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Mar 17, 2025

CITY OF IRVINE
CITY MANAGER'S OFFICE

Memo

To: Oliver C. Chi, City Manager
From: Councilmember Melinda Liu *ML*
Date: March 17, 2025
Re: Changes to Irvine Municipal Code 1-2-213

Background:

In March 2024, Irvine voters passed Measure D, to change Irvine's City Council elections from an at-large election to a district-based election. With this action, the City Council now consists of six elected Councilmembers, each representing one of the six districts within the City of Irvine, and one mayor, elected at-large. The change to the city charter reinforces voter representation by designating City Councilmembers per district, based on U.S. Census data and following the California Elections Code.

Issue:

However, Irvine Municipal Code 1-2-213, requires revisions in response to the changes to the City's charter to district elections. If the Mayor's role is vacant, and a current Councilmember assumes the role, the district in which the councilmember represents is now vacant. Subsection B vaguely states that vacancies on the City Council will be filled "as prescribed by ordinance," without specifying how district-specific vacancies will be addressed. As a result, council partisanship may delay the decision on how the vacancy will be filled. This is similar to the selection of a Vice Mayor. If a deadlock vote occurs, delays could hinder City Council agenda matters.

To prevent further disruption of the City Council proceedings, neighboring cities across Orange Counties have enacted revisions to address this matter.

City of Santa Ana:

Similar to the City of Irvine, in 2018, the City of Santa Ana went from an at-large election to a district-based election which was reflected in the 2020 city council elections. Membership consists of six Councilmembers representing different parts of the city called wards (the City of Santa Ana's version of districts), and a Mayor who is elected citywide. In contrast to Irvine, in the event the Mayor becomes vacant, per Santa Ana Municipal Section 403 and 405, the Mayor Pro Tem, who is selected among councilmembers, serves as the acting Mayor until

the city council appoints a new mayor until the next general election. If an appointment does not occur within the next 30 days, an election is called.

City of Anaheim:

In November 2014, Anaheim voters approved City Measures L and M, establishing the city council's transfer from an at-large election to a district election by July 2016 per Anaheim Municipal Section 501.1. The process is similar to the City of Santa Ana in terms of vacancy with the Mayor Pro Tem acting as interim Mayor until an appointment is conducted as specified in Section 503 on city council vacancies.

Comparison:

Both the City of Santa Ana and Anaheim focused on ensuring that in the event of a Mayor vacancy, the appointment of an interim Mayor would allow agenda items to proceed before the city council, thus saving costs for special elections. Under Irvine's current ordinance, the lack of procedural guidance leaves a gap in the direction the city council will undergo to ensure a vacancy is filled. Delays hinder the voices of residents in city council decisions.

Provided with the information, I request the City Manager and their City staff to review and propose revisions to Irvine Municipal Code 1-2-213, regarding the order of succession to the Office of the Mayor to align with the City's transition to district-based elections by March 2025, with a comprehensive report on proposed changes, legal implications, and financial impact. The revisions should include the following matters:

- Ensuring that district representation is maintained if a district Councilmember assumes the role of Mayor.
- Clarifying the process of filling council vacancies resulting from Mayoral succession.
- Shortening and streamlining the timeline for calling special elections to fill a vacancy in the Office of the Mayor, where necessary, minimized governance disruptions.
- Evaluate the role of the Vice Mayor in the succession process and provide alternative options if the Vice Mayor declines to assume the role of Mayor.

cc: City Council
City Clerk