



City of Costa Mesa

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

Agenda

Tuesday, February 1, 2022

6:00 PM

Via Zoom Webinar

***Note: All agency memberships are reflected in the title "Council Member"
4:00 P.M. Closed Session**

The City Council meeting will be held virtually via Zoom Webinar.

Pursuant to the State of California Assembly Bill 361(Gov. Code §54953(b)(3)) the City Council Members and staff may choose to participate by video conference.

You may 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) or http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true and online at [youtube.com/costamesatv](https://www.youtube.com/costamesatv).

2. Zoom Webinar: (For both 4:00 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 4:00 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.

3. Additionally, members of the public who wish to make a written 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.

4. 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 and will be available at the City Clerk's office, 77 Fair Drive, Costa Mesa, CA 92626.

The City of Costa Mesa aims 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 currently provided, the Clerks office will attempt to accommodate in a 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 junta, usted necesita asistencia especial, más allá de lo que actualmente se proporciona, la oficina del Secretario de la Ciudad intentara de complacer en una forma razonable. Favor de comunicarse con 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.

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 – ONE CASE
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Costa Mesa v. Newport Mesa Unified School District, Orange County Superior Court Case No. 30-2021-01179397-CU-WM-CXC.
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: City of Costa Mesa v. Ohio House, LLC, a California limited liability corporation; Richard Perlin, Nancy Perlin, Dolores Perlin, and Brandon Stump as individuals, Orange County Superior Court
Case No. 30-2018-01006173-CU-OR-NJC.
3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – ONE CASE
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Insight Psychology and Addiction, Inc. v. City of Costa Mesa, U.S. District Court, Central District of California, Case No. 8:20-cv-00504-JVS-JDE

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

February 1, 2022 – 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.]

Pastor David Manne, Calvary Chapel, Costa Mesa

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. [Proclamation: Lunar New Year 2022 – Year of the Tiger](#) [21-559](#)
Attachments: [Proclamation: Lunar New Year- Year of the Tiger](#)

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2. [Proclamation: Black History Month 2022 – Health & Wellness](#) [21-558](#)

Attachments: [Proclamation: Black History Month- Health and Wellness](#)

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 4 minutes. Additional comments will be heard at the end of the meeting.

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

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR (Items 1-6)

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 21-547 OF ALL ORDINANCES AND RESOLUTIONS](#)
2. [READING FOLDER](#) [21-548](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Michael Artiglio, Charles Bonner, Nathan Favela, ATM Global, Nghia Ho, Mercury Insurance, Joshua Mantle, Bibo Song, Ray Taylor.

3. **ADOPTION OF WARRANT RESOLUTION** **21-555**

RECOMMENDATION:

City Council approve Warrant Resolution No. 2673

Attachments: [Summary Check Register Jan 13, 2022](#)

[Summary Check Registrar Jan 20, 2022](#)

4. **MINUTES** **21-557**

RECOMMENDATION:

City Council approve the Minutes of the Regular meeting of January 18, 2022.

Attachments: [01-18-2022 Draft Minutes](#)

5. [CITYWIDE PARKWAY MAINTENANCE, STREET REHABILITATION, 21-519 AND SLURRY SEAL PROJECT, CITY PROJECT NO. 21-03](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Adopt plans, specifications, and working details for the Citywide Parkway Maintenance, Street Rehabilitation, and Slurry Seal Project, City Project No. 21-03.
2. Award a Public Works Agreement (PWA) for construction to All American Asphalt, 400 East Sixth Street, Corona, California 92879 in the amount of \$2,828,000 (Base Bid including Additive Bid).
3. Award a Professional Services Agreement (PSA) for construction management services to Z&K Consultants, 473 E. Carnegie Drive, San Bernardino, California 92408 in the amount of \$299,608.
4. Authorize the City Manager and City Clerk to execute the PWA (Attachment 1) for All American Asphalt and PSA (Attachment 2) for Z&K Consultants and future amendments to the agreements within Council authorized limits.
5. Authorize an additional ten percent (10%) contingency in the amount of \$282,800 for construction and also an additional (10%) contingency in the amount of \$29,961 for construction management, as needed for any unforeseen costs related to this project.

Attachments: [1. PWA - All American Asphalt](#)
[2. PSA - Z & K Consultants, Inc.](#)
[3. Street Rehabilitation Map Locations](#)
[4. Bid Abstract](#)

6. [POLICE DEPARTMENT RANGE REMODEL AND UPGRADES 21-521 PROJECT](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve Amendment No. 1 (Attachment 1) to Gillis & Panichapan Architects (GPa) in order to authorize an additional \$38,413 for architectural design services related to Americans with Disabilities Act (ADA) upgrades for the Police Department Range Remodel and Upgrades Project; and
2. Authorize the City Manager and City Clerk to execute Amendment No. 1 to the original Professional Services Agreement (PSA) for GPa and future amendments to the PSA within Council authorized limits.

Attachments: [1. Amendment No. 1](#)
[2. Change Order request](#)

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. [CITY OF COSTA MESA 2021-2029 \(SIXTH CYCLE\) HOUSING 21-549 ELEMENT \(GP-21-01\)](#)

RECOMMENDATION:

Staff recommends that the City Council adopt a Resolution that approves and adopts the Initial Study/Mitigated Negative Declaration (IS/MND) including the Mitigation Monitoring and Reporting Program, and approve General Plan Amendment 21-01 for the City of Costa Mesa 2021-2029 (Sixth Cycle) Housing Element update.

Attachments: [1. Revisions to Draft Housing Element \(since 01.18.22 Meeting\)](#)
[2. Planning Commission Resolution](#)
[3. Housing Element Update ISMND](#)
[4. Mitigation Monitoring and Reporting Program](#)
[5. Draft Housing Element \(clean version\)](#)

OLD BUSINESS:

1. [COMMUNITY WORKFORCE AGREEMENT](#) [21-419](#)

RECOMMENDATION:

Staff requests the City Council:

1. Provide direction on the attached Community Workforce Agreement (CWA) (Attachment 1) for a five-year term between the City of Costa Mesa (City) and the Los Angeles/Orange Counties Building and Construction Trades Council (Trades Council).
2. If approved, authorize the City Manager or designee to execute the agreement and accept any minor modifications to the agreement during the CWA term.

Attachments: [1. CWA](#)

NEW BUSINESS:

1. [PROFESSIONAL SERVICES AGREEMENT FOR BIOLOGICAL 21-531
MANAGEMENT AND HABITAT REHABILITATION SERVICES AT
FAIRVIEW PARK](#)

RECOMMENDATION:

1. Award a Professional Services Agreement to Endemic Environmental Services, Inc., in an annual amount not-to-exceed \$322,595 for professional biological management and habitat rehabilitation services at Fairview Park for a term of two years, with three one-year extension options, with the option to provide Consumer Price Index (CPI) increases during each one-year extension period, plus a five-percent (5%) annual contingency for unforeseen costs, if needed.
2. Authorize the City Manager and the City Clerk to execute the Professional Services Agreement and future amendments to the agreement, including any amendments to extend the term and increase Endemic's compensation based on CPI or to utilize the contingency authorized herein.

Attachments: [1. PSA-Endemic Environmental Services Inc.](#)

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

ADJOURNMENT