

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, APRIL 16, 2019

COSTA MESA SENIOR CENTER
695 W. 19TH STREET, COSTA MESA, CALIFORNIA
CLOSED SESSION – 4:00 P.M. - NONE
REGULAR MEETING – 6:00 P.M. (GRAND HALL 1)

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

Acting City Manager
Tamara S. Letourneau

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. Binders containing these agenda-related documents are located in the back of Grand Hall 1. In addition, such documents may be posted—whenever possible on the city’s website at www.costamesaca.gov or by clicking [here](#).

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.

Your attendance at this public meeting is valued and appreciated. If you have questions regarding the agenda, public comments or wish to obtain copies of documents please contact the City Clerk office at (714) 754-5225 or e-mail cityclerk@costamesaca.gov.

WELCOME TO THE CITY COUNCIL MEETING

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:

Members of the public desiring to speak during the Public Comments period on a matter not on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. Each speaker is limited to three minutes.

PUBLIC COMMENTS – CONSENT CALENDAR:

Members of the public desiring to speak on a consent calendar item shall submit such a request on a speaker card prior to the start of the Consent Calendar period. Each speaker is limited to three minutes.

PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:

Members of the public desiring to speak during the Public Comments period on a matter listed on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Each speaker is limited to three minutes.

1. Any written communications, photos, or other materials for copying and distribution to the City Council that are 10 pages or less, must be submitted to the City Clerk **NO LATER THAN 12:00 P.M.** Materials can be e-mailed to cityclerk@costamesaca.gov or provided on a flash drive. If the public wishes to submit written communication, photos, or other material for distribution to the City Council at the meeting AFTER 12:00 p.m., 10 copies will need to be provided for distribution. Please note that NO copies of written communication will be made AFTER 12:00 p.m. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. Kindly submit to the City Clerk **AS EARLY AS POSSIBLE, BUT NO LATER THAN 30 MINUTES PRIOR TO THE START OF THE MEETING. Please note that there is not an overhead projector available for this meeting.**
2. **All cell phones and other electronic devices are to be turned off or set to vibrate.** Members of the audience are requested to step outside Grand Hall 1 to conduct a phone conversation.
3. Free Wi-Fi is available in Grand Hall 1 during the meetings. The username is **SCWIFI** and the password is **!@cmssc99**.

In compliance with the Americans with Disabilities Act of 1990, Assistive Listening headphones located inside Grand Hall 1 are available at all Costa Mesa City Council meetings and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (714) 754-5225 por lo menos con 48 horas de anticipación.

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR
AGENCY TO THE REDEVELOPMENT AGENCY
COSTA MESA SENIOR CENTER
GRAND HALL 1
695 W. 19TH STREET, COSTA MESA, CALIFORNIA**

TUESDAY, APRIL 16, 2019 – 6:00 P.M.

CALL TO ORDER

NATIONAL ANTHEM Vanguard University Chamber Choir

PLEDGE OF ALLEGIANCE

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.]

Dr. Mike Decker, Palm Harvest Church

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT – NO CLOSED SESSION HELD

PRESENTATIONS:

1. Department of Motor Vehicles/Donate Life California Month Proclamation
2. U.S. Census Bureau Presentation

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:

Members of the public desiring to speak during the Public Comments period on a matter not on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. Each speaker is limited to three minutes. The three minute per speaker time limit may be extended for good cause by the Mayor or by a majority vote of the City Council. Questions and comments made by public speakers may be addressed by the City Council during Council Comments or by the City Manager during the City Manager's Report.

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:

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: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

RECOMMENDATION:

City Council and Agency Board waive reading of Ordinances and Resolutions.

2. **READING FOLDER**

Claims received by the City Clerk: Arturo Garcia, Troy Johnson, Roelmer Sandoval, Silver Star Sound and Communications, and Debra Tozer.

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2617 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL 19-07 FOR \$3,215,333.93 AND CITY OPERATING EXPENSES FOR \$2,804,712.34; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** - Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2617.

4. **AMENDMENTS TO THE PROFESSIONAL SERVICES AGREEMENTS FOR ANIMAL SHELTER AND ANIMAL ADOPTION SERVICES WITH NEWPORT CENTER ANIMAL HOSPITAL AND PRICELESS PET RESCUE**
Parks and Community Services Department

RECOMMENDATION:

1. City Council approve the proposed amendments to the existing Professional Services Agreements (PSA) with Newport Center Animal Hospital (NCAH) and Priceless Pet Rescue (PPR), for animal shelter and adoption services in the amounts of \$276,000 and \$31,200, respectively, per year; and
 2. Authorize the Acting City Manager and City Clerk to execute the proposed amendments and future amendments to the agreements with NCAH and PPR within Council authorized limits and allow up to an additional 10% contingency amounting to \$27,600 and \$3,120, respectively, per year, as needed for unforeseen costs.
5. **NEWPORT BOULEVARD WIDENING PROJECT** - Public Services Department

