



MINUTES

CITY COUNCIL REGULAR MEETING

November 28, 2017
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 4:02 p.m. on November 28, 2017 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Wagner presiding.

ROLL CALL

Present:	4	Councilmember:	Melissa Fox
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Lynn Schott
		Mayor:	Donald P. Wagner

Absent:	1	Councilmember:	Jeffrey Lalloway
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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) – Harvey Liss, et al, v. City of Irvine, et al, Orange County Superior Court Case No. 30-2017-00955176-CU-WM-CXC**

RECESS

Mayor Wagner convened the City Council meeting to Closed Session at 4:04 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the City Council meeting at 4:50 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 Shea led the Pledge of Allegiance.

INVOCATION

Pastor Lee Yi from Saddleback Church in Irvine provided the invocation.

2. PRESENTATIONS

2.1 *Presentation by Orange County District Attorney Tony Rackauckas on the Human Exploitation and Trafficking (HEAT) Unit*

Mayor Wagner introduced Orange County District Attorney Tony Rackauckas and Brad Schoenleben, Orange County Deputy District Attorney, who provided an update on efforts, in collaboration with the Orange County Human Trafficking Task Force, to address human trafficking throughout Orange County.

City Council discussion included: noting the City of Irvine’s participation on the Orange County Human Trafficking Task Force; reiterating the importance of addressing the issue of human trafficking; expressed appreciation to the District Attorney’s office for its efforts in eradicating the issue; questioned whether certain components of human trafficking, such as passport withholding and loan sharking, were included in the investigation process; inquired about how to identify signs of human trafficking; suggested continued awareness in the community and reiterated the importance of contacting authorities when appropriate; and questioned recent legislation with respect to underage prostitution and associated impacts, and inquired about what can be done on a policy level to minimize these impacts.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore Schott made the following announcements:

- Community members are invited to attend upcoming events and performances at the Irvine Barclay Theatre, including “Cool Yule” on December 3, “The Nutcracker” on December 9 – 24, and “Canadian Brass” on December 15. For information on upcoming performances or to buy tickets, visit thebarclay.org.
- Pickleball courts will be added to two tennis courts at San Carlo and Knollcrest Neighborhood Parks this week, with striping expected to be completed by Friday, December 1. The overlay striping allows both sports to be played on the court, expanding use to more residents. In addition, six pickleball courts are planned for Portola Springs Community Park, expected to open in mid-2018. For information, call 949-724-6617.

Mayor Wagner made the following announcements:

- The City of Irvine was awarded the Public-Private Partnership Award this month at the Orange County Business Council’s annual “Turning Red Tape into Red Carpet” reception. The award was for the City’s work with its private partners on the 194-acre Sports Park Complex, which is opening in phases, and for the \$100 million Public Ice Facility that will open next year.
- Residents are invited to the upcoming Winter Wonderland event on Sunday, December 3 from 3 – 7 p.m., with a tree-lighting ceremony at 5 p.m. for the City’s tree adorned with ornaments and lights. Children can enjoy crafts and activities, and hop aboard a train for a ride around the Civic Center. A Joyful Jingles holiday program will provide music. Guests are also encouraged to bring a new, unwrapped gift suitable for infants or children up to age 12 to support the families of Irvine’s adopted 2/11 Marine Battalion. For information, visit cityofirvine.org or call 949-724-6606.
- On Sunday, December 10, the Irvine Animal Care Center will host its 11th annual Home for the Holidays pet adoption fair from 10 a.m. to 2 p.m. Approximately 600 homeless dogs, cats, rabbits and small animals will be available for adoption from the Center and other area rescue groups. The event will be comprised of dozens of pet-related vendors, gourmet food trucks, a silent action, low-cost microchipping, and an opportunity drawing. Suggested donation for the event is \$2 per person, or \$5 per family. Parking is free. For information, visit cityofirvine.org/animals.

