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 16, 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:

- 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.
- 2. Zoom Webinar:

Please click the link below to join the webinar:

https://zoom.us/j/99319006374?pwd=Y1VQWVlpU3ISYTBSNUNaN09YdUUxUT09 Or sign into Zoom.com and "Join a Meeting"

Enter Webinar ID: 993 1900 6374 / Password: 967396

If Zoom is not already installed on your computer, click "Download & Run Zoom" on the launch page and press "Run" when prompted by your browser.
 If Zoom has previously been installed on your computer, please allow a few moments for the application to launch automatically.

- Select "Join Audio via Computer."
- The virtual conference room will open. If you receive a message reading, "Please wait for the host to start this meeting," simply remain in the room until the meeting begins.
- During the Public Comment Period, use the "raise hand" function located in the participants' window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Limit comments to 3 minutes, or as otherwise directed.

Participate via telephone: Call: 1 669 900 6833

Enter Webinar ID: 993 1900 6374 / Password: 967396

During the Public Comment Period, press *9 to add yourself to the queue and wait for city staff to announce your name/phone number and unmute your line when it is your turn to speak. Limit comments to 3 minutes, or as otherwise directed.

- 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. 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 and staff 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 email 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, JUNE 16, 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

ANDREA MARR
Council Member

ALLAN R. MANSOOR
Council Member

City Attorney
Kimberly Hall Barlow

JOHN B. STEPHENS Mayor Pro Tem

ARLIS REYNOLDS
Council Member

SANDRA L. GENIS Council Member

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. 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, JUNE 16, 2020 – 6:00 P.M.

CALL TO ORDER

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

Led by Mayor Foley

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 Mark Page, Grace Fellowship Church, Costa Mesa

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

- 1. Costa Mesa Police Department Update Chief Glass
- 2. reStore Costa Mesa Economic Recovery Update

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

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR: (Items 1-15)

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: David Thomas Hawkins and Jamie Schoneman

RECOMMENDATION:

City Council receive and file.

3. WARRANT RESOLUTION NO. 2643 – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2643 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 20-11 for \$2,493,052.98; and City operating expenses for \$1,603,138.77.

4. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETINGS OF SEPTEMBER 3, 2019 AND SEPTEMBER 17, 2019 - City Manager's Office/City Clerk Division

RECOMMENDATION:

City Council approve the minutes of September 3, 2019 and September 17, 2019.

5. SB 1205 COMPLIANCE REPORT FOR 2019 STATE-MANDATED ANNUAL FIRE INSPECTIONS - Fire & Rescue Department / Community Risk Reduction Division

RECOMMENDATION:

Staff recommends that the City Council:

Adopt a resolution to accept this report as its Report on the status of all 2019 statemandated annual fire inspections in the City as required by California Health and Safety Code Section 13146.4.

6. PROFESSIONAL SERVICES AGREEMENT WITH LIEBERT CASSIDY WHITMORE FOR SPECIAL COUNSEL LEGAL SERVICES

City Manager's Office/Human Resources Division

RECOMMENDATION:

Staff recommends that the City Council:

- Approve the professional service agreement with Liebert Cassidy Whitmore for as-needed special counsel legal services relating to labor relations and employment law.
- 2. Authorize the City Manager and City Clerk to execute the agreement and future amendments to the agreement.
- 7. <u>LOCAL EARLY ACTION PLANNING (LEAP) GRANT APPLICATION</u>
 Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

Adopt a resolution authorizing the City Manager, or her designee, to apply for the California Department of Housing and Community Development's (HCD) Local Early Action Planning Grant Program (LEAP) in the amount of \$500,000 and, if awarded, authorize the City Manager to execute the standard agreement.

8. <u>2019 ANNUAL REVIEW OF THE COSTA MESA 2015-2035 GENERAL PLAN</u>
Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

Approve of the 2019 Annual Review of the 2015-2035 Costa Mesa General Plan as its annual progress report for final submittal to the State Office of Planning and Research and the State Department of Housing and Community Development.

9. MOBILE VIDEO SYSTEM (MVS) REPLACEMENT AND PURCHASE

Police Department

RECOMMENDATION:

Staff recommends that the City Council:

- 1. Authorize the purchase of a mobile video system (MVS) from WatchGuard Video, Inc., in an amount not to exceed \$997,280.63, to replace the Police Department's current system.
- 2. Authorize the City Manager and City Attorney to execute an agreement with WatchGuard Video, Inc., in a form approved by the City Attorney.
- 3. Authorize a budget adjustment appropriating \$113,760.63 from the unassigned fund balance in the Asset Forfeiture Fund for the specified purposes below.

