



# MINUTES

## CITY COUNCIL REGULAR MEETING

**February 28, 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 4:48 p.m. on February 28, 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

Mayor 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, 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.

**1. CLOSED SESSION**

City Attorney Melching announced the following Closed Session items:

- 1.1 PUBLIC EMPLOYEE APPOINTMENT Pursuant to Government Code Section 54957(b)(1) Title: Director of Community Services**
- 1.2 PUBLIC EMPLOYEE APPOINTMENT Pursuant to Government Code Section 54957(b)(1) Title: Director of Project Delivery and Sustainability**

There were no requests to speak.

**RECESS**

Mayor Khan recessed the meeting to Closed Session at 4:52 p.m.

**RECONVENE**

Mayor Khan reconvened the City Council meeting at 5:52 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

**PLEDGE OF ALLEGIANCE**

Vice Mayor Kim led the Pledge of Allegiance.

**INVOCATION**

Bishop Abel Aguilar from Arise Church provided the invocation.

**2. PRESENTATIONS**

**2.1 Irvine Barclay Theatre Annual Update**

Mayor Khan introduced Jerry Mandel, Ph.D., Chairman and President, Irvine Barclay Theatre (Theatre), who provided an update on the theatre's activities and events.

City Council discussion included: expressing appreciation for the recent upgrades to the Theatre; reiterated the City's ownership of the Theatre; inquired about whether the open air theater would be operated under a separate or similar agreement; discussed whether the City's current funding for the theater was adequate; and suggested additional outreach efforts to increase attendance, including youth members.

Doug Elliott and Alan Meyerson, Irvine residents, spoke in support of the City's funding of the Theatre.

Eric Neshanian, Irvine resident, spoke in opposition.

**By consensus**, received and filed.

**2.2 *Building Electrification Infrastructure for Multi-Family Housing Projects***

Councilmember Treseder introduced Sean Armstrong, Managing Principal, Redwood Energy, who provided information on building electrification infrastructure for multi-family housing projects.

City Council discussion included: questioning whether electric water heaters would be similar in size to gas units for multi-family housing; inquired about electric water heater availability; and inquired about whether the cost benefit for all electric utilities could only be achieved through solar power.

Ayn Craciun, Irvine resident, spoke in support of all-electric utilities.

Hoyin Ip, Irvine resident, spoke in opposition of the City Council's action against multi-family homes and restaurants with respect to building electrification infrastructure.

Eric Neshanian, Irvine resident, spoke in opposition.

**By consensus**, received and filed.

**PUBLIC COMMENTS – NON-AGENDIZED ITEMS**

Susan Sayre, Irvine resident, spoke in opposition to Live Nation and a larger amphitheater at Great Park; and in support of City Commissions reviewing Great Park Board projects.

Alan Meyerson, Irvine resident, spoke in opposition to a larger amphitheater at Great Park, including Vice Mayor Kim and Councilmember Treseder's support for a larger venue.

Dee Fox, Irvine resident, presented a video in opposition to Vice Mayor Kim.

Eric Neshanian, Irvine resident, spoke in opposition to Mayor Khan and Vice Mayor Kim.

Doug Elliott, Irvine resident, spoke in support of muting microphones for those attending meetings in-person who exceed the allotted time limit for speaking similar to those who attend via Zoom.

Walter Nobriega spoke about Cal-ISO's daily reports of Feb 24 and 25, 2023 to demonstrate Orange County Power Authority's inability to deliver 69-100% renewable energy to its customers.

Hoyin Ip, Irvine resident, spoke in opposition to verbal attacks by members of the public regarding City Councilmembers and City staff.

Jeremy Ficarola, Irvine resident, spoke in opposition to the decorum demonstrated at the February 21, 2023, City Council meeting, including comments made by Mayor Khan to the City Manager.

Tiffany I, Irvine resident, spoke in support of International Rare Disease Day.

Don Geller, Irvine resident, spoke in opposition to the City Council's decision for a larger amphitheater at Great Park.

