

AGENDA

CITY OF COSTA MESA

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY* MEETING

*NOTE: ALL AGENCY MEMBERSHIPS ARE REFLECTED IN THE TITLE "COUNCIL MEMBER."

TUESDAY, MARCH 19, 2019
COSTA MESA SENIOR CENTER
695 W. 19TH STREET, COSTA MESA, CALIFORNIA
CLOSED SESSION – 4:00 P.M. (ROOM 102)
REGULAR MEETING – 6:00 P.M. (GRAND HALL 1)

KATRINA FOLEY
Mayor

MANUEL CHAVEZ
Council Member

JOHN B. STEPHENS
Mayor Pro Tem

ANDREA MARR
Council Member

ARLIS REYNOLDS
Council Member

ALLAN R. MANSOOR
Council Member

SANDRA L. GENIS
Council Member

City Attorney
Kimberly Hall Barlow

Acting City Manager
Tamara S. Letourneau

Note regarding agenda-related documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5):

Any related documents provided to a majority of the City Council after distribution of the City Council Agenda Packets will be made available for public inspection. Binders containing these agenda-related documents are located in the back of Grand Hall 1. In addition, such documents may be posted—whenever possible on the city's website at www.costamesaca.gov or by clicking [here](#).

Please note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information.

Your attendance at this public meeting is valued and appreciated. If you have questions regarding the agenda, public comments or wish to obtain copies of documents please contact the City Clerk office at (714) 754-5225 or e-mail cityclerk@costamesaca.gov.

WELCOME TO THE CITY COUNCIL MEETING

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:

Members of the public desiring to speak during the Public Comments period on a matter not on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. Each speaker is limited to three minutes.

PUBLIC COMMENTS – CONSENT CALENDAR:

Members of the public desiring to speak on a consent calendar item shall submit such a request on a speaker card prior to the start of the Consent Calendar period. Each speaker is limited to three minutes.

PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:

Members of the public desiring to speak during the Public Comments period on a matter listed on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Each speaker is limited to three minutes.

1. Any written communications, photos, or other materials for copying and distribution to the City Council that are 10 pages or less, must be submitted to the City Clerk **NO LATER THAN 12:00 P.M.** Materials can be e-mailed to cityclerk@costamesaca.gov or provided on a flash drive. If the public wishes to submit written communication, photos, or other material for distribution to the City Council at the meeting AFTER 12:00 p.m., 10 copies will need to be provided for distribution. Please note that NO copies of written communication will be made AFTER 12:00 p.m. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. Kindly submit to the City Clerk **AS EARLY AS POSSIBLE, BUT NO LATER THAN 30 MINUTES PRIOR TO THE START OF THE MEETING. Please note that there is not an overhead projector available for this meeting.**
2. **All cell phones and other electronic devices are to be turned off or set to vibrate.** Members of the audience are requested to step outside Grand Hall 1 to conduct a phone conversation.
3. Free Wi-Fi is available in Grand Hall 1 during the meetings. The username is **SCWIFI** and the password is **!@cmssc99**.

In compliance with the Americans with Disabilities Act of 1990, Assistive Listening headphones located inside Grand Hall 1 are available at all Costa Mesa City Council meetings and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (714) 754-5225 por lo menos con 48 horas de anticipación.

**CLOSED SESSION
4:00 P.M.**

CALL TO ORDER - Grand Hall 1 then will recess to Room 102

ROLL CALL

PUBLIC COMMENTS

Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given a total of three minutes to speak on all items on the Closed Session agenda.

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: Orange County Catholic Worker, an unincorporated association: Lisa Bell, Shawn Carroll, Melissa Fields, Larry Ford, Cameron Ralston, Kathy Schuler, Gloria Shoemake, as individuals v. Orange County, City of Anaheim, City of Costa Mesa, and City of Orange, United States District Court, Central District of California – Southern Division, Case No. 8:18-cv-00155.

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 3175 Airway Ave., Costa Mesa, CA 92627
APN: 427-091-12
Pursuant to Section 54956.8, California Government Code
Negotiating Parties: Tamara Letourneau, Acting City Manager and Dale Camera, Lee & Associates and Steve Millen, Owner.
Negotiation: Price and Terms of Payment.

