

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 17, 2020
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
REGULAR MEETING 6:00 P.M.**

In order to minimize the spread of COVID-19, 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.
2. Zoom Webinar:
Please click the link below to join the webinar:
<https://zoom.us/j/94504846284?pwd=Q1FBMGILZkZJRkdKNVZGakJxbmZ0QT09>
Or sign into Zoom.com and "Join a Meeting"
Enter Webinar ID: [945 0484 6284](#)/ Password: [570950](#)
 - 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. Comments are limited to 3 minutes, or as otherwise directed.

Participate via telephone: Call: [1 669 900 6833](tel:16699006833)

Enter Webinar ID: [945 0484 6284](#)/ Password: [570950](#)

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 press *6 to unmute your line when it is your turn to speak. Comments are limited 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 e-mail to the City Clerk at cityclerk@costamesaca.gov **NO LATER THAN 12:00 Noon** on the date of the meeting.

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.

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

TUESDAY, NOVEMBER 17, 2020 – 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

CALL TO ORDER

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

Led by Council Member Marr

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 Rod Randall, Harbor Trinity Church, Costa Mesa

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. [Proclamation: Small Business Saturday](#)
2. [Proclamation: Movember 2020](#)

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Comments are limited to 3 minutes, or as otherwise directed.

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: Edgar L. Sinajon.

RECOMMENDATION:

City Council receive and file.

3. [WARRANT RESOLUTION NO. 2650](#) – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2650 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 20-22 “A” for \$897.92 and 20-23 for \$2,587,518.15; and City operating expenses for \$1,134,073.22.

4. [MINUTES](#) - City Manager’s Office/City Clerk’s Division

RECOMMENDATION:

City Council Approve the Minutes of October 20, 2020.

5. [MERRIMAC WAY BICYCLE FACILITY IMPROVEMENTS – CITY PROJECT NO. 20-01](#)- Public Services Department/ Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt plans, specifications, and working details for the Merrimac Way Bicycle Facility Improvements – City Project No. 20-01.
2. Award a construction contract to GMC Engineering, Inc., 1401 Warner Avenue, Suite B, Tustin, CA 92780, in the amount of \$1,844,000.
3. Authorize an additional \$186,000 as needed for construction change orders and for construction engineering.
4. Authorize the City Manager and the City Clerk to execute the Public Works Agreement (PWA) with GMC Engineering, Inc., and authorize the City Manager to execute future contract amendments within Council-authorized limits.
5. Approve Amendment No. 1 to the Professional Services Agreement (PSA) with GHD Group Services (USA) Inc., increasing GHD’s compensation by \$29,915, to provide construction support services for the Merrimac Way Bicycle Facility Improvements; and authorize the City Manager and City Clerk to execute the Amendment.
6. Authorize an appropriation of \$195,000 in the Traffic Impact Fees Fund from undesignated fund balances.

[Click here for the Supplemental Memo on this item.](#)

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

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

PUBLIC HEARINGS:

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

1. [**GIVE FIRST READING TO AN ORDINANCE REPEALING URGENCY ORDINANCE 19-19 AND APPROVING CODE AMENDMENT CO-2020-04 AMENDING PORTIONS OF TITLE 13 OF THE COSTA MESA MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS CONSISTENT WITH STATE LAW REQUIREMENTS AND TO AUTHORIZE RELATED FEES**](#)
Development Services Department/ Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

Introduce and adopt Ordinance No. 20-xx to repeal Urgency Ordinance 19-19, amend Municipal Code, Title 13, Article 2 pertaining to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), and to authorize related fees by a separate resolution.

