

AMENDED 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 5, 2020
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 4:00 P.M.
REGULAR MEETING – 6:00 P.M.

In order to minimize the spread of the COVID-19 virus, Governor Newsom has issued Executive Orders that temporarily suspend requirements of the Brown Act which allows Council Members to attend City Council meetings telephonically. Given the health risks associated with COVID-19, the City Council Chambers will be closed to the public until further notice.

If you would like to participate in this meeting, you can participate via the following options:

1. Members of the public can view the City Council meetings live on COSTA MESA TV (SPECTRUM CHANNEL 3 AND AT&T U-VERSE CHANNEL 99) AND ONLINE AT [youtube.com/costamesatv](https://www.youtube.com/costamesatv).
2. Zoom Webinar - May 5, 2020 **6:00 p.m.**
Please click the link below to join the webinar:
<https://zoom.us/j/92151317708?pwd=d1Y1czNZWTkzd2FKakZ1UkozV0pGUT09>
Or sign into Zoom.com and "Join a Meeting"
Webinar ID: 921 5131 7708 / Password: 269923
Members of the public will be placed in a "waiting room" where you can see and hear the City Council, when public comments come up for the item on which you wish to speak, use the "raise hand" icon and wait to be recognized

Participate via telephone: US: +1 669 900 6833
Webinar ID: 921 5131 7708 / Password: 269923
When public comments come up for the item on which you wish to speak Press *9 and wait to be recognized.
3. Members of the public who wish to make a comment on a specific agenda item, can also submit your comment via email to the City Clerk at cityclerk@costamesaca.gov. Comments will be accepted continuously during the meeting and will be read into the record up to the time limit of three minutes. Any portion of comment not read aloud due to time restrictions will still be included in the record.

4. Members of the public may also leave a comment via voice message up to three minutes by calling (714) 754-5327, prior to 5:00 p.m. for the open meeting, and 3:00 p.m. for Closed Session. Please identify which item you are speaking on. Comments will be transcribed and read aloud.

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.

All pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. Please e-mail to the City Clerk at cityclerk@costamesaca.gov **NO LATER THAN 12:00 Noon**.

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. Such documents will be posted on the city's website at www.costamesaca.gov or by clicking [here](#).

The City of Costa Mesa's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's office 24 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (714-754-5225 or at cityclerk@costamesaca.gov). El objetivo de la ciudad de Costa Mesa es cumplir con la ley de Estadounidenses con Discapacidades (ADA) en todos los aspectos. Si como asistente o participante en esta reunión, usted necesita asistencia especial, más allá de lo que normalmente se proporciona, intentaremos de complacer en todas las maneras. Favor de comunicarse a la oficina del Secretario de la Ciudad con 24 horas de anticipación para informarnos de sus necesidades y determinar si alojamiento es realizable al 714-754-5225 o cityclerk@costamesaca.gov

The City of Costa Mesa thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.

**TUESDAY, MAY 5, 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

CLOSED SESSION – 4:00 p.m.
Closed Session will be held via teleconference.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

Members of the public who wish to make a comment on a closed session item, may submit a comment via email to the City Clerk prior to 4:00 p.m. at cityclerk@costamesaca.gov. Comments will be read into the record up to the time limit of three minutes and posted on the City website.

Members of the public may also leave a comment via voice message up to three minutes by calling (714) 754-5327, prior to 3:00 p.m. Please identify which item you are speaking on. Comments will be transcribed and read aloud.

CLOSED SESSION ITEMS:

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),
Costa Mesa Fire Management Association (CMFMA)

- 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 Police Management Association (CMPMA), Costa Mesa Police Association (CMPA)
- 3. 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)
- 4. 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 Division Managers Association (CMDMA)
- 5. 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: Unrepresented Employees: Confidential Unit, Confidential Management Unit, Executive Employees, Part-Time Employees.
- 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
Under Negotiation: Price and Terms of Payment
- 7. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION – ONE CASE** - Pursuant to Subdivision (d)(2) of Section 54956.9, California Government Code, Potential Litigation – Measure Y.
- 8. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION – ONE CASE** - Pursuant to Subdivision (d)(2) of Section 54956.9, California Government Code – threat of litigation from Rutan & Tucker, LLP dated April 29, 2020.
- 9. THREAT TO SECURITY**
Pursuant to subdivision (a) of Section 54957, California Government Code
Consultation with: Costa Mesa Director of Emergency Services, and City Manager, Lori Ann Farrell Harrison; Bryan Glass, Police Chief; Dan Stefano, Fire Chief; and Jason Dempsey, Emergency Services Administrator.

