



## MINUTES

### CITY COUNCIL REGULAR MEETING

October 24, 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 4:06 p.m. on October 24, 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 items:

- 1.1 **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant Exposure to Litigation (Gov. Code Section 54956.9(d)(2) or (3)): One Case**
- 1.2 **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Initiation of litigation (Government Code section 54956.9(d)(4)): One case**

There were no requests to speak.

**RECESS**

Mayor Khan recessed the City Council meeting to Closed Session at 4:10 p.m.

**RECONVENE TO THE CITY COUNCIL MEETING**

Mayor Khan reconvened the City Council meeting at 5:21 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 Agran led the Pledge of Allegiance.

**INVOCATION**

Lead Pastor Yohan Shin from Mariners Church provided the invocation.

Following the Invocation, City Manager Chi announced that a request had been received to remove Item 4.1 (Consideration of a Request by Vice Mayor Kim for Discussion and Direction Regarding Charter Amendment for Council Expansion while Retaining At Large Elections) from the agenda.

**2. PRESENTATIONS**

**2.1 *Proclaim October 27, 2023, as "Millie Rose Scooter Safety Day"***

Mayor Khan introduced parents Jarret and Ariella Calmenson, brother Asher Calmenson, and presented a brief video and proclamation recognizing October 27, 2023, as "Millie Rose Scooter Safety Day."

The following individuals spoke in support of the proclamation and the importance of road safety:

- Youssef Kaddeche, Irvine resident
- Ayn Craciun, Climate Action Campaign
- Alex Lewis, Remake Irvine Streets for Everyone (RISE)
- Tomas Castro, Citizens Climate Lobby
- Nathan Guerrero, University of California, Irvine (UCI) student and Irvine resident
- Kyle Brodie, Irvine resident

**2.2 Irvine Ranch Conservancy**

Mayor Khan introduced Michael O’Connell, President & Chief Executive Officer, who provided a brief overview of Irvine Ranch Conservancy’s (IRC) mission and programs through its partnership with the City of Irvine.

Hoiyin Ip, Irvine resident, spoke in support of the City’s partnership with IRC, and banning single use plastics in open space areas.

**By consensus**, received and filed.

**2.3 Orange County Power Authority**

Mayor Khan introduced Joe Mosca, Interim Chief Executive Officer, and Andrew Marc Di Giovanna, External Affairs Manager, who provided a brief update on the Orange County Power Authority (OCPA).

The following individuals spoke in support of OCPA:

- Adriana Maestas, Irvine resident
- Kyle Brodie, Irvine resident
- Ayn Craciun, Climate Action Campaign
- Brandon Harris, Irvine resident
- Doug Elliott, Irvine resident
- Hoiyin Ip, Irvine resident
- Tiffany I., Irvine resident

The following individuals spoke in opposition to OCPA:

- Eric Neshanian, Irvine resident
- Dee Fox, Irvine resident
- Harvey Liss, Irvine resident

Alan Meyerson, Irvine resident, suggested a presentation on how OCPA was separating clean and dirty energy.

Sol inquired about City funding and contribution amounts for OCPA.

Don Geller, Irvine resident, spoke in support of OCPA repaying its loan to the City.

City Council discussion included: discussing notable achievements and upcoming improvements by OCPA; clarified repayment terms of the agreement between OCPA and the City and whether repayment could occur sooner; expressed concern about the agency’s ability to repay the loan; questioned the impact of the City of Huntington Beach’s decision

to withdraw from OCPA, including the coverage of any financial losses; inquired about the qualifications of the interim chief executive officer; questioned whether OCPA had been in compliance with the its credit agreement with U.S. Bank; and clarified how repayment of the loan would impact the City's representation on OCPA Board.

**By consensus**, received and filed.

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

Susan Sayre, Irvine resident, spoke in support of wage increase and rental/lease control ordinances.

Cielo, Irvine resident, spoke in opposition to the rise in people bringing their pets to supermarkets and restaurants, and suggested enforcement assistance from the Irvine Police Department to address the issue.