RECOMMENDATION:

1. City Council approve the Professional Services Agreement (PSA) with Onward Engineering for the design of the Newport Boulevard Widening Project in the amount of \$457,811; and
2. Authorize the Acting City Manager and the City Clerk to execute the PSA and future amendments to the agreement; and
3. Authorize an additional ten percent (10%) contingency totaling \$45,781 as needed for unforeseen costs; and
4. Approve the Cooperative Agreement between the City of Costa Mesa and the State of California Department of Transportation ("Caltrans") for the Newport Boulevard Widening Project; and
5. Authorize the Acting City Manager and the City Clerk to execute the Cooperative Agreement and any future amendments to the agreement.

6. **SECOND READING AND ADOPTION OF ORDINANCE NO. 19-10 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AMENDING SECTION 10-194 (SLEEPING IN MOTOR VEHICLES PROHIBITED) OF CHAPTER X (STOPPING, STANDING AND PARKING GENERALLY) OF TITLE 10 (MOTOR VEHICLES AND TRAFFIC), RELATING TO PROHIBITIONS AGAINST SLEEPING IN VEHICLES**

SECOND READING AND ADOPTION ORDINANCE NO. 19-12 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AMENDING SECTIONS 11-302 (DEFINITIONS) AND 11-304 (CAMPING IN PUBLIC AREAS PROHIBITED) OF CHAPTER XIV (CAMPING AND STORAGE OF PERSONAL PROPERTY IN PUBLIC AREAS) OF TITLE 11 (OFFENSES- MISCELLANEOUS), RELATING TO PROHIBITIONS AGAINST CAMPING IN PUBLIC AREAS

Police Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Ordinance No. 19-10, by title only, Amending Section 10-194 (Sleeping in Motor Vehicles Prohibited) of Chapter X (Stopping, Standing and Parking Generally) of Title 10 (Motor Vehicles and Traffic), Relating to Prohibitions Against Sleeping in Vehicles; and
2. Adopt Ordinance No. 19-12, by title only, Amending Section 11-302 (Definitions) and 11-304 (Camping in public areas prohibited-Penalties) of Chapter XIV (Camping and Storage of Personal Property in Public Areas) of Title 11 (Offenses- Miscellaneous), Relating to Prohibitions Against Camping in Public Areas.

7. **2020 US CENSUS SUPPORT** - Development Services Department

RECOMMENDATION:

City Council approve proposed Resolution No. 19-xx in support of the 2020 US Census.

8. **ACCEPTANCE AND APPROVAL OF MONETARY DONATIONS AND ACCOMPANYING BUDGET ADJUSTMENTS FOR THE BRIDGE SHELTER**

Parks and Community Services Department

RECOMMENDATION:

1. City Council accept the monetary donations from private donors and the Costa Mesa Sanitary District for the City's Bridge Shelter; and
2. Authorize a budget adjustment recognizing \$76,484.45 in donations and appropriating the funds to the City's Bridge Shelter budget.

9. **BRISTOL STREET PROJECTS, FEDERAL PROJECT NOS. HSIPL-5312 (093) AND STPL-5132 (100) - CITY PROJECT NO. 16-20, PROJECTS A AND B**
Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by Sully-Miller Contracting Corporation for the subject projects, and authorize the City Clerk to file the Notice of Completion; and
2. Authorize the Acting City Manager to release the Labor and Materials Bond seven (7) months after the filing date; release the Faithful Performance Bond if appropriate, at the conclusion of the six months warranty period; and release the retention monies immediately after the Notice of Completion filing date.

10. **BRISTOL STREET PROJECTS, CITY PROJECT NO. 16-20, PROJECTS C, D AND E** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by Sully-Miller Contracting Corporation for the subject projects, and authorize the City Clerk to file the Notice of Completion; and
2. Authorize the Acting City Manager to release the Labor and Materials Bond seven (7) months after the filing date; release the Faithful Performance Bond if appropriate, at the conclusion of the six-month warranty period; and release the retention monies immediately after the Notice of Completion filing date.

AGENDA CONTINUED ON THE NEXT PAGE.