3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: Gayle Hickey v. City of Costa Mesa, Orange County Superior Court, Case No. 30-2017-00951064-CU-PO-NJC5

4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: Cecil Patterson v. Michael Beltran; City of Costa Mesa, Orange County Superior Court, Case No. 30-2017-00954620-CU-PA-NJC

**5. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
INITIATION OF LITIGATION – ONE POTENTIAL CASE**

Pursuant to Subdivision (d)(4) of Section 54956.9, California Government Code

The City Council and Successor Agency to the Redevelopment Agency will recess to Room 102 for Closed Session at the conclusion of public comments.

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR
AGENCY TO THE REDEVELOPMENT AGENCY**

**COSTA MESA SENIOR CENTER
GRAND HALL 1
695 W. 19TH STREET, COSTA MESA, CALIFORNIA**

TUESDAY, MARCH 19, 2019 – 6:00 P.M.

CALL TO ORDER

NATIONAL ANTHEM Davis Magnet School Students

PLEDGE OF ALLEGIANCE

MOMENT OF SOLEMN EXPRESSION

[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The City Council disclaims any intent to endorse or sponsor the views of any speaker.]

Pastor Josh Harrison

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. Heroes Hall Museum Presentation
2. Costa Mesa Foundation Annual Report

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:

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COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

(Each council member is limited to four minutes. Additional comments will be heard at the end of the meeting)

1. Council Member Reynolds
2. Council Member Chavez
3. Council Member Marr
4. Council Member Mansoor
5. Council Member Genis
6. Mayor Pro Tem Stephens
7. Mayor Foley

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the City Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion.

1. **PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

RECOMMENDATION:

City Council and Agency Board waive reading of Ordinances and Resolutions.

2. **READING FOLDER**

Claims received by the City Clerk: Erica Choi, Robert Harrington, Travis Johnson, Michael Kane and Ana Quiroz.

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2615 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL 19-04 "A" FOR \$1,456.95 AND 19-05 FOR \$2,683,943.59; AND CITY OPERATING EXPENSES FOR \$2,400,925.01; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** - Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2615.

4. **PROFESSIONAL SERVICES AGREEMENT TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR A 1,057-UNIT APARTMENT DEVELOPMENT AT 1683 SUNFLOWER AVENUE**
Development Services Department/Planning Division

RECOMMENDATION:

1. City Council award a Professional Services Agreement (PSA) to Michael Baker International, Inc. ("Michael Baker") in the amount of \$109,412 for preparation of the Environmental Impact Report (EIR) and peer review of the draft Specific Plan for the proposed mixed-use development at 1683 Sunflower Avenue; and
 2. Authorize the Acting City Manager and City Clerk to sign and execute the agreement; and
 3. Authorize the City Manager to execute future amendments to this agreement; and
 4. Authorize a budget adjustment recognizing \$109,412 from Rose Equities and appropriate \$109,412 to the Economic and Development Services Department budget for the specified purpose.
5. **RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2019 ORANGE COUNTY MARATHON** - Public Services Dept./Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution No. 19-xx, designating event routes for the 2019 Orange County (OC) Marathon and approve the temporary street closures for May 4, 2019, and May 5, 2019, as requested for the 2019 OC Marathon.

6. **AMENDMENT NUMBER THREE TO PROFESSIONAL SERVICES AGREEMENT WITH SAGECREST PLANNING AND ENVIRONMENTAL, LLC**

Development Services Department/Planning Division

RECOMMENDATION:

1. City Council approve proposed Amendment No. 3 to the Professional Services Agreement (PSA) with Sagecrest Planning and Environmental, LLC, amending the scope of services, authorizing an annual not-to-exceed amount of \$378,280 and extending the Agreement through June 30, 2020;
2. Authorize the Acting City Manager to execute the amendment and future amendments to this Agreement; and
3. Authorize a budget adjustment recognizing \$250,000 from Rose Equities and appropriating \$250,000 to the Economic and Development Services Budget for the specified purpose.

7. **MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING OF FEBRUARY 5, 2019**

City Manager's Office/City Clerk Division

RECOMMENDATION:

City Council approve the minutes of February 5, 2019.

8. **AMENDMENT NUMBER TWO TO THE PROFESSIONAL SERVICES AGREEMENT WITH CIVICSTONE, LLC**

Parks and Community Services Department

RECOMMENDATION:

1. City Council approve Amendment Number Two to the Professional Services Agreement (PSA) with CivicStone, LLC to authorize additional funding in the amount not to exceed (NTE) \$150,000 to provide required affordable housing consulting services and project management for various projects and proposals including the temporary and permanent bridge shelter facilities; and
2. Authorize the Acting City Manager and City Clerk to execute the amendment and any future amendments to the PSA.

AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR

----- **END OF CONSENT CALENDAR** -----

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55):

1. CODE AMENDMENT CO-18-05 NON-COMMERCIAL PORTABLE SIGNS

Development Services Department/Planning Division

RECOMMENDATION:

1. City Council find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) (General Rule exemption); and
2. Introduce for first reading Ordinance No. 19-xx, adopting Code Amendment 18-05 to amend portions of Title 13 of the Costa Mesa Municipal Code (Zoning Regulations) to remove the time periods for placement and display of non-commercial portable signs on private residentially-zoned properties.

AGENDA CONTINUED ON THE NEXT PAGE.

OLD BUSINESS:

1. **FY 2018-19 MID-YEAR BUDGET REPORT AND CAPITAL IMPROVEMENT PROGRAM STATUS UPDATE** - Finance Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Receive and file the FY 2018-19 Mid-Year Budget report and Capital Improvement Program status update.
2. Approve the following for FY 2018-19:
 - a. Carryover of FY 2017-18 General Fund and other fund encumbrances;
 - b. General Fund contingency account allocation;
 - c. Summary of approved budget adjustments and appropriations of expenditures;
 - d. Re-appropriate the remaining unspent capital project balance budgeted from prior years into the FY 2018-19 budget;
 - e. Accept \$39,600 in AB 109 grant funding from Orange County and appropriate the funding for e-citation device purchase;
 - f. Accept \$19,668 Bullet Proof Vest Grant from US Department of Justice and appropriate the funding for bullet proof vest purchase; and
 - g. Create a Shelter Operations budget program under the Housing Authority and approve a budget adjustment moving Program 50250 currently under the City Manager's Office to the Housing Authority.
3. Approve the following proposed staffing changes:
 - a. Finance Department: reclassify the part-time Accounting Specialist I to a full-time Buyer position; transfer the vacant part-time Office Specialist II position to Parks and Community Services; and
 - b. Parks and Community Services Department: reclassify three part-time positions to full-time positions; transfer the part-time Office Specialist II position from Finance and reclassify to a full-time position; eliminate one full-time Assistant Recreation Supervisor position.

NEW BUSINESS:

1. [FIRST READING OF ORDINANCES INCREASING THE NUMBER OF MEMBERS OF THE PLANNING AND PARKS AND RECREATION COMMISSIONS, RENAMING THE PARKS AND RECREATION COMMISSION, AND DISSOLVING THE SENIOR COMMISSION](#)-City Manager's Office/City Clerk

RECOMMENDATION:

1. City Council introduce for first reading, by title only, Ordinance 19-05 of the City Council of the City of Costa Mesa, California, amending Section 13-10 (Planning Commission) of Article 3 (Review Authorities) of Chapter I (In General) of Title 13 (Planning, Zoning and Development) of the Costa Mesa Municipal Code; and
 2. Introduce for first reading, by title only, Ordinance 19-06 of the City Council of the City of Costa Mesa, California, amending Chapter III (Parks and Recreation Commission) of Title 12 (Parks and Recreation) of the Costa Mesa Municipal Code; and
 3. Introduce for first reading, by title only, Ordinance 19-07 of the City Council of the City of Costa Mesa, California, dissolving the Senior Commission and repealing Chapter IV (Senior Commission) of Title 12 (Parks and Recreation) of the Costa Mesa Municipal Code.
2. [SIX-POINT COYOTE ACTION PLAN](#)-Police Department/Field Operations Division

RECOMMENDATION

1. City Council designate the month of April as Coyote Awareness Month; and
2. Authorize the Police Department to create a Coyote Awareness Month media/social media campaign and consider implementing additional social media pages to improve outreach; and
3. Implement a cell phone hotline and single program email address to streamline resident communications to the City; and
4. Authorize the Police Department's Animal Control staff to hold two Coyote Awareness Community Meetings annually every April; and
5. Authorize the Police Department's Animal Control staff to continue to work with the California Department of Fish and Wildlife's Wildlife Watch program to educate and train the citizens of Costa Mesa in accordance with the City's Coyote Management Plan; and
6. Direct staff to bring back to Council an evaluation of the feasibility of a neighborhood volunteer program that trains and oversees neighborhood volunteers who train residents on proper coyote safety protocols, hazing, and elimination of attractants.

