

ACTION REPORT

CITY OF COSTA MESA

REGULAR CITY COUNCIL, COSTA MESA FINANCING AUTHORITY BOARD, COSTA MESA PUBLIC FINANCING AUTHORITY BOARD, COSTA MESA HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY* MEETING

*NOTE: ALL AGENCY MEMBERSHIPS ARE REFLECTED IN THE TITLE "COUNCIL MEMBER."

TUESDAY, JANUARY 19, 2021

CITY COUNCIL CHAMBERS, 77 FAIR DRIVE

REGULAR MEETING 6:00 P.M.

KATRINA FOLEY

Mayor

MANUEL CHAVEZ

Council Member

LOREN GAMEROS

Council Member

JEFFREY HARLAN

Council Member

City Attorney

Kimberly Hall Barlow

ANDREA MARR

Mayor Pro Tem

DON HARPER

Council Member

ARLIS REYNOLDS

Council Member

City Manager

Lori Ann Farrell Harrison

CALL TO ORDER - The Regular City Council, Costa Mesa Financing Authority Board, Costa Mesa Public Financing Authority Board, Costa Mesa Housing Authority, and Successor Agency to the Redevelopment Agency meeting was called to order by Mayor Foley at 6:02 p.m. via Zoom webinar.

ROLL CALL

Present by Zoom: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Absent: None

FOR INFORMATIONAL PURPOSES ONLY

CONSENT CALENDAR: (Items 1-12)

MOVED/SECOND: Mayor Pro Tem Marr/Council Member Reynolds

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 12 except for 6.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

1. PROCEDURAL WAIVER: APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS

ACTION:

City Council and Agency Board approved the reading by title only and waived full reading of Ordinances and Resolutions.

2. READING FOLDER

Claims received by the City Clerk: Francisco Carrera, Roseanna Eichenbaum, Shaen Del Fierro, Hilda Hammond, Chris Hardwick, Micael Hauck, Louis A. Montalvo III, John Darel Price, Martha Shalhoub, Robert Daniel Soliz,

ACTION:

City Council received and filed.

3. WARRANT RESOLUTION NO. 2652 – Finance Department

ACTION:

City Council approved Warrant Resolution No. 2652 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 20-24 “A” for \$4,814.90, 20-25 for \$2,748,651.53, 20-25 “A” for -\$0.12, 20-26 for \$2,609,150.06, 20-26 “A” for \$16.80, and 21-01 for \$2,690,763.26; and City operating expenses for \$4,578,145.61.

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

ACTION:

City Council Approved the Minutes of the Regular City Council meeting of November 10, 2020.

FOR INFORMATIONAL PURPOSES ONLY

5. APPROVAL OF MAYOR’S APPOINTMENTS TO THE BOARDS OF THE TRANSPORTATION CORRIDOR AGENCIES AND THE ORANGE COUNTY VECTOR CONTROL DISTRICT - City Manager’s Office/City Clerks Division

ACTION:

City Council approved the following Mayor’s appointments:

1. Transportation Corridor Agencies (TCA): Council Member Arlis Reynolds/Alternate-Council Member Loren Gameros.
2. Orange County Vector Control District (OCVCD): Mr. Bill Turpit, Costa Mesa resident.

7. ADOPTION OF ORDINANCE NO. 2021-02 AMENDING CHAPTER II (CIVIL CITATIONS) OF TITLE 1 (GENERAL PROVISIONS) RELATING TO THE DEFINITIONS OF WORDS AND PHRASES DEFINED THEREIN

Development Services Department/Planning Division

ACTION:

1. City Council found that Ordinance No. 2021-02 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 amendment to the CMMC will have a significant effect on the environment.
2. Adopted by second reading of Ordinance 2021-02 of the City Council of the City of Costa Mesa, California, amending Chapter II (Civil Citations) of Title 1 of the Costa Mesa Municipal Code.