10. RENEWED MEASURE M (M2) ELIGIBILITY

Public Services Department/Administration Division

RECOMMENDATION:

Staff recommends that the City Council:

- 1. Approve the City's Maintenance of Effort (MOE) for Fiscal Year 2020-21.
- Approve the City's Local Signal Synchronization Plan (LSSP).
- 3. Approve the M2 Seven-Year Capital Improvement Program (CIP) comprised of the City's Five-Year and future year CIP for Fiscal Year 2020-21 through Fiscal Year 2026-27.
- 4. Adopt the Resolution for the Update of the Local Signal Synchronization Plan.
- 5. Adopt the Resolution for the Update of the Pavement Management Plan.
- 6. Authorize the City Engineer to submit the Pavement Management Plan.

11. APPROVAL OF AMENDMENT NO. 1 TO THE USE AGREEMENT WITH THE HARBOR SOARING SOCIETY FOR THE USE OF A PORTION OF FAIRVIEW PARK - Parks and Community Services Department

RECOMMENDATION:

Staff recommends that the City Council:

- Approve Amendment No. 1 that extends the term of the Use Agreement between the Harbor Soaring Society (HSS) and the City of Costa Mesa for the use of a portion of Fairview Park for six months, from July 1, 2020 through December 31, 2020; and
- 2. Direct staff to continue to work with HSS to complete the compatibility evaluation and modified use agreement negotiations as outlined in Amendment No. 1, within this calendar year (July 2020-December 2020), as allowed by the park re-opening guidelines and within public health official guidelines and recommendations.
- 3. Authorize the City Manager and the City Clerk to execute the amendment.

Click here for public correspondence received on this item.

12. AMENDMENT NUMBER THREE TO PROFESSIONAL SERVICES
AGREEMENT WITH ENDEMIC ENVIRONMENTAL SERVICES, INC.
Parks and Community Services Department

RECOMMENDATION:

Staff recommends that the City Council:

- 1. Approve proposed Amendment Number Three to the existing Professional Services Agreement (PSA) with Endemic Environmental, Inc., amending the scope of work and increasing the compensation by \$182,081.00, for a total not-to-exceed amount of \$1,132,081, for environmental and maintenance consultant services through April 3, 2021.
- 2. Approve a ten percent (10%) contingency, totaling \$18,200, if needed.
- 3. Authorize the City Manager to approve minor changes to the PSA.
- 4. Authorize the City Manager and City Clerk to execute the PSA and future amendments to the agreement within Council-authorized limits.

Click here for public correspondence received on this item.

13. <u>APPROVAL OF A HOTEL OCCUPANCY AGREEMENT WITH THE DAYS INN</u> FOR COVID-19 EMERGENCY RELATED MOTEL SERVICES

City Manager's Office

RECOMMENDATION:

Staff recommends that the City Council:

- Approve the proposed Hotel Occupancy Agreement with Nico Hospitality LLC, a California limited liability company DBA Days Inn ("Days Inn") for emergency motel services pursuant to the County of Orange COVID-19 motel reimbursement program for a 6-month term, through December 31, 2020.
- 2. Authorize the City Manager and City Clerk to execute the Hotel Occupancy Agreement and future amendments to the Agreement.
- Authorize the City Manager to approve the procurement of motel services with The Days Inn cumulatively exceeding \$50,000 through the expiration of the Hotel Occupancy Agreement.

14. RESOLUTIONS RELATING TO THE CALLING OF THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 3, 2020 - City Manager's Office/City Clerk's Division

RECOMMENDATION:

Staff recommends that the City Council:

- Adopt Resolution No. 2020-25, calling and giving notice to conduct a General Municipal Election on November 3, 2020 for the purpose of electing a Mayor for the full term of two years; and election of three members of the City Council from the first, second, and sixth districts, for the full term of four years.
- Adopt Resolution No. 2020-26, requesting the Orange County Board of Supervisors to consolidate the General Municipal Election with the Statewide General Election and to issue instruction to the Orange County Registrar of Voters Elections Department to provide specific services in the conduct of the consolidated election.
- 3. Adopt Resolution No. 2020-27, adopting regulations pertaining to Candidates Statements submitted to the voters at a General Municipal Election to be held on November 3, 2020.

15. REQUEST TO CANCEL THE REGULAR CITY COUNCIL MEETING OF JULY 7, 2020 - City Manager's Office/City Clerk Division

RECOMMENDATION:

Staff recommends that the City Council cancel the regular meeting of Tuesday, July 7, 2020.

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

END OF CONSENT CALENDAR	
 END OF CONSENT CALENDAR	

PUBLIC HEARINGS:

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

1. SUBSTANTIAL AMENDMENT TO THE FY 2019-2020 ANNUAL ACTION PLAN TO ADD COMMUNITY DEVELOPMENT BLOCK GRANT - CORONAVIRUS (CDBG-CV) FUNDS

Development Services Department/Housing and Community Development

RECOMMENDATION:

Staff recommends that the City Council:

- 1. Hold a Public Hearing regarding the Substantial Amendment to the FY 2019-2020 Annual Action Plan.
- 2. Approve the Amended City of Costa Mesa Citizen Participation Plan.
- 3. Approve the recommended allocation of \$668,658 in Community Development Block Grant-Coronavirus funds.
- 4. Authorize the City Manager, or the City Manager's designee, to submit the Substantial Amendment to the 2019-2020 Annual Action Plan to the U.S. Department of Housing and Urban Development.
- 5. Approve a Resolution in order to:
 - Approve the Substantial Amendment to the 2019-2020 Annual Action Plan.
 - Approve the amendments to the City of Costa Mesa Citizen Participation Plan.
 - Authorize the City Manager, or the City Manager's designee, to submit the Substantial Amendment to the 2019-2020 Annual Action Plan 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 subagent agreements for the use of funds approved in the Substantial Amendment to the 2019-2020 Annual Action Plan.

