

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, DECEMBER 15, 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/98376390419?pwd=dnpFclc5TnU4a3BKWVlyRVZMalZZz09>
Or sign into Zoom.com and "Join a Meeting"
Enter Webinar ID: **983 7639 0419**/ Password: **905283**
 - 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**

Enter Webinar ID: **983 7639 0419**/ Password: **905283**

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, DECEMBER 15, 2020 – 6:00 P.M.

KATRINA FOLEY
Mayor

MANUEL CHAVEZ
Council Member

ANDREA MARR
Mayor Pro Tem

LOREN GAMEROS
Council Member

DON HARPER
Council Member

JEFFREY HARLAN
Council Member

ARLIS REYNOLDS
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 Chavez

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 Phil Eyskens, Lighthouse Community Church, Costa Mesa

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. LEED Cities and Communities Recognition
2. Proclamation for Arbor Day

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 Reynolds
2. Council Member Chavez
3. Council Member Gameros
4. Council Member Harlan
5. Council Member Harper
6. Mayor Pro Tem Marr
7. Mayor Foley

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR: (Items 1-9)

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: Mariela Burket, Daniela Mowery, and Linsy Yang.

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2651** – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2651 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 20-23 “A” for -\$3,849.22 and 20-24 for \$2,451,159.81; and City operating expenses for \$5,891,336.88.

4. **MINUTES** - City Manager’s Office/City Clerk’s Division

RECOMMENDATION:

City Council Approve the Study Session Minutes of October 13, 2020, Regular Minutes of December 1, 2020, and Emergency Minutes of December 5, 2020.

5. **TERMINATION OF THE JOINT EXERCISE OF POWERS AGREEMENT AND DISSOLUTION OF THE JOINT POWERS EMPLOYEE BENEFIT AUTHORITY**
City Manager’s Office/Human Resources Division

RECOMMENDATION:

Staff recommends that the City Council:

Adopt Resolution No. 2020-61 to terminate the Joint Exercise of Powers Agreement and dissolve the Joint Powers Employee Benefit Authority (JPEBA), effective June 30, 2021.

6. **MEASURE M2 EXPENDITURE REPORT**
Public Services Department/Transportation Services

RECOMMENDATION:

Staff recommends that the City Council:

Adopt the proposed Resolution No. 2020-xx, approving the Measure M2 Expenditure Report and authorizing staff to submit the report to OCTA.

7. **RECOGNIZE GRANT FUNDS FOR THE TIER 1, ENVIRONMENTAL CLEANUP PROGRAM GRANT AND APPROVE BUDGET ADJUSTMENT FOR THE CONNECTOR PIPE SCREEN INSTALLATION PHASE III PROJECT**
Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Accept grant funds from the Orange County Transportation Authority (OCTA), Environmental Cleanup Program (ECP), Tier 1 program in the amount of \$107,326.80 and accept the grant funds upon the City's request for reimbursement after the project's completion.
2. Approve Budget Adjustment in the amount of \$107,326.80 to appropriate the awarded ECP grant funds for the Connector Pipe Screen Installation Phase III project.

8. **CALRECYCLE COMPETITIVE GRANT PROGRAM AUTHORIZATION**
Public Services Department

RECOMMENDATION:

Staff recommends that the City Council:

Adopt Resolution No. 2020-xx:

1. Authorizing City staff to submit applications for CalRecycle Beverage Container Recycling Grant Program, for which the City is eligible.
2. Authorizing the City Manager or designee with signature authority to execute all required documents and appropriate, if awarded, to implement the program.

9. **DEVELOPMENT IMPACT FEES ANNUAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2020** - Finance Department

RECOMMENDATION:

Staff recommends that the City Council:

Receive and file the Development Impact Fees Annual Report for the Fiscal Year ended June 30, 2020.

PUBLIC HEARINGS:

1. **[EXTENSION OF A MORATORIUM \(ORDINANCE NO. 2020-17\) AS AN INTERIM URGENCY MEASURE TO PROHIBIT OR LIMIT THE OPERATION OF SHORT TERM RENTALS WITHIN ALL ZONING DISTRICTS IN THE CITY OF COSTA MESA](#)** – Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Find that the Ordinance No. 2020-xx is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (general rule) because it can be seen with certainty that there is no possibility that the proposed amendment to the CMMC will have a significant effect on the environment.
2. Adopt the attached Report of the City Council: Extension of Urgency Ordinance 2020-17 as the Report of the City Council describing the measures taken to alleviate the condition which led to the adoption of the Moratorium pursuant to Government Code Section 65858.
3. Introduce and adopt as an interim urgency measure Ordinance No. 2020-xx that extends the Moratorium enacted by Ordinance No. 2020-17 for a period of 10 months and 15 days to expire on November 10, 2021, unless otherwise extended. The Moratorium prohibits the establishment and/or operation of STRs within all zoning districts of the City of Costa Mesa for the protection of the public health, safety and welfare pursuant to Government Code Section 65858.

