
From: Kim Hendricks <kimhendricks26@gmail.com>
Sent: Tuesday, July 19, 2022 11:49 AM
To: CITY CLERK; TERAN, STACY
Cc: GREEN, BRENDA
Subject: Public Comments for Mosquito Presentation
Attachments: IMG-4929.jpg; IMG-4930.jpg

To City Council,
Does the city plan to heed the advice of Dudek and put up bat boxes at the pond area below by a qualified bat biologist?
Kim Hendricks

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

Comprehensive Operational Evaluation of Fairview Park Wetlands and Riparian Habitat

Prepared for:

City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628
Contact: Cynthia D'Agosta

Prepared by:

DUDEK
2280 Historic Decatur, Suite 200
San Diego, CA 92106
Contact: Nicole Rieger, PE and Jennifer O'Brien, EIT

October 2020

Dudek
760.942.5147

27372 Calle Arroyo
San Juan Capistrano, California 92675

2.4 Vector Control

DUDEK

- a) Remove all emergent vegetation in ponds, in water less than 2-feet deep. We recommend constructing aquatic planters and/or planting shelves in water greater than 2-ft deep to confine vegetation to areas of appropriate depth consistent with the 2015 Vector Control Plan. The existing aquatic planters should be abandoned or modified to confine planting to areas only where the water is at the appropriate depth, 2-ft or greater.
- b) Thin and reduce the density of emergent aquatic vegetation clusters to comply with recommendations in the 2015 Vector Control Plan to limit the density of leaf area (i.e., tillerage) to 30% to 40% of the aquatic planter water surface area.
- c) Thin and remove dense emergent vegetation to comply with recommendations in the 2015 Vector Control Plan to limit the width of emergent pond vegetation to clusters of 50 to 75-feet maximum width.
- d) Remove the sloped pond and channel edges and reconstruct a vertical edge that maintains water depth at a minimum of 2-feet at the edge. This will eliminate approximately 36,000 square feet of potentially suitable habitat for development of mosquito larvae.
- e) Restore the conveyance section of the Placentia Drain to restore conveyance in the channel and eliminate ponded water downstream of Pond-F. Remove sediment deposited in the Placentia Drain from the bluff slope failure(s) that causes ponding of discharge in the Placentia Drain between the deposits of the channel and Pond-F.
- f) Increase the resident bat population present in the wetland area by constructing/installing bat boxes to house and support an adequate resident population of bats to provide significant adult mosquito population suppression. A total of 4-6 bat boxes should be strategically placed throughout the site, in areas that would have the highest likelihood for attracting bat species that roost in bat boxes. These bat boxes can be constructed using accepted design details, or purchased pre-fabricated from a reputable source such as Bat Conservation & Management. The bat boxes will be placed onto a 10-20 foot tall pole and cemented into the ground, and placed in an area that will receive sufficient sunlight to maintain an internal day-time temperature of approximately 90° Fahrenheit. A qualified bat biologist should assist in the placement of the bat boxes on the site. Additionally, installing bat boxes could be a community outreach opportunity for the City by partnering with a local Boy Scout troop for an Eagle Scout project to build and place bat boxes.
- g) Increase the resident fish population and improve the diversity of fish in the ponds by implementing a structured stocking program to provide significant suppression of juvenile mosquito and larvae populations. The stocking program should include mosquito fish and other compatible native fresh water species such as bass, blue gill, catfish, sunfish, perch, etc. The goal of the fish development program is to develop a compatible fish ecosystem that is complimentary, requires little management and restocking, and is effective at predation of mosquito and midge fly larvae. The fish stocking program should be closely monitored by a qualified biologist.
- h) Increase the resident bottom feeding aquatic benthic micro-invertebrate and other aquatic organism population to provide significant water quality improvement and suppression of juvenile mosquito and larvae populations. Periodic stocking may be necessary until a balance is achieved between the bottom feeders and predation by fish, aquatic birds, and amphibians. The stocking program should include native worms, snails, mussels, crayfish, catfish, and turtles, etc. The goal of the bottom feeder development program is to develop a compatible aquatic organism ecosystem that is complimentary, requires little management and restocking, and is effective at predation of mosquito and midge fly larvae. The bottom feeder stocking program should be closely monitored by a qualified biologist.
- i) Modify the emergent pond vegetation and wetland vegetation planting palette to include native vegetation and flowering species that attract dragon flies and damsel flies and thereby increase the resident population of each in the wetland/pond area. Dragon flies are effective predators of adult mosquitos. Increasing the resident population would provide an effective complimentary means of suppressing adult mosquito populations.

From: GREEN, BRENDA
Sent: Tuesday, July 19, 2022 8:00 AM
To: BENNETT, STACY
Subject: FW: The sun sets on the Cultural Arts Committee

Brenda Green
City Clerk
City of Costa Mesa
714/754-5221

Effective, Wednesday, February 16, 2022, City Hall will return to walk-in appointments for the public. Costa Mesa will continue to follow the state mask guidelines. While City Hall will be open, we still encourage members of the public to take advantage of our appointment system.

Appointments can be made at www.costamesaca.gov/appointments.

E-mail correspondence with the City of Costa Mesa (and attachments, if any) may be subject to the California Public Records Act, and as such may, therefore, be subject to public disclosure unless otherwise exempt under the act.

From: Charlene <charlene.ashendorf@gmail.com>
Sent: Monday, July 18, 2022 8:11 PM
To: GREEN, BRENDA <brenda.green@costamesaca.gov>
Subject: The sun sets on the Cultural Arts Committee

Dear Brenda, Comments for the city council meeting of 7/19.

Dear Mayor Stephens and Members of the City Council:

Without fanfare and merely more than a whimper, as Chair of the Cultural Arts Committee, I adjourned its final meeting on Thursday, July 14, 2022, at 6:00 PM.

During my comments, I recalled the important date in August 1984 when Councilmember Norma Hertzog made a motion to initiate a nine-member arts committee. At that time the "City of the Arts" motto was adopted and the Mayor proclaimed September as Arts Month in Costa Mesa.

Historical information about the Cultural Arts Committee has been recorded and available since 2004 on the city's website.

During those 18 years, approximately 51 different individuals served on this committee. More than 30 have volunteered for multiple terms.

You will recognize many of the names of these long-term art supporters: Frank Guiterrez - 18 years, Kathleen Eric 15 years, Tony Manrique 14 years. In my nine years of service on the CAC, I have volunteered alongside some of the best members of our community including artists, nonprofit directors, historians, art business owners, advocates, community members and our Mayor Pro-Tem.

While no one has captured the count of thousands of donated volunteer hours (to the best of my knowledge), these folks not only paved the way for arts as we know it in Costa Mesa but shaped its future in our community.

When I first addressed the Cultural Arts Committee five years ago, I had three dreams for Costa Mesa; 1) a Master Plan for the arts, 2) the establishment of an Arts Commission and 3) our own community arts Center. We've accomplished two with one to go!

Today is a good day. Almost 38 years to the day our council will approve the long-awaited Arts Commission. Thanks to previous councils and the current council. Thanks to previous dedicated staff and our current staff who are well armed with creativity, energy and belief in our motto. To the hundreds of hands-on volunteer supporters, visionaries, leaders and creatives whose names we recall and those we cannot, Thank you.

We know that after the sun does set, it will rise and shine on new opportunities for the City of the Arts.

Thank you,

Charlene Ashendorf

<https://about.me/cmash.oc>

Building A Better Community

All things Costa Mesa: Arts, Parks & Seniors

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

From: Wendy Leece <leecefam@sbcglobal.net>
Sent: Tuesday, July 19, 2022 11:16 AM
To: CITY CLERK; CITY COUNCIL
Cc: MINTER, JASON; Kim Hendricks; jasonkomala@gmail.com; deborah.koken@gmail.com; Ralph Taboada
Subject: DRAFT Charts of Fairview Park CPI projects
Attachments: Draft Fairview Park CPI Projects FYs 2015 to 2023.docx

Hello Brenda and City Council,

I will be referencing this **draft** of 4 charts acknowledging *long standing* Fairview Park projects forecasted in the City CPI. One project, , "CA-ORA 48 Fill Removal, Cap & Restore Native Habitat" goes to the 2015-16 CPI forecast through FY 2021-22.

This document is still a draft (my eyes got tired transferring the figures to the chart) but paints a picture that many projects for Fairview Park have been forecasted, yet never adopted in the various budgets.

