



City of Costa Mesa

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

Agenda

Tuesday, May 3, 2022

6:00 PM

City Council Chambers
77 Fair Drive

***Note: All agency memberships are reflected in the title "Council Member"
4:00 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. Pursuant to the State of California Assembly Bill 361 (Gov. Code §54953(b)(3)) the 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: Attendees are encouraged to wear masks at their discretion. If you are feeling ill, you may still participate in the meeting via Zoom.
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 4:00 p.m. and 6:00 p.m. meetings)

Please click the link below to join the webinar:

<https://us06web.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.

4. 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.

5. Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at (714) 754-5225 or cityclerk@costamesaca.gov and staff will attempt to accommodate you. 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.

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 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. Note, Closed Captioning is available via the Zoom application. 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
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Katherine Sherouse individually and doing business as Camp Lila v. City of Costa Mesa, et al., United States District Court, Central District of California, Civil Action No. 8:22-cv-00756-JVS-ADSx
2. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: RDX 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
3. 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.
4. 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**

MAY 3, 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

Led by Mariachi Juvenil Herencia Michoacana

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 Christine Wallington, Seventh Day Adventist Church

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS

1. [Proclamation: Asian American Pacific Islander Heritage Month](#) [22-673](#)
Attachments: [Proclamation: Asian American Pacific Islander Heritage Month](#)

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2. [Proclamation: Lupus Awareness Month](#) [22-674](#)
Attachments: [Proclamation: Lupus Awareness Month](#)
 3. [Proclamation: National Bike Month](#) [22-675](#)
Attachments: [Proclamation: National Bike Month](#)
 4. [Presentation: Orange County Housing Finance Trust Update](#) [22-677](#)

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 Gameros
2. Council Member Harlan
3. Council Member Harper
4. Council Member Reynolds
5. Council Member Chavez
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 22-599 OF ALL ORDINANCES AND RESOLUTIONS](#)

RECOMMENDATION:

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

2. [READING FOLDER](#) [22-671](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Linda Fredrick Oneill; Debra Von Trapp.

3. [ADOPTION OF WARRANT RESOLUTION](#) [22-670](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2679

Attachments: [Summary Check Register week of 4.11.22](#)
[Summary Check Register week of 4.18.22](#)

4. [MINUTES](#) [22-672](#)

RECOMMENDATION:

City Council approve the Minutes of the Regular meeting of April 5, 2022.

Attachments: [04-05-2022 Draft Minutes](#)

5. [WILSON STREET IMPROVEMENT PROJECT, CITY PROJECT NO. 22-663
22-01](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Adopt plans, specifications, and working details for the Wilson Street Improvement Project, City Project No. 22-01.
2. Award a Public Works Agreement (PWA) for construction to All American Asphalt, 400 East Sixth Street, Corona, California 92879 in the amount of \$1,795,390.50 (Base Bid including Additive Bids).
3. Authorize the City Manager and City Clerk to execute the PWA for All American Asphalt and future amendments to the agreements within Council authorized limits.
4. Authorize a ten percent (10%) contingency in the amount of \$179,539 for construction and unforeseen costs related to this project.
5. Approve a budget transfer, reallocating available Community Development Block Grant (CDBG) budget in the amount of \$600,000 to the Wilson Street Improvement Project.
6. Authorize appropriation of Gas Tax Fund balance in the amount of \$435,000 to the Wilson Street Improvement Project.

Attachments: [1. Public Works Agreement](#)
[2. Location Map](#)
[3. Bid Abstract](#)

6. [AWARD OF CITYWIDE TRAFFIC SIGNAL MAINTENANCE 22-665 CONTRACT](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the proposed Maintenance Services Agreement (MSA) with Yunex LLC for the maintenance of the City's traffic signals in an amount not to exceed \$400,000 annually, for an initial term of three (3) years with two (2) one-year renewal options for a total of five years.
2. Approve a 10% contingency annually for unforeseen costs relating to the City's traffic signals.
3. Authorize the City Manager and the City Clerk to execute the agreement and future amendments to the agreement.