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

City Manager Chi provided an update on the creation of the Gateway Preserve and an update regarding the City's efforts to address the All-American Asphalt (AAA) situation.

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

#### Mayor Khan

- Mayor Khan recognized Irvine police personnel who went above and beyond on Monday, including Administrative Services Commander Mark Anderson, and Emergency Management Supervisor Kristine Tully, who assisted Irvine Unified School District at the San Bernardino Emergency Operations Center and drop-off location.
- The Sunflower and Redhill Project, which continues to rehabilitate over one mile of sewer pipeline in the cities of Irvine, Costa Mesa, and areas adjacent to Santa Ana, is in its final phase of the project. The project is taking place along Sunflower Ave between South Ross and Main Street and performed during nighttime hours once sewer flows are low and when traffic is at a minimum. Completion is anticipated by March 2023. For construction related information, interested individuals may contact the construction hotline at 714-378-2965 or via email at [constructionhotline@ocsan.gov](mailto:constructionhotline@ocsan.gov).
- Mayor Khan congratulated the Woodbridge Varsity Cheer Team, who recently won a national championship at the USA Nationals at Disneyland. The team will be formally recognizing them at the next City Council meeting.

- The City of Irvine is partnering with Orange County United Way to host an e-waste drop off recycling event on Saturday, March 11, from 8 a.m. to 1 p.m. at Irvine Valley College. This event offers an opportunity for all to recycle old electronic devices in a way that is both environmentally conscious and good for the community. Proceeds from the recycled items will support Orange County United Way's work to ensure local underserved students have the support they need to succeed; struggling families gain financial security; and those who are homeless find a place to call home. Items being accepted at the event include computers, cables and cords, tablets, smartphones, smartwatches, LCD monitors, printers, and LCD/flatscreen TVs. For a complete list of accepted items and additional information, visit [unitedwayoc.org/events/ewaste](http://unitedwayoc.org/events/ewaste).
- Last fall, City staff met with residents to discuss ways to better utilize roadway space along South Yale Avenue between the 405 Freeway and University Drive. Community's suggestions were heard on how the roadway could better meet residents' needs, and that feedback has been incorporated into the roadway concepts. A virtual meeting will be held on Wednesday, March 8, from 6 to 7 p.m. to learn about the bicycle and pedestrian-friendly alternatives developed for South Yale. Visit [cityofirvine.org/sharestheaway](http://cityofirvine.org/sharestheaway) to learn more about the South Yale Corridor Improvements Project, and/or to join the meeting.
- The Irvine Animal Care Center invites the community to support its Foster Donation Drive throughout the month of March. The center's new puppies and kittens, as well as animals healing from an injury or post-surgery, can be supported by donating supplies such as formula, mother and baby cat food, and toys. To view a complete wish list, visit [irvineanimals.org/foster](http://irvineanimals.org/foster). Animal lovers can also support the Foster Care program at the Donation Celebration on Saturday, March 11 from 1 to 3 p.m. New pet supplies from the wish list can be dropped off to support animals in foster care. The Center's Foster Care program provides a home environment, supplies, food, and veterinary care for animals too young to be adopted, and those recovering from medical procedures. Members of the public interested in providing temporary care for young kittens, puppies, and rabbits, or animals recovering from a medical procedure, can learn more at [irvineanimals.org/foster](http://irvineanimals.org/foster).
- The spring issue of *Inside Irvine* is available in print and online. This issue features information on: steps being taken to mitigate climate change, including our efforts to ensure the sustainable, healthy design and operation of Great Park; the Venta Spur Bicycle-Pedestrian Bridge that connects the Venta Spur Trail to Great Park Neighborhoods and Portola High School; Spring and summer camps; and classes for all interests and ages, plus much more. To view the magazine, visit [cityofirvine.org/InsideIrvine](http://cityofirvine.org/InsideIrvine). To register for camps and classes, visit [yourirvine.org](http://yourirvine.org).

- The Mayor's annual State of the City address will be held next Tuesday, March 7. This year's event will once again be held at the Irvine Barclay Theatre. There will be performances by community organizations including Gospel Voices Youth Choir and Chinese Dance Company of Southern California. The public reception will begin at 5 p.m. and my address will start at 6 p.m. Mayor Khan will share accomplishments of the past year, plans for 2023, and celebrating our wonderful community at this event. More information is available at [cityofirvine.org/StateOfTheCity2023](http://cityofirvine.org/StateOfTheCity2023).

Councilmember Treseder:

- Councilmember Treseder provided a brief update regarding the Orange County Power Authority (OCPA), which included 1) updated weighted voting, or the amount of weight that each city or county's vote carries under certain circumstances; 2) the resignation of Ryan Baron, general counsel for OCPA. The OCPA Board voted to issue an RFP for that recruitment, with a final selection anticipated on March 15. The Board will also consider a vote on Mr. Probolsky, OCPA's current Chief Executive Officer once new general counsel is in place.

Vice Mayor Kim:

- Vice Mayor Kim's first meeting as the City's delegate to the Orange County Fire Authority (OCFA) took place on Thursday, February 23, which included discussion on labor negotiations. The community is also invited to attend the OCFA's Open House on Saturday, March 4 from 10 a.m. to 3 p.m. at OCFA Headquarters in Irvine on Jamboree. Fire extinguisher demonstrations, burn demonstrations, and lots of hands-on activities will be available for the entire family.
- Irvine's first ever Tech Week will take place from March 22 to March 26. A whole week of innovation, inspiration, and networking opportunities will be available for anyone who is interested in starting their own business or wants to understand how to secure funding. A hack-a-thon will also be available, as well as early stage founder panels, fire site chats with successful entrepreneurs and venture capitalists, and angel investor panels. The weekend start of Tech Week will be packed with opportunities to learn, grow, and connect with the tech community. To learn more, visit [IrvineTechWeek.com](http://IrvineTechWeek.com).

**ADDITIONS AND DELETIONS**

There were no additions or deletions to the agenda.

**3. CONSENT CALENDAR - CITY COUNCIL**

**Moved by Vice Mayor Kim, seconded by Councilmember Carroll, and unanimously carried to approve Consent Calendar Item Nos. 3.1 through 3.7, with the exception of Consent Calendar Item Nos. 3.4 and 3.5, which were removed for separate discussion.**

**3.1 MINUTES**

**ACTION:**

- 1) Approved the minutes of a special meeting of the City Council held on January 24, 2023.
- 2) Approved the minutes of an adjourned regular meeting of the City Council held on January 24, 2023.

**3.2 PROCLAMATIONS**

Prior to City Council approval, Eric Neshanian, Irvine resident, spoke in opposition.

**ACTION:**

Proclaimed March 2023, as "National Nutrition Month."

**3.3 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 23-20 - 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 LETTER OF INTENT FROM THE CITY OF IRVINE NOTIFYING THE COUNTY OF ORANGE OF THE INTENTION TO WITHDRAW FROM THE ORANGE COUNTY PUBLIC LIBRARY SYSTEM**

This item was removed for separate discussion at the request of Vice Mayor Kim, who noted the need for more equity for the City of Irvine related to library services, which included major improvements to Heritage Park and University Park Libraries; and that Irvine has been subsidizing the Orange County Public Library System for many years, with Irvine paying the highest property tax revenue.

The following individuals spoke in opposition to withdrawing from the Orange County Public Library System:

- Susan Sayre, Irvine resident
- Eric Neshanian, Irvine resident
- Dee Fox, Irvine resident
- Hoyin Ip, Irvine resident

The following individuals spoke in support of a world-class library system in Irvine:

- Diane Yowell, Irvine resident
- Naiya Mehta, Irvine resident
- Meena Ahuja, Irvine resident
- Shaan Ahuja, Irvine resident
- Sahan Ahua, Irvine resident
- Preya Shrivastava, Irvine resident

Anita and Anish Bhat, Irvine residents, inquired about the pros and cons of leaving the Orange County Public Library (OCPL) system, and provided suggestions for both options.

