

**ACTION REPORT**  
**CITY OF COSTA MESA**  
**ADJOURNED REGULAR CITY COUNCIL AND**  
**SUCCESSOR AGENCY TO THE REDEVELOPMENT**  
**AGENCY\* MEETING**

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

**TUESDAY, JUNE 25, 2019**  
**CITY COUNCIL CHAMBERS, 77 FAIR DRIVE**  
**SPECIAL CLOSED SESSION – 5:00 P.M.**  
**ADJOURNED REGULAR MEETING – 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**

Acting City Manager  
**Tamara S. Letourneau**

**CALL TO ORDER**

The Closed Session was called to order by Mayor Foley at 5:00 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**ROLL CALL**

Present: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Absent: None

The City Council recessed to Room 5A at 5:02 p.m. for Closed Session to consider the following items:

**1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
INITIATION OF LITIGATION – ONE POTENTIAL CASE**

Pursuant to Subdivision (d)(4) of Section 54956.9, California Government Code

**CALL TO ORDER**

The meeting was called to order by Mayor Foley at 6:07 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**ROLL CALL**

Present: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Absent: None

**CITY ATTORNEY CLOSED SESSION REPORT – NO REPORTABLE ACTION**

**PRESENTATIONS - NONE**

**REPORT – CITY MANAGER** – Ms. Letourneau spoke on the upcoming Orange County Fair and parking and permits; and the City Hall closure on July 4<sup>th</sup> and July 5<sup>th</sup> in observance of the 4<sup>th</sup> of July holiday.

**REPORT – CITY ATTORNEY - NONE**

**CONSENT CALENDAR:**

**MOVED/SECOND:** Mayor Pro Tem Stephens/Council Member Reynolds

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 12 except for 3 and 5.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

- 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**

**ACTION:**

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

- 2. READING FOLDER**

Claims received by the City Clerk: Judith Juarez, Keith Longerot, Barbara J. Parks, Boyko Racing, Inc., Redhill-Lokat LLC, Charles Rollins, Serg Swiderski and Chad Wilson.

**ACTION:**

City Council received and filed.

- 4. PLACENTIA AVENUE BICYCLE SIGNAL INSTALLATION, FEDERAL PROJECT NO. CML – 5312 (095), CITY PROJECT NO. 18-04**

**ACTION:**

City Council accepted the work performed by Alfaro Communications Construction, Inc. for the subject project, and authorized the City Clerk to file the Notice of Completion.

- 6. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH FIRST CARBON SOLUTIONS**

**ACTION:**

1. City Council approved Amendment No. 1 to the Professional Services Agreement (PSA) with First Carbon Solutions to increase the PSA by \$11,500, for a total not-to-exceed amount of \$61,315; and
2. Authorize the Acting City Manager or designee and City Clerk to execute the amendment and future amendments to the PSA within Council authorized limits.

- 7. RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS16-00348 FOR STREET IMPROVEMENTS AND CORNER MONUMENTATION FOR TRACT 17869 AT 1672 PLACENTIA AVENUE, COSTA MESA, CALIFORNIA**

**ACTION:**

City Council authorized the Acting City Manager to release the Performance and Labor and Material Bonds (Certificate No. PB10163700435) for \$42,267.80 each for street improvements and for setting corner monuments in the amount of \$5,000.00 (Certificate No. PB10163700436) to Chris Borland of Melia Homes (Developer), Irvine, CA 92618.

**8. AWARD OF PROFESSIONAL SERVICES AGREEMENT WITH LYONS SECURITY SERVICE, INC., TO PROVIDE SECURITY GUARD SERVICES FOR THE LIONS PARK CAMPUS AND THE COSTA MESA SENIOR CENTER**

**ACTION:**

1. City Council awarded a Professional Services Agreement (PSA) to Lyons Security Service, Inc., in the amount of \$255,000 for unarmed security guard services for the Lions Park Campus and the Costa Mesa Senior Center; and
2. Authorized the Acting City Manager and City Clerk to execute the PSA; and
3. Authorized the City Manager and City Clerk to execute future changes and amendments to the agreement and allow up to an additional 10% contingency in the amount of \$25,500.

**9. RENEWED MEASURE M (M2) ELIGIBILITY**

**ACTION:**

1. City Council approved the City's Maintenance of Effort (MOE) for Fiscal Year 2019-20; and
2. Approved the Seven-Year Capital Improvement Program (CIP) comprised of the City's Five-Year and future year CIP for Fiscal Year 2019-20 through Fiscal Year 2025-26; and
3. Adopted Resolution No. 19-34 for the Master Plan of Arterial Highways Conformance and Mitigation Fee Program.