Attachments: [1. Maintenance Services Agreement](#)

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. [**FISCAL YEAR 2022-2023 ANNUAL ACTION PLAN IDENTIFYING 22-667 FUNDING PRIORITIES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AND HOME INVESTMENT PARTNERSHIPS GRANT \(HOME\) PROGRAMS**](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Hold a Public Hearing regarding the 2022-2023 Annual Action Plan.
2. Approve the recommended allocation of \$1,137,737 for the Fiscal Year 2022-2023 Community Development Block Grant.
3. Approve the recommended allocation of \$501,749 for the Fiscal Year 2022-2023 HOME Investment Partnerships Grant.
4. Adopt Resolution No. 2022-XX in order to:
 - a. Approve the 2022-2023 Annual Action Plan.
 - b. Authorize the City Manager, or the City Manager's designee, to submit the 2022-2023 Annual Action Plan to the U.S. Department of Housing and Urban Development.
 - c. Designate the City Manager, or the City Manager's designee, as the official representative of the City to administer the programs and to execute and submit all required agreements, certifications, and documents required by HUD, and execute all subrecipient agreements for the use of funds approved in the 2022-2023 Annual Action Plan.
5. Authorize the City Manager or designee to approve staff procedures and guideline for the implementation of CDGB- and HOME-funded programs.

Attachments: [1. Resolution](#)

[2. Public Service Grant Recommendations](#)

[3. 2022-2023 Draft AAP](#)

[4. AAP 1 & 5-Year Accomplishment Table](#)

[5. AAP Public Hearing & Comment Period Public Notice](#)

[6. AAP Map of CDBG Eligible Areas](#)

[7. AAP Analysis of Impediments Details](#)

[8. AAP Increase Median Area Purchase Price Limit](#)

2. [SUBSTANTIAL AMENDMENT TO THE FISCAL YEAR 2021-2022 22-668 ANNUAL ACTION PLAN IDENTIFYING FUNDING PRIORITIES FOR THE HOME-AMERICAN RESCUE PLAN \(ARP\) ALLOCATION PLAN](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Hold a Public Hearing regarding the FY 2021-2022 Substantial Amendment to the Annual Action Plan.
2. Approve the recommended allocation of \$1,816,742 for the HOME-ARP Allocation Plan, a Substantial Amendment to the FY 2021-2022 Annual Action Plan.
3. Adopt Resolution No. 2022-XX in order to:
 - a. Approve the HOME-ARP Allocation Plan, a Substantial Amendment to the 2021-2022 Annual Action Plan.
 - b. Authorize the City Manager, or the City Manager's designee, to submit the 2021-2022 Annual Action Plan Substantial Amendment to the U.S. Department of Housing and Urban Development.
 - c. Designate the City Manager, or the City Manager's designee, as the official representative of the City to administer the programs and to execute and submit all required agreements, certifications, and documents required by HUD, and execute all agreements for the use of funds approved in the 2021-2022 Annual Action Plan Substantial Amendment.
4. Authorize revenue and expense appropriations, respectively, each in the amount of \$1,816,742, for the HOME-ARP Allocation Plan.

Attachments: [1. Resolution](#)
[2. HOME ARP Allocation Plan FY21-22 Draft](#)
[3. Public Notice](#)
[4. HOME-ARP Survey Results 04272022](#)

OLD BUSINESS:

NONE.

NEW BUSINESS:

1. **[RESIDENTIAL PERMIT PARKING PROGRAM](#)** **[22-639](#)**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve revised Residential Permit Parking program guidelines and policies.
2. Approve an annual residential parking permit fee with an escalating rate structure and discount for qualifying low-income residents.
3. Authorize staff and the City Attorney to initiate amendments to the Costa Mesa Municipal Code (CMMC) incorporating proposed changes to the Residential Permit Parking program and return to City Council for approval through the Public Hearing process.

- Attachments:** [1. Draft RPP Program Guidelines and Policies](#)
[2. 2016 City Council Guidelines](#)
[3. Data Summary Report and Survey Summary](#)
[4. RPP Zoning Map - Source of Impact Report](#)
[5. Costa Mesa Residential Parking Action Plan](#)

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

ADJOURNMENT