With all due respect,

Wendy Leece

Wendy Leece

"The test of the morality of a society is what it does for its children." Dietrich Bonhoeffer

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

FOUR FAIRVIEW PARK CIP PROJECTS HISTORY 2015-2023

Project: Educational Hubs and Signage

CIP First Mention 2019-20

2015-16	2019-20	20-21	21-22	2022-23	23-24	24-25	25-26	Total
Missing								
FY2016-17								
FY2017-18								
FY2018-19								
FY2019-20		71,500	473,000					544,500
FY2000-21			71,500	473,000				544,500
FY2021-22		71,500	473,000					544,500
FY2022-23					88,000	82,5000		170,000

Project: West Bluff Repair Restoration

CIP First Mention 2015-16

[illegible]

Project: CA-ORA-58 Fill Removal, Cap & Restore Native Habitat

CIP First Mention 2015-16

													TOTAL
2015-16 though FY2021-22	FY 2015-16	FY 2016-17 250,000	FY2017-18 2,000,000	FY2018-19 2,000,000	2019-20 2,000,000	2020-21 2,000,000	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	8,250,000
Missing FY2016-17													
FY2017-18			250,000	2,000,000	2,000,000	2,000,000	2,000,000						8,250,000
FY2018-19						2,000,000	2,000,000	2,000,000					6,000,000
FY2019-20													7,000,000
FY2020-21													7,000,000
FY2021-22													7,000,000
FY2022-23									0	0	0	0	7,000,000

Master Plan Implementation

CIP First Mention 2017-18

2017-18	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	24-25	25-26	future	Total
	250,000	250,000	250,000	250,000	250,000	250,000	250,000				1,750,000
2018-19			250,000	250,000	250,000	250,000	250,000	250,000			1,500,000
2019-20			250,000Adopt								250,000
2020-21										20,000,000	20,000,000
2021-22										20,000,000	20,000,000
2022-23							200,000	800,000			1,000,000

To City Council and Public Record for Public Comments July 19, 2022

First Project:

Fairview Park Vernal Pool 5,6,7 and Watershed Restoration:

Looking at the 7-Year CIP, latest 5-Year CIP, Annual CIP, Ongoing CIP balances, and approved contracts, I have some questions. It looks like an approved city council project hasn't been reflected on any of the CIP's up to 2025.

On the Meeting Date of October 15, 2019, City Council approved an agreement with Glenn Lukos Associates for the Restoration and Long-Term Maintenance and Monitoring of Fairview Park Vernal Pools 5,6, and 7.

It is a six (6) year contract starting on Oct. 15, 2019 and ending on October 14, 2025 for \$126,046. The city accepted a grant on April 16, 2019 from the California Department of Parks and Recreation for the Fairview Park vernal pools and watersheds restoration for \$150,000.

The city is to match the grant amount of \$150,000.

According to the 'Remaining balance of CIP Projects as of 4/15/21 – (see attached) the city has a remaining balance of \$234,000 since the Actuals are 65,011 and the Budget amount is \$300,000. I question this 'Remaining balance'. If the city has actually 65,011 for the project, and the city needs to match \$150,000 for the project, then the city should only have a remaining balance of \$84,989, not \$234,000.

Whatever amount is needed to make up the \$150,000 by the city, then why isn't the vernal pool restoration included on any of the CIP's since 2019, when the project was approved? I don't see any money for vernal pool/watershed restoration from 2019 – when the project was approved all the way up to 2026 – the latest year of CIP's.

Also, how can the city approve a contract for \$126,046, if they don't already have the money in a budget account available? The city is responsible for \$150,000 to match the grant. Why wasn't the total amount needed to match the grant approved? Why wasn't that extra \$23,954 included when City Council approved it on Oct. 14, 2019?

These are some of the questions I have about the financial aspect of this project.

I have a few questions about the actual implementation of this project as well.

Glenn Lukos Associates put together an outlined restoration plan for the vernal pools 5,6,7 and their watershed which the city agreed to follow. (See attached) The watershed for vernal pool 6 has been ignored by allowing a storage bin supplied by the city for the Harbor Soaring Society to remain on the watershed in conjunction with the 'mishap' fencing that Mr. Bart

Mejia did in 2018 and all fencing had to be removed but this one was ignored by the city. (See attached)

According to the Glenn Lukos agreement, the fencing for vernal pools 5,6,7 were supposed to have a biologist present to monitor the location of the fencing. Yet, the fencing was installed by a part-time employee who had a vague map that he was following. I have spoken to him about this. The fencing was placed over the original vernal pool 7 and shouldn't have been. It needs to be fixed.

Those are my questions and concerns for now about this project, I hope you can answer or look into them to get the answers.

City Council Mileau:

One thing I've noticed is that when City Council asks City Staff to do something, City Staff feels compelled to do it in some way or another. It has been known that City Councils have asked city staff to do some things in Fairview Park that should not have been done, according to State and Federal Laws; a DG path on a vernal pool, filling and grading sensitive habitat in a steep canyon, allowing a runway on a vernal pool watershed, and more. I would like to see City Council work WITH City Staff and not give them unreasonable demands. I would like to see City Staff be able to speak truthfully to City Council without fear of criticism.

That means you as City Council members need to be aware of what you are really asking city staff to do.

I've also seen the City Attorney give misinformation to City Council and City Staff; saying CEQA didn't need to be followed for grading a vernal pool watershed. I've seen the City Attorney not give direct answers to council questions and even give advice to vote on something saying that if it doesn't work it can come back before council. We all know that takes time and many times doesn't make it back to city council in a reasonable time, if at all. I would like to see the City Attorney stop giving misinformation and avoid accountability and instead simply say, "I don't know, I'll have to get back to you" instead of trying to push things through.

Second Project:

Fairview Park Bluff Restoration

This project was approved at the City Council Meeting Date on February 5, 2019. It was a Funding for Emergency Repairs to Fairview Park Bluffs and approved a budget adjustment in the amount of \$200,000 from unassigned fund balance in the Park Fees Fund to pay for the necessary emergency repairs to the bluffs (cliffs) at Fairview Park.

The Fairview Park Bluffs project is in the CIP

This has been done so I question any money from the latest 11 million dollar grant from the State to be assigned to this project as stated by the City in the Daily Pilot newspaper article.

Third Project:

There were some projects in the CIP that were removed since they were not for the restoration or education in Fairview Park and would trigger Measure AA, such as the stairway at southern end of Fairview Park for \$350,000. That was in the CIP for 2018-2019 but was removed, can't that money be allocated for something else like maybe the vernal pool watershed 5,6,7 restoration?

In general, the City does not appear to be moving in the right direction for restoring, preserving, and protecting Fairview Park. We all love concerts but having a concert in a passive nature park like Fairview Park is inappropriate. USFW talked about "Public Perception" in their letter to the City dated Feb. 2019 and specifically named 'Concerts in the Park' as being one of the events that misleads the public about what kind of park Fairview Park is. It is very disappointing that the City of Costa Mesa not only allowed concerts to be held in Fairview Park this year, but donated money to it along with the city attorney group, Jones-Mayer. For shame, for shame! Concerts could easily be planned at a more appropriate place like Balearic or Tewinkle Park, but the city choose not to. Definitely not in the best interest for Fairview Park and her natural resources.

Many residents have expressed their frustration with the city dragging their feet to restore, preserve, and protect Fairview Park as well as the city's neglect to enforce the rules. The sign clearly says, "All rc cars prohibited" but the ranger does not enforce this rule and I was told that the "intention" of the sign was for "gas powered rc cars". That's not what the sign says and any intention not stated is not warranted.

Kim Hendricks

From: Jenn Tanaka <jenn@cmabs.org>
Sent: Tuesday, July 19, 2022 11:37 AM
To: CITY COUNCIL; SETHURAMAN, RAJA
Cc: CITY CLERK; THOMAS, BRETT ATENCIO
Subject: Thank You for Bristol Street Bollards! (Consent Calendar Item No. 12)

Members of the City Council and Mr. Sethuraman:

As Consent Calendar Item No. 12 affords me the opportunity, I want to thank both the Council and Staff for installing the green paint, conflict striping and K71 bollards on Bristol Street. As me and my CMABS colleagues like to repeat, pairing approved transportation improvements with routine maintenance is a Strong Towns approach that both maximizes the economic efficiency of these projects and permits gradual, but constant, improvement to occur. We have also been calling for the Active Transportation Plan to be implemented wherever practical and I don't want progress toward that goal to go unnoticed. It is awesome.

With respect to this project in particular, I can't emphasize enough the positive visual impact the bollards and green paint create. Putting in these small changes, which do not inconvenience motorists but provide meaningful comfort to bicyclists, says that the City really gets how vital active transportation is to the prosperity and quality of life of its residents. And it is a better advertisement than any marketing campaign that Costa Mesa is serious about maximizing access to the best things SoCal has to offer -- easy access to jobs and amenities and the absolute perfect climate and topography for pleasant bike riding.

Bravo and I look forward to more projects like this one!