8. ADOPT RESOLUTION APPROVING RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR FY 2021-22 FOR THE PERIOD OF JULY 1, 2021 TO JUNE 30, 2022 – Finance Department

ACTION:

City Council adopted Successor Agency Resolution No. 2021-02 approving the Recognized Obligation Payment Schedule for Fiscal Year 2021-22 for the period of July 1, 2021 to June 30, 2022, subject to submittal to and review by the Orange Countywide Oversight Board (Oversight Board) and then the State of California, Department of Finance (DOF). Further, the Finance Director, or her authorized designee, in consultation with legal counsel, shall be authorized to request and complete meet and confer session(s), if any, with the DOF and authorized to make augmentations, modifications, additions or revisions as may be necessary or directed by DOF.

FOR INFORMATIONAL PURPOSES ONLY

9. CITYWIDE ALLEY REHABILITATION PROJECT – CITY PROJECT NO. 20-20
Public Services Department/Engineering Division

ACTION:

1. City Council adopted plans, specifications, and working details for Plumer Street Alley (Alley No. 06), Wallace Avenue Alley (Alley No. 13), 17th Street Alley (Alley No. 55), Tustin Avenue Alley (Alley No. 60), Rosemary Place Alley (Alley No. 105), and Costa Mesa Street Alley (Alley No. 114) Improvement Project – City Project No. 20-20.
2. Approved Budget Adjustment in the amount of \$315,000 from the undesignated fund balance in Fund 416.
3. Accepted the withdrawal of the bid submitted by LCR Earthwork & Engineering, Corp, 3200 Guasti Road, Suite 100, Ontario, CA 91761.
4. Awarded a construction contract to Black Rock Construction Company, 929 Mariner Street, Brea, CA 92821, In the amount of \$976,000 (base bid plus additive bid).
5. Authorized an additional \$59,00 as needed for construction change orders and for construction engineering.
6. Authorized 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.

10. LIONS PARK COMMUNITY CENTER AUDIO VISUAL PROJECT, CITY PROJECT NO. 19-17 – Public Services Department/Engineering Division

ACTION:

1. City Council accepted the work performed by EIDIM Group, Inc., for the subject project and authorize the City Clerk to file the Notice of Completion.
2. Authorized the City Manager to release the Labor and Material Bond seven (7) months after the filing date; release the Faithful Performance Bond at the conclusion of the one-year warranty period; and release the retention monies 35 days after the Notice of Completion filing date.

FOR INFORMATIONAL PURPOSES ONLY

11. POLICE DEPARTMENT UNIFORMS AND EQUIPMENT CONTRACT

Police Department

ACTION:

1. City Council approved and authorized the City Manager to execute the service agreement and any renewal amendments for an annual contract for equipment through the City of Los Angeles Cooperative Agreement, Contract ID No. 59463, with Galls, LLC, effective January 7, 2013 through January 31, 2021, with the option to renew for two additional one year terms, contingent upon the duration of the City of Los Angeles's agreement with Galls, LLC. City of Costa Mesa agreement terms will be February 1, 2021- January 31, 2023.

2. Approved and authorized the City Manager to execute the service agreement and any renewal amendments for an annual contract for uniforms through the City of Los Angeles Cooperative Agreement, Contract ID No. 59457, with Galls, LLC, effective October 30, 2020 through November 20, 2021, with the option to renew for one additional one year terms, contingent upon the duration of the City of Los Angeles's agreement with Galls, LLC. City of Costa Mesa agreement term will be December 1, 2020- November 30, 2022.

12. UPDATE STATE OF CALIFORNIA, GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES) DESIGNATION OF APPLICANT'S AGENT RESOLUTION

Police Department

ACTION:

1. City Council approved and adopted the State of California, Governor's Office of Emergency Services (Cal OES) Designation of Applicant's Agent Resolution.

2. Authorized submittal of the approved Designation of Applicant's Agent Resolution Forms to the State.

ITEMS PULLED FROM THE CONSENT CALENDAR:

6. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RATIFYING REGULATION NO. 5 ISSUED BY THE CITY MANAGER AS DIRECTOR OF EMERGENCY SERVICES TO SUSPEND ENFORCEMENT OF CERTAIN PARKING REGULATIONS IN RESIDENTIAL NEIGHBORHOODS** - City Manager's Office

MOVED/SECOND: Council Member Reynolds/ Council Member Chavez

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

City Council adopted Resolution No. 2021-01 ratifying Regulation No. 5 issued by the Director of Emergency Services Temporarily Suspending Enforcement of Certain Parking Restrictions in Residential Neighborhoods.

