

# 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, MAY 21, 2019**  
**COSTA MESA SENIOR CENTER**  
**695 W. 19<sup>TH</sup> STREET, COSTA MESA, CALIFORNIA**  
**SPECIAL CLOSED SESSION – 5:15 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](http://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](mailto: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](mailto: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.

**SPECIAL CLOSED SESSION  
5:15 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 Special 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 – ANTICIPATED LITIGATION  
INITIATION OF LITIGATION – ONE POTENTIAL CASE**

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

**2. 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.

**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. 19<sup>TH</sup> STREET, COSTA MESA, CALIFORNIA**

**TUESDAY, MAY 21, 2019 – 6:00 P.M.**

**CALL TO ORDER**

**NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE**

Renascence School International

**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 David Manne, Calvary Chapel

**ROLL CALL**

**CITY ATTORNEY CLOSED SESSION REPORT**

**PRESENTATIONS: NONE**

**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 Genis
2. Council Member Reynolds
3. Council Member Chavez
4. Council Member Marr
5. Council Member Mansoor
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: Luis Arroyo and Jance Hurlbut.

#### **RECOMMENDATION:**

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2619 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 19-08 "A" FOR \$5,449.52 AND 19-09 FOR \$2,647,032.40; CITY OPERATING EXPENSES FOR \$5,738,063.05; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** - Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2619.

4. **MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETINGS OF MARCH 19, 2019**  
City Manager's Office/City Clerk Division

RECOMMENDATION:

City Council approve the minutes of March 19, 2019.

5. **PROFESSIONAL ENGINEERING SERVICES FOR ADAMS AVENUE IMPROVEMENTS PROJECT FROM HARBOR BOULEVARD TO SANTA ANA RIVER** - Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council approve the proposed Professional Services Agreement (PSA) to KOA Corporation, 2141 W. Orangewood Avenue, Orange, California 92868, for a total not-to-exceed amount of \$320,000 for professional engineering and design services for the Adams Avenue Improvements Project; and
2. Authorize the Acting City Manager and the City Clerk to execute the proposed PSA and future authorized amendments to the Agreement.

6. **REDHILL AVENUE MEDIAN IMPROVEMENTS FROM BRISTOL STREET TO MCCORMICK AVENUE, FEDERAL PROJECT NO. HSIPL-5312 (094) - CITY PROJECT NO. 18-08** - Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by KASA Construction Inc. for the subject project, and authorize the City Clerk to file the Notice of Completion; and
2. Authorize the City Manager to release the Labor and Materials Bond seven (7) months after the filing date; release the Faithful Performance Bond if appropriate, at the conclusion of the six month warranty period; and release the retention monies 35 days after the Notice of Completion is filed.

7. **CANCELLATION OF FAIRVIEW PARK MULTIPURPOSE BICYCLE CORRIDOR IMPROVEMENT PROGRAM (BCIP) GRANT WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA)**

Parks and Community Services Department – Fairview Park

RECOMMENDATION:

City Council authorize staff to request that the Orange County Transportation Authority (OCTA) cancel the Bicycle Corridor Improvement Program (BCIP) Fairview Park Multipurpose Trail project grant, and authorize staff to take all necessary steps to close out the BCIP project grant.

8. **ACCEPTANCE OF NORTHBOUND NEWPORT BOULEVARD NORTH OF DEL MAR STORM DRAIN REPAIR, CITY PROJECT NO. 18-17**

Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by All Cities Engineering, Inc. for the Northbound Newport Boulevard North of Del Mar Storm Drain Repair, City Project No. 18-17, and authorize the City Clerk to file the Notice of Completion; and
2. Authorize the City Manager to release the Labor and Materials Bond and the Faithful Performance Bond twelve (12) months after the Notice of Completion filing date; and authorize staff to release the retention monies thirty-five (35) days after the Notice of Completion filing date.