City Council discussion included: noting Irvine's contribution to the OCPL system and the lack of control of Irvine libraries; and reiterating the imbalance of services provided to Irvine and other cities within the OCPL system.

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

Authorize and direct staff to send a letter of intent notifying the County of Orange that the City of Irvine intends to withdraw from the Orange County Public Library system.

### **3.5 ACCEPTANCE OF BOYA FOUNDATION DONATION**

This item was removed for separate discussion at the request of Councilmember Carroll, who inquired about the source of the donation and whether the funds were from the United States or China, to which Chief of Police Kent confirmed that the donation was based on United States funding.

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

- 1) Accept a \$50,000 donation from the Boya Foundation.
- 2) Approve a budget adjustment appropriating \$50,000 reflecting an increase in revenues and appropriations.

**3.6 APPROVAL OF SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THE FISCAL YEAR 2022-23 ANNUAL STREET REHABILITATION AND SLURRY SEAL PROJECT**

**ACTION:**

- 1) Approved a budget adjustment transferring a total of \$5,460,000 from Road Maintenance and Rehabilitation, Gas Tax, and M2 Fairshare funds to Fiscal Year 2022-23 Annual Street Rehabilitation and Slurry Seal Capital Improvement Program project 312301.
- 2) Approved the construction plans, specifications and contract documents for the Fiscal Year 2022-23 Annual Street Rehabilitation and Slurry Seal Capital Improvement Project 312301.
- 3) Approved the Engineer's Estimate, Construction Contingency, and Project Funding Summary.
- 4) Authorized the City Manager to execute the Reimbursement Agreement with Irvine Ranch Water District for installation and adjustment of facilities within the project area. **(Contract No. 11583)**
- 5) 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.

**3.7 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS**

**ACTION:**

- 1) Approved Councilmember Agran's request for Community Partnership Fund Grant Nominations in the amount of \$1,000 to Illumination Foundation in support of program costs. **(Contract No. 11584)**
- 2) Authorized the City Manager to prepare and sign a funding agreement.

**4. PUBLIC HEARINGS**

**4.1 APPROVAL OF BOND ISSUANCE BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY TAX-EXEMPT BONDS FOR CARTWRIGHT FAMILY APARTMENTS**

Mayor Khan opened the public hearing at 8:41 p.m.

Dahle Boluson, Director of Administrative Services, presented the staff report and responded to questions.

There were no requests to speak.

**ACTION: Moved by Councilmember Carroll, seconded by Councilmember Treseder, and unanimously carried to close the public hearing at 8:46 p.m.**

There was no City Council discussion.

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

Adopt RESOLUTION NO. 23-21 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$30,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF CARTWRIGHT FAMILY APARTMENTS AND CERTAIN OTHER MATTERS RELATING THERETO

**4.2 HOME INVESTMENT PARTNERSHIPS – AMERICAN RESCUE PLAN (HOME-ARP) ALLOCATION PLAN TO ADDRESS HOUSING AND HOMELESSNESS**

Mayor Khan opened the public hearing at 8:47 p.m.

Lisa Varon, Manager of Housing, and Stephanie Takigawa, Senior Housing Analyst, presented the staff report and responded to questions.

City Council discussion included: questioning whether shelter beds could be added to the HOME-ARP and whether the lack of investment would make it difficult to achieve; inquired about whether 60 sheltered beds would satisfy the City's requirement; questioned whether we can act on behalf of unsheltered individuals if our allocation of beds were not available; and reiterated the need for longer viable solutions.

There were no requests to speak.

**ACTION: Moved by Vice Mayor Kim, seconded by Councilmember Tresseder, and unanimously carried to close the public hearing at 8:58 p.m.**

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

- 1) Adopt RESOLUTION NO. 23-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE ALLOCATION PLAN FOR FEDERAL HOME INVESTMENT PARTNERSHIPS – AMERICAN RESCUE PLAN FUNDS (HOME-ARP)
- 2) Authorize the City Manager, or designee, to execute all HUD agreements, contracts, and documents required to implement the HOME-ARP Allocation Plan.