3. APPOINTMENTS TO VARIOUS COMMITTEES-City Manager's Office/City Clerk

RECOMMENDATION:

1. City Council make appointments to fill three regular member vacancies with a term expiration of April 1, 2021 on the Animal Services Committee; and
2. Make appointments to fill eight regular member vacancies with a term expiration of April 1, 2021 on the Bikeway and Walkability Committee; and
3. Make appointments to fill five regular member vacancies and two alternate member vacancies with a term expiration of April 1, 2021 on the Cultural Arts Committee; and
4. Make appointments to fill three regular member vacancies and one alternate member vacancy with a term expiration of April 1, 2023 on the Fairview Park Steering Committee; and
5. Make appointments to fill five regular member vacancies with a term expiration of April 1, 2021 and two regular member vacancies with a term expiration of April 1, 2020 on the Finance & Pension Advisory Committee; and
6. Make appointments to fill five regular member vacancies with a term expiration of April 1, 2021 and one regular member and two alternate member vacancies with a term expiration of April 1, 2020 on the Historical Preservation Committee; and
7. (a) Change the name of the Housing and Public Service Grant Committee to the Public Service Grants Committee;

(b) Make appointments to fill five regular member vacancies with a term expiration of April 1, 2021 on the Housing and Public Service Grant Committee; and
8. Make the following appointments on the Mobile Home Park Advisory Committee:
 - (a) Two park owners or their representatives, two mobile home resident owners and one independent citizen at-large who has no affiliations or relationships with mobile home parks, with a term expiration of April 1, 2021; and
 - (b) One park owner or his/her representative, two mobile home resident owners and one independent citizen at-large who has no affiliations or relationships with mobile home parks, with a term expiration of April 1, 2020.

ANNOUNCEMENTS

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

ADJOURNMENT

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Friday, March 29, 2019 – **An Evening in Paris – Senior Center Prom**, 5:00 – 7:00 p.m., Costa Mesa Senior Center, 695 W. 19th Street. Dinner, entertainment, photo booth, and other fun activities. For more information: www.costamesaca.gov.

Wednesday, April 3, 2019 – **Parent Education Workshop: Ways to Help Keep Your Child Balanced**, 6:00 – 7:30 p.m. Newport Harbor High School Reading Room, 600 Irvine Avenue. Presented by Newport-Mesa Unified School District. For more information: www.nmusd.us.

Friday - Sunday, March 22 - 24, 2019 – **Legally Blonde, the Musical**, Costa Mesa High School Performing Arts Center. Presented by CMHS Drama.

Saturday, March 23, 2019 – **Carroll Shelby Tribute**, 9:00 a.m. – 1:00 p.m., Lyon Air Museum, 19300 Ike Jones Road. For more information: <http://www.lyonairmuseum.org>.

Tuesday, March 26, 2019 – **Bridge Shelter Community Open House**, 6:00 – 7:30 p.m., Costa Mesa Senior Center, 695 W. 19th Street. Learn more about the City's plans for the temporary and permanent bridge shelters, professional shelter operator Mercy House, and more. For more information: www.costamesaca.gov/homelessness.

Thursday, March 28, 2019 – **Voices: Veterans Storytelling Project**, OC Fair & Event Center, 88 Fair Drive. For more information: www.ocfair.com/heroes-hall.

Friday - Sunday, April 12 - 14, 2019 – **Imaginology**, OC Fair & Event Center, 88 Fair Drive. For more information: www.ocfair.com/imaginology.

Saturday, April 13, 2019 – **DogFest Orange County**, 9:00 a.m. – noon, Segerstrom Center for the Arts, 600 Town Center Drive. Presented by Canine Companions for Independence.

Thursday, April 18, 2019 – **Battle for the Bottles**, 6:00 - 9:30 p.m. Coleman's Cardroom (at Net Development Building), 3130 Airway Drive, Costa Mesa. Presented by Costa Mesa Chamber of Commerce. For more information: www.costamesachamber.com.

Friday, April 26, 2019 – **Lions Park Projects Phase 1 / Donald Dungan Library Ribbon Cutting Ceremony**, 10 a.m., 1855 Park Avenue, Costa Mesa. For more information: www.costamesaca.gov.

Saturday, April 27, 2019 – **Compost Giveaway & Clothing Donation Event**, 9 a.m. – noon, Orange Coast College Recycling Center. Hosted by Costa Mesa Sanitary District and CR&R Environmental Services. For more information: cmsdca.gov.