Jenn Tanaka
321 Broadway, Costa Mesa

<p>CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.</p>
--

From: Alon Gamliel <agconstruction18@gmail.com>
Sent: Sunday, July 17, 2022 10:15 PM
To: CITY CLERK
Subject: COSTA MESA POLICE DEPARTMENT INDOOR RANGE UPGRADES PROJECT
Attachments: CCF_000077.pdf

Hello,

On behalf of AG Construction, I would like to make the following comment at the Costa Mesa City Council Meeting on July 19th at 6:00 pm on Agenda Item #13 with regards to City Project No. 22-03. I would also like the attached letter to be read into record.

Honorable Mayor and Councilmembers,

With regards POLICE DEPARTMENT RANGE REMODEL AND UPGRADES PROJECT, CITY PROJECT NO. 22-03. AG Construction was the lowest bidder on the above mentioned bid. The bid was later rejected for allegedly being non-responsive for not using a specific brand of elevator. The elevator that was used in the bid is LULA compliant and manufactured in the USA. AG Construction should be given the opportunity to swap out the elevators to that specified in the job specifications. The difference in the bid amount is \$125,582.00, if AG Construction uses the specified elevators it's bid would *still* be the lowest bid, resulting in saving for the city. We are willing to use the specified brand with our current bid which stands at \$1,805,495.00. which would be the lowest responsive bid.

Please submit into record the attached letter, which was also mailed in, contesting this discussion.

Sincerely

Alon Gamliel
Owner

--

AG CONSTRUCTION

LIC # 706172
PH: 818-963-1683
FAX: 818-578-6692

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

AG Construction

18960 Ventura Blvd. #211, Tarzana CA 91356

July 07, 2022

Raja Sethuraman
Public Work Director
City Of Costa Mesa

Re: Responses to bid finding of non-responsive Project No.22-03

A disqualification letter for the 22-03 Costa Mesa Police Department Indoor Range Upgrade project was sent to AG Construction, the lowest responsive bidder on the project. I am hereby contesting the decision to determine that the bid is "non-responsive".


The City of Costa Mesa is not complying with the rules of public works bidding. As the lowest bidder, the job is supposed to be awarded to AG Construction (hereinafter AG). AG's bid is said to be non-responsive for failure to use Garaventa manufactured elevator. The specifications for the job listed the use of LULA compliant elevators. We used Arrow Lift, which is LULA compliant and also manufactured in the USA. Since a LULA compliant elevator was used, the bid cannot be declared unresponsive. Furthermore, unlike Garaventa, Arrow Lift complies with Government Code 4300 which states that American made materials are to be used in public works projects. Please see attached Arrow Lift letter, indicating compliance with LULA and U.S. Manufacturing.

If the City wishes to use the specific brand, AG should be given the opportunity to comply with that specific brand. This opportunity was not awarded to us. In compliance with the California Public Contract Code section 3400, we can submit a request for a compatible ("equal") product. Per governing rules, AG should be awarded the contract and allowed to switch the elevator company to one specified or to use Arrow Lift which is in further compliance with government codes.

Per the job specifications with regards to equivalent materials, "It is the sole responsibility of the successful bidder to prove to the City that a proposed substitute is truly an equivalent to what has been specified." AG sent in the offer to substitute on June 15, 2022 conforming with the specific requirements. The difference in the bid amount is \$125,582.00, if AG uses the specified elevators it's bid would still be lower than that of Kazoni Inc. resulting in saving for the city. Alternatively, we are willing to use the specified brand with our bid which stands at \$1,805,495.00.

Due to the reasons specified above the job awarded to AG Construction should stay due to the fact that we are responsive and the lowest bidder. As such, we urge that the decision to give the job to another contractor be overturned. Please see attached supporting documents.

Sincerely,


Alon Gamliel
Owner

**SECTION 14 2101
ELECTRIC LIFT**

PART 1 GENERAL

1.01 SECTION INCLUDES

- A. Design/Build system for an Electric/Hydraulic Lift: Limited Use, Limited Application.
- B. Deferred Review and Approval by Building Department and Structural Engineer of Record.
- C. Deferred Review and Approval and Certification by State Governing Authorities.

1.02 REFERENCE STANDARDS

- A. ASME A17.1/CSA B-44, Section 5.2 LU/LA Elevators. ADA (Americans with Disabilities Act)

1.03 ADMINISTRATIVE REQUIREMENTS

- A. Coordination:
 - 1. Coordinate with existing Conditions including electrical and mechanical.
 - 2. Coordinate with existing Built conditions.
 - 3. Coordinate with required clearances.
 - 4. Coordinate with Structural modifications as shown on the Drawings.
 - 5. Coordinate with State and Local regulations.
- B. Deferred Approvals:
 - 1. Contractor to Submit Shop Drawings, etc. for Building Department and Structural Engineer of Record Review and Approval.
 - 2. Contractor to Submit Electrical/Power requirements for coordination with existing Building power supply. Electrical Engineer of Record shall review the information.

1.04 SUBMITTALS

- A. Product Data: Approvals and Warranties.
- B. Shop Drawings: Indicate vertical and horizontal clearances and existing conditions.
- C. Erection Drawings: Indicate required clearances and method of installation (including access through building).
- D. Manufacturer's Instructions: Indicate installation process.
- E. Installer's qualification statement.
- F. Testing agency's qualification statement.
- G. Executed warranty.

1.05 QUALITY ASSURANCE

- A. Manufacturer Qualifications: Company specializing in manufacturing products specified in this section, with at least three years of documented experience.
- B. Installer Qualifications: Company specializing in performing work of the type specified and with at least three years of documented experience.

1.06 FIELD CONDITIONS

- A. Existing Conditions: Review existing site and utilities.

1.07 WARRANTY

- A. Manufacturer Warranty: Provide standard two (2) year manufacturer warranty for lift and support equipment. Complete forms in Owner's name and register with manufacturer. Start of warranty to be at Substantial Completion.

PART 2 PRODUCTS

2.01 SYSTEMS

- A. Manufacturers:
 - 1. Garaventa Lift, www.garaventalift.com.

2. Substitutions: Previously Reviewed and Approved Equals will be Accepted..
- B. Design Criteria:
 1. Design based on Garaventa Style 1 (one exit/entry).
 2. Three (3) stop (Basement, 1st Floor, 2nd Floor)
- C. Operation:
 1. Power Supply:
 - a. Elevator: Standard 208 VAC three Phase, (option 230 VAC single phase)
 - b. Lighting: 120 VAC single phase, 15 amps.
 - c. Coordinate with existing Lift power.
 - d. Provide and install new Disconnect at Lift Mechanical Room.
 - e. Provide and Install new computerized (PLC) controller with Emergency Backup power system.
- D. Finish:
 1. Wall Finishes: Laminate Plastic (selected during Construction from standard options)
 2. Wall Trim Finishes: Stainless Steel
 3. Floor Finish:

2.02 OPTIONS

- A. Integrated hands free telephone and Phone Monitoring.
- B. Accessible/ADA braille markings. Car direction lantern with audio and visual signals.
- C. Safety Devices: Full height photo-electric door sensors
- D. Emergency battery lowering system. Emergency manual lowering valve. Safety brake system automatic bi-directional floor levelling. Stop keyswitch and alarm button in car. Final limit switch. overspeed valve. Pit Prop.

PART 3 EXECUTION

3.01 INSTALLATION

- A. Install in accordance with manufacturer's written instructions.

3.02 SYSTEM STARTUP

- A. Manufacturer Services: Provide services of manufacturer's field representative to perform systems startup.
- B. Prepare and start equipment and systems in accordance with manufacturers' instructions and recommendations.

3.03 CLEANING

- A. Clean all surfaces prior to Final closeout.

3.04 CLOSEOUT ACTIVITIES

- A. Demonstrate proper operation of equipment to Owner's designated representative.
- B. Approvals: Provide documentation indicating approvals as required by State and Local governing jurisdictions.
- C. Training: Train Owner's personnel on operation and maintenance of system.
 1. Training Reference: Operation and maintenance manual and additional training materials as required.
 2. Provide minimum of One hour of training.

3.05 PROTECTION

- A. Protect installed Elevator from subsequent construction operations.

END OF SECTION

14. BIDDERS INTERESTED IN MORE THAN ONE BID: No person, firm or corporation shall be allowed to make, or file or be interested in more than one bid for the same work unless alternate bids are specifically called for.
15. INTERPRETATION OF PLANS AND DOCUMENTS: If any Bidder contemplating submitting a bid for the proposed contract is in doubt as to the true meaning of any part of the drawings, specifications, or other Contract Documents, or finds discrepancies in, or omissions from the drawings and specifications, it may submit to the Engineer a written request for an interpretation or correction thereof. The Bidder submitting the Request for Interpretation (RFI) shall be responsible for its prompt delivery and on the form included within this IFB (Page B-6) Any interpretation or correction of the Contract Documents will be made only by addendum duly issued and a copy of such addendum will be published and distributed through the *PlanetBids* dashboard. No person is authorized to make any oral interpretation of any provision in the Contract Documents to any Bidder, and no Bidder is authorized to rely on any such unauthorized oral interpretation.

