

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, NOVEMBER 19, 2019
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 4:00 P.M.
REGULAR MEETING – 6:00 P.M.

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

City Manager
Lori Ann Farrell Harrison

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 Council Chambers lobby. 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.**
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 the Council Chambers to conduct a phone conversation.
3. Free Wi-Fi is available in the Council Chambers during the meetings. Two networks are available: council1 and council2. The password for either network is: cmcouncil.

In compliance with the Americans with Disabilities Act of 1990, Assistive Listening headphones located inside the Council Chambers 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

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 REAL PROPERTY NEGOTIATOR

APN: 424-211-12; Property: 1885 Anaheim Street, Costa Mesa, CA 92627
Pursuant to Section 54956.8, California Government Code
Agency Negotiator: Lori Ann Farrell Harrison, City Manager
Negotiating Parties: Pastor Phil Eyskens, Church of the Nazarene/Lighthouse Church;
Cities in the Central Orange County Service Planning Area (SPA)
Negotiation: Price and Terms of Payment

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

APN: 427-091-12; Property: 3175 Airway Avenue, Costa Mesa, CA 92627
Pursuant to Section 54956.8, California Government Code
Agency Negotiator: Lori Ann Farrell Harrison, City Manager
Negotiating Parties: Cities in the Central Orange County Service Planning Area (SPA)
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: 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 for the Central District of California – Southern Division, Case No. 8:18-cv-00155

4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - INITIATION OF LITIGATION

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

5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Subdivision (d)(2) of Section 54956.9, California Government Code – one case

The City Council and Successor Agency to the Redevelopment Agency will recess to Conference Room 5A for Closed Session at the conclusion of public comments.

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

TUESDAY, NOVEMBER 19, 2019 – 6:00 P.M.

CALL TO ORDER

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

Costa Mesa High School Madrigal Choir

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, Costa Mesa

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. Assemblywoman Petrie-Norris presentation of \$1 million check for Lions Park.
2. Presentation on the 2020 Census by Dina Duella, U.S. Census Bureau.
3. Presentation on the Helen Putnam Award for Excellence- SMART Camp Program.
4. Costa Mesa Minute.

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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 Chavez
2. Council Member Marr
3. Council Member Mansoor
4. Council Member Genis
5. Council Member Reynolds
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: AAA, Brian Brodersen, Robert Sharpnack, Ronald Tymins

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2630 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 19-21 "A" FOR \$10,646.77; 19-22 FOR \$2,697,951.11 AND CITY OPERATING EXPENSES FOR \$1,188,461.02; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**
Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2630.

4. **AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT WITH MV CHENG & ASSOCIATES FOR TEMPORARY STAFF SUPPORT SERVICES IN THE FINANCE DEPARTMENT** - Finance Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the proposed Amendment No. 2 to the Professional Services Agreement (PSA) with MV Cheng & Associates, Inc. to increase the PSA by \$50,000, for a total not-to-exceed amount of \$199,999 for temporary staff support services in the Finance Department; and
2. Authorize the City Manager and City Clerk to execute the proposed amendment and future amendments to the PSA within Council authorized limits.

5. **NOTICE OF INTENT FOR THE VACATION OF A PORTION OF A SIDEWALK AND LANDSCAPE EASEMENT AT 3350 AVENUE OF THE ARTS**
Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Set a public hearing on December 17, 2019, for the vacation of a portion of sidewalk and landscape easement at 3350 Avenue of the Arts; and
2. Adopt Resolution of Intent to vacate a portion of sidewalk and landscape easement at 3350 Avenue of the Arts.

6. **RED HILL AVENUE REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROJECT** – Public Services Department/Transportation Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the Cooperative Agreement No. C-9-1421 between the Orange County Transportation Authority, and the Cities of Costa Mesa, Irvine, and Tustin for the Red Hill Avenue Regional Traffic Signal Synchronization Project; and
2. Authorize the Mayor and City Clerk to execute the Cooperative Agreement and authorize City Manager and City Clerk to execute future amendments to the agreement.

7. **SECOND READING AND ADOPTION OF ORDINANCE 19-18 BY THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTIONS 5-1, 5-1.1 AND 5-1.3 AND ADDING SECTION 5-1.4 OF CHAPTER I OF TITLE 5 AND SECTIONS 7-14 AND 7-15 OF CHAPTER II OF TITLE 7 OF THE COSTA MESA MUNICIPAL CODE BY ADOPTING THE 2019 EDITIONS OF THE CALIFORNIA BUILDING, CONSTRUCTION AND FIRE CODES AND RELATED MODEL CODES WITH APPENDICES AND AMENDMENTS THERETO, AND REPEALING THE ADOPTION OF THE 2016 EDITIONS OF THE CALIFORNIA CODES AND AMENDMENTS THERETO, AND ADOPTING THE ORANGE COUNTY GRADING AND EXCAVATION CODE WITH AMENDMENTS THERETO, WITH THE EFFECTIVE DATE OF JANUARY 1, 2020** - Development Services Department/Fire Department

RECOMMENDATION:

Staff recommends that the City Council:

Give second reading to and introduce Ordinance 19-18, to be read by title only, and further reading waived, for the 2019 Edition of the Model California Construction Codes. This procedure is in accordance with the California Government Code Title 5, Division 1, Part 1, as published by the Building Standards Bulletin 19-05.

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): NONE

OLD BUSINESS: NONE

NEW BUSINESS:

1. **APPROVAL OF DEFERRED FINANCE, DEVELOPMENT SERVICES, INFORMATION TECHNOLOGY, AND POLICE DEPARTMENT'S REQUESTS FROM FISCAL YEAR 2019-20 BUDGET ADOPTION** - Finance Department

RECOMMENDATION:

Staff recommends that the City Council approve the following items that were ultimately deferred during the June 18, 2019 budget adoption hearing:

1. Information Technology Department: Eliminate one part-time Intern and one part-time Programmer Analyst and add one full-time equivalent Network Administrator; and
 2. Development Services Department: Eliminate one part-time Code Enforcement Officer and reclassify two existing part-time Code Enforcement Officers to full-time Code Enforcement Officers; and
 3. Police Department: Authorize the City Manager to enter into a master financing agreement for a principal amount not-to-exceed \$1.5 million for the purchase of the Mobile Command Vehicle if the City is unsuccessful in securing grant funding; and
 4. Police Department: Approval of a budget adjustment appropriating \$1.125 million (the amount needed to upgrade or replace the L3 police car video system and five replacement vehicles, plus a ten percent contingency); and
 5. Police Department: Approve the three-year funding and implementation plan for the requested items.
2. **MAYOR'S APPOINTMENT TO THE PLANNING COMMISSION, AT-LARGE SEAT** - City Manager's Office/City Clerk's Office

RECOMMENDATION:

Staff recommends that the Mayor make one appointment to the Planning Commission, At-Large seat, term expiring January, 2021.

[Click here for public correspondence received on this item.](#)

Agenda continued on next page

3. **ORANGE COUNTY REGISTRAR OF VOTERS BALLOT DROP BOX LICENSE AGREEMENTS AND VOTE CENTER FACILITY USE AGREEMENTS**
City Manager's Office/City Clerk's Office

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the two License Agreements with the Orange County Registrar of Voters for placement of Official Ballot Drop Boxes on City property at the Mesa Verde Library and Tewinkle Park; and
2. Approve the four Vote Center Facility Use Agreements at the Donald Dungan Library, the Costa Mesa Senior Center, the Balearic Center, and City Hall; and
3. Authorize the City Manager to execute the License Agreements and Vote Center Facility Use Agreements.

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

ADJOURNMENT

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Thursday, November 21, 2019 – **Segerstrom Holiday Tree Lighting Ceremony**, 6:30 – 9:30 p.m., Town Center Park. The event will take place in a newly configured space facing Bristol Street and will also feature a live band and carolers performing songs of the season. Complimentary refreshments will be served.

Friday – Sunday, November 22 – 24, 2019 – **Elf Jr. the Musical**, performed by the Costa Mesa Middle School Drama Department. Costa Mesa High/Middle School Performing Arts Center

Sunday, November 24, 2019 – **SoCal CycloCross**, 9 a.m. – 4 p.m., Balearic Park, 1975 Balearic Dr. More info at www.socalcross.org

Saturday, December 7, 2019 – **Polar Express**, Estancia Park, 1900 Adams Ave. The free event hosted by L3 Real Estate includes photos with Santa, cookie decorating, face painting, electric train rides, bounce house and more.

December 13 – 22, 2019 – **Costa Mesa Snoopy House**, 5:30 - 9 p.m. Celebrate the holidays with family and friends and the City of Costa Mesa. Enjoy train rides, local performances and nightly visits with Santa Claus. More info www.costamesaca.gov/lionsparkevents

Friday, December 13, 2019 – **Movie Night in the Park: Nightmare Before Christmas**, 4:30 – 8:30 p.m., Lions Park Event Lawn, 1855 Park Ave. www.costamesaca.gov/lionsparkevents

Saturday, December 14, 2019 – **Holiday Snowland**, 9 a.m. – noon. Hosted by Torelli Realty, Bring the family to Balearic Park and enjoy a bounce house, cookie decorating, arts and crafts and Santa Claus.

Saturday, December 14 – **Restore Fairview Park**, 9 - 11 a.m., Restoring various areas of the park through non-native plant removal and native species planting every 2nd Saturday of the month.

Saturday, December 14, 2019 – **Costa Mesa Bridge Shelter Volunteer Orientation**, 12 p.m. & 1 p.m., The Crossing Church & Costa Mesa Senior Center. Learn more about how you can get involved at this mandatory training for all shelter volunteers. Training sessions held every second Saturday of the month. RSVP to AlyssaS@mercyhouse.net

Sunday, December 15, 2019 – **Community Bike Ride with Council Member Reynolds**, riders will deliver cookies and other holiday treats to Costa Mesa Police and Fire stations and there will be a shorter ride for kids and beginners as well as a longer ride. Departure site and route TBD.

Thursday, December 19, 2019 – **Breakfast with Santa**, 10 a.m. – 1 p.m., Costa Mesa Senior Center, 695 W. 19th St. Celebrate the holidays at the Senior Center. More info at www.costamesaca.gov.