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

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

TUESDAY, MAY 5, 2020 – 6:00 P.M.

CALL TO ORDER

NATIONAL ANTHEM

PLEDGE OF ALLEGIANCE – Led by Council Member Chavez

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. COVID-19 Updates
2. reStore Costa Mesa Economic Recovery Update
3. Proclamation - Mental Health Awareness Month

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:

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

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR: (Items 1-5)

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: Mila Chatrnuch

RECOMMENDATION:

City Council receive and file.

3. [WARRANT RESOLUTION NO. 2640](#) – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2640 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 20-08 for \$2,559,256.05; and City operating expenses for \$2,275,380.81.

4. [HARBOR BOULEVARD MEDIAN IMPROVEMENTS FROM 19TH STREET TO WILSON STREET, FEDERAL PROJECT NO. HSIPL-5312 \(099\), CITY PROJECT NO. 18-10](#) - Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Accept the work performed by Yakar for the subject project and authorize the City Clerk to file the Notice of Completion.
2. Authorize the City Manager to release the Labor and Material Bonds, and release the Faithful Performance Bonds, as the warranty period is complete. Retention monies have been released pursuant to Public Contract Code 7107(c).

5. **APPROVE AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT WITH SAGECREST PLANNING AND ENVIRONMENTAL, LLC. TO PROVIDE IMPLEMENTATION CONSULTING SERVICES FOR THE LAND MANAGEMENT SYSTEM** – Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve Amendment No. 4 to the Professional Services Agreement with Sagecrest Planning and Environmental, LLC, amending the scope of services to include implementation consulting services for the Land Management System (LMS), authorizing additional funding in the amount of \$275,000 for the LMS implementation consulting services (from the previously-approved LMS project budget), and extending the Agreement through December 31, 2022, for a total contract term of approximately five years and two and months.
2. Authorize the City Manager to execute the amendment and future amendments to this Agreement within Council-authorized limits.

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

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

PUBLIC HEARINGS:

(Pursuant to Resolution No. 05-55, Public Hearings begin at 7:00 p.m.)

1. **AN URGENCY ZONING ORDINANCE OF THE CITY OF COSTA MESA PROVIDING FOR A 12-MONTH EXTENSION OF THE TIME LIMITS SET FORTH IN ZONING CODE SECTION 13-29(k) (TIME LIMITS AND EXTENSIONS) FOR ALL APPROVED DISCRETIONARY PLANNING APPLICATIONS; AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY UPON ADOPTION**

Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

Hold a public hearing to adopt Urgency Ordinance No. 2020-14 to be read by title only, providing for a 12-month extension of the time limits set forth in Zoning Code Section 13-29(k) (Time Limits and Extensions) for all approved discretionary planning applications; and declaring the ordinance to be an emergency measure to take effect immediately upon adoption.

OLD BUSINESS: NONE

NEW BUSINESS:

1. **LIONS PARK PLAYGROUND IMPROVEMENT PROJECT, CITY PROJECT NO. 20-04** – Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Reject all bids and direct staff to obtain a redesign of the Lions Park Playground Improvement Project to include only the reconstruction of the restroom and the construction of the new playground, and associated accessibility improvements and re-advertise for public bid.
 2. Approve Amendment No. 2 to the Professional Services Agreement (PSA) with David Volz Design Landscape Architects, Inc. (“David Volz Design”), increasing David Volz Design’s maximum compensation by \$49,950, to provide additional services required to revise the construction documents and for construction support services for the Lions Park Playground Improvement Project, and authorize the City Manager and City Clerk to execute the Amendment.
2. **WEST 19TH STREET BICYCLE AND PEDESTRIAN IMPROVEMENTS AND CLASS II AND III BICYCLE FACILITIES, CITY PROJECT NO. 20-02**
Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Reject all bids.
 2. Authorize staff to re-advertise the project at a future time.
3. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RATIFYING REGULATION NO. 4 ISSUED BY THE CITY MANAGER AS DIRECTOR OF EMERGENCY SERVICES TO MODIFY REGULATIONS NO. 1 AND NO. 3 TO ALLOW PARTIAL REOPENING OF CERTAIN PARKS AND GOLF COURSES SUBJECT TO REQUIRED SAFETY MEASURES** - City Manager’s Office/Parks and Community Services Department

RECOMMENDATION:

Staff recommends that the City Council:

Adopt Resolution No. 2020-19 ratifying Regulation No. 4 issued by the Director of Emergency Services modifying portions of Regulations No. 1 and No. 3 allowing for partial reopening of selected parks and golf courses for passive recreational activity subject to mandatory safety requirements.

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

ADJOURNMENT