Work not particularly specified in the specifications or details on the contract drawings but involved in carrying out the intent, the complete and proper execution of the work, is required and shall be performed by the Contractor.

Should it appear that there is a real or apparent discrepancy between different sections of specifications concerning nature, quality or extent of the Work to be furnished, it shall be assumed that the Contractor has based his bid on the more expensive manner. Final decision shall rest with the City.

16. ADDENDA: The effect of all addenda to the Contract Documents shall be considered in the bid package and said addenda shall be made part of the Contract Documents and shall be returned with the bid package. Failure to submit any such addenda with the bid package may render the bid irregular and result in its rejection by the City.
17. QUESTIONS TO THE ENGINEER: *Pre-bid questions and requests for interpretation (RFIs) of the bid documents (i.e. Plans, Specifications, Contract Documents, Bid Forms, etc.) shall be submitted no later than 5:00 pm May 27, 2022. Any questions or RFI requests submitted after the advertised date may not receive a response. Substitution proposals will only be considered during the bidding phase.*
18. EQUIVALENT MATERIALS: *Requests for the use of equivalents to those specified, must be submitted to the City during the bidding phase. All substitution proposal requests shall be submitted to the City for review no later than 5:00 pm May 27, 2022. No substitution proposals will be accepted after the advertised date, and no substitutions will be considered after award. It is the sole responsibility of the successful bidder to prove to the City that a proposed substitute is truly an equivalent to what has been specified.*
19. EVIDENCE OF RESPONSIBILITY: Upon the request of the City, a bidder whose bid is under consideration for the award of the contract shall submit promptly to the City satisfactory evidence showing the Bidder has sufficient financial resources, construction experience, equipment, labor, managerial experience, technical experience, organization, and adequate facilities available for the performance of the contract.
20. LEGAL RESPONSIBILITIES: All proposals must be submitted, filed, made and executed in accordance with State and Federal laws relating to bids for contracts of this nature whether the same or expressly referred to herein or not. Any Bidder submitting a proposal shall by such action thereby agree to each and all of the terms, conditions, provisions and requirements set forth, contemplated and referred to in the Plans, Specifications and other Contract Documents, and to full compliance therewith. Additionally, any Bidder submitting



Arrow Lift of California
28631 Canwood St., Ste. D1
Agoura Hills, CA 91301



7/6/22

To Whom it May Concern,

RE: Costa Mesa PD LuLa Elevator

Your public works project listed one manufacturer for the LuLa elevator "Garaventa" which is a Canadian company with most components from China. We provided an "or equal" LuLa elevator "Symmetry" which is Made in America and has a stable US supply chain. You have rejected our substitute product thus limiting your public works project to 1 specific manufacturer and 1 specific dealer in California. Per CA public works code section 3400 – This practice is completely illegal.

Both elevators are equal and are designed and manufactured to meet ASME A17.1 Elevator code section 5 for LuLa Elevators as required by law which makes them equal.

We strongly encourage you to review our proposed "or equal" substitution again to remain within the legality of California public works law.

Sincerely,

Brent Louviere

Brent Louviere
Arrow Lift of California



California

LEGISLATIVE INFORMATION

[Home](#)[Bill Information](#)[California Law](#)[Publications](#)[Other Resources](#)[My Subscriptions](#)[My Favorites](#)

Code: Select Code ▼ Section: 1 or 2 or 1001

[Search](#)[Up ^](#)[Add To My Favorites](#)**GOVERNMENT CODE - GOV****TITLE 1. GENERAL [100 - 7914]** (Title 1 enacted by Stats. 1943, Ch. 134.)**DIVISION 5. PUBLIC WORK AND PUBLIC PURCHASES [4000 - 4563]** (Division 5 enacted by Stats. 1943, Ch. 134.)**CHAPTER 4. Preference for Materials [4300 - 4361]** (Chapter 4 enacted by Stats. 1943, Ch. 134.)**ARTICLE 1. American-Made Materials [4300 - 4305]** (Article 1 enacted by Stats. 1943, Ch. 134.)**4300.** As used in this article:

(a) "United States" means the United States of America, and includes any Territory or insular possession of the United States.

(b) "Produced" includes mined and manufactured.

(c) "Materials" includes articles and supplies.

(Enacted by Stats. 1943, Ch. 134.)

4301. This article does not apply to materials which are of a class or kind which are not, or which are manufactured from materials which are not, produced in the United States, nor to key-driven calculators manufactured in branch plants located outside continental United States, but which plants are wholly owned and operated by a corporation the majority of whose stock is owned or controlled by an American manufacturer whose principal manufacturing centers and home offices are located in the United States.

(Amended by Stats. 1955, Ch. 607.)

4302. This article does not apply to medical and surgical instruments, scientific equipment, microscopes, lenses, or instruments used for scientific or medical purposes, including research.

(Enacted by Stats. 1943, Ch. 134.)

4302.5. The provisions of this article do not apply to the purchase of sewing machines, regardless of the place of their manufacture or the source of the materials from which such machines were manufactured.

(Added by Stats. 1957, Ch. 1829.)

4302.6. The provisions of this article do not apply to the purchase of printing presses of rotary gripper system or single revolution design, which are purchased exclusively for use in schools and colleges for educational purposes; provided, however, that if printing presses of rotary gripper system or single revolution design are manufactured within the United States that only such presses as are manufactured in the United States shall be purchased.

(Added by Stats. 1959, Ch. 1254.)

4303. The governing body of any political subdivision, municipal corporation, or district, and any public officer or person charged with the letting of contracts for (1) the construction, alteration, or repair of public works or (2) for the purchasing of materials for public use, shall let such contracts only to persons who agree to use or supply only such unmanufactured materials as have been produced in the United States, and only such manufactured materials as have been manufactured in the United States, substantially all from materials produced in the United States.

(Enacted by Stats. 1943, Ch. 134.)

4303.5. Any provision of this article to the contrary notwithstanding, any such body or person may let a contract for the purchase of office machines or supplies therefor without regard to the place of their manufacture or the source of the materials from which such machines or supplies are manufactured, except that such contracts or purchases shall be subject to the provisions of Section 4334.

(Added by Stats. 1955, Ch. 1335.)

4304. Every contract for the construction, alteration or repair of public works or for the purchase of materials for public use shall contain a provision that only unmanufactured materials produced in the United States, and only manufactured materials manufactured in the United States, substantially all from materials produced in the United States shall be used in the performance of the contract.

Any person who fails to comply with such provision shall not be awarded any contract to which this article applies for a period of three years from the date of the violation.

(Enacted by Stats. 1943, Ch. 134.)

4305. The name of the person failing to comply, together with a report of the facts constituting the violation, shall be posted by the governing board or person who let the contract in at least three public places in the county in which the contract was made.

(Enacted by Stats. 1943, Ch. 134.)

California Public Contract Code Section 3400 Requirements

The California Public Contract Code, at section 3400, addresses the right to include an "or equal" clause and substitutions. That code provision starts by stating: "No agency of the state nor any political subdivision, municipal corporation, or district, nor any public officer or person charged with the letting of contracts for the construction, alteration, or repair of public works shall draft or cause to be drafted specifications for bids, in connection with the construction, alteration, or repair of public works, (1) in a manner that limits the bidding, directly or indirectly, to any one specific concern, or (2) calling for a designated material, product, thing, or service by specific brand or trade name unless the specification is followed by the words "or equal" so that bidders may furnish any equal material, product, thing, or service." This provision is in keeping with the general public policy, which is also codified, that construction projects are to subject to competitive public bidding whereby the contract is to be let to the lowest responsive and responsible bidder. It should be noted that the Legislature has created certain exception to that policy. The statute also requires the public entity, if aware of an equal product manufactured in this state, to name that product in the specification.

<https://www.lhfconstructlaw.com/articles/don-t-get-caught-in-the-or-equal-public-contract-trap/>

22-03 Costa Mesa Police Department Indoor Range Upgrade project [Info](#)



Alon Gamliel <agconstruction18@gmail.com>

to: BOBBY

Bobby,

I have followed up on options that will satisfy our bid with regards to elevator specifications. In compliance with the California Public Contract Code section 3400, we can submit a request for change days, as mentioned in job specification. The elevator that I would like to use complies with division 14 LuLa requirements. Furthermore it is a made in America product with a stable Legislation to buy American. The specified product, "Garaventa", is made in Canada with most components from China. Our proposed product is equal to if not superior to specified product. The use of this elevator would result in a savings for the City, without compromising quality.

I greatly appreciate your efforts in helping with this bid. Please see attached supporting documents.


Thank you


Alon Gamliel


AG CONSTRUCTION


UIC # 726177
PH: 818-963-1683
FAX: 818-578-6697


9 Attachments



Symmetry
Trusted User Technical Application Elevator
Design Guide



Symmetry-LULA0...


Symmetry ETL Li...