- Registration is underway for the City of Irvine's winter classes and programs for families, children, teens, adults and seniors. A complete list of classes is available in the winter issue of *Inside Irvine*, which also includes stories on the benefits of shopping local, updates on the Great Park, and the Irvine Animal Care Center's programs to help homeless animals become adoptable pets. *Inside Irvine* is available online and has been mailed to homes. To access the digital version, visit cityofirvine.org.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Schott, and unanimously carried by those members present (Councilmember Lalloway absent) to approve Consent Calendar Item Nos. 3.1 through 3.11.

3.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council held on November 14, 2017.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 17-81 - 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

3.3 ORANGE COUNTY GREAT PARK FUNDS FINANCIAL STATEMENT AUDIT – FISCAL YEAR 2016-17

ACTION:

Received and filed.

(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 Orange County 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 4-0-1 (Director Lalloway absent).

3.4 2018 CITY COUNCIL MEETING CALENDAR

ACTION:

Approved the proposed 2018 City Council Meeting Calendar.

3.5 DESIGN ENHANCEMENTS TO SOFTBALL STADIUM IN THE SPORTS PARK SUBAREA OF THE ORANGE COUNTY GREAT PARK

ACTION:

Approved design enhancements to the softball stadium dugouts at the Great Park and authorize payment for the enhancements by applying \$210,000 in savings realized through cost reductions elsewhere in the Sports Park.

(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 Orange County 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 4-0-1 (Director Lalloway absent).

3.6 BUDGET ADJUSTMENT FOR CONTRACT MAINTENANCE SERVICES FOR SPORTS PARK PHASES 1, 2, 3 AND 4

ACTION:

- 1) Approved a budget appropriation of \$931,350 from the unallocated Orange County Great Park fund balance for contract maintenance services through June 30, 2018 for the Sports Park phases 1, 2, 3 and 4.
- 2) Authorized the City Manager and Director of Public Works to execute corresponding maintenance service contract agreements, in accordance with City purchasing procedures, for the required maintenance services.

(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 Orange County 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 4-0-1 (Director Lalloway absent).

3.7 APPROVAL OF JEFFREY/ALTON INTERSECTION IMPROVEMENT PROJECT REPORT

ACTION:

Approved the Project Report for the Jeffrey/Alton Intersection Improvement Project and authorize staff to proceed with the final design and right-of-way project phases.

3.8 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR DEERFIELD COMMUNITY CENTER FIRE SPRINKLER UPGRADES

ACTION:

- 1) Approved the construction plans, specifications and contract documents for Fire Sprinkler Building Safety Upgrades at Deerfield Community Park, Capital Improvement Project 361707.
- 2) Approved the Engineer’s Estimate, Construction Contingency and Project Funding Summary.
- 3) 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.
- 4) Directed staff to return with a budget appropriation for Fire Sprinkler Upgrades at other City Facilities and Community Centers.

3.9 NOTICE OF REVIEW FOR A TRACT MAP IN PORTOLA SPRINGS

ACTION:

Received and filed.

3.10 WEEKDAY COMMUTER iSHUTTLE ROUTE EXPANSION AGREEMENTS

ACTION:

- 1) Authorized the City Manager or his designee to execute the Cooperative Agreements between Orange County Transportation Authority and City of Irvine for Project V Community-Based Transit/Circulators for expansion of weekday commuter iShuttle routes and execute future amendments to the agreement, if necessary, for the continued operation of the routes. **(Contract Nos. 10023 and 10024)**
- 2) Authorized the City Manager or his designee to execute the funding agreements and execute future amendments to the agreement, if necessary, for the continued operation of the routes with the Irvine Company **(Contract No. 10025)** and Spectrumotion **(Contract No. 10026)** in support of Project V Route E.

3.11 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Councilmember Fox's request for Community Partnership Fund Grant nomination to South Cardinal Football and Cheer in the amount of \$250 in support of the South Cardinal Cheer Team. **(Contract No. 10027)**
- 2) Authorized the City Manager to prepare and sign the funding agreement listed in Action 1.

4. PUBLIC HEARINGS

4.1 APPROVAL OF BOND ISSUANCE BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR FINANCING AND REFINANCING CERTAIN EDUCATIONAL FACILITIES AND OTHER RELATED MATTERS FOR CONCORDIA UNIVERSITY

Jennifer King, Finance Administrator, presented the staff report and responded to questions.

