment in the amount of \$703,287 for Northwood Aquatics Center Deck Replacement project, CIP project 362004.

- 3) Approved the Engineer's Estimate, Construction Contingency, and Project Funding Summary.
- 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.

**3.10 NOTICE OF PENDING APPROVAL FOR TRACT MAPS IN ORCHARD HILLS LOCATED ADJACENT TO THE INTERSECTION OF PORTOLA PARKWAY AND JEFFREY ROAD**

**ACTION:**

Received and filed.

**3.11 APPROVAL TO INCREASE FUEL DELIVERY CONTRACT NOT-TO-EXCEED AMOUNT**

**ACTION:**

Approved and authorized the Mayor to execute a contract amendment for gasoline and fuel delivery services to increase the not-to-exceed value by \$200,000 from \$980,000 to \$1,180,000. **(Contract No. 20279A)**

**3.12 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS**

**ACTION:**

- 1) Approved Councilmember Agran's request for Community Partnership Fund Grant Nomination for Friends of Outreach in the amount of \$1,500 to support program costs. **(Contract No. 11615)**
- 2) Approved Councilmember Treseder's request for Community Partnership Fund Grant Nomination for Orange County Human Relations Council in the amount of \$1,000 to support program costs. **(Contract No. 11616)**
- 3) Authorized the City Manager to prepare and sign a funding agreement for the organization listed above.

**4. PUBLIC HEARINGS (CONTINUED)**

**4.2 AMENDMENTS TO THE ZONING ORDINANCE AND THE NORTH IRVINE TRANSPORTATION MITIGATION (NITM) PROGRAM IMPLEMENTING AGREEMENT FOR CONSISTENCY WITH RECENT AMENDMENTS TO THE COMMUNITY PARKS PARK PLAN**

Mayor Khan opened the public hearing at 8:01 p.m.

Bill Rodrigues, Principal Planner, presented the staff report and responded to questions. Tim Gehrich, Director of Community Development, was also available for questions.

There was no City Council discussion.

**ACTION: Moved by Vice Mayor Kim, seconded by Councilmember Carroll, and unanimously carried by those members present (Councilmember Treseder absent), to close the public hearing at 8:05 p.m.**

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

Introduce for first reading and read by title only ORDINANCE NO. 23-09 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING CHAPTERS 9-1, 9-5, 9-6, 9-8, AND 9-9 OF THE IRVINE ZONING ORDINANCE RELATED TO SPECIAL DEVELOPMENT STANDARDS FOR PARKS IN PLANNING AREAS 1 & 2 AND THE NORTHERN SPHERE

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

Introduce for first reading and read by title only ORDINANCE No. 23-10 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE FIRST AMENDMENT TO THE NORTH IRVINE TRANSPORTATION MITIGATION (NITM) PROGRAM IMPLEMENTING AGREEMENT

**4.3 APPROVAL OF IRVINE FACILITIES FINANCING AUTHORITY LEASE REVENUE BONDS, SERIES 2023A, IN AN AMOUNT NOT TO EXCEED \$360 MILLION, FOR THE CREATION OF THE GATEWAY PRESERVE AND THE ALL AMERICAN ASPHALT PLANT ACQUISITION FINANCING**

Mayor Khan opened the public hearing at 8:07 p.m.

Dahle Bulosan, Director of Administrative Services, presented the staff report and responded to questions. Sara Oberlies Brown, representing Stifel Public Finance, also responded to questions.

City Council discussion included: questioning the funding timeline and whether it could be compressed due to market conditions; inquired about the repayment timeline, penalties for early repayment, and the City's credit rating; highlighted the importance of collaboration and consistency among the City Council as the process moves forward; and stressed the need to put protective measures in place in case any decisions were revisited by future City Councils.

Eric Neshanian, Irvine resident, spoke in support of continuing the item due to a Brown Act violation based on a modification following the posting of the agenda.