**4.3 ZONING ORDINANCE AMENDMENT FOR LOGISTICS FACILITIES AND WAREHOUSE USES (CITYWIDE)**

City Manager Chi noted that just prior to the meeting, a request was received from two Councilmembers for additional information related to this item, and that staff had not yet had the opportunity to fulfill that information request; and asked that the City Council continue the item to a date certain.

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

Continue the public hearing to the April 25, 2023, City Council meeting.

**5. COUNCIL BUSINESS**

**5.1 UNCLAIMED PROPERTY IN THE CITY OF IRVINE**

This item was agendized at the request of Councilmember Carroll, who asked that the City Council consider directing staff to: 1) obtain unclaimed property records held by the California State Controller for

businesses and residents located in Irvine; 2) create a website similar to the City of Lake Forest, and update the unclaimed property on the City's website every quarter to ensure an updated local source of information related to unclaimed property; and 3) conduct a robust outreach campaign informing residents and businesses about their unclaimed property.

Dahle Bulosan, Director of Administrative Services, presented the staff report and responded to questions.

Eric Neshanian, Irvine resident, spoke in opposition.

City Council discussion included: questioning whether there would be a cost to the City; and reiterated the public benefit with a minor investment.

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

- 1) Direct staff to obtain unclaimed property records held by the California State Controller for businesses and residents located in the City of Irvine.
- 2) Direct staff to create a website, similar to the Unclaimed Property website maintained by the City of Lake Forest, and update the unclaimed property on the City of Irvine website every quarter to ensure an updated local source of information about unclaimed property.
- 3) Direct staff to conduct a robust outreach campaign to inform the residents and businesses in the City of Irvine about their unclaimed property.

## **5.2 ORDINANCE ESTABLISHING CHANGES AND ADDITIONS TO POSTED SPEED LIMITS**

Patrick De Guzman, Senior Transportation Engineer, presented the staff report and responded to questions. Kerwin Lau, Deputy Director of Transportation, was also available for questions.

City Council discussion included: questioning how speed limits are being addressed on Cadence and Pusan in Great Park Neighborhoods; and inquired about speed limits on Turtle Rock Drive, and Michelson between Culver and University.

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

Introduce for first reading and read by title only ORDINANCE NO. 23-06 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DIRECTING AN AMENDMENT TO THE CITY OF IRVINE ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS, AS MAINTAINED BY THE PUBLIC WORKS AND TRANSPORTATION DEPARTMENT AS THE OFFICIAL DOCUMENTATION OF DECLARED PRIMA FACIE SPEED LIMITS

**5.3 CONSIDERATION OF A REQUEST BY MAYOR KHAN FOR AN UPDATE ON THE COOL IRVINE BLOCK PROGRAM**

Councilmember Treseder noted a conflict-of-interest due to Patty Oh's contribution to her campaign committee, and left the dais at 9:23 p.m.

This item was agendized at the request of Mayor Khan, who asked for City Council support to approve some of the \$1 million from the American Rescue Plan Act (ARPA)/Irvine Recover Fund designated for environmental programs to go toward continued funding of the Cool Irvine Program.

Sona Coffee, Environmental Programs Coordinator, and Patty Oh, Cool Irvine Block Program Manager, presented an update on the program and responded to questions.

The following individuals spoke in support of the Cool Irvine Block Program:

- Nancy Colocino, Irvine resident
- Tom Mason, Irvine resident
- Angie Dickson, Irvine resident
- Linda Jenney, Irvine resident
- Livia Tommasini Yanagihara, Irvine resident
- Margo Finlayson, Irvine resident
- Ayn Craciun, Irvine resident
- Hoyin Ip, Irvine resident
- Ari Jong Levenger, UC Irvine student
- Jen Chiou, Irvine educator
- Linda Kramer, Irvine resident

City Council discussion included: questioning the ability for multiple programs to achieve carbon neutrality goals; inquiring about funding for staffing, programming, and a user-friendly platform; reiterated the importance of having neighbors work together; noted the desire to meet carbon neutrality by 2030; and discussed community engagement efforts and benefits.