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

PUBLIC HEARINGS: NONE

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 Clerks Division

MOVED/SECOND: Council Member Chavez/Council Member Reynolds

MOTION: Approve recommended actions with changes.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

- 1. City Council introduced for first reading, by title only, Ordinance No. 2021-01 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.
- 2. Changed the terms of the Parks, Arts and Community Services commissioners whose terms are currently set to expire in 2023 to end upon appointment of new commissioners by City Council.
- 3. Directed the City Clerk to post the special vacancy notices pursuant to GC §54974(a), and to proceed with an extended recruitment to reflect district appointments and the Mayors at large appointment.

FOR INFORMATIONAL PURPOSES ONLY

NEW BUSINESS:

1. APPOINTMENTS TO THE PLANNING COMMISSION

City Manager's Office/City Clerk's Division

MOVED/SECOND: Council Member Harper/Council Member Reynolds

MOTION: Appoint Jon Zich to the District 1 position on the Planning Commission.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

MOVED/SECOND: Council Member Gameros/Mayor Foley

MOTION: Appoint Kedarious Colbert to the District 2 position on the Planning Commission.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

MOVED/SECOND: Council Member Harlan/Mayor Pro Tem Marr

MOTION: Appoint Russell Toler to the District 6 position on the Planning Commission.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

MOVED/SECOND: Mayor Foley/Council Member Chavez

MOTION: Appoint John Stephens to the At-Large position on the Planning Commission.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

City Council appointed to the Planning Commission three (3) applicants to fill vacancies in District 1 - Jon Zich, in District 2 – Kedarious Colbert, and in District 6 – Russell Toler (4-year terms), and John Stephens was appointed as the at large Mayor's selection (2-year term).

2. FISCAL YEAR 2019-20 INDEPENDENT FINANCIAL AUDIT OF THE COSTA MESA HOUSING AUTHORITY; AND THE HOUSING SUCCESSOR ANNUAL REPORT OF THE LOW AND MODERATE INCOME HOUSING ASSET FUND UNDER SECTION 34176.1 OF THE DISSOLUTION LAW AND SECTION 34328 OF THE CALIFORNIA HOUSING AUTHORITIES LAW

Finance Department

MOVED/SECOND: Mayor Pro Tem Marr/Council Member Chavez

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

City Council and the Housing Authority received and filed the following:

1. The Fiscal Year 2019-20 Independent Financial Audit of the Costa Mesa Housing Authority, including the Low and Moderate Income Housing Asset Fund.
2. The Fiscal Year 2019-20 Housing Successor Annual Report prepared under the California Health and Safety Code Section 34176.1 as the housing successor and Section 34328 as a housing authority.

3. RECEIVE AND FILE THE CITY'S AUDITED FINANCIAL REPORTS AND COSTA MESA PUBLIC FINANCING AUTHORITY'S AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED JUNE 30, 2020

Finance Department

MOVED/SECOND: Council Member Chavez/Council Member Harlan

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

1. City Council received and filed the following reports for the fiscal year ended June 30, 2020:
 - a. Comprehensive Annual Financial Report (CAFR);
 - b. Air Quality Improvement Fund Compliance Report;
 - c. Audit Communication Letter;
 - d. Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets.
2. City Council and Costa Mesa Public Financing Authority received and filed the Costa Mesa Public Financing Authority audited financial statements for the fiscal year ended June 30, 2020.

4. RECEIVE AND FILE THE COSTA MESA FINANCING AUTHORITY'S AUDITED FINANCIAL STATEMENTS FOR FISCAL YEAR ENDED JUNE 30, 2020
Finance Department

MOVED/SECOND: Council Member Chavez/Mayor Pro Tem Marr

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

City Council and Costa Mesa Financing Authority received and filed the Costa Mesa Financing Authority audited financial statements for the fiscal year ended June 30, 2020.

ADJOURNMENT – Mayor Foley adjourned the meeting at 8:37 p.m.