**ACTION: Moved by Vice Mayor Kim, seconded by Councilmember Treseder, and unanimously carried by those members present (Councilmember Carroll absent), to close the public hearing at 8:24 p.m.**

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

Adopt RESOLUTION NO. 23-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF A GROUND LEASE, LEASE AGREEMENT, INDENTURE, CONTINUING DISCLOSURE AGREEMENT AND BOND PURCHASE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF THE IRVINE FACILITIES FINANCING AUTHORITY (GATEWAY PRESERVE LAND ACQUISITION PROJECT) LEASE REVENUE BONDS, SERIES 2023A, APPROVING THE ISSUANCE OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$360,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH BONDS AND

AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

**RECESS TO THE IRVINE FACILITIES FINANCING AUTHORITY MEETING**

Mayor Khan recessed the City Council meeting to the Irvine Facilities Financing Authority Meeting at 8:31 p.m.

**RECONVENE TO THE CITY COUNCIL MEETING**

Mayor Khan reconvened the City Council meeting at 8:35 p.m.

**5. COUNCIL BUSINESS**

**5.1 SECOND READING AND ADOPTION OF ORDINANCE NO. 23-07 ADDING CHAPTER 8 TO DIVISION 9 OF TITLE 5 OF THE IRVINE MUNICIPAL CODE REGARDING ELECTRIFICATION OF NEWLY CONSTRUCTED BUILDINGS**

Jeff Melching, City Attorney, presented the staff report and responded to questions. He also suggested that this item be continued, as staff needed time for further analysis of the decision by the Ninth U.S. Circuit Court of Appeals, and to work with staff and community stakeholders on a strategy.

Jesse Cardoza, Deputy Director of Community Development, was also available to answer questions.

City Council discussion included: questioning how much time the City Attorney needed to conduct further research.

Lexi Hernandez, Climate Action Campaign, spoke in support of building electrification.

Eric Neshanian, Irvine resident, spoke in opposition to Exception 3 in the proposed ordinance.

Hoiyin Ip, Irvine resident, spoke in favor of researching options following the Court of Appeals' decision in order to continue the commitment to environmental justice.

Doug Elliott and Ayn Craciun, Irvine residents, spoke in favor of looking at alternatives in order for the City to go all-electric.

**ACTION: Moved by Councilmember Treseder, seconded by Councilmember Agran, and unanimously carried to:**

Continue this item to the City Council meeting of June 13, 2023 for the City Attorney to either provide a report or updated ordinance that will not be challenged.

Continue the item to the June 13, 2023, City Council meeting, and direct the City Attorney to provide an updated report, or an updated ordinance not subject to a potential challenge.

**5.2 CONSIDERATION OF A REQUEST BY COUNCILMEMBER AGRAN FOR AN URBAN FOREST MANAGEMENT PLAN**

This item was agendaized at the request of Councilmember Agran, who asked for City Council support for an urban forest management plan.

Sean Crumby, Director of Project Delivery and Sustainability, provided a brief presentation and responded to questions.

City Council discussion included: reiterating the need to expand on the City's large number of trees; questioned whether a Request for Proposals (RFP) was needed to develop a plan or whether it could be created in-house; inquired about whether indigenous tree types could be added; and questioned the costs for long-term tree maintenance, including street tree costs versus open space tree costs.

The following individuals spoke in support of an urban forest management plan:

- Lexi Hernandez, Climate Action Campaign
- Ayn Craciun, Climate Action Campaign
- Doug Elliott, Irvine resident
- Hoyin Ip, Irvine resident
- Harvey Liss, Irvine resident

**ACTION: Moved by Councilmember Agran, seconded by Councilmember Treseder, and unanimously carried to:**

- 1) Direct the City Manager and staff to develop an Urban Forest Management Plan (UFMP) that will be coordinated with the City's General Plan Update and the Climate Action and Adaptation Plan efforts.
- 2) Direct City staff to present recommendations for a strategic plan to evaluate, maintain, and expand the urban forest and return at the September 26, 2023 City Council meeting with the following:

- a) An analysis of the current status of the City's Urban Forestry Program, including a schedule for updating the Urban Forestry Ordinance (94-08) and all applicable policy documents.
- b) Recommendations for issuance of a request for proposal to create an Urban Forestry Management Plan that will guide the City's urban forest development for the foreseeable future.
- c) Identification of all funding sources, including Federal, State, City, and County, for preserving and expanding Irvine's urban tree canopy over the next five years.