Click here for the staff presentation on this item.

2. <u>BUSINESS IMPROVEMENT AREA (BIA) REAUTHORIZATION AND RESOLUTION TO LEVY ANNUAL ASSESSMENT</u> - City Manager's Office

RECOMMENDATION:

Staff recommends that the City Council:

- 1. Conduct a public hearing regarding the Business Improvement Area (BIA) reauthorization and levy of the annual assessment for Fiscal Year 2020-2021;
- 2. Adopt Resolution No. 2020-xx, confirming the annual report filed by Travel Costa Mesa and levying an annual assessment for Fiscal Year 2020-2021 for a business improvement area covering certain Costa Mesa hotels and motels.
- 3. ADOPTION OF FISCAL YEAR 2020-2021 APPROPRIATIONS LIMIT Finance Department

RECOMMENDATION:

Staff recommends that the City Council:

Approve Resolution 2020-29 establishing the Fiscal Year 2020-2021 Appropriations Limit for the City of Costa Mesa at \$254,875,073 by using the City of Costa Mesa's population growth for population adjustment, and the California per capita income growth for inflationary adjustment.

OLD BUSINESS:

1. FISCAL YEAR 2020-21 PROPOSED OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET AND ACCEPTANCE OF ADDITIONAL CARES ACT FUNDING - Finance Department

RECOMMENDATION:

Staff recommends that the City Council:

- Approve Resolution No. 2020-28 adopting the City of Costa Mesa FY 2020-21
 Operating and Capital Improvement Program Budget including exercising the
 emergency exception to the Capital Assets Needs Ordinance (CAN) by waiving
 the 5% CAN requirement;
- Approve the use of the City's General Fund Declared Disaster/Emergency Reserves in the FY 2020-21 Proposed Budget to continue providing essential services;
- Accept and appropriate \$995,615.22 in CARES Act funding for the City of Costa Mesa related to costs incurred to address the COVID-19 crisis, and authorize the City Manager and City Attorney to execute the Subrecipient Agreement with the County of Orange.

Click here for the staff presentation on this item.

NEW BUSINESS:

1. <u>COSTA MESA PERMANENT BRIDGE SHELTER FACILITY, 3175 AIRWAY AVENUE, CITY PROJECT NO. 20-05</u>

Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

- 1. Adopt plans, specifications, and working details for the Costa Mesa Permanent Bridge Shelter Facility, 3175 Airway Avenue, City Project No. 20-05.
- 2. Authorize City Manager to recognize future County Grant/Central SPA Monies and allocate them towards the project.
- 3. Award a construction contract to Cal-City Construction, Inc., 16605 Norwalk Boulevard, Cerritos, California 90703 in the amount of \$3,655,000.
- 4. Authorize the City Manager and the City Clerk to execute the Public Works Agreement (PWA) with Cal-City Construction, Inc. and future contract amendments within Council-authorized limits.
- 5. Authorize a five percent (5%) contingency totaling \$182,750 as needed for unforeseen costs.
- 6. Approve Amendment No. 2 to the Professional Services Agreement (PSA) with Robert Borders & Associates, increasing Robert Borders & Associates' maximum compensation by \$30,000, to provide construction support services for the Costa Mesa Permanent Bridge Shelter Facility; and authorize the City Manager and City Clerk to execute the Amendment.

Click here for public correspondence received on this item.

Agenda continued on next page.

2. COVID SMALL BUSINESS RELIEF GRANT PROGRAM

Development Services Department/Economic Development

RECOMMENDATION:

Staff recommends that the City Council:

- 1. Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly.
- 2. Authorize the City Manager to take any and all actions necessary to develop and administer a Small Business Relief Grant Program, funded with \$1.97 million in Coronavirus Relief Funds, in accordance with the Grant Agreement between the City of Costa Mesa and County of Orange.
- 3. Allocate \$26,469.39 of the Coronavirus Relief Funds to promote the Shop Costa Mesa and other initiatives of Costa Mesa BAC, in accordance with the Grant Agreement between the City of Costa Mesa and County of Orange.
- 4. Allocate an additional \$250,000 (for a total of \$750,000) of the Coronavirus Relief Funds to support right-of-way modifications in response to the Pandemic, in accordance with the Grant Agreement between the City of Costa Mesa and County of Orange.

Click here for public correspondence received on this item.

Click here for the staff presentation on this item.

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

ADJOURNMENT