9. **ACCEPTANCE AND APPROVAL OF MONETARY DONATION FOR ORGANICS FIRST INTEGRATED PEST MANAGEMENT PROGRAM FROM STONYFIELD ORGANIC** - Public Services Department/Maintenance Services Division

RECOMMENDATION:

1. City Council accept a monetary donation recognizing the implementation of the City's Organics First Policy and organic field pilot program at Luke Davis Field; and
2. Authorize a budget adjustment recognizing the \$5,000.00 donation from Stonyfield Organics and appropriating \$5,000.00 to the Public Services Department, Maintenance Services Division for the specified purposes.

10. **FOURTH AMENDMENT TO THE AGREEMENT WITH CLEANSTREET FOR SIDEWALK PRESSURE WASHING** Public Services/Maintenance Services Division

RECOMMENDATION:

1. City Council approve the proposed Fourth Amendment to the Maintenance Services Agreement (MSA) with CleanStreet for biweekly pressure washing services on Plumer Street, Anaheim Avenue, 18<sup>th</sup> Street and Park Avenue, increasing the annual compensation by \$15,960.00 for a total MSA annual compensation of \$89,191.00; and
2. Authorize the Acting City Manager to execute the Fourth Amendment and future amendments to the agreement.

11. **FUEL STORAGE TANK TESTING, MAINTENANCE AND REPAIR SERVICES**

Public Services Department/Maintenance Services Division

RECOMMENDATION:

1. City Council approve the proposed Maintenance Service Agreement (MSA) with Southwestern Clean Fuels Environmental Compliance Corp. dba Clean Fuels Inc., 120 East Duarte Road Monrovia, CA 91016, for fuel storage tank testing, maintenance and repair services, in an annual amount not to exceed \$100,000 utilizing a Cooperative Agreement with the County of Orange, Contract MA-080-17011745, for an initial term of three (3) years with optional one (1) year extension; and
2. Authorize the Acting City Manager and the City Clerk to execute the Maintenance Services Agreement and future amendments with Southwestern Clean Fuels Environmental Compliance, Corp.

12. **PROFESSIONAL SERVICES AGREEMENT TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR THE PROPOSED EDUCATION FIRST INTERNATIONAL LANGUAGE CAMPUS PROJECT AT 3150 BEAR STREET**

Development Services Department

RECOMMENDATION:

1. City Council approve the proposed Professional Services Agreement (PSA) with Environmental Science Associates (ESA) for a not-to-exceed amount of \$97,537; and
2. Authorize the Acting City Manager and City Clerk to execute the proposed agreement and future amendments to the agreement and allow up to an additional contingency amounting to \$50,000, as needed for potential preparation of technical studies; and
3. Accept \$97,537 from Education First for the specified purpose.



**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. [PUBLIC HEARING FOR FISCAL YEAR 2019-2020 FUNDING PRIORITIES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AND HOME INVESTMENT PARTNERSHIPS PROGRAM \(HOME\) AND SUBSTANTIAL AMENDMENTS TO THE ANNUAL ACTION PLANS FOR FISCAL YEARS 2016-2017 AND 2018-2019](#)**

Development Services Department/Housing and Community Development

**RECOMMENDATION:**

1. City Council hold a Public Hearing regarding the 2019-2020 Annual Action Plan and amendments to the 2016-2017 and 2018-2019 Annual Action Plans; and
2. Approve the recommended allocation of \$1,041,150 for the Fiscal Year 2019-2020 Community Development Block Grant; and
3. Approve the recommended allocation of \$454,223 for the Fiscal Year 2019-2020 HOME Investment Partnerships Grant; and
4. Approve the recommended amendment to the 2016-2017 Annual Action Plan reallocating \$275,000 in Community Development Block Grant funds; and
5. Approve the recommended amendment to the 2018-2019 Annual Action Plan reallocating \$700,000 in Community Development Block grant funds; and
6. Approve Resolution No. 19-xx in order to:
  - Approve the 2019-2020 Annual Action Plan and the substantially amended 2016-2017 and 2018-2019 Annual Action Plans.
  - Authorize the City Manager, or the City Manager’s designee, to submit the 2019-2020 Annual Action Plan and substantial amendments to the 2016-2017 and 2018-2019 Annual Action Plans, to the U.S. Department of Housing and Urban Development.
  - Designate the City Manager, or the City Manager’s designee, as the official representative of the City to sign all certifications and assurances, and sub-agent agreements for the use of funds approved in the 2019-2020 Annual Action Plan, and substantial amendments to the 2016-2017 and 2018-2019 Annual Action Plans.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