Elevation LULA A...


Elo


Symmetry-LULA...


CA Title 1-Divisio...

From: Jennifer Tanaka <jletanaka@gmail.com>
Sent: Tuesday, July 19, 2022 11:25 AM
To: CITY CLERK
Subject: Fwd: Letter re: Public Hearing Item No. 1 (Residential Parking Permit Program)
Attachments: Parking Permit Letter (7-19-2022) (Final).pdf

Apologies forgot to include the City Clerk email address.

----- Forwarded message -----

From: Jennifer Tanaka <jletanaka@gmail.com>
Date: Tue, Jul 19, 2022 at 11:05 AM
Subject: Letter re: Public Hearing Item No. 1 (Residential Parking Permit Program)
To: <citycouncil@costamesaca.gov>, <citymanager@costamesaca.gov>, SETHURAMAN, RAJA <raja.sethuraman@costamesaca.gov>
Cc: GREEN, BRENDA <brenda.green@costamesaca.gov>, BRETT ATENCIO THOMAS <brettatencio.thomas@costamesaca.gov>, ROSALES, JENNIFER <jennifer.rosales@costamesaca.gov>, David Martinez <davimart06@gmail.com>, Marc <marcvukcevich@gmail.com>

Members of the City Council, Mr. Sethuraman and Ms. Farrell Harrison:

Please find attached a letter from Marc Vukcevich, David Martinez and me relating to Public Hearing item #1, the proposed Residential Parking Permit Program. We are delighted to see the progress made with respect to this program and enthusiastically support it. However, as discussed in our prior letter, we have some suggestions as to how to improve it as the program evolves.

Best,
Jenn Tanaka

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

July 19, 2022

Via Email

Costa Mesa City Council
Lori Ann Farrell Harrison, City Manager
Raja Sethuraman, Public Services Director
77 Fair Drive
Costa Mesa, CA 92626
citycouncil@costamesaca.gov
citymanager@costamesaca.gov
raja.sethuraman@costamesaca.gov

Dear Members of the City Council, City Manager Farrell Harrison and Public Services Director Sethuraman:

We write you today to express our strong support for the proposed residential parking permit program (RPPP) under consideration by the City Council, and listed on the agenda for today's meeting as Public Hearing Item No.1.

On May 2, 2022, we sent a letter to you arguing in favor of RPPPs generally and identifying three specific areas of improvement. While we still believe the proposed RPPP is a work in progress, we congratulate the City on taking what amounts to a very bold first step. To borrow a football analogy, this program, if adopted, would not be a mere play for inches, but rather a solid 15-20 yard advancement towards the end zone. We are exceedingly proud of the City Council and the Staff for having the vision and courage to craft a program that not only addresses resident needs, but provides a blueprint to rationalize parking across the City. We also thank the consultants at Dixon for their hard work and engagement on behalf of the City.

That said, we still believe there is room for improvement:

- We maintain that prices should be set in a manner that best manages scarce public curb space, rather than by reference to neighboring cities. However, we recognize that we must start somewhere. And while the proposed rates may leave something to be desired, the *structure* of those rates - namely, the fact that permits are tied to licensed drivers and the graduated rate schedule - is sound policy. This structure will allow rates to change over time as parking challenges arise and the City evolves.
- We note that the low income fee structure proposed does not reflect what the Council discussed at length and ultimately unanimously adopted at the May 3rd meeting, which is to set the first and second permits for low income individuals at \$5 and \$10, respectively. ***We urge the Council to insist that the reduced rate structure is adopted in lieu of free permits for low income residents.*** The Council had it right –

this approach is fairer, will be more effective, and still addresses the needs of low income residents.

- The proposed RPPP still doesn't go far enough to address the revenue generated by the proposed RPPP. Cost neutrality is an admirable goal for any government program, and it isn't often achieved. However, it has been repeatedly shown in other cities that RPPPs can generate significant revenue above cost. ***While no RPPP should be adopted for the sake of generating revenue, when net revenue is generated, it is only fair those funds should go towards providing better services and improving property values on the affected streets.*** The neighborhoods eligible for parking permits have significant, material needs that could be addressed by any excess funds generated by the RPPP, including: cracked and lifted sidewalks, inadequate street lighting, lack of abundant street trees, and excessive speeding and traffic.

Net revenues, if and when they materialize, should be set aside ***now*** to fund these kinds of improvements. This could be a huge incentive to adopt an RPPP on their street and would counter any argument that the RPPP is merely an extractive government program intended to support the City's general fund. And besides – ***it's just good government.*** Residents subject to the proposed RPPP will be paying for something they used to get for free. It seems only right to assure these residents that money paid in above cost will be used to make their street a safer, more livable, and more pleasant place to be.

As this program is the first of its kind, and one of the most robust programs ever proposed in Orange County, we have an opportunity to set an important precedent. We should do everything we can to get it right from day one. But just getting it ***done*** is a huge accomplishment.

Sincerely,

Best,
Jenn Tanaka
Marc Vukceovich
David Martinez

CC:

Jennifer Rosales (jennifer.rosales@costamesaca.gov)
Brett Atencio Thomas (brettatencio.thomas@costamesaca.gov)
Brenda Green (brenda.green@costamesaca.gov)

To: the City Council

Date: July 18, 2022

Re: Consent Calendar item 15- Regulation 8 and approval of its adoption to reinstate enforcement of parking restrictions relative to street sweeping, BUT TO CONTINUE SUSPENSION OF PERMIT PARKING RESTRICTIONS.

Public Hearing item 1:

SECOND READING OF AN ORDINANCE TO APPROVE CODE AMENDMENT CO-2022-XX, AMENDING PORTIONS OF TITLE 10 OF THE COSTA MESA MUNICIPAL CODE PERTAINING TO PARKING BY PERMIT ONLY AND TO AUTHORIZE RELATED FEES

Preface

I reside on the 450+ block of Ogle Street, adjacent to Irvine Avenue the borderline with Newport Beach and across the street from the 1500 apartments located at 880 Irvine, formerly the Coronado, formerly Oakwood. There are 2 blocks with 400 numbers, split by Aliso St., the first is 400-449, second 450-499. Our neighborhood, which would include 16th place, Aliso St., and Lenwood, is comprised of mostly single story SFD mostly about 1600 square feet, and is mostly owner occupied. These are families with anywhere from 1-5 children, many of those children are also drivers. We are also across from NHHS, but we really have little to complain about with parking for football games, unless they decide to park across driveways.

We currently have posted but COMPLETELY UNENFORCED, permit parking only, which was instituted due to the total usurpation of our parking by 880 residents. (See photos showing parking both sides of street.) This does not even have a uniform impact on the area as, even for the block 450-499, the end farthest from 880 is just too far for the youths of 880 to walk, so they park in the closest half of the block to 880- which is where I live. Saturday I watched a vehicle park under the "Permit Parking only" sign and the occupants blithely walk 4 houses to cross Irvine and go to 880. This is a daily occurrence. There is virtually no impact on Ogle Circle or Lenwood (400-459 addresses). There is also a street sweeping which is occasionally enforced- at least enough that a car rarely parks during street sweeping. Lately, 880 has been undergoing construction, but the complex does not provide parking for any of the worker's vehicles or the large stake bed trucks that haul away the trash, so guess where they park? Ogle street.

When we had active enforcement (see below) problems abated substantially. But CMPD went to a 9-5 enforcement practice, which did not really help much with overnight violations. One ticket was usually enough to prevent recidivism.

parked under the sign

none are residents both sides of the street, weekend



The real problem

(in addition to the inability for residents or their guests to park in front of- or even close to- the residence) is **CRIME**. Vehicles that are “just visiting my friend that lives in the apartments” bring with them **CRIME**, in the trash and the activities that arrive with the vehicles. Items like: used syringes; used tampons (on July 18, 2022, thank you very much); empty beer cans and boxes, bags containing marijuana remnants, half empty vape cartridges, empty bottles of hard liquor, bottles of hard liquor full of urine- have been regularly deposited on the parkway, in front yards and in the gutter *since the Council last addressed parking regulations, a month ago*. Activities such as public consumption of alcohol, sexual intercourse, littering and trespass have all occurred in the last 30 days. I wrote a letter to the Council after the last meeting addressing these issues of Crime and the detrimental effect on the quality of life for pre-teens, who need to be protected from this unnecessary exposure.

Left on July 18, 2022



One can only conclude the presence of a used tampon in the street is because the wearer needed to discard it in order to engage in sexual activity in the car that was parked at the curb. Females don't usually discard their tampons onto the floor of their cars so that they casually fall out when the door opens. Mr. Chavez- this is an ‘**EXTRAPOLATION**’ based on common knowledge and the usual activities of the gender, it is based on a set of known facts.