11. ACCEPTANCE OF A \$150,000 GRANT FROM STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION FOR VERNAL POOL WATERSHED RESTORATION - Parks and Community Services Department

RECOMMENDATION:

1. City Council accept a \$150,000 grant from the State of California Department of Parks and Recreation for restoration of the watersheds associated with vernal pools 4, 5, 6 and 7 in Fairview Park; and
2. Approve a budget adjustment recognizing \$150,000 in State grant funding and appropriating a total of \$300,000 to the Fairview Park Vernal Pool and Watershed Restoration Project; \$150,000 in State grant funding and \$150,000 in required matching funds collectively transferred from the following Fairview Park projects:

Capital Improvement Program - Fund 401:

\$31,158.19 from the Delineation Fencing (ORA58)

\$55,000 from the Parking Lot Rehab

\$60,000 from the Delineation Fencing (Vernal Pools)

Park Development Fees - Fund 208:

\$3,841.91 from the Emergency Bluff Repair; and

3. Approve filing a 20-year deed restriction on the restored parcels.

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

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): NONE

OLD BUSINESS: NONE

AGENDA CONTINUED ON THE NEXT PAGE.

NEW BUSINESS:

1. **JOINT POWERS AGREEMENT FOR PARTICIPATION IN THE ORANGE COUNTY HOUSING FINANCE TRUST**

Development Services Department/Planning Division

RECOMMENDATION:

1. City Council find that this action is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061 (b)(3) (General Rule exemption); and
2. Adopt the proposed Resolution relating to the City of Costa Mesa participating in the Orange County Housing Finance Trust via the City's execution of the Joint Powers Agreement which implements the Trust's shared powers and activities.

2. **CITY POSITIONS ON STATE LEGISLATION** - City Manager's Office

RECOMMENDATION:

City Council provide direction to staff on positions to take on various bills pending in the California legislature.

3. **FUNDING ALLOCATION FOR A COMMUNITY INDEPENDENCE DAY EVENT TO PROMOTE PUBLIC SAFETY AND RESPONSIBLE FIREWORK USE**

City Manager's Office/Administration

RECOMMENDATION:

Staff recommends that the City Council provide direction regarding the following:

1. Approve a centrally located City-sponsored Independence Day celebration on July 3, 2019 in partnership with the Hero's Hall Veterans Foundation, Travel Costa Mesa, and the Orange County Fair on location at the Orange County Fair and Event Center; and
2. Authorize \$10,000 in Fiscal Year 2018-2019 contingency funding to cover event expenses; and
3. Authorize the Acting City Manager to accept all monetary donations for this event and execute related budget adjustments recognizing and appropriating the donations for use towards this event; and
4. Authorize City staff to assist with the preparation and implementation of the July 3, 2019 event.

4. **APPROVAL OF A RESOLUTION PROHIBITING THE PURCHASE AND USE OF EXPANDED POLYSTYRENE PRODUCTS (STYROFOAM) AT CITY FACILITIES AND CITY-SPONSORED EVENTS** – City Manager’s Office

RECOMMENDATION:

City Council adopt Resolution 19-xx that prohibits the purchase and use of expanded polystyrene food service products at City facilities and City-sponsored events.

ANNOUNCEMENTS

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

ADJOURNMENT

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

April 16 – 28 – **Shen Yun**, Segerstrom Center for the Arts. For more information, please visit: www.scfta.com

Thursday, April 18, 2019 – **Battle for the Bottles**, 6:00 - 9:30 p.m. Coleman's Cardroom (at Net Development Building), 3130 Airway Drive, Costa Mesa. Presented by the Costa Mesa Chamber of Commerce. For more information, please visit: www.costamesachamber.com

Saturday, April 20, 2019 – **EGG-citement**, 9:00 a.m. – noon, Tanager Park, 1780 Hummingbird Drive. For more information, please visit: www.torellirealty.com

Saturday, April 20, 2019, **Teens Give Back Fairview Park Clean-up**, 8:30 – 11:30 a.m., Fairview Park, 2501 Placentia Ave, Presented by City of Costa Mesa Parks & Community Services.

Saturday, April 20, 2019, **International Earth Day**, Goathill Junction at Fairview Park.

Friday – Sunday, April 24 – 26, **America’s Pet Expo**, OC Fair & Event Center, 88 Fair Drive. For more information, please visit: www.ocfair.com

Saturday, April 27, 2019 – **Tour de OC**, 7:00 a.m., rides start at Vanguard University. Tour de OC is a fundraising cycling event supporting the Royal Family Kids Camp for abused children. For more information, please visit: www.tourdeoc.org

Saturday, April 27, 2019 – **Compost Giveaway & Clothing Donation Event**, 9:00 a.m. – noon, Orange Coast College Recycling Center, Hosted by Costa Mesa Sanitary District and CR & R Environmental Services. For more information, please visit: cmsdca.gov

Saturday & Sunday, May 4 & 5 – **OC Marathon, OC Half Marathon and OC 5K**, Start and/or finish lines at the OC Fair & Event Center, 88 Fair Drive. For more information, please visit: www.ocmarathon.com

Friday, May 24, 2019 – **Lions Park Projects Phase 1 / Donald Dungan Library Ribbon Cutting Ceremony**, 10:00 a.m., 1855 Park Ave., Costa Mesa. For more information, please visit: www.costamesaca.gov