The following individuals spoke in support of transit-oriented development (TOD) and/or in opposition to minimum parking regulations at the Irvine Spectrum:

- Adriana Maestas, Irvine resident
- Youssef Kaddeche, Irvine resident
- Leeza Bondarchuk, RISE and student at Irvine Valley College
- Caden Bracken-Sorte, University High School student
- Konstantin Evchenko
- Brandon Harris, Irvine resident
- Alex Lewis, RISE
- Joshua Moore, Irvine resident
- James, Irvine resident
- Justin Bai
- Dane Carstens, recent UCI graduate
- Kyle Brodie, Irvine resident
- Nathan Guerrero, Irvine resident
- Sahand Cyrusian, Irvine resident
- Spencer Lynch
- Doug Elliott, Irvine resident
- Ayn Craciun, Climate Action Campaign

Geneva Bailey, Irvine resident, spoke in opposition to the Irvine Unified School District's response to her daughter being bullied at school, and requested assistance from the Chief of Police.

Alan Meyerson, Irvine resident, spoke in opposition to continuing with at-large elections, and in support of improving transportation in the master plan.

Jason Garshfield, Irvine resident, spoke in opposition to early morning trash collection noise.

Eric Neshanian, Irvine resident, spoke in opposition to Chief Kent's lack of response to his concerns at the August 10, 2023 Orange County Human Relations Commission meeting, and in opposition to Vice Mayor Kim's qualifications for Mayor.

Dee Fox, Irvine resident, spoke in opposition to City funds being donated to the Korean American Chamber of Commerce of Orange County.

Jeremy Ficarola, Irvine resident, spoke in support of environmentally responsible planning of the City's transportation infrastructure.

### **CITY MANAGER'S REPORT**

There was no report.

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

#### Mayor Khan

- This past Saturday, Mayor Khan hosted a CalOptima Renewal and Resource Fair at Free Chapel in Irvine and expressed appreciation to all Orange County partner organizations, including Orange County Social Services Agency, for providing resources and services consisting of diapers, food boxes, toys, and health screenings; the Irvine Police Department, including Irvine Police Explorers and the Community Emergency Response Team (CERT); and Free Chapel for hosting and providing support.
- On Monday, October 23, Mayor Khan held an anti-hate roundtable discussion with many Irvine and Orange County ethnic and religious community leaders, and California Attorney General Rob Bonta. Panel speakers included Yulan Chung of the South Coast Chinese Cultural Center, Rabbi Peter Levi of the Anti-Defamation League, Amr Shabaik of the Council on American-Islamic Relations Los Angeles, Chris Meza of National Association for the Advancement of Colored People Orange County, John Gutierrez of the Hispanic American Chamber of Commerce, Irvine Chief of Police Mike Kent, and Orange County District Attorney Todd Spitzer. Attorney General Bonta reaffirmed his commitment to ensuring that those engaging in hate crimes would be held accountable.

- Irvine is the safest city of its size for Part I violent crime when compared to FBI data recently released for 2022. Compared to information released by the FBI, Irvine had the lowest per capita violent crime rate of any city in the nation with a population of 250,000 or more, the 18th consecutive year Irvine has had the lowest per capita violent crime rate among cities its size. Mayor Khan expressed appreciation to Chief Kent and all members of Irvine Police Department for their professionalism and continued partnership with the community that Irvine remains a destination where people can live, work, and enjoy life with a sense of unmatched security and belonging.
- The City is in the planning phase of a new library at Great Park as part of the Great Park Framework Plan. Residents are invited to attend two upcoming Community Town Hall meetings to help create a space that reflects the needs and aspirations of the City. The first town hall, which will take place on October 25 at 6 p.m. at Portola Springs Community Center, will provide an opportunity to learn about the library, planned for a site adjacent to the Botanical Gardens and the Veterans Memorial Park and Gardens, and share feedback. The second town hall meeting on Thursday, November 16, at 6 p.m. at Lakeview Senior Center will provide an opportunity to review and discuss design options for what is envisioned as Irvine's future central library. To learn more, visit [cityofirvine.org/GreatParkLibrary](http://cityofirvine.org/GreatParkLibrary).
- An update to the City of Irvine's General Plan is in process, and the community is invited to participate. The General Plan Update is a state-required document that will help preserve and enhance Irvine's quality of life as the City matures. The City will host a series of community workshops that will allow the public to learn more about the General Plan Update and share feedback on important issues, including land use, transportation, noise, and safety. The first workshop will be held on Wednesday, October 25, from 6 to 7:30 p.m. at Quail Hill Community Center with a focus on land use, and the short- and long-term management of the City's natural and built environments. There will also be a Circulation Workshop on Wednesday, November 1, focusing on transportation, and a virtual workshop on Wednesday, November 15, with a focus on safety and noise. For details about these workshops and the General Plan Update, visit [irvine2045.org](http://irvine2045.org).
- The community is invited to honor veterans and their families at a special Veterans Day Ceremony on Saturday, November 11, from 11 a.m. to 12:30 p.m. in the formal garden area at Colonel Bill Barber Marine Corps Memorial Park. Tribute will be paid to our nation's past and present troops, and local veterans, veterans groups, and military organizations will be honored. For more information, call 949-724-6606 or visit [cityofirvine.org/specialevents](http://cityofirvine.org/specialevents).