We need enforcement of the currently existing permit parking restriction that is posted on at least a half dozen signs on this block and on Aliso. Effective enforcement stopped **BEFORE** the pandemic, because CMPD stopped nighttime enforcement. This led to an increase in crime in a neighborhood that is pretty much crime free, including breaking into cars. While 880 has NBPD and NBFD there 5 times a week, we rarely have a patrol vehicle drive down our street, even just a cursory patrol.

One recent weekday I had 2 vehicles driven by young women in their 20's that were parking to unload their bicycles to “visit our friend that just lives in the (Newport) apartments” because “he said this is where we need to park.” This is 100% due to an absence of enforcement. COVID lockdown is **OVER!!** We need our parking restrictions enforced again.

I also understand that CMPD has other, higher priority, law enforcement activity, including homicide, theft, assault, vehicular accident duties, and even traffic enforcement, however, the proposed actions on

the two items will not serve our area, and will cause additional frustration and problems for YOUR VOTERS.

The Council's discussion 6/21 on the agenda item after public comments were closed

I attended the last council meeting by Zoom, re: the new permit parking proposals, and submitted both verbal and written comments. The discussion and input by the Council and City Staff raised several interesting questions, however, since the public comments were closed, it was not possible to address them.

Mayor Pro Tem Marr: Raised an excellent issue with the requirement that the vehicle be registered to the address in the permit zone, and possibly the CDL being to the same address. Several reasons for a discrepancy were addressed, but not the most common one. Street Mailboxes are predominantly unlocked and open. Identity theft is rampant. Having a CDL or Vehicle registration go to such a location invites crime and identity theft. I have used a PO Box for 40 years, it's in Newport, since the closest PO-s to my house are in Newport. It usually is not a problem to get a permit because the staff understands this, but this factor needs to be addressed. Usually I take a utility bill (that goes to the PO box) that shows my service address, the staff accepts this.

Councilman Chavez: contended that the Dixon Survey could be "Extrapolated" from the high density housing (HDH) areas to the problems in SFD area which are affected by nearby high density and commercial areas. THIS IS ABSURD. You cannot extrapolate the need for permit parking in a SFD area from the needs for permit parking in a HDH neighborhood area because the variables are not the same. This would be like "extrapolating" the needs of a female population based on the needs of a male population, or the needs of a low income Hispanic population based on the needs of high income Caucasian population- oh, wait, you are doing exactly the opposite of that. And "extrapolation" has an inherent flaw- "extrapolation is subject to greater uncertainty and a higher risk of producing **meaningless results**" Wikipedia, "Extrapolation" ¶ 1. Finally, the proposed "Extrapolation" is even more likely to produce meaningless results when the data base is either incomplete or skewed, as the Dixon survey is. There was no input from the Police and there was no input from the Eastside, to whom this policy will be equally applied. Finally, Councilman Chavez, I notice that when permit parking was available for affluent white neighborhoods previously, it was FREE, but now that you are getting it for areas with large Hispanic populations, YOU ARE CHARGING FOR IT. Is this thinly veiled racism? You are going to charge fees to those who are least able to afford it.

Councilman Harlin: Frankly, I found your drooling over the idea of being able to charge the tax- paying homeowners, offensive, not only because it is an additional secret tax, for us to be able to park in front of our own homes, but because the Dixon report provided you with NO INFORMATION ABOUT POTENTIAL REVENUE, NET COST OR OTHER INCOME SOURCES. The Dixon survey did not address the cost of designating the area for permit parking, installing signs or processing applications for permits- which permits are FREE, today. The Dixon survey did not address how many potential permits were going to be issued under the new guidelines, which may reduce the existing permit parking areas. And, as I mentioned above, you are now going to tax the poorest members of

the community for the permits when current policy provides free permits. The CMPD never had any input into the survey, so we have no idea of either the cost basis for enforcement, and we have no idea what was the history of revenue for permit parking violations. Issuing one citation to ONE vehicle that is repetitively parked in violation of a permit restriction yields \$3420 per MONTH. You would have to issue 1641 permits to generate income at that rate. The Dixon survey did not even indicate how many permits were issued, in the entire city, during the pre pandemic period. We have 20 houses on the block, which would be 60 permits, if max were issued. That generates \$1500 per year. Active enforcement of the restrictions that issued one ticket a day would yield \$41,040.00 per year. That is for ONE TICKET A DAY.

Further your comments about sometimes using your own garage for a vehicle did not impress me, at all. I don't know where you live or if you live across from HDH that is parking dozens of vehicles in front of your and your neighbors homes, daily, and using your gutter and parkway as a trash can. How often are you prevented from parking in front of or even near your home to unload groceries? How often do you have to pick up tampons, or syringes, or vape cartridges, or beer cans or vodka bottles from your gutter, or parkway?

One size does not fit all

First, the parking problems are not uniform throughout the city, but many share one common problem, high density housing creates parking problems. I attended the Zoom meetings and understand the frustration in certain areas of the city where commercial vehicles take up all the parking spots, by playing auto-roulette and shifting cars during the day. This requires a lot of analysis, because it appears that all the vehicles belong to Costa Mesa residents. But just because you are a resident does not give you the right to park 8 vehicles on the street, or use the street to store your commercial vehicle rather than park it at the business. Certainly this would be what Mr. Harlan referred to as privatization of a public resource. No permits should be issued to commercial vehicles, and it needs strict enforcement against unpermitted parking.

But when you come to the situation that the high density apartment complex has more resident vehicles than it provides parking for, this is a different problem and it needs to be addressed at the source. Apartments are for profit businesses, they will jam as many rentable apartments into the property as possible, without regard to how many vehicles will actually go with each apartment. Cars, motorhomes, boats and all type of rolling stock come with the residents. Personal and business vehicles also. The source of the problem is not in taxing people to park on the street, but for the City Council to consider parking as an environmental impact and to require the apartments to provide enough parking for all the residents, even if it means tearing down a block of the apartments and putting up a multi story parking structure, and the owners can charge for renting parking spaces.

Articles in the LA Times this past weekend discussed the concept of reducing the amount of parking provided by these complexes, in order to increase housing space, and asserted that this would lead to lower vehicle ownership, lower emissions, and increased use of public transportation. I don't know

what the journalist was smoking but they apparently know very little about human nature and in particular habits of Californians. This was wishful thinking, and would only increase the burden on a "public asset." You can survey the CMPD about how much open parking surrounds the block at 880. There is none, on either side of the street.

High density housing even causes problems in SFD areas

The problem in our area of single family homes is not that the residents are fighting over the parking spots, but we have vehicles not from Costa Mesa parking here, because we live across the border from the blight of Newport- 880 Irvine. Police and fire are there daily for domestic disturbances and drug problems. We petitioned for and obtained permit parking in 2018, at a time when the "no overnight" parking wasn't working and we did not have any parking available in then neighborhood. The \$114 ticket was an effective deterrent. The same situation occurs all up Irvine Ave., from 16th street to 19th street, with new high density apartments 3 stories high going up next to Mariner's school- across the border in Newport. These residents will continue to park across the street in Costa Mesa. Any permit area needs ENFORCEMENT.

Tax the violators with \$100 tickets, not the property owners to have permits

A BIG problem is enforcement. CMPD stopped all enforcement during the pandemic, well that is over now and the parking problems have returned, everywhere, to pre-pandemic levels. But even before that occurred, CMPD entered into a new phase of enforcement- absentia. Enforcement stops at 4:00 PM. Calls were deferred to the "parking hot line" normally used for abandoned vehicles, and I have been informed the hot line is only monitored until 4:00 PM- probably because abandoned cars are addressed during 9-5 working hours. The parking hot line has not yielded any responses to reports of overnight parking since 2019. If we still had "no overnight" parking, there would be **no enforcement**. As far as I know, CMPD did not participate in the study or the survey. They have neither made their problems and concerns known to the residents nor have they offered any solutions or explanations about current practices. We have been told: "Its up to the City Council to resume enforcement." I have written several times to request a resumption of enforcement and never received a substantive response about it.

I must note that the May 3, 2022 guidelines do not involve CMPD or have any discussion about enforcement or financial impact of enforcement, it only wants to charge for the permits and makes no comment about potential income from the \$114 ticket or even if that should be increased to cover costs.

The lack of enforcement creates a dangerous situation for residents who try to dissuade out-of- area vehicles from parking by calling to driver's attention the posted signs or leaving notes. No only are the drivers 'unreceptive' to say the least, but it exposes the residence to retaliatory vandalism. Picture the boys from the "mosh pit" at a punk rock concert, this is what we usually deal with. CMPD recommends against it but then they are not issuing tickets either. On one occasion I was physically assaulted while taking down license numbers to report to CMPD, fortunately not injured.