**5.3 CONSIDERATION OF A REQUEST BY COUNCILMEMBER AGRAN TO DISCUSS SUPPORT OF SENATE BILL 381 ELECTRIC BICYCLES SAFETY STUDY**

This item was agendaized at the request of Councilmember Agran, who asked for City Council consideration to send a notice of support to Senator Min for Senate Bill 381.

City Council discussion included: acknowledging the overall benefits of e-bikes as the future of transportation; and noted the importance of mitigating the risks that electric vehicles provide.

The following individuals spoke in support of sending a notice of support to Senator Min:

- Alan Meyerson, Irvine resident
- Eric Neshanian, Irvine resident
- Dee Fox, Irvine resident
- Ayn Craciun, Irvine resident
- Youssef Kaddeche, Irvine resident

**ACTION: Moved by Councilmember Agran, seconded by Councilmember Carroll, and unanimously carried to:**

Send a notice of support to Senator Dave Min for Senate Bill 381.

**5.5 CONSIDERATION OF A REQUEST BY COUNCILMEMBER TRESEDER TO DISCUSS THE SOLARIZE IRVINE PROGRAM**

This item was agendaized at the request of Councilmember Treseder, who asked for City Council consideration to provide additional funding for the Solarize Irvine program over the next two years.

Sean Crumby, Director of Project Delivery and Sustainability, and Senait Forthal, Executive Director of OC Goes Solar, provided a brief presentation and responded to questions.

City Council discussion included: questioning how OC Goes Solar would sustain itself once American Rescue Plan Act (ARPA) funds were exhausted; inquired about how the organization differed from a solar broker; questioned whether the organization had preferred vendors; inquired about how the organization was breaking down barriers for those within homeowner associations (HOAs) as well as those with policy barriers, including condominiums; questioned how many residents had been assisted, and approximately how many more could be helped if additional funding was provided; inquired about whether any other cities were actively promoting solar; questioned whether a solarization plan could be developed prior to approval of the Climate Action and Adaptation Plan (CAAP); discussed the possibility of incorporating a service fee to fund and expand the program; questioned whether similar organizations existed; inquired about how the \$150,000 in funding would be used for; questioned whether Solarize Irvine was already working with City staff; and inquired about which staff member would oversee the program.

Eric Neshanian, Irvine resident, spoke in opposition to providing additional funding to Solarize Irvine.

Harvey Liss and Hoiyin Ip, Irvine residents, spoke in support.

Councilmember Carroll left the meeting at 9:42 p.m.

**ACTION:** Moved by Councilmember Treseder, seconded by Vice Mayor Kim, to:

Allocate funding in the amount of \$150,000 to OC Goes Solar to expand the Solarize Irvine program.

**ACTION: A friendly amendment was made by Councilmember Agran, accepted by Councilmember Treseder as the maker, and Vice Mayor Kim as the seconder, and unanimously carried by those members present (Councilmember Carroll absent), to:**

Allocate funding in the amount of \$150,000 to OC Goes Solar to expand the Solarize Irvine program, subject to staff's review of the proposal, and direct staff to return with its review at the June 23, 2023, City Council meeting.

**ADJOURNMENT – CITY COUNCIL**

**Moved by Vice Mayor Kim, seconded by Councilmember Treseder, and unanimously carried by those members present (Councilmember Carroll absent), to adjourn the City Council meeting at 10:35 p.m.**

  
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MAYOR, CITY OF IRVINE

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

\_\_\_\_\_  
June 13, 2023