



City of Costa Mesa

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY

Agenda

Tuesday, September 21, 2021

6:00 PM

**City Council Chambers
77 Fair Drive**

5:00 P. M. Closed Session

The City Council meetings are presented in a hybrid format, both in-person at City Hall and virtually via Zoom Webinar. The Governor's Executive Orders N-25-20 and N-29-20 suspend certain requirements of the Brown Act, and City Council Members and staff may choose to participate in person or by video conference.

You may participate via the following options:

1. Attending in person: All attendees are required to wear a face covering at all times while in the Council Chambers or City Hall. Please maximize spacing by utilizing all seating in the Chambers.
2. 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) or http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true and online at [youtube.com/costamesatv](https://www.youtube.com/costamesatv).

3. Zoom Webinar: (For both 5:00 p.m. and 6:00 p.m. meetings)

Please click the link below to join the webinar:

<https://zoom.us/j/98376390419?pwd=dnpFelc5TnU4a3BKWVlyRVZMallZZz09>

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” feature 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: (For both 5:00 p.m. and 6:00 p.m. meetings)

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.

4. Additionally, members of the public who wish to make a comment on a specific agenda item, may submit a written comment via email to the City Clerk at cityclerk@costamesaca.gov. Comments received by 12:00 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.

5. 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.

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. No links to YouTube videos or other streaming services will be accepted, a direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats, .mp4, .mov or .wmv. Only one file may be included per speaker for public comments. 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.

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 the Council Chambers to conduct a phone conversation.

Free Wi-Fi is available in the Council Chambers during the meetings. The network username available is: CM_Council. The password is: cmcouncil1953.

As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing.

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

Closed Session - 5:00 P. M.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given a total of three minutes to speak on all items on the Closed Session agenda.

CLOSED SESSION ITEMS:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Section 54956.9 (d)(1) of California Government Code
Name of Case: RD X CATALYST – COSTA MESA LLC, a California limited liability Company v. City of Costa Mesa, Orange County Superior Court of California, Case No. 30-2021-01214880-CU-WM-CJC

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Section 54956.9(d)(1) of California Government Code
Robert Sharpnack v. City of Costa Mesa Orange County Superior Court Case No. 30-2020-01131375-CU-OE-CJC.

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

September 21, 2021 – 6:00 P.M.

JOHN STEPHENS
Mayor

MANUEL CHAVEZ
Council Member - District 4

ANDREA MARR
Mayor Pro Tem - District 3

JEFFREY HARLAN
Council Member - District 6

LOREN GAMEROS
Council Member - District 2

ARLIS REYNOLDS
Council Member - District 5

DON HARPER
Council Member - District 1

KIMBERLY HALL BARLOW
City Attorney

LORI ANN FARRELL HARRISON
City Manager

CALL TO ORDER

NATIONAL ANTHEM AND 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.]

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS

1. Certificates: Costa Mesa Little League All Stars 2021

[21-367](#)

RECOMMENDATION:

Mayor to present the certificates.

-
2. Certificates: Costa Mesa Pony Baseball World Series 2021 [21-368](#)
RECOMMENDATION:
Mayor to present the certificates.
 3. Proclamation: Orange County Hunger Alliance [21-370](#)
RECOMMENDATION:
Mayor to present the Proclamation.
Attachments: [Proclamation: Orange County Hunger Alliance](#)
 4. Proclamation: National Child Awareness Month [21-371](#)
RECOMMENDATION:
Mayor to present the Proclamation.
Attachments: [Proclamation: National Child Awareness Month](#)
 5. Presentation: Social Progress Index: OC Equity Map [21-366](#)
RECOMMENDATION:
Presentation by President and Chair of the Advance OC Board, Katie Kalvoda.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Comments are limited to 3 minutes, or as otherwise directed.
Comments on Consent Calendar items may also be heard at this time.

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 Stephens

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR (ITEMS 1-11)

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 [21-373](#)

RECOMMENDATION:

City Council and Agency Board approve the reading by title only and waive full reading of Ordinances and Resolutions.

2. READING FOLDER [21-374](#)

RECOMMENDATION:

Claims received by the City Clerk: Rhonda Vera Cruz, Elaine Gurovich, Danielle Joy Moyer, Gabriel Tamayopaniagua.
City Council receive and file.

3. ADOPTION OF WARRANT RESOLUTION [21-362](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2666.

Attachments: [09-21-21 Warrant Resolution](#)

4. MINUTES [21-381](#)

RECOMMENDATION:

City Council approve the Minutes of the Regular meeting of September 7, 2021.

Attachments: [09-07-2021 Minutes](#)

5. AUTHORIZE THE PURCHASE OF PORTABLE SOLAR POWERED ELECTRIC VEHICLE CHARGING STATIONS FOR THE COSTA MESA SENIOR CENTER AND CORPORATION YARD [21-342](#)

RECOMMENDATION:

Staff recommends the City Council:

Authorize the City Manager to execute any and all necessary documents for the purchase of two (2) portable, solar powered electric vehicle charging stations in an amount not-to-exceed \$155,000, through the use of California Department of General Services' Contract #1-18-61-16 with Beam Global.

Attachments: [1. Contract #1-18-61-16](#)
[2. EV ARC Unit](#)

6. AWARD PROFESSIONAL SERVICES AGREEMENT FOR JANITORIAL SERVICES TO EXECUTIVE FACILITIES SERVICES, INC. [21-345](#)

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the Professional Services Agreement (Attachment 1), with Executive Facilities Services, Inc., 6865 Weaver Street, Riverside, CA 92504, for two (2) years with three (3) one-year renewal terms effective September 21, 2021 through June 30, 2022 for the first year for janitorial services for City buildings, parks, and facilities in an annual amount of \$580,551.72 (Attachment 2); and

2. Approve an additional ten percent (10%) contingency, in an annual amount not to exceed \$58,055.17 for unforeseen costs; and

3. Authorize the City Manager and the City Clerk to execute the Professional Services Agreement and to extend the Professional Services Agreement each year with an effective term of July 1st through June 30th, for up to a maximum of three (3) additional one-year terms, as applicable, only if the rate of increase is equal to or less than the annual Consumer Price Index (CPI).

Attachments: [1. Legal Agreement](#)
[2. \(EFS Fee Proposal\)](#)
[3. \(RFP\)](#)
[4. \(EFS Proposal\)](#)

-
7. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENTS FOR TRAFFIC ENGINEERING SERVICES FOR THE I-405 IMPROVEMENT PROJECT [21-354](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve proposed Amendment No. 5 (Attachment 1) to the Professional Services Agreement with AGA Engineers, Inc., 211 E. Imperial Highway, Suite 208, Fullerton, CA 92835, increasing the maximum compensation by \$25,000 for traffic engineering services, on an as-needed basis, for the I-405 Improvement Project, for a total not-to-exceed amount of \$134,999; and
2. Authorize the City Manager and the City Clerk to execute the amendment and future authorized amendments to the agreement.

Attachments: [1. Amendment #5 with AGA Engineers](#)
[2. PSA and Past Amendments with AGA Engineers](#)

8. RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2021 ORANGE COUNTY MARATHON RUNNING FESTIVAL [21-356](#)

RECOMMENDATION:

Staff recommends the City Council adopt Resolution No. 2021-xx, designating event routes for the 2021 Orange County (OC) Marathon Running Festival and approving the temporary street closures for November 6, 2021 and November 7, 2021, as requested for the 2021 OC Marathon Running Festival (Attachment 1).

Attachments: [1. Resolution No. 2021-XX including Exhibits](#)
[2. OC Marathon Application](#)
[3. OC Half Marathon Route](#)
[4. OC Marathon 5K Fun Run/Walk](#)
[5. Special Event Resolution No. 04-38](#)
[6. OC Marathon- Affected Routes](#)

-
9. COOPERATIVE AGREEMENTS BETWEEN THE COUNTY OF ORANGE AND THE CITY OF COSTA MESA FOR BRIDGE MAINTENANCE REPAIRS [21-357](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the proposed cooperative agreements between the County of Orange and the City of Costa Mesa for funding, design, construction, and maintenance of the Hamilton Avenue/Victoria Street bridge and the Santa Ana Avenue bridge.
2. Authorize the City Manager and City Clerk to execute any future amendments to the agreements.

Attachments: [1. Coop Agrmt Hamilton and Victoria Bridge](#)
[2. Coop Agrmt Santa Ana Bridge](#)

10. APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH DAVID VOLZ DESIGN AND APPROVE PROFESSIONAL SERVICES AGREEMENT WITH Z & K CONSULTANTS, INC. FOR THE JACK HAMMETT SPORTS COMPLEX IMPROVEMENT PROJECT - CITY PROJECT NO. 21-05 [21-358](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve Amendment No. 1 to the Professional Services Agreement with David Volz Design (Attachment 1), 151 Kalmus Drive, Suite M-8, Costa Mesa, CA 92626 increasing compensation by \$67,453, to provide additional design and construction support services for the Jack Hammett Sports Complex Improvement Project.
2. Authorize the City Manager and City Clerk to execute Amendment No. 1.
3. Award a Professional Services Agreement (PSA) with Z & K Consultants, Inc. (Attachment 2), 473 E. Carnegie Drive, Suite 200, San Bernardino, CA 92400, for three (3) years with one two-year extension option for professional construction management services for the Jack Hammett Sports Complex Improvement Project in the amount of \$274,544.
4. Approve a ten percent (10%) contingency, should additional services be required.
5. Authorize the City Manager and City Clerk to execute the PSA and future contract amendments within Council-authorized limits.

Attachments: [1. Amendment 1 to PSA with David Volz](#)
[2. PSA with Z&K Consultants, Inc.-9-21-21](#)

11. AMENDMENT NO. 6 TO THE PROFESSIONAL SERVICES AGREEMENT WITH INTERWEST CONSULTING GROUP INC. FOR PROFESSIONAL ENGINEERING SERVICES [21-359](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve proposed Amendment No. 6 (Attachment 1) to the Professional Services Agreement (PSA) with Interwest Consulting Group Inc., 15140 Transistor Lane, Huntington Beach, CA 92649, for professional engineering services, increasing the maximum compensation by \$365,000, for a total not-to-exceed amount of \$1,249,000.
2. Authorize the City Manager and City Clerk to execute the amendment and future authorized amendments to the agreements.