[Click here to see public comments received on this item.](#)

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

Agenda continued on next page

2. **INTRODUCTION OF ORDINANCE NO. 2020-XX AMENDING CHAPTERS I (GENERAL) AND II (CIVIL CITATIONS) OF TITLE 1 (GENERAL PROVISIONS) RELATING TO ENFORCEMENT PENALTIES AND THE ISSUANCE OF CIVIL CITATIONS FOR BUILDING AND ZONING CODE VIOLATIONS**

ADOPTION OF RESOLUTION NO. 2020-XX ESTABLISHING THE CIVIL FINES AND PENALTIES FOR VIOLATION OF UNCODIFIED ORDINANCES AND MORATORIA AND AMENDING THE CIVIL FINES AND PENALTIES SCHEDULE PURSUANT TO SECTION 1-40 OF THE COSTA MESA MUNICIPAL CODE

REVISIONS TO CHAPTERS I (GENERAL) AND II (CIVIL CITATIONS) OF TITLE 1 (GENERAL PROVISIONS) RELATING TO BUILDING AND ZONING CODE ENFORCEMENT PENALTIES AND THE ISSUANCE OF CIVIL CITATIONS

Development Services Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Find that Ordinance No. 2020-xx is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (general rule) because it can be seen with certainty that there is no possibility that the proposed amendment to the CMMC will have a significant effect on the environment.
2. Introduce for first reading, by title only, Ordinance 20-xx of the City Council of the City of Costa Mesa, California, amending Chapters I (General) and II (Civil Citations) of Title 1 of the Costa Mesa Municipal Code.
3. Adopt Resolution No. 2020-xx establishing the Civil Fines and Penalties for violation of uncodified ordinances and moratoria and amending the Civil Fines and Penalties Schedule pursuant to Section 1-40 of the Costa Mesa Municipal Code.

OLD BUSINESS:

1. **FIRST READING OF ORDINANCE CHANGING APPOINTMENT PROCESS FOR MEMBERS OF THE PARKS, ARTS AND COMMUNITY SERVICES COMMISSION** - City Manager's Office/City Clerk's Division

RECOMMENDATION:

Staff recommends that the City Council:

Introduce for first reading, Ordinance No. 2021-xx of the City Council of the City of Costa Mesa, California, amending Chapter III (Parks, Arts and Community Services Commission) of Title 12 (Parks and Recreation) of the Costa Mesa Municipal Code.

NEW BUSINESS:

1. REALIGNMENT OF BIKEWAY AND WALKABILITY COMMITTEE, AND RESTRUCTURING OF THE FINANCE AND PENSION ADVISORY COMMITTEE

City Manager's Office/City Clerk's Division

RECOMMENDATION:

City Council direction is requested to realign and restructure the Bikeway and Mobility Committee, and the Finance and Pension Advisory Committee as follows:

1. Reduce the membership numbers on the Bikeway and Walkability Committee and the Finance and Pension Advisory Committee to nine members each, serving staggered two-year terms, consistent with most other Committees.
2. Change the name of the Finance and Pension Advisory Committee to the Economic Development and Finance Committee.
3. Revise the membership, scope and responsibilities of the Economic Development and Finance Committee.

[Click here to see public comments received on this item.](#)

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

2. COVID-19 SMALL BUSINESS BRIDGE GRANT PROGRAM

Development Services Department/Economic Development

RECOMMENDATION:

Staff recommends that the City Council:

1. Authorize the City Manager to take any and all actions necessary to develop and administer a Small Business Bridge Grant Program, including the execution of any agreements in connection with administration of the Program, with \$1.995 million appropriated from Disaster Recovery Reserve Funds, for the provision of grants to local restaurants, and personal care services businesses.
2. Adopt the proposed Resolution No. 2020-63, authorizing the use of up to \$1.995 million for the Costa Mesa Bridge Grant Program with potential reimbursement in whole or in part from pending Federal Stimulus Act funding legislation.
3. Find there is a public purpose of providing financial support to Costa Mesa businesses in establishing the Bridge Grant Program during the pandemic.

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

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

ADJOURNMENT