

**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, JUNE 2, 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 remotely. 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:

Please click the link below to join the webinar:

<https://zoom.us/j/98143633050?pwd=WUVlWjc3Ky9rNkpkbEFNOVdUTkF6Zz09>

Or sign into Zoom.com and "Join a Meeting"

Webinar ID: [981 4363 3050](#) / Password: [217023](#)

Members of the public will be placed in a "waiting room", where you can see and hear the City Council, when the item comes up 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: [981 4363 3050](#) / Password: [217023](#)

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, may submit your comment via email to the City Clerk at [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov). Comments received by 1:00 p.m. on the date of the meeting will be provided to the City Council, made available to the public, and will be part of the meeting record.

4. Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at 714-754-5225 or [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov) and will attempt to accommodate you. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website.

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](mailto: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](http://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](mailto: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](mailto:cityclerk@costamesaca.gov)

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

**TUESDAY, JUNE 2, 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.**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS**

**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: 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)  
Under Negotiation: Price and Terms of Payment
- 7. 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)  
Under Negotiation: Price and Terms of Payment
- 8. 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
- 9. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: Casa Capri Recovery, Inc. v. City of Costa Mesa, United States District Court, Central District of California – Southern Division, Case No. 8:18-cv-00329-JVS-PJW.

**10. 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.**

**Agenda continued on next page.**

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

**TUESDAY, JUNE 2, 2020 – 6:00 P.M.**

**CALL TO ORDER**

**NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE**

Led by Council Member Mansoor

**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.]*

Ian Stevenson, Executive Director of Trellis

**ROLL CALL**

**CITY ATTORNEY CLOSED SESSION REPORT**

**PRESENTATIONS:**

1. COVID-19 Updates
2. reStore Costa Mesa Economic Recovery Update
3. Proclamation: Paul Van Doren Day

**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 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: (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: Aaron Clousing

##### RECOMMENDATION:

City Council receive and file.

#### 3. **WARRANT RESOLUTION NO. 2642** – Finance Department

##### RECOMMENDATION:

City Council approve Warrant Resolution No. 2642 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 20-09 “A” for \$652.63 and 20-10 for \$2,493,052.98; and City operating expenses for \$2,380,571.57.

#### 4. **TOWING SERVICES CONTRACT WITH G&W TOWING** – Police Department

##### RECOMMENDATION:

Staff recommends that the City Council:

1. Approve Professional Service Agreement for towing services between G&W Towing, Inc. and the City of Costa Mesa, in an annual amount not-to-exceed \$5,000, for a five-year term, commencing July 1, 2020 and ending June 30, 2025.
2. Authorize the City Manager to execute the agreement and future amendments to the agreement.

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

5. [AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT WITH LANCE, SOLL & LUNGHARD, LLP FOR TEMPORARY STAFF SUPPORT SERVICES IN THE FINANCE DEPARTMENT](#) – Finance Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve and retroactively authorize the proposed Amendment No. 2 to the Professional Services Agreement (PSA) with Lance, Soll & Lunghard, LLP. to increase the PSA by \$25,000, for a total not-to-exceed amount of \$75,000 for temporary staff support services in the Finance Department.
2. Authorize the City Manager to execute the proposed amendment.

6. [REQUEST TO CANCEL THE REGULAR CITY COUNCIL MEETING OF AUGUST 4, 2020](#) - City Manager's Office/City Clerk Division

RECOMMENDATION:

Staff recommends that the City Council cancel the regular meeting of Tuesday, August 4, 2020.

**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. [FISCAL YEAR 2020-2021 BUDGET AND FISCAL YEAR 2020-2021 APPROPRIATION LIMIT](#) – Finance Department

RECOMMENDATION:

Staff recommends that the Fiscal Year 2020-2021 Budget and Fiscal Year 2020-2021 Appropriation Limit be continued to a Special City Council Meeting of June 9, 2020 at 7:00 p.m. The Fiscal Year 2020-2021 Budget and Fiscal Year 2020-2021 Appropriation Limit were publicly noticed for the June 2, 2020 meeting and it is appropriate to continue the items to the June 9, 2020 meeting.

**OLD BUSINESS: NONE**



## NEW BUSINESS:

1. **BUSINESS IMPROVEMENT AREA (BIA) REAUTHORIZATION, RESOLUTION OF INTENTION, AND REVIEW OF ANNUAL REPORT** – City Manager’s Office

### RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the 2019/20 Annual Report for the Business Improvement Area (BIA).
  2. Receive and file the audited financial report for Fiscal Years 2018 and 2019.
  3. Adopt Resolution 2020-22, declaring the City’s intention to levy an annual assessment for Fiscal Year 2020-21 for the business improvement area covering certain Costa Mesa hotels and motels and setting the time and place for a public hearing on the proposal.
2. **CITYWIDE PARKWAY MAINTENANCE AND NEW SIDEWALK CONSTRUCTION PROJECT – CITY PROJECT NO. 20-07**  
Public Services Department/Engineering Division

### RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt plans, specifications, and working details for the Citywide Parkway Maintenance and New Sidewalk Construction Project, City Project No. 20-07.
2. Reject the bid submitted by Alfaro Communications Construction, Inc., as non-responsive.
3. Award a construction contract to Nationwide Contracting Services, Inc., dba Nationwide General Construction Services, 10725 Ellis Avenue, Unit I, Fountain Valley, CA 92708 in the amount of \$3,342,325.00.
4. Authorize an additional ten percent (10%) contingency totaling \$334,232.50 as needed for unforeseen costs.
5. Authorize the City Manager and the City Clerk to execute the Public Works Agreement (PWA), and authorize the City Manager to execute future contract amendments within Council-authorized limits.
6. Authorize the City Manager to approve the use of funds from the Gas Tax and Measure M Fund up to an additional ten percent (10%) of the contract totaling \$334,232.50 as contingency for unforeseen costs related to this project.

3. **URGENCY ORDINANCE TO SUSPEND THE REQUIREMENTS FOR MINOR CONDITIONAL USE PERMITS AND CONDITIONAL USE PERMITS TO ALLOW TEMPORARY OUTDOOR ACTIVITIES** - Development Services Department

RECOMMENDATION:

Staff recommends that the City Council:

Approve an Urgency Ordinance to allow the suspension of the requirement for a minor conditional use permit or conditional use permit to facilitate the installation or temporary expansion of outdoor dining patios and that religious services be temporarily permitted to occur in accompanying parking lots for a period of 180 days as a result of COVID-19 limitations.

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

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

**ADJOURNMENT**