**10. RENEWAL OF CONTRACT WITH VERIZON FOR WIRELESS VOICE AND DATA SERVICES**

**ACTION:**

1. City Council authorized the Acting City Manager to execute a Purchase Order with Verizon in the total amount of \$68,299 for wireless voice and data services; and
2. Authorized the City Manager to utilize NASPO's future negotiated agreement (following the existing expiration of December 31, 2019), or amended existing agreement, and execute a purchase order in accordance with the Council approved budgeted amounts.

## **11. FUEL DELIVERY SERVICE**

### **ACTION:**

1. City Council approved the Agreement with Merrimac Petroleum, Inc., OBA Merrimac Energy Group, 1240 Wardlow Road, Long Beach, CA 90807, for the purchase and delivery of unleaded fuel in an annual amount not to exceed \$350,000, based upon pricing provided through a Cooperative Agreement with the County of Orange, Contract MA-017-16011533, for an initial term of two (2) years effective July 1, 2019; and
2. Approved the Agreement with Merrimac Petroleum, Inc., OBA Merrimac Energy Group, 1240 Wardlow Road, Long Beach, CA 90807, for the purchase and delivery of diesel fuel in an annual amount not to exceed \$200,000, based upon pricing provided through a Cooperative Agreement with the County of Orange, Contract RCA-017-18010009, for an initial term of three (3) years effective July 1, 2019; and
3. Authorized the Acting City Manager and City Clerk to execute the agreements and future authorized amendments to the agreements.

## **12. APPROVAL OF AN AGREEMENT FOR TEMPORARY ASSIGNMENT OF VEHICULAR EQUIPMENT WITH STATE OF CALIFORNIA OFFICE OF EMERGENCY SERVICES THAT PROVIDES A FIRE ENGINE TO THE CITY OF COSTA MESA, COSTA MESA FIRE & RESCUE DEPARTMENT**

### **ACTION:**

City Council approved an Agreement for Temporary Assignment of Vehicular Equipment State with the State of California, Governor's Office of Emergency Services, Fire and Rescue Division, and authorized the Fire Chief to execute the same on behalf of the City of Costa Mesa.

**ACTION REPORT CONTINUED ON THE NEXT PAGE.**

**ITEMS REMOVED FROM THE CONSENT CALENDAR:**

- 3. WARRANT RESOLUTION NO. 2621 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 19-11 FOR \$2,666,510.71 AND CITY OPERATING EXPENSES FOR \$3,553,985.00; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

**MOVED/SECOND:** Council Member Reynolds/Council Member Marr

**MOTION:** Approve Warrant Resolution No. 2621.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

**ACTION:**

City Council approved Warrant Resolution No. 2621.

- 5. TRAFFIC MANAGEMENT SERVICES AGREEMENT WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION**

**MOVED/SECOND:** Mayor Pro Tem Stephens/Council Member Marr

**MOTION:** Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

**ACTION:**

1. City Council approved the 2019 contract between the City and the 32nd District Agricultural Association for traffic management services for the Orange County Fair; and
2. Approved the 2019 contract between the City and the 32nd District Agricultural Association for traffic management services for all designated year-round events at the Orange County Fair and Event Center ("OCFEC"); and
3. Authorized the Chief of Police to execute the contracts; and
4. Authorized the City Manager or the City Manager's designee to execute any amendments to the contracts.

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

**OLD BUSINESS: NONE**

City Council recessed into a break at 7:21 p.m.

City Council reconvened at 7:32 p.m.

**NEW BUSINESS:**

**1. APPROVAL OF THE USE AGREEMENT WITH THE HARBOR SOARING SOCIETY FOR THE USE OF A PORTION OF FAIRVIEW PARK**

**MOVED/SECOND:** Council Member Mansoor/Mayor Pro Tem Stephens

**ORIGINAL MOTION:** Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Mansoor, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: Council Member Marr and Council Member Genis.

Absent: None

Motion carried: 5-2

**ACTION:**

1. City Council approved a new, updated use agreement with the Harbor Soaring Society (HSS) for a period of one year, July 1, 2019-June 30, 2020; and
2. Directed staff to conduct a comprehensive evaluation of the value of the partnership between HSS and the City, and to assess the compatibility of all flying activity with the Master Plan for Fairview Park and Measure AA, as recommended by the Fairview Park Steering Committee (FVP SC) and the Parks, Arts and Community Services Commission (PACS), within a one-year period (July 2019-June 2020).

**ADJOURNMENT** – Mayor Foley adjourned the meeting at 9:30 p.m.