The City needs a whole City parking study not a half the City parking study

My neighbors and I pay hundreds of thousands of dollars annually in property taxes, which pay for the meager salaries of the council. It is an insult to these taxpayers to hear our city council suggest that: desiring to park in front of our own single family residences is contra to the philosophy of CM and "privatization of a public resource". We pay taxes to maintain these streets and to keep them swept, for the privilege of parking our own car, or having a place for a guest, and we elected the Council to protect those rights, not grant them to someone else, living in Newport high density housing, that don't want to pay extra for the extra parking space for their apartment. But our voices and our concerns were not included in the parking study, only the North and West sides.

The same applies to the apartment dwellers that are displaced because they have neighbors that can shuffle cars into holding spots for their work vehicles, during the day when the other residents are out working, too.

In addition there are the problems with the mixed residency areas with both apartments and SFD, as noted by Mr. Chavez, where renters cannot qualify for a permit. This I don't understand, they should be able to qualify with a rental agreement and a utility bill. According to the Attorney General's opinion 14-434, renters qualify for permits.

Recoup costs through enforcement

Our area has restricted parking under the current program. The half of the blocks closest to Irvine Ave. suffer the greatest impact from the 1500+ units across the street, the other half does not have as much of a problem because the renters don't want to walk that far. Currently, the permit program is only slightly inconvenient, every 2 years we have to go to city hall with ID, and get our permits. But if you now charge the people that have a minor impact from the renters parking, they will be less likely to want to participate in the permit process you propose. So much for love thy neighbor. The costs of the permit program can best be recouped from the high dollar ticket, which can often be issued to multiple vehicles at a time, the most I have seen on the street is 8- that is \$912 in one shot. You would need to issue 36 permits to get that in a year @ \$25 per permit.

By charging a fee, you are burdening the people that have the right to park on the street, when you should be burdening the people that are there improperly. Privatization of a public resource? The homeowners are the public, too; you are taking away their resource to give it to- Who??

I note the AG opinion does not prevent the city from adopting different permit parking zones, only that the residents are not discriminated against in obtaining permits by virtue of the type of housing. A study should determine if a different type of permit zone is needed where there is SFD versus High Density housing.

The 2,000 foot minimum (four block area) is too great for some areas

The 400 block of the streets of Ogle, 16th Place and 16th Street are heavily impacted by the 880 overflow. Aliso and the 300 block, along with Ogle Circle are much less impacted by non resident parking. You will soon see the same problem arising from the 400 block of Cabrillo, 18th St., and Magnolia, when the newly constructed apartments become fully occupied. The proposal to ONLY consider petitions from a 4 square block area. Why are you disenfranchising the residents with more localized heavy impact? When Ogle got permit parking, there were several heavily impacted residents who got the entire block to support, and it included 16th place.

I note that the NB area around NHHS has permit parking both across Irvine and in the St. Andrews area.

This study and proposal makes no provision for the City to construct public parking

Many cities, Long Beach, Beverly Hills, and others, construct City owned and operated parking lots where there is limited street parking and high demand by visitors. The study said NOTHING about constructing multi level parking by the city in the areas where there are high density housing but the properties fail to accommodate the vehicles of residents.

Because of the absence of this, the study is incomplete and the proposed ordinance is completely inadequate to put before the Council for adoption.

I would request the Council take the following actions:

1. Decline to adopt the ordinance as proposed.
2. Direct Dixon to make a proper study of the needs of the entire city, include issues of different needs of different housing areas, include whether the city should construct parking structures for the residents, determine what the financial impact of violation fines are, and make complete recommendations.
3. Obtain input from CMPD about enforcement and their concerns.
4. Restrict permits to non-commercial vehicles.
5. Determine what effect the enforcement of current restrictions and policies would do.

None of these have been considered in the report or in the proposed Ordinance.

Maurice Mandel
MMADEL2@AOL.COM

From: HAUSER, JANET
Sent: Tuesday, July 19, 2022 11:01 AM
To: GREEN, BRENDA; TERAN, STACY
Subject: FW: Letters of Support - July 19, 2022 - Home Investment Partnership Funds
Attachments: OCUW Letter of Support - July 19, 2022.pdf; U2EH Letter of Support - July 19, 2022.pdf

From: Michael Shepherd <MichaelS@UnitedWayOC.org>
Sent: Tuesday, July 19, 2022 10:48 AM
To: STEPHENS, JOHN <JOHN.STEPHENS@costamesaca.gov>; MARR, ANDREA <ANDREA.MARR@costamesaca.gov>; CHAVEZ, MANUEL <MANUEL.CHAVEZ@costamesaca.gov>; GAMEROS, LOREN <LGAMEROS@costamesaca.gov>; HARLAN, JEFFREY <JEFFREY.HARLAN@costamesaca.gov>; HARPER, DON <DON.HARPER@costamesaca.gov>; REYNOLDS, ARLIS <ARLIS.REYNOLDS@costamesaca.gov>
Cc: HAUSER, JANET <JANET.HAUSER@costamesaca.gov>
Subject: Letters of Support - July 19, 2022 - Home Investment Partnership Funds

Hello,

Please find letters of support from Sue Parks, President and CEO of Orange County United Way and Lawrence Armstrong and Becks Heyhoe of United to End Homelessness for the July 19, 2022 City Council Meeting and the agenda item regarding Commitment of \$1,500,000 of Home Investment Partnership Funds to Community Development Partners for the Motel 6 Housing Project Located at 2274 Newport Boulevard.

Thank you,

Michael Shepherd
Housing Advocacy Program Manager
Orange County United Way
18012 Mitchell South, Irvine, CA 92614
Email: MichaelS@UnitedWayOC.org
Phone: 949.263.6192

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.



18012 Mitchell South
Irvine, CA 92614

949.660.7600
UnitedWayOC.org

July 19, 2022

TO: Honorable Mayor and Members of the City Council,

RE: Support for July 19, 2022 Agenda Item: Commitment of \$1,500,000 of Home Investment Partnership Funds to Community Development Partners for the Motel 6 Housing Project Located at 2274 Newport Boulevard

Orange County United Way (OCUW) writes today to express our support for the approval of this funding and to thank the City Council for their commitment to permanent supportive housing initiatives.

Community Development Partners is a well-established and trusted developer and is sure to create a beautiful and successful development that will lead to transformed lives. As a company founded in Orange County, they have had a distinct vision for how housing serves our community.

Never before has there been a stronger desire to end homelessness and create housing in Orange County. In 2018, United Way launched United to End Homelessness, a powerful collaboration among Orange County's top business, philanthropic, government, faith-based, and non-profit leaders committing to end homelessness by achieving functional zero, meaning housing and services are available for every individual who may need them. United to End Homelessness has been a powerful force in the County, advocating for housing as a proven solution to end homelessness.

Thank you for your support in finding housing solutions to meet the needs of all of your city's residents. We are grateful to you for your courage and willingness to improve the lives of those in need in our community.

Sincerely,

A handwritten signature in blue ink that reads "Susan B. Parks".

Susan B. Parks
President & CEO



**UNITED TO END
HOMELESSNESSSM**

July 19, 2022

TO: Honorable Mayor and Members of the City Council,

RE: Support for July 19, 2022 Agenda Item: Commitment of \$1,500,000 of Home Investment Partnership Funds to Community Development Partners for the Motel 6 Housing Project Located at 2274 Newport Boulevard

Orange County United Way (OCUW) writes today to express our support for the approval of this funding and to thank the City Council for their commitment to other permanent supportive housing initiatives.

Community Development Partners is a well-established and trusted developer and is sure to lead to both a beautiful and successful development that will lead to transformed lives. As a company founded in Orange County, they have had a distinct vision for how housing serves our community.

Never before has there been a stronger desire to end homelessness and create housing in Orange County. In 2018, United Way launched United to End Homelessness, a powerful collaboration among Orange County's top business, philanthropic, government, faith-based, and non-profit leaders committing to end homelessness by achieving functional zero, meaning housing and services are available for every individual who may need them. United to End Homelessness has been a powerful force in the County, advocating for housing as a proven solution to end homelessness.

Thank you for your support in finding housing solutions to meet the needs of all of your city's residents. We are grateful to you for your courage and willingness to improve the lives of those in-need in our community.

Sincerely,

Lawrence R. Armstrong
Chair, U2EH Leadership Council

Becks Heyhoe
Executive Director, United to End Homelessness

From: Priscilla Rocco <dementedgardensprite@gmail.com>
Sent: Tuesday, July 19, 2022 11:49 AM
To: CITY CLERK
Subject: Gutting Measure Y

City Council,

It would be easier to believe the city council cares about building affordable housing - the 40% that is mandated in the RHNA numbers - if when this process began you instituted a requirement for 15% affordable units in each new large development project as other cities have done, instead of blaming Measure Y. You let Rose Equities renege on their promise of 15% affordable units, and now praise the 10% that remain. It was good to hear that at least two of the council members are finally raising this question.

From the other members I constantly hear the promise of walkable tree-lined streets and charming Chelsea coffee houses, yet with no requirements on developers for set-backs, green space, or permeable open space, Harbor Blvd will be filled with concrete prison blocks similar to the ones across from Trader Joe's, which the last administration brought to the city.