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

Dedicate \$240,000 for two years toward continued funding of the Cool Irvine Program.

Councilmember Treseder returned to the dais at 10:14 p.m.

**5.4 DEDICATION OF A MEMORIAL TO THE ARMENIAN GENOCIDE AT GREAT PARK**

This item was agendized at the request of Vice Mayor Kim, who asked for City Council support to dedicate a memorial to the Armenian Genocide at Great Park.

Andrew Douglass, Senior Management Analyst, presented the staff report and responded to questions. Pete Carmichael, Assistant City Manager, was also available for questions.

The following individuals spoke in support of a memorial to the Armenian Genocide at Great Park:

- Nishan Dulgerian, Irvine resident
- Garo Madenlian, Armenian Cultural Foundation of Orange County, and ANCA of Orange County
- Dr. Kev Abajazian, Irvine resident
- Haig Balian, Orange County Knights of Vartan
- Harvey Liss, Irvine resident
- Jeremy Ficarola, Irvine resident
- Doug Elliott, Irvine resident

Eric Neshanian, Irvine resident, spoke in opposition.

City Council discussion included: noting the educational opportunity for residents; reiterated the importance of providing space for contemplation; suggested a community-led effort; suggested potential locations for a memorial; and suggested that a process for future memorials at Great Park should be referred to the Great Park Board for consideration.

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

Direct staff to work toward a potential Armenian Genocide Memorial at Great Park.

Following Vice Mayor Kim's motion, City Manager Chi suggested that staff be directed to develop a process on how future memorials might be contemplated. Following discussion, Vice Mayor Kim amended her motion.

**ACTION: An amendment to the motion was made by Vice Mayor Kim, and agreed to by Councilmember Treseder as the seconder, and unanimously carried to:**

- 1) Direct staff to work toward a potential standalone Armenian Genocide Memorial at Great Park.
- 2) Direct staff to develop a process on how future memorials might be contemplated.

**5.5 CONSIDERATION OF A REQUEST BY COUNCILMEMBER CARROLL REGARDING CITY OF IRVINE'S CONTINUED PARTICIPATION IN THE ORANGE COUNTY POWER AUTHORITY**

This item was agendaized at the request of Councilmember Carroll, who asked for City Council consideration regarding the City of Irvine's continued participation in the Orange County Power Authority (OCPA).

The following individuals spoke in support of withdrawing from OCPA:

- Susan Sayre, Irvine resident
- Alan Meyerson, Irvine resident
- Michelle Johnson, Irvine resident

Ayn Craciun spoke in opposition to withdrawing from OCPA.

Oliver Chi, City Manager, provided brief background information related to the history of OCPA since inception.

City Council discussion included: recent action taken by the City of Huntington Beach regarding its participation in OCPA and a related non-disclosure agreement; reiterated the City of Irvine's investment in OCPA; and noted the lack of investment by other OCPA participating cities; referencing the recently released state audit; reiterated that the OCPA Board would also need to vote on the item; inquired about the original payment terms; questioned whether the Joint Powers Authority (JPA)

Agreement would need to be amended regarding repayment terms; reiterated that the JPA Agreement required Union Bank to be repaid first; discussed initial promises by OCPA with respect to cleaner energy; noted the lack of transparency by OCPA; inquired about year over year comparisons; questioned the viability of OCPA; inquired about the opt-out rate; noted OCPA's requirement to file with the California Public Utilities Commission; expressed concern that the proposed action by the City Council would be prohibited under the JPA Agreement and initial contracts; noted that the County does not carry voting weight on the OCPA Board; noted that an amended JPA Agreement required a 2/3 vote of the Board and one-month notice to member agencies; discussed the results of the State audit; discussed the potential to remove the current Chief Executive Officer no later than April; and inquired about recent action taken by the Finance Commission related to OCPA.