Attachments: [1. Interwest Amendment No. 6](#)
[2. Interwest PSA and Past Amendments](#)

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

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

PUBLIC HEARINGS:

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

1. INTRODUCTION OF AN ORDINANCE AMENDING ARTICLE 2 (PURCHASING) OF CHAPTER V (FINANCE) OF THE COSTA MESA MUNICIPAL CODE RELATING TO PUBLISHED NOTICE AND REVISING THE CONTRACTING AUTHORITY OF CITY OFFICERS AND EMPLOYEES, INCLUDING THE CITY MANAGER, ASSISTANT CITY MANAGER AND FINANCE DIRECTOR, AND REQUESTING TEMPORARY CONTRACTUAL AUTHORITY FOR THE CITY MANAGER [21-338](#)

RECOMMENDATION:

Staff recommends that City Council:

1. Introduce for first reading, by title only, Ordinance No. 21-xx (Attachment 1), amending Article 2 (Purchasing) of Chapter V (Finance) of the Costa Mesa Municipal Code relating to published notice and City Council awarded contracts; and
2. Upon approval of the proposed Ordinance, authorize the City Manager to execute current contractual agreements up to \$100,000 until Ordinance No. 21-xx is in effect.

Attachments: [Purchasing Municiple Code Ordinance](#)

OLD BUSINESS:

NEW BUSINESS:

1. STATUS OF CITY COUNCIL STRATEGIC PLAN GOALS AND OBJECTIVES AND REPORT REGARDING KEY ACHIEVEMENTS FOR FY 19/20 AND FY 20/21 [21-323](#)

RECOMMENDATION:

Discussion and feedback regarding the status of the City Council's 2021 Goals and Objectives, and key City achievements in FY 19/20 and 20/21.

Attachments: [Strategic Objectives](#) [September 2021 Update](#)

2. APPOINTMENTS TO THE PARKS, ARTS AND COMMUNITY SERVICES COMMISSION, PLANNING COMMISSION, AND CITY COMMITTEES [21-365](#)

RECOMMENDATION:

Staff recommends that the City Council make appointments as follows:

1. Parks, Arts, and Community Services Commission - Make three (3) appointments to fill the vacancies in District 3 (Mayor Pro Tem Marr), District 4 (Council Member Chavez), and District 5 (Council Member Reynolds) with a term expiration of January 2023.
2. Planning Commission - Make two (2) appointments to fill the vacancies with term expirations of January 2023 and January 2025. Appointments by Council Members Gameros (2025) and Chavez (2023).
3. Finance and Pension Advisory Committee (FiPAC) - Make one (1) appointment to fill the vacancy with a term expiration of April 2022. Appointment by Mayor Stephens as liaison to the Committee.
4. Housing & Public Service Grants Committee - Make one (1) appointment to fill a vacancy with a term expiration of April 2023. Appointment by Council Member Chavez as liaison to the Committee.

Attachments: [1. Parks, Arts, and Community Services Commission](#)
[2. Planning Commission](#)
[3. Finance and Pension Advisory Committee](#)
[4. Housing & Public Service Grants Committee](#)

3. CONSIDERATION OF PROPOSALS FOR THE USE OF THE [21-364](#)
FLYING FIELD AT FAIRVIEW PARK

RECOMMENDATION:

Staff seeks City Council direction regarding the following three options as to the status of the flying field at Fairview Park and policy direction on implementation of one or more of the options for the disposition of the activity of model aircraft flying at Fairview Park.

Through an extensive process that began in 2019, staff, community based interest groups, the Fairview Park Steering Committee (FVP SC) and the Parks, Arts and Community Services Commission (PACS), have developed three options for City Council consideration:

1. Open the flying field on the west-side of the park, with development of modifications to operating procedures and corresponding program implementation materials that are intended to mitigate impacts to the parks environment (Attachment 1), or
2. Evaluate the feasibility of a longer-term proposal to relocate the flying field to an east-side park location as a new component of the FVP Master Plan Update process (Attachment 2);
3. Consider permanent closure of the west side flying field to avoid potential environmental violations, facilitate restoration of the vernal pool watersheds, and promote utilization of other existing flying fields outside of Costa Mesa (Attachment 3).

Attachments: [1. Option 1. Open the West-Side Fly Field with Modifications \(3 of 6 stakeholder groups support\)](#)
[2. Option 2. Evaluate Longer-term Proposal to Re-locating the Fly Field to the East Side of the Park \(5 of 6 stakeholder groups support\)](#)
[3. Option 3. Consider closing the Fly Field on the West Side \(3 of 6 stakeholder groups support\).](#)
[4. Compatibility Study](#)

ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS,

ADJOURNMENT