The whole housing element outreach to residents, and design contests for children to plan a beautiful new Costa Mesa, was so much political theatre and evidence to the state of definite planning. But the only places that will see those tree-lined streets and green open space is north of the 405, where the luxury apartments will accommodate the sleek new businesses going in there.

I dread to see what developers will do now that they will have less requirements. They have always been granted any variance they

sought, so the idea of Costa Mesa doing any planning at all was an illusion.

So at the very least, please spare us the fantasy of the beautiful city you are planning. It will be all concrete all the time, unless you live in the finer neighborhoods.

Priscilla Rocco

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

From: HAUSER, JANET
Sent: Tuesday, July 19, 2022 11:01 AM
To: GREEN, BRENDA; TERAN, STACY
Subject: FW: Letters of Support - July 19, 2022 - Ballot Initiative Approval
Attachments: OCUW Letter of Support - July 19, 2022 (2).pdf; U2EH Letter of Support - July 19, 2022 (2).pdf

From: Michael Shepherd <MichaelS@UnitedWayOC.org>
Sent: Tuesday, July 19, 2022 10:51 AM
To: STEPHENS, JOHN <JOHN.STEPHENS@costamesaca.gov>; MARR, ANDREA <ANDREA.MARR@costamesaca.gov>; CHAVEZ, MANUEL <MANUEL.CHAVEZ@costamesaca.gov>; GAMEROS, LOREN <LGAMEROS@costamesaca.gov>; HARLAN, JEFFREY <JEFFREY.HARLAN@costamesaca.gov>; HARPER, DON <DON.HARPER@costamesaca.gov>; REYNOLDS, ARLIS <ARLIS.REYNOLDS@costamesaca.gov>
Cc: HAUSER, JANET <JANET.HAUSER@costamesaca.gov>
Subject: Letters of Support - July 19, 2022 - Ballot Initiative Approval

Hello,

Please find letters of support from Sue Parks, President and CEO of Orange County United Way and Lawrence Armstrong and Becks Heyhoe of United to End Homelessness for the July 19, 2022 City Council Meeting and the agenda item regarding Approval of a City Ballot Initiative Entitled "The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure".

Thank you,

Michael Shepherd
Housing Advocacy Program Manager
Orange County United Way
18012 Mitchell South, Irvine, CA 92614
Email: MichaelS@UnitedWayOC.org
Phone: 949.263.6192

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.



18012 Mitchell South
Irvine, CA 92614

949.660.7600
UnitedWayOC.org

July 19, 2022

TO: Honorable Mayor and Members of the City Council,

RE: Support for July 19, 2022 Agenda Item: Approval of a City Ballot Initiative Entitled "The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure"

Orange County United Way (OCUW) writes today to express our support for the approval of the city ballot measure under consideration with the encouragement that it would lead to the production of affordable homes as part of new residential developments in the City.

Never before has there been a stronger desire to end homelessness and create housing in Orange County. In 2018, United Way launched United to End Homelessness, a powerful collaboration among Orange County's top business, philanthropic, government, faith-based, and non-profit leaders committing to end homelessness by achieving functional zero, meaning housing and services are available for every individual who may need them. United to End Homelessness has been a powerful force in the County, advocating for housing as a proven solution to end homelessness.

Housing affordability remains a persistent and growing challenge throughout Orange County for families, veterans, seniors, and individuals as home and rent prices climb to new heights. Due to these rising costs, households are having to spend over 30% of their income on housing and a growing number are spending more than 50% of their income on housing. Prior to the COVID-19 pandemic, affordable housing was already a growing need in Costa Mesa and throughout Orange County. Given the disproportionate impact the pandemic has had on working class families, affordable homes are desperately needed now more than ever as we look to rebuild our local economy. Inclusionary zoning to include affordable housing as part of any new development is a proven policy framework for meeting this growing need.

Thank you for your support in finding housing solutions to meet the needs of all of your city's residents. We are grateful to you for your courage and willingness to improve the lives of those in need in our community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan B. Parks".

Susan B. Parks
President & CEO

**WE FIGHT FOR THE EDUCATION, HEALTH, HOUSING AND
FINANCIAL STABILITY OF EVERY PERSON IN ORANGE COUNTY.**



**UNITED TO END
HOMELESSNESSSM**

July 19, 2022

TO: Honorable Mayor and Members of the City Council,

RE: Support for July 19, 2022 Agenda Item: Approval of a City Ballot Initiative Entitled "The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure"

Orange County United Way (OCUW) writes today to express our support for the approval of the city ballot measure under consideration with the encouragement that it would lead to the production of affordable homes as part of new residential developments in the City.

Never before has there been a stronger desire to end homelessness and create housing in Orange County. In 2018, United Way launched United to End Homelessness, a powerful collaboration among Orange County's top business, philanthropic, government, faith-based, and non-profit leaders committing to end homelessness by achieving functional zero, meaning housing and services are available for every individual who may need them. United to End Homelessness has been a powerful force in the County, advocating for housing as a proven solution to end homelessness.

Housing affordability remains a persistent and growing challenge throughout Orange County for families, veterans, seniors, and individuals as home and rent prices climb to new heights. Due to these rising costs, households are having to spend over 30% of their income on housing and a growing number are spending more than 50% of their income on housing. Prior to the COVID-19 pandemic, affordable housing was already a growing need in Costa Mesa and throughout Orange County. Given the disproportionate impact the pandemic has had on working class families, affordable homes are desperately needed now more than ever as we look to rebuild our local economy. Inclusionary zoning to include affordable housing as part of any new development is a proven policy framework for meeting this growing need.

Thank you for your support in finding housing solutions to meet the needs of all of your city's residents. We are grateful to you for your courage and willingness to improve the lives of those in-need in our community.

Sincerely,

Lawrence R. Armstrong
Chair, U2EH Leadership Council

Becks Heyhoe
Executive Director, United to End Homelessness

18012 Mitchell South, Irvine, CA 92614
949-660-7600
info@UnitedToEndHomelessness.org
UnitedToEndHomelessness.org
#EndHomelessnessOC

Empowered By



From: Zaphod Beeblebrox <l.o.t.cavanaugh@gmail.com>
Sent: Tuesday, July 19, 2022 2:12 AM
To: CITY CLERK
Subject: Measure Y

Dear City Council,

My name is Liam and I've lived in Costa Mesa for almost my entire life. Sadly, Measure Y is affecting my ability to continue living here. Rising housing and rent costs and the lack of available/affordable housing are pushing people who grew up here out.

I urge the Council to consider a complete repeal of Measure Y.

If that is not the course you take, though, please consider the following changes to the current ballot proposal:

- Expand the number of corridors that will be exempt: Corridors such as 17th, Baker, and Bristol should be included. The Fairview Developmental Center and the Fairgrounds should also be included in case they are developed. The boundaries for Harbor should also extend the full length of the Boulevard
- Consider removing traffic increases as a Measure Y trigger: First of all, the City is pushing forward major active transportation improvements, which means there won't be as much car traffic generated if we commit to creating a walkable, dense city. Second of all, increased traffic is good for business and economic development, since more people will end up passing by our stores.
- Consider removing the 1/2 mile 8 year Measure Y trigger: This timeframe can be shortened or removed entirely. All of these projects will go to Council or Planning Commission eventually, which will give us the opportunity to comment if we want to.

Please consider these requests for a better Costa Mesa

Best,
Liam Cavanaugh

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

From: Ethan DF <edfillmor@protonmail.com>
Sent: Tuesday, July 19, 2022 2:12 AM
To: CITY CLERK
Subject: NB-2 Public COmment

Dear City Council,

My name is Eden and I've lived in Costa Mesa for years. Sadly, Measure Y is affecting my ability to continue living here. Rising housing and rent costs and the lack of available/affordable housing are pushing people who grew up here out. I urge the Council to consider a complete repeal of Measure Y. If that is not the course you take, though, please consider the following changes to the current ballot proposal: -Expand the number of corridors that will be exempt: Corridors such as 17th, Baker, and Bristol should be included. The Fairview Developmental Center and the Fairgrounds should also be included in case they are developed. The boundaries for Harbor should also extend the full length of the Boulevard -Consider removing traffic increases as a Measure Y trigger: First of all, the City is pushing forward major active transportation improvements, which means there won't be as much car traffic generated if we commit to creating a walk able, dense city. Second of all, increased traffic is good for business and economic development, since more people will end up passing by our stores. -Consider removing the 1/2 mile 8 year Measure Y trigger: This time frame can be shortened or removed entirely. All of these projects will go to Council or Planning Commission eventually, which will give us the opportunity to comment if we want to.

Please consider these requests for a better Costa Mesa Best,
Eden

Sent with [Proton Mail](#) secure email.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.