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

- 1) Direct staff to immediately sign a non-disclosure agreement with the Orange County Power Authority, and start gathering information to provide to City auditors.
- 2) Inform the Orange County Power Authority that the City of Irvine is requesting repayment of its loan in the amount of \$7.5 million with interest by April 30, 2023.
- 3) Enter into an agreement with the Orange County Power Authority by April 30, 2023, that includes a "most favored nation" clause, or the ability for the City of Irvine to receive equal information, access, rights, etc. provided to other member agencies.

ACTION: A friendly amendment to the main motion was made by Councilmember Agran, accepted by Councilmember Carroll as the maker, to:

- 1) Direct staff to immediately sign a non-disclosure agreement with the Orange County Power Authority, and start gathering information to provide to City auditors.
- 2) Inform the Orange County Power Authority that the City of Irvine is requesting repayment of its loan in the amount of \$7.5 million with interest by April 30, 2023.
- 3) Enter into an agreement with the Orange County Power Authority by April 30, 2023, that includes a "most favored nation" clause, or the ability for the City of Irvine to receive equal information, access, rights, etc. provided to other member agencies.

- 4) Direct staff to return to the City Council with options on how the City can reduce expenditures by opting out of Orange County Power Authority, or renegotiating a different agreement with Southern California Edison, to save approximately \$100,000 per month.

**ACTION:** An additional amendment to the main motion was made by Councilmember Carroll, accepted by Councilmember Agran as the seconder, to:

- 1) Direct staff to immediately sign a non-disclosure agreement with the Orange County Power Authority, and start gathering information to provide to City auditors.
- 2) Inform Union Bank of California, and subsequently the Orange County Power Authority, that the City of Irvine is requesting repayment of its loan in the amount of \$7.5 million with interest by April 30, 2023.
- 3) Enter into an agreement with the Orange County Power Authority by April 30, 2023, that includes a “most favored nation” clause, or the ability for the City of Irvine to receive equal information, access, rights, etc. provided to other member agencies.
- 4) Direct staff to return to the City Council with options on how the City can reduce expenditures by opting out of Orange County Power Authority, or renegotiating a different agreement with Southern California Edison, to save approximately \$100,000 per month.

**ACTION:** A substitute motion was made by Vice Mayor Kim, seconded by Councilmember Treseder, to replace Vice Mayor Kim with Councilmember Carroll as an appointee to the Orange County Power Authority Board.

**ACTION:** A second substitute motion was made by Mayor Khan, seconded by Vice Mayor Kim, to:

- 1) Direct staff to immediately sign a non-disclosure agreement with the Orange County Power Authority, and start gathering information to provide to City auditors.
- 2) Enter into an agreement with the Orange County Power Authority by April 30, 2023, that includes a “most favored nation” clause, or the ability for the City of Irvine to receive equal information, access, rights, etc. provided to other member agencies.
- 3) Direct staff to return to the City Council with a cost analysis if the City were to opt down to a lower tier, not opt out.

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

- 1) Direct staff to immediately sign a non-disclosure agreement with the Orange County Power Authority, and start gathering information to provide to City auditors.
- 2) Enter into an agreement with the Orange County Power Authority by April 30, 2023, that includes a “most favored nation” clause, or the ability for the City of Irvine to receive equal information, access, rights, etc. provided to other member agencies.
- 3) Direct staff to return to the City Council with the same cost analysis to be provided to the Finance Commission at its upcoming meeting of March 6, 2023.

**ACTION:** An additional friendly amendment to the second substitute motion was made by Councilmember Carroll, accepted by Mayor Khan as the maker, and Vice Mayor Kim as the seconder, to:

- 1) Direct staff to immediately sign a non-disclosure agreement with the Orange County Power Authority, and start gathering information to provide to City auditors.
- 2) Enter into an agreement with the Orange County Power Authority by April 30, 2023, that includes a “most favored nation” clause, or the ability for the City of Irvine to receive equal information, access, rights, etc. provided to other member agencies.
- 3) Direct staff to return to the City Council with the same cost analysis to be provided to the Finance Commission at its upcoming meeting of March 6, 2023, to also include the financial implications related to the withdrawal of the County of Orange, and the City of Huntington Beach opting down to the lowest tier.