1. **APPOINTMENTS TO THE PLANNING COMMISSION, THE PARKS, ARTS, AND COMMUNITY SERVICES COMMISSION, THE HISTORICAL COMMITTEE AND THE MOBILE HOME ADVISORY COMMITTEE** - City Clerk Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Make appointments to fill two seats on the Planning Commission, one seat from District 4 and one seat from District 5, both terms expiring January, 2023; and
2. Make appointments to fill two seats on the Parks, Arts and Community Services Commission, both terms expiring January, 2023; and
3. Make appointment for one alternate member on the Historical Preservation Committee, term expiring April, 2020; and
4. Make appointment for one park owner (or their representative), and one mobile home resident owner to the Mobile Home Park Advisory Committee, both terms expiring April, 2020.

**ANNOUNCEMENTS**

**ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS**

**ADJOURNMENT**

#### **UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

Friday, May 24, 2019 – **Lions Park Projects Phase 1 / Donald Dungan Library Ribbon Cutting Ceremony**, 10:00 a.m., 1855 Park Ave., Costa Mesa. For more information: [www.costamesaca.gov](http://www.costamesaca.gov)

Wednesday, May 29, 2019 – **Asian Pacific American Heritage Month**, 12:30 p.m., Old Vine Kitchen & Bar, 2937 Bristol St., Hosted by Costa Mesa Chamber of Commerce and Mayor Katrina Foley. For more information: [www.costamesachamber.com](http://www.costamesachamber.com).

Wednesday, May 29, 2019 – **Newport-Mesa Arts Showcase**, OCC Doyle Arts Pavilion, 2701 Fairview Rd., For more information: [www.nmusd.us](http://www.nmusd.us)

Saturday, June 1, 2019 – **National Trails Day**, Fairview Park & Canyon Park. Hosted by Costa Mesa Parks and Community Services.

Wednesday, June 5, 2019 – **Ask a City Planner**, 11:30 a.m. – 1:00 p.m., Fete the Venue, 3101 Red Hill Ave., Hosted by Costa Mesa Chamber of Commerce and Council Member Andrea Marr. For more information: [www.costamesachamber.com](http://www.costamesachamber.com)

Friday, June 7, 2019 – **First Friday Roadshow**, OC Marketplace at the OC Fair & Event Center, 88 Fair Dr., The Costa Mesa community car show returns in its new location!

Wednesday, June 12 – **ON P.A.R. Social**, 1:00 – 2:30 p.m., Costa Mesa Senior Center, 695 W. 19th St. Learn more about programs, activities and resources available at the Senior Center.

Saturday, June 22, 2019, **Costa Mesa Summer Kick-off**, 10:00 a.m. – 1:00 p.m., Lions Park Event Lawn, 1855 Park Ave, Presented by City of Costa Mesa Parks & Community Services.

Friday, June 28 – **Independence Day Luau Party**, 11:30 a.m. – 1:00 p.m., Costa Mesa Senior Center, 695 W. 19th St. Celebrate with lunch, games and more. Register at the Senior Center.

Wednesday, July 3 – **Costa Mesa Independence Day Community Celebration**, 5:00 – 11:00 p.m., OC Fair & Event Center.