Mayor Wagner opened the public hearing at 5:32 p.m. There were no requests to speak.

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Schott, and unanimously carried by those members present (Councilmember Lalloway absent) to close the public hearing at 5:33 p.m.

City Council discussion included: reiterating that no indebtedness will be incurred by the City.

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Schott, and unanimously carried by those members present (Councilmember Lalloway absent), to:

Adopt RESOLUTION NO. 17-82 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE ISSUANCE OF BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$40,000,000 FOR THE PURPOSES OF FINANCING AND REFINANCING THE COSTS OF CONSTRUCTION, EXPANSION, IMPROVEMENT, RENOVATION, FURNISHING AND EQUIPPING OF CERTAIN EDUCATIONAL FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO

4.2 CITY COUNCIL OVERRIDE OF INCONSISTENCY DETERMINATION BY THE AIRPORT LAND USE COMMISSION OF ORANGE COUNTY

Stephanie Frady, Senior Planner, and Joel Belding, Principal Planner, presented the staff report and responded to questions. Nick Johnson, representing Johnson Aviation, also responded to questions.

Mayor Wagner reopened the public hearing at 5:38 p.m.

Tim Strader Jr., representing Starpoint Ventures on behalf of the applicant, spoke in support of the City Council overriding the inconsistency determination by the Airport Land Use Commission of Orange County (ALUC), noting concurrence with the findings provided by Johnson Aviation.

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Schott, and unanimously carried by those members present (Councilmember Lalloway absent) to close the public hearing at 5:40 p.m.

City Council discussion included: noted acceptability of the project by the Federal Aviation Administration (FAA); questioned the FAA's definition of "no hazard" and whether it deemed the project safe; noted concerns raised by California Department of Transportation's Division of Aeronautics (CalTrans Aviation) with respect to building height and proximity to John Wayne Airport (JWA), and ALUC's concurrence with those concerns; reiterated that these types of projects must be safe and provide a benefit to the community; noted potential impacts to traffic flow and accessibility to JWA; reiterated that ALUC and CalTrans Aviation were advisory to the FAA, which has final authority; inquired about the financial benefit to the City if the project were approved; and reiterated that potential impacts to surrounding traffic have already been mitigated.

Jeff Melching, City Attorney, provided clarification of the FAA's definition of "no hazard" as reflected in the staff report.

ACTION: Moved by Councilmember Fox, seconded by Councilmember Shea, to:

Adopt RESOLUTION NO. 17-83 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING FINDINGS TO OVERRIDE THE AIRPORT LAND USE COMMISSION FOR ORANGE COUNTY INCONSISTENCY DETERMINATION FOR THE LANDMARK PROJECT LOCATED AT 18872, 18912 AND 18952 MACARTHUR BOULEVARD IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX); FILED BY GREAT FAR EAST, LLC

The motion carried as follows:

AYES: 3 COUNCILMEMBERS: Fox, Shea and Wagner

NOES: 1 COUNCILMEMBERS: Schott

ABSENT: 1 COUNCILMEMBERS: Lalloway

5. COUNCIL BUSINESS

5.1 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR ORANGE COUNTY GREAT PARK WAYFINDING SIGNAGE

Chris Koster, Manager of Great Park Planning and Development, and Jim Houlihan, Manager of Engineering/City Engineer, presented the staff report and responded to questions. Kim Norberg, representing AECOM, also responded to questions.

City Council discussion included: discussing the proposed color scheme of the signage and potential alternatives; noted the importance of sign visibility; inquired about signs related to biking infrastructure; questioned the process for changing out destination signage if needed; inquired about wayfinding signage for restrooms, and whether restroom choices and proximity would be identified on affixed maps; questioned if electronic maps would be interactive; suggested incorporation of technology with signs, including cellular technology for optimum wireless coverage for visitors; and questioned whether the color scheme could be selected at a later date while moving forward with a Request for Proposals (RFP).