**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

At 12:30 a.m., Mayor Khan suggested the continuance of Council Business Item Nos. 5.6 and 5.7 to the March 14, 2023, City Council meeting; however, Councilmember Agran and Vice Mayor Kim suggested moving forward with Council Business Item No. 5.6 and continuing Council Business Item No. 5.7 to March 14.

**ACTION: By consensus, the City Council continued Council Business Item No. 5.7 (Consideration of a Request by Councilmember Treseder Regarding Affordable Housing Utility Allowances) to the March 14, 2023, City Council meeting.**

**5. COUNCIL BUSINESS (CONTINUED)**

**5.6 CONSIDERATION OF A REQUEST BY MAYOR KHAN TO DISCUSS SUPPORTING THE 2023 ORANGE COUNTY SUSTAINABILITY DECATHLON**

This item was agendaized at the request of Mayor Khan, who asked for City Council consideration to discuss supporting the 2023 Orange County Sustainability Decathlon.

Hillary Ahluwalia, Assistant to the City Manager, provided a brief overview of the event and an update on event financing. Michelle Grettenberg, Assistant City Manager, and Fred Smoller, President and Chief Executive Officer – Orange County Sustainability Decathlon, were also available for questions.

Melisa Masri, Irvine resident, spoke in support of sponsorship of the event, and suggested a larger sponsorship from the City of Irvine.

City Council discussion included: inquiring about detailed budget data from the organization; questioned contributions by other Orange County cities; expressed concern about the cost for booth space; noted the efforts toward climate goals; questioned what type of staffing and other resources were needed for the event; suggested hosting future decathlons at Great Park; discussed ways to potentially match donations from other cities; suggested incorporation of the event into the City's Climate Action and Adaptation Plan (CAAP); noted that Great Park was not selected as a venue in the past due to its size in comparison to the Orange County Fairgrounds; inquired about potential corporate sponsors; questioned how a donation from the City of Irvine would be used; inquired about the date of the event and whether it would conflict with the Irvine Global Village Festival; suggested a matching sponsorship contingent upon other Orange County cities' sponsorship of the event; inquired about how a municipality could sponsor the event without a vote of the legislative body; noted sponsorship by California State Senator David Min; and inquired about the budgetary source for a potential sponsorship.

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

Match Orange County Supervisor Katrina Foley's sponsorship for the 2023 Orange County Sustainability Decathlon in the amount of \$100,000 contingent upon confirmation by City staff, and in exchange for booth space at the event.

Following discussion, Councilmember Carroll amended his motion.

ACTION: An amendment to the main motion was made by Councilmember Carroll to:

Approve a sponsorship for the 2023 Orange County Sustainability Decathlon in the amount of \$77,258, contingent upon 1) confirmation by City staff of Orange County Supervisor Katrina Foley's sponsorship, 2) a detailed budget on how the City of Irvine's contribution will be spent; 3) four other cities in Orange County matching City of Irvine's sponsorship; and 4) booth space at the event.

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

Approve a sponsorship for the 2023 Orange County Sustainability Decathlon in the amount of \$50,000, contingent upon a detailed budget provided to the City Council on how the City of Irvine's contribution will be spent, and booth space at the event.

**5.7 CONSIDERATION OF A REQUEST BY COUNCILMEMBER TRESEDER REGARDING AFFORDABLE HOUSING UTILITY ALLOWANCES**

This item was continued to the March 14, 2023, City Council meeting. See page 19.

**ADJOURNMENT**

**Moved by Vice Mayor Kim, seconded by Councilmember Carroll, and unanimously carried to adjourn the meeting at 1:13 a.m.**

  
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MAYOR OF THE CITY OF IRVINE

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

\_\_\_\_\_  
March 28, 2023