- The City is developing its first Climate Action and Adaptation Plan (CAAP), which sets ambitious but achievable emissions reduction targets for the City and lays out a pathway to achieving climate goals across municipal operations and the community. For the climate action plan to reflect the priorities and values of the community and to gain input from stakeholders, the Environmental Programs Division has been conducting significant community outreach, including launching an online survey, which all Irvine residents and businesses are encouraged to take. Community input will be used in combination with feedback from public workshops to inform the adaptation and mitigation measures in the draft climate action plan. To access the survey and learn more about the CAAP, visit [cityofirvine.org/climate](http://cityofirvine.org/climate).

Councilmember Treseder

- At the meeting of the Newport Bay Watershed Committee, it was reported that staff of the Irvine Ranch Water District and other organizations had sampled extensively along the Newport Bay Watershed for the past year to check for pollutants, toxins, and sediment. The results were positive, showing low levels of toxins, nutrients, and sediment that drains into Newport Bay. One uncommon finding was an increase in algae; the cause is unknown and further study will take place.
- The following items were considered at the last Orange County Power Authority (OCPA) Board meeting:
  - Chief Executive Officer (CEO) Recruitment Ad Hoc Committee update: The application for the new permanent CEO position closed on October 18, with a strong number of applicants applying. The Ad Hoc Committee is narrowing the applicant pool and will send these candidates to the Board for final review.
  - Support the Solar on Multifamily Affordable Housing Program (SOMAH): SOMAH was largely created by advocacy efforts of environmental justice groups and funded by greenhouse gas auction revenues to expand clean energy access to low income and environmental justice communities. There are over 200 likely SOMAH-eligible properties in Orange County and OCPA's partnership with SOMAH will greatly benefit the local community through energy bill savings, decreased pollution, and workforce career opportunities.
  - OCPA survey on climate change: OCPA surveyed 1,800 registered voters in Orange County and found that a significant majority believe that climate change is a serious threat to the quality of life in Southern California and that small changes by individuals can make a difference. The survey also found that messaging about OCPA caused a significant shift in positive ratings, presenting an opportunity to significantly improve brand awareness with a targeted outreach campaign.

Vice Mayor Kim

- Vice Mayor Kim invited the community to an event she is hosting in collaboration with the Orange County Fire Authority (OCFA) on Wednesday, October 25 at 4 p.m. at Fire Station 6, located behind City Hall on Barranca Parkway. Residents will have an opportunity to connect with local heroes and experience firefighting demonstrations, including CPR and fire extinguishers. Snacks and refreshments will be available, and attendees will have a chance to meet and greet with OCFA Fire Chiefs and Battalion Chiefs.
- Vice Mayor Kim and the City of Irvine team attended Supervisor Foley's Climate Inflation Reduction Grant Roundtable at the Orange County Board of Supervisors' Office. By collaborating with the OC/LA region, the City is strategizing for Irvine to secure funding for vital projects that address climate pollution. This effort is part of a \$5 billion investment by the Biden administration.

Councilmember Carroll

- Councilmember Carroll expressed disappointment at the potential gap in live music after last weekend's Zac Brown Band concerts due to the termination of the amphitheater proposal with Live Nation, and noted attempts by other cities to develop a live music venue.

**ADDITIONS AND DELETIONS**

Item 4.1 (Consideration of a Request by Vice Mayor Kim for Discussion and Direction Regarding Charter Amendment for Council Expansion while Retaining At Large Elections) was removed from the agenda at the request of City Manager Chi. See page 2.

**3. CONSENT CALENDAR**

There were no requests to speak.