ACTION: Moved by Councilmember Fox, seconded by Councilmember Shea, and unanimously carried by those members present (Councilmember Lalloway absent), to:

- 1) Approve the construction plans, specifications and contract documents for Orange County Great Park Wayfinding Signage, Capital Improvement Project 361726.
- 2) Approve the Engineer’s Estimate, Construction Contingency and Project Funding Summary.
- 3) Authorize 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.

5.2 PROPOSED UPDATES TO THE COST RECOVERY POLICY FOR COMMUNITY SERVICES PROGRAMS AND SERVICES

Mike Cribbin, Senior Management Analyst, and Michael Dominguez, Community Services Administrator, presented the staff report and responded to questions.

City Council discussion included: reiterating the importance of full cost recovery for programs with limited exceptions, such as senior transportation; and noting the challenges of cost/fee recovery.

ACTION: Moved by Mayor Pro Tempore Schott, seconded by Councilmember Shea, and unanimously carried by those members present (Councilmember Lalloway absent) to:

Adopt RESOLUTION NO. 17-84 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, TO ADOPT THE COST RECOVERY POLICY FOR COMMUNITY SERVICES PROGRAMS AND SERVICES

5.3 REQUEST FOR PROPOSALS - CONSULTING SERVICES TO CONDUCT SEARCH FOR CITY MANAGER

Jimmee Medina, Deputy Director of Administrative Services, presented the staff report and responded to questions.

City Council discussion included: requesting that the names of hired applicants be included under “References” in the proposed Request for Proposals (RFP) with dates of service; questioned selection process guidelines and how each category was weighted; recommended that pricing also be based on overall value; questioned whether the contract award could return for City Council approval at the January 9 meeting; inquired about the interview process and whether the top three selections

would be forwarded to the City Council; noted opposition to a City Council subcommittee based on a similar recruitment in prior years; reiterated that this process would be no different than any other RFP process; suggested that the selected firm include up to ten resumes of candidates with its recommendations for the top three choices; recommended that the RFP require that the selected firm work with other internal stakeholders, such as Department Directors, to discuss the City's priorities and goals; discussed a similar recruitment process conducted by the Orange County Fire Authority; and reiterated the importance of recruiting the best candidates for the City, and suggested that experience with recruiting top executives be heavily weighted.

City Attorney Melching noted that while City Manager interviews could be held in Closed Session, the selection of a recruiting firm must be conducted in public.

City Manager Joyce reiterated that an employment contract would be a public document; and suggested the principal of the selected firm meet with the City Council, either individually or collectively, to seek input on the profile of an ideal candidate.

ACTION: Moved by Councilmember Fox, seconded by Mayor Pro Tempore Schott, and unanimously carried to:

Authorize staff to release the attached Request for Proposals for consulting services to conduct a search for City Manager.

As amended to require that firms also include the name of the applicant(s) and dates of services performed under "References" in their proposals.

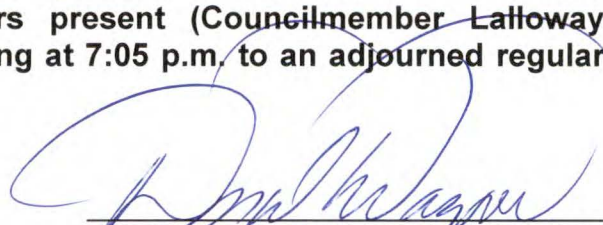
PUBLIC COMMENT

Ivan Arkhipov, Irvine resident, spoke in opposition to a Code Enforcement pre-citation notice he received and asked for assistance to resolve the matter.

ADJOURNMENT

Prior to adjournment, Mayor Wagner noted that the December 12, 2017 regular meeting of the City Council was rescheduled to Monday, December 11 at 4 p.m. based on the annual calendar adopted by the City Council earlier in the year.

Moved by Councilmember Fox, seconded by Mayor Pro Tempore Schott, and unanimously carried by those members present (Councilmember Lalloway absent) to adjourn the City Council meeting at 7:05 p.m. to an adjourned regular meeting on December 11, 2017 at 4 p.m.



MAYOR OF THE CITY OF IRVINE



CITY CLERK OF THE CITY OF IRVINE

December 11, 2017