2. [**COMMUNITY CHOICE ENERGY JOINT POWERS AUTHORITY AGREEMENT AND FIRST READING OF AN ORDINANCE AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM**](#)
Public Services Department/Administration

RECOMMENDATION:

Staff requests City Council direction regarding implementation of Community Choice Aggregation and joining the Orange County Joint Powers Authority as follows:

1. Consider approval of the Community Choice Energy (CCE) Joint Powers Authority (JPA) Agreement contingent on the City Manager and City Attorney successfully negotiating final terms.
2. Authorize the Mayor and City Clerk to execute the negotiated agreement.
3. Introduce for first reading, by title only, Ordinance No. 2020-xx, authorizing the implementation of a Community Choice Aggregation Program.
4. Consider the appointment of one (1) regular board member and one (1) alternate member to act on behalf of the City of Costa Mesa on the Orange County CCE JPA Board.

[Click here for the Supplemental Memo on this item.](#)

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

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

3. **ANNUAL REVIEW OF THE CITYWIDE TRAFFIC IMPACT FEE PROGRAM**

Public Services Department/Transportation Services Division

RECOMMENDATION:

Staff recommends that the City Council:

Adopt the proposed resolution, continuing the citywide traffic impact fee for new development in the City of Costa Mesa and conducting the related annual review of the citywide traffic impact fee program and capital improvement plan for transportation improvements. The resolution incorporates the recommendations from the Traffic Impact Fee Ad Hoc Committee and staff, which include:

1. Continue a traffic impact fee of \$235 per Average Daily Trip (ADT) based on the Capital Improvement Projects and Active Transportation projects in the adopted Active Transportation Plan (ATP).
2. Approve allocation of up to ten percent (10%) of traffic impact fees towards traffic signal synchronization projects.
3. Approve a five percent (5%) reduction in automobile trips as a result of ATP implementation and an additional five percent (5%) reduction in automobile trips for developments proposing to implement active transportation improvements beyond typical development requirements.
4. Approve the annual accounting of the Citywide Traffic Impact Fee Program.

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

OLD BUSINESS: NONE

AGENDA CONTINUED ON NEXT PAGE

NEW BUSINESS:

1. **SUBRECIPIENT AGREEMENT TO IMPLEMENT A PILOT TENANT BASED RENTAL ASSISTANCE PROGRAM**

Development Services Department/ Housing and Community Development Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve a Subrecipient Agreement with Families Forward in the amount of \$150,000 with a term of one year and an optional one-year extension for the implementation of a Pilot Tenant Based Rental Assistance (TBRA) Program.
2. Authorize the City Manager and City Clerk to sign and execute the agreement, in substantially the same form as attached and in such final form as approved by the City Attorney.
3. Authorize the City Manager to execute future amendments to this agreement, including a potential increase in compensation as long as the amendment is funded by grant funds, thereby not affecting the City's General Fund.

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

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

2. **EXTENSION OF URGENCY ORDINANCES 2020-15 AND 2020-16 SUSPENDING CERTAIN PERMIT REQUIREMENTS AND DEVELOPMENT STANDARDS FOR OUTDOOR ACTIVITIES DUE TO THE COVID-19 PANDEMIC** - Development Services Department/ Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

Extend Urgency Ordinance 2020-15 and Urgency Ordinance 2020-16 for an additional six months to expire June 2, 2021 and July 21, 2021, respectively.

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

AGENDA CONTINUED ON NEXT PAGE

3. [**AUTHORIZE THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF NEWPORT BEACH FOR A PARTNERSHIP AT THE PERMANENT BRIDGE SHELTER AT 3175 AIRWAY AVENUE**](#) - City Manager's Office

RECOMMENDATION:

Staff recommends that the City Council:

1. Authorize the City Manager, or designee, to execute the Memorandum of Understanding with the City of Newport Beach regarding the Permanent Bridge Shelter at 3175 Airway Avenue, for a five-year term, with two optional extensions of five years each.
2. Adjust the Fiscal Year 2020-21 Adopted Budget to reflect all funds in the agreement and appropriate revenue for upfront payments of \$1.4 million in capital costs, and \$200,000 in Furniture, Fixtures and Equipment (FFE); \$1.0 million in annual operational funding to support 20 beds at the 3175 Airway Avenue program.

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

ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

ADJOURNMENT