**Moved by Vice Mayor Kim, seconded by Councilmember Carroll, and unanimously carried to approve City Council Consent Calendar Item Nos. 3.1 through 3.7.**

**3.1 MINUTES**

**ACTION:**

Approved the minutes of a regular meeting of the City Council held on September 26, 2023.

**3.2 PROCLAMATIONS**

**ACTION:**

Proclaimed October 27, 2023, as "Millie Rose Scooter Safety Day."

**3.3 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 23-94 - 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 AGREEMENT WITH PBK ARCHITECTS FOR DESIGN AND CONSTRUCTION SUPPORT SERVICES TO DEVELOP AN ADDITIONAL SWIMMING POOL AT WILLIAM WOOLLETT JR. AQUATICS CENTER**

**ACTION:**

Approved an agreement with PBK Architects for design and construction support services not-to-exceed \$1,150,000. (Contract No. 11733)

**3.5 BUDGET ADJUSTMENT AND AWARD OF CONSTRUCTION CONTRACT FOR TRABUCO ROAD IMPROVEMENTS FROM JEFFREY ROAD TO SAND CANYON AVENUE**

**ACTION:**

- 1) Awarded a construction contract in the amount of \$5,620,484 for the Trabuco Road Improvements from Jeffrey Road to Sand Canyon Avenue, CIP 312205, to the lowest responsive and responsible bidder, Nationwide Contracting Services, Inc. (Contract No. 11734)
- 2) Approved the budget adjustment appropriating \$2,646,900 Infrastructure & Rehabilitation Fund (Fund 010), to Trabuco Road Improvements, CIP 312205.

**3.6 JAMBOREE ROAD AT ALTON PARKWAY PEDESTRIAN BRIDGE (JAMBOREE NORTH OF INTERSTATE 405)**

**ACTION:**

- 1) Approved the Jamboree Road Pedestrian Bridge Feasibility Study which identifies the bridge just south of Alton Parkway (CIP 322101) as the preferred location.

- 2) Directed staff to file the Notice of Exemption for the Jamboree at Alton Parkway Pedestrian Bridge project to document that the project is exempt from requirements of California Environmental Quality Act.

**3.7 SECOND READING AND ADOPTION OF ORDINANCE NO. 23-21 APPROVING ZONE CHANGE 00870341-PZC AND ORDINANCE NOS. 23-22 AND 23-23 APPROVING DEVELOPMENT AGREEMENTS ON LOTS 103 AND 106 OF PLANNING AREA 33 (IRVINE SPECTRUM CENTER)**

**ACTION:**

Read by title only, second reading and adoption of the following ordinances:

- 1) ORDINANCE NO. 23-21 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00870341-PZC TO AMEND CHAPTER 9-33 AND SECTION 3-37-26 OF THE IRVINE ZONING ORDINANCE TO ALLOW THE ADDITION OF 1,000 DWELLING UNITS TO THE DWELLING UNIT CAP IN PLANNING AREA 33 (IRVINE SPECTRUM CENTER) WITH A CORRESPONDING REDUCTION IN URBAN COMMERCIAL SQUARE FOOTAGE; TO CHANGE THE ZONING DESIGNATION OF SUBJECT PROPERTIES (LOT 103 & LOT 106) FROM 4.7 URBAN COMMERCIAL AND 4.8 IRVINE CENTER GARDEN COMMERCIAL, RESPECTIVELY, TO 4.7C URBAN COMMERCIAL; AND TO AMEND DEVELOPMENT STANDARDS FOR THE 4.7 URBAN COMMERCIAL ZONING DISTRICT RELATIVE TO RESIDENTIAL DEVELOPMENT; FILED BY IRVINE COMPANY
- 2) ORDINANCE NO. 23-22 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT 00911705-PDA TO ESTABLISH PUBLIC BENEFITS AND AFFORDABLE HOUSING REQUIREMENTS ASSOCIATED WITH THE LOT 103 RESIDENTIAL DEVELOPMENT; LOCATED AT THE NORTHEAST CORNER OF PACIFICA AND GATEWAY IN PLANNING AREA 33 (IRVINE SPECTRUM CENTER); FILED BY IRVINE COMPANY
- 3) ORDINANCE NO. 23-23 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT 00911981-PDA TO ESTABLISH PUBLIC BENEFITS AND AFFORDABLE HOUSING REQUIREMENTS ASSOCIATED WITH THE LOT 106 RESIDENTIAL DEVELOPMENT; LOCATED AT THE

SOUTHWEST CORNER OF PACIFICA AND GATEWAY IN  
PLANNING AREA 33 (IRVINE SPECTRUM CENTER); FILED  
BY IRVINE COMPANY

(Unless otherwise directed by a Member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

**Approved 5-0.**

**4. COUNCIL BUSINESS**

**4.1 CONSIDERATION OF A REQUEST BY VICE MAYOR KIM FOR DISCUSSION AND DIRECTION REGARDING CHARTER AMENDMENT FOR COUNCIL EXPANSION WHILE RETAINING AT LARGE ELECTIONS**

This item was removed from the agenda. See Additions and Deletions.

