



Letitia Clark, Mayor Pro Tem

Charles E. Puckett, Council Member

Barry W. Cooper, Council Member

Austin Lombard, Council Member

Dr. Allan Bernstein, Mayor

Matthew S. West, City Manager

Erica N. Yasuda, City Clerk

David E. Kendig, City Attorney

NOTICE RE PUBLIC PARTICIPATION DURING COVID-19 EMERGENCY

During the Statewide COVID-19 Emergency, the public is not permitted to convene in person for this public meeting. However, the public may still view and comment on the meeting as follows:

To watch the meeting, the public may observe the meeting via the City's Granicus service at: <https://www.tustinca.org/282/Meetings-Agendas> or on the local Cox Channel 851.

To comment on one or more items, do the following:

1. Proceed to the SpeakUp comment system:
 - A. To submit an e-comment on an upcoming meeting agenda **prior to commencement of the meeting**, go to <https://tustin.granicusideas.com/meetings?scope=upcoming> and select the agenda item.
 - B. To submit an e-comment on an upcoming meeting agenda **during the meeting**, go to <https://tustin.granicusideas.com/meetings?scope=past> and select the agenda item.
 - C. Follow the links to type and submit your comment(s) on one or more items:
 - a. The items may be on the agenda or not on the agenda.
 - b. Your comments will be forwarded electronically and immediately to the members of the City Council.
 - c. Comments related to a particular agenda item will only be considered prior to the close of public comments on that item
 - d. Comments on matters that are not on the agenda may be submitted only until the "Public Comment" portion of the agenda is concluded.

For Individuals with Disabilities: The City is dedicated to ensuring accessibility to the

meetings for those individuals with disabilities, so the City has established a process to request a reasonable modification or accommodation consistent with the Americans with Disabilities Act (ADA). If you would like to request a modification or accommodation due to a disability, **please call (714) 573-3025 as soon as is feasible, and identify the need and the requested modification or accommodation.** The City's ADA Coordinator or her designee will receive the request and communicate in response to the request.

CLOSED SESSION MEETING – 4:30 p.m.

CALL TO ORDER – #2480

ATTENDANCE –

PUBLIC INPUT – Members of the public may submit comments in writing to address the City Council on items on the Closed Session Agenda.

CLOSED SESSION ITEMS - The Brown Act permits legislative bodies to discuss certain matters without members of the public present. The City Council finds, based on advice from the City Attorney, that discussion in open session of the following matters will prejudice the position of the City in existing and anticipated litigation:

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2): (2 cases)
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Initiation of litigation pursuant to Government Code § 54956.9(d)(4): (2 cases)
3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
 - A. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 related to a written threat to initiate litigation against the City for alleged violation of the California Voting Rights Act.
4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code § 54956.9(a): (1 case)
 - A. City of Santa Ana vs. County of Orange, et al. USDC, Central Dist. Cal., Civil Action No. SA CV 18-00155 DOC JDE
5. THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code § 54957): Consultation with Police Chief and City Attorney

**REGULAR MEETING OF THE CITY COUNCIL
5:30 P.M.**

CALL TO ORDER – #2480

PLEDGE OF ALLEGIANCE – Council Member Cooper

PUBLIC INPUT – At this time, any member of the public may submit comments in writing to address the Council on matters which are not on this evening's agenda, provided the matter is within the subject matter jurisdiction of the City Council.

PRESENTATION – Recognition of Director of Community Development Elizabeth A. Binsack

CLOSED SