

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, FEBRUARY 18, 2020
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 LABOR NEGOTIATORS

Pursuant to Subdivision (a) of Section 54957.6, California Government Code
Agency Designated Representatives: Peter Brown, Partner, Liebert Cassidy Whitmore, Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa Firefighters Association (CMFA)

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Subdivision (a) of Section 54957.6, California Government Code
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa City Employees Association (CMCEA).

3. 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

4. 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

5. 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

6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

APN:139-031-62,139-651-14

Property:1683 Sunflower Avenue, Costa Mesa, CA 92626

Pursuant to Section 54956.8, California Government Code

Agency Negotiator: Lori Ann Farrell Harrison, City Manager

Negotiating Parties: Brent Stoll, Rose Equities

7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

APN: 424-211-01; Property: 695 West 19th Street, Costa Mesa, CA 92626

Pursuant to Section 54956.8, California Government Code

Agency Negotiator: Lori Ann Farrell Harrison, City Manager

Negotiating Parties: Laura Archuletta, CEO, Jamboree Housing Corporation

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, FEBRUARY 18, 2020 – 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, Costa Mesa

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. Bikeway & Walkability Committee Annual Presentation
2. Costa Mesa Minute
3. Costa Mesa Bridge Shelter and Homelessness Update

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 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: (Items 1-6)

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: APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS

RECOMMENDATION:

City Council and Agency Board approve the reading by title only and waive full reading of Ordinances and Resolutions.

2. READING FOLDER

Claims received by the City Clerk: Olive Tree Apartments, Lisa David, Jessica Garten, Louis Goff

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2635** – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2635 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including payroll register Nos. 20-02 “A” for - \$72.58; and 20-03 for \$2,648,956.87; and City operating expenses for \$1,469,057.27.

4. **COOPERATIVE SERVICES AGREEMENT BETWEEN THE COUNTY OF ORANGE AND THE CITY OF COSTA MESA FOR ON-CALL MATERIALS TESTING SERVICES** - Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the proposed Cooperative Services Agreement between the County of Orange and the City of Costa Mesa for on-call materials testing services provided by the Orange County David Dixon Memorial Material Laboratory for a total of \$150,000, for a three-year term.
2. Authorize the City Manager and the City Clerk to execute the Cooperative Services Agreement, and authorize the City Manager to execute future contract amendments within Council-authorized limits.

5. **NOTICE OF INTENT TO ADOPT RESOLUTION FOR THE VACATION OF EXCESS RIGHT-OF-WAY AT 480 EAST 19TH STREET**
Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Set a public hearing on March 17, 2020, for the vacation of a portion of a right-of-way at 480 East 19th Street.
2. Adopt Resolution of intent to vacate right-of-way.

6. **AWARD THE PURCHASE OF TWO NEW 2020/21 BMW R1250RT-P POLICE MOTORCYCLES** - Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council approve and authorize the City Manager to execute the purchase of two (2) new 2020/21 BMW R1250RT-P Police Motorcycles from Irv Seaver Motorcycles, 607 W. Katella Avenue, Orange CA 92867, in the amount of \$55,732.43.

**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. [**INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AMENDING SECTIONS 9-125 \(BUSINESSES, PROFESSIONS, TRADES AND OCCUPATIONS REQUIRING A PERMIT UNDER THE PROVISIONS OF THIS CHAPTER\) AND 9-128 \(BUSINESSES WHERE THE DIRECTOR OF FINANCE MAY ISSUE PERMITS IN CASE OF NO OBJECTION\) OF ARTICLE 1 \(GENERALLY\) AND ARTICLE 9 \(PUSHCART AND OTHER SIDEWALK VENDORS\), OF CHAPTER II \(REGULATION OF CERTAIN BUSINESSES\) OF TITLE 9 \(LICENSES AND BUSINESS REGULATION\) OF THE COSTA MESA MUNICIPAL CODE, RELATING TO SIDEWALK VENDING**](#) - Finance Department/City Attorney’s Office

RECOMMENDATION:

Staff recommends that the City Council:

1. Find that the adoption of this Ordinance is not a “project” under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21065, and that it is exempt from the provisions of CEQA pursuant to CEQA Guidelines (14 Cal. Code. Regs. § 15000, et seq.) Section 15061(b)(3) (because it can be seen with certainty that the adoption of this Ordinance will not have an effect on the environment) such that no environmental review under CEQA is required.
2. Introduce for first reading, by title only, proposed Ordinance No. 20-xx amending Sections 9-125 (Businesses, Professions, Trades and Occupations Requiring a Permit Under the Provisions of this Chapter) and 9-128 (Businesses Where the Director of Finance May Issue Permits in Case of No Objection) of Article 1 (Generally) and the provisions of Article 9 (Pushcart and Other Sidewalk Vendors) of Chapter II (Regulation of Certain Businesses) of Title 9 (Licenses and Business Regulation) of the Costa Mesa Municipal Code, relating to Sidewalk Vending.

[Click here for the presentation for this item.](#)

OLD BUSINESS:

1. [SECOND READING OF ORDINANCE 2020-03 \(CODE AMENDMENT CO-19-04\) AMENDING TITLE 19 AND TITLE 13 OF THE COSTA MESA MUNICIPAL CODE \(FRANCHISES AND PLANNING, ZONING, AND DEVELOPMENT\), RELATING TO WIRELESS TELECOMMUNICATIONS FACILITIES AND RELATED INFRASTRUCTURE WITHIN THE PUBLIC RIGHT-OF-WAY AND RELATED DESIGN GUIDELINES](#) - Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

Give second reading to and adopt Ordinance No. 2020-03 (Code Amendment CO-19-04) to be read by title only, amending Title 19 and Title 13 of the Costa Mesa Municipal Code (Franchises and Planning, Zoning, and Development), relating to wireless telecommunications facilities and related infrastructure within the public right-of-way and related Design Guidelines.

[Click here for additional documents regarding this item.](#)

NEW BUSINESS:

1. [ACCEPTANCE OF YOUTH REINVESTMENT GRANT PROGRAM GRANT FUNDS FROM CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS](#) - Police Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution No. 20-xx, which authorizes the application for, and acceptance of, a grant award from the State of California Board of State and Community Corrections for the Youth Reinvestment Grant Program and authorizes the City Manager or designee to execute the grant agreement.
2. Approve a budget adjustment appropriating \$274,675 to the Police Department's budget for the specified purpose.
3. Approve and authorize the City Manager to execute the operational agreement between the City of Costa Mesa and Waymakers.

[Click here for the presentation for this item.](#)

2. **GENERAL PLAN SCREENING REQUEST GPS-19-01 FOR A 9-UNIT FOUR-STORY LIVE/WORK COMMON INTEREST DEVELOPMENT ON A 0.45-ACRE SITE AT 2648 NEWPORT BOULEVARD**

Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Direct staff whether or not to process a General Plan Amendment request for the development of a 0.45-acre parcel with nine live/work units. The General Plan Screening (GPS) is a prerequisite in advance of submitting a General Plan Amendment, Rezone, Specific Plan Amendment, Master Plan, and Parcel Map applications for development of the site.
2. It should be noted that acceptance of the proposal for screening is not a commitment to approve the proposed General Plan Amendment. Rather it represents the City Council's determination that it is appropriate to proceed with processing and consideration of a request to amend the General Plan.

[Click here for the presentation for this item.](#)

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

ADJOURNMENT

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

February 18 – 21, 2020 – **Camp Costa Mesa Presidents Week**, Balearic Community Center. 1-week day camp for K – 6 graders. More info at www.costamesaca.gov.

Wednesday, February 19, 2020 – **Mesa Water District Neighborhood Chat**, 6 – 7:30 p.m., Mesa Water District, 1965 Placentia Ave. Share your thoughts about current issues, including the District's development of local and reliable water supplies, ongoing water use efficiency efforts, and the exploration of opportunities to serve you more economically, effectively, and efficiently.

Friday – Sunday, February 21 – 23, 2020 - **Community Emergency Response Team (CERT) Weekend Training Course**, hosted by Costa Mesa Fire and Rescue, contact the Costa Mesa Fire & Rescue CERT Coordinator at (714) 327-7406 or email brenda.emrick@costamesaca.gov to reserve your place in the next CERT training.

Tuesday, February 25, 2020 – **Art on the Fifth Gallery Reception**, 5 – 6 p.m., City Hall 5th Floor lobby. Featured artist Barbara Owens.

Tuesday, February 25, 2020 – **Mesa Water District Neighborhood Chat**, 6 – 7:30 p.m., Mesa Verde United Methodist Church. Share your thoughts about current issues, including the District’s development of local and reliable water supplies, ongoing water use efficiency efforts, and the exploration of opportunities to serve you more economically, effectively, and efficiently.

Wednesday February 26, 2020 – **On P.A.R. Social (Programs, Activities & Resources)**, 4 – 5:30 p.m., Costa Mesa Senior Center, 695 W. 19th St. The social will include tours, information tables, entertainment, raffles, and light refreshments. www.costamesaca.gov

Wednesday February 26, 2020 – **Public Outreach Meeting - Adams Avenue Improvements Project**, 6 – 8 p.m., of Adams Elementary School at 2850 Clubhouse Rd.

Saturday, February 29 – **Opening Day**, Costa Mesa National Little League and Costa Mesa American Little League

Monday, March 9, 2020 – **International Women’s Day Luncheon – “Blazing the Trail as a Woman”**, 11:30 a.m., Café Sevilla, 1870 Harbor Blvd. hosted by the Costa Mesa Chamber of Commerce and Mayor Katrina Foley. www.costamesachamber.com

Tuesday, March 10, 2020 – **Community Blood Drive**, 2 – 7 p.m., Lions Park Event Lawn, 1855 Park Ave. www.costamesaca.gov/lionsparkevents

Wednesday, March 11, 2020 – **Mesa Water District Neighborhood Chat**, 6 – 7:30 p.m., Sonora Elementary School. Share your thoughts about current issues, including the District’s development of local and reliable water supplies, ongoing water use efficiency efforts, and the exploration of opportunities to serve you more economically, effectively, and efficiently.

Saturday, March 14, 2020 – **Fairview Park Winter Restoration & Education**, 9 - 11 a.m., Audubon bird exploration.

Sunday, March 15, 2020 – **Community Bike Ride with Council Member Reynolds**, Meet at 2 p.m. – ride departs 2:30 p.m., Departure site and route TBD.

Wednesday March 18, 2020 – **Knowledge & Health Fair Expo**, 10 a.m. – 1 p.m., Costa Mesa Senior Center, 695 W. 19th St. Visit with more than 30 vendors that will share information and resources regarding health and wellness, and provide screenings. www.costamesaca.gov

March 19 – April 19, 2020 – **VOLTA by Cirque du Soleil**, OC Fair & Event Center. Experience Cirque du Soleil’s 41st original production since 1984 showcasing never-before-seen under the Big Top acrobatics in a visually striking world. www.ocfair.com