**4.2 CONSIDERATION OF A REQUEST BY COUNCILMEMBER AGRAN TO EXPAND THE MUNICIPAL COMMUNITY GARDENS PROGRAM**

This item was removed from the agenda originally posted on October 17, 2023.

**4.3 CONSIDERATION OF A REQUEST BY VICE MAYOR KIM TO DIRECT STAFF TO STUDY THE IMPLEMENTATION OF A BICYCLE/ PEDESTRIAN OVERCROSSING AT THE INTERSECTION OF JAMBOREE AND EL CAMINO REAL**

This item was removed from the agenda originally posted on October 17, 2023.

**4.4 CONSIDERATION OF A REQUEST BY VICE MAYOR KIM TO UPDATE THE HOTEL WORKER PROTECTION ORDINANCE**

This item was agendaized at the request of Vice Mayor Kim, who asked for City Council consideration to update and enhance the Hotel Worker Protection Ordinance.

The following individuals spoke in support:

- Susan Sayre, Irvine resident
- Parker Shea, Unite Here Local 11
- Austin Lynch, Unite Here Local 11
- Filomena Alvarez, room attendant at Hilton Irvine
- Laura Pacheco, room attendant at Irvine Marriott
- Diana Nufio, room attendant at Irvine Hilton
- Jerry von Talge, Clergy and Laity United for Economic Justice
- Alan Meyerson, Irvine resident
- Doug Elliott, Irvine resident
- Sahand Cyrusian, Irvine resident
- Joshua Moore, Irvine resident

Tony Zand, Pacific Hospitality Group, and Eric Neshanian, Irvine resident, spoke in opposition.

Marleen Gillespie spoke in support of stipulating that there be no increases in managerial pay, bonuses, stock options, vacation, and benefits for at least a year before a hotel requests a hardship waiver.

City Council discussion included: inquiring about the number of hotels in the City and how many applied for waivers; questioned the status of the implementation of safety measures and waiver applications, and any other issues that had arisen; clarified areas of concern with the ordinance; inquired about options for non-compliance by hotels; and questioned the current appeal/waiver process and associated timelines for consideration.

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

Direct the City Manager to present an updated Hotel Worker Protection Ordinance that would grant waivers to employers limited to bankruptcy, hotel closure, staff reductions exceeding 15%, or cuts in hotel workers exceeding 30%.

**ACTION:** A substitute motion was made by Councilmember Agran, seconded by Mayor Khan, to:

- 1) Direct the City Manager and City Attorney to review the waiver provisions of the Hotel Worker Protection Ordinance and consider other manners in which the ordinance could be improved and strengthened, and return to the City Council for consideration.

- 2) Direct Mayor Khan and Councilmember Agran to be part of the process by meeting with representatives from the hotel industry and Unite Here Local 11, either separately or together.

**ACTION: A friendly amendment to the substitute motion was made by Mayor Khan and accepted by Councilmember Agran as the maker, to\*:**

- 1) Direct the City Manager and City Attorney to review the waiver provisions of the Hotel Worker Protection Ordinance and consider other manners in which the ordinance could be improved and strengthened, **as amended** to return to the City Council for consideration and vote at its meeting of November 14, 2023.
- 2) Direct Mayor Khan and Councilmember Agran to be part of the process by meeting with representatives from the hotel industry and Unite Here Local 11, either separately or together.

The motion carried as follows:

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

\* The friendly amendment to the substitute motion carried and takes precedence over prior motions; therefore, a vote was not taken on the prior motions.

**4.5 CONSIDERATION OF A REQUEST BY COUNCILMEMBER CARROLL TO CHANGE CELL TOWER SETBACK MINIMUM**

This item was agendized at the request of Councilmember Carroll, who asked for City Council consideration to change the cell tower setback minimum.

The following individuals spoke in support:

- David Regan, Irvine resident
- Alan Meyerson, Irvine resident
- Ali Youssefiha, Irvine resident
- Jaleh Youssefiha, Irvine resident
- Melina, Irvine resident

- Rechelle Wifler, Irvine resident
- (949)\*\*\*-\*406, Irvine resident

John Heffernan, AT&T External Affairs team, noted AT&T's availability to connect with concerned residents via stores, call centers, and other channels.

The following individuals spoke in opposition:

- Eric Neshanian, Irvine resident
- Tiffany I., Irvine resident
- Jeremy Ficarola, Irvine resident

City Council discussion included: inquiring about the notification process and adherence at the time of cell tower construction; questioned the potential impacts on cell reception; inquired about potential health impacts; questioned actions taken by other jurisdictions and examples of similar preferred setbacks; inquired about the applicability of zoning ordinances; discussed public notice requirements, and what notification records the City would have maintained; inquired about constraints imposed by federal law and what remaining authority, if any, the City maintained; and questioned what information would be provided to the Planning Commission for consideration.

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

Direct staff and the City Attorney to prepare a Zoning Code amendment to modify the setback requirement, which cannot be applied retroactively, to 1,500 feet from residential properties, tot lots, children's playgrounds, and schools for review and approval by the Planning Commission, and, if recommended by the Planning Commission, return to the City Council with a draft ordinance for final adoption.

The motion carried as follows:

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

**4.6 CONSIDERATION OF A REQUEST BY COUNCILMEMBER CARROLL TO DISCUSS NON-RENEWAL OF LEASES ON CITY-OWNED PROPERTY WITH LOS ANGELES SMSA LIMITED PARTNERSHIP AND NEW CINGULAR WIRELESS PCS, LLC**

This item was agendaized at the request of Councilmember Carroll, who asked for City Council consideration to discuss non-renewal of leases on City-owned property with Los Angeles SMSA Limited Partnership and New Cingular Wireless PCS, LLC.

Melina, Irvine resident, and (949)\*\*\*-639, Irvine resident, spoke in support.

The following individuals spoke in opposition:

- Eric Neshanian, Irvine resident
- Tiffany I., Irvine resident
- Jeremy Ficarola, Irvine resident

City Council discussion included: requesting historical information on how the cell tower at the intersection of Culver Drive and Shady Canyon Drive was placed in its current location; inquired about the potential impacts of not renewing the leases; suggested the possibility of working with the lessees to find an alternative site to maintain cellular coverage; questioned the potential impacts on coverage in other parts of the City; inquired about the timeline for non-renewal, next steps, and what actions the City could take right away; and inquired about legal impacts of decisions based on health and safety.

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

Direct staff to draft and provide a letter of intent of non-renewal for the Land Lease Agreement, dated November 21, 2011, by and between the City of Irvine and Los Angeles SMSA Limited Partnership, and the Land Lease Agreement, dated March 23, 2012, by and between the City of Irvine and New Cingular Wireless PCS, LLC.

**ACTION:** A substitute motion was made by Vice Mayor Kim to:

Direct staff to explore alternatives for coverage and return with a report in 90 days.

The motion failed for lack of second.

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

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

Direct staff to draft and provide a letter of intent of non-renewal for the Land Lease Agreement, dated November 21, 2011, by and between the City of Irvine and Los Angeles SMSA Limited Partnership, and the Land Lease Agreement, dated March 23, 2012, by and between the City of Irvine and New Cingular Wireless PCS, LLC.

The motion failed as follows:

AYES: 2 COUNCILMEMBERS: Agran and Carroll

NOES: 3 COUNCILMEMBERS: Kim, Treseder, and Khan

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None

No further action was taken.

**4.7 CONSIDERATION OF A REQUEST BY COUNCILMEMBER TRESEDER AND VICE MAYOR KIM TO DEVELOP A LIVING WAGE ORDINANCE**

**This item was removed from the agenda originally posted on October 17, 2023.**

**ADJOURNMENT**

**Moved by Councilmember Agran, seconded by Councilmember Carroll, and unanimously carried to adjourn the meeting in memory of former Community Services Director Deanna Manning at 11:42 p.m.**

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

  
\_\_\_\_\_  
MAYOR OF THE CITY OF IRVINE

\_\_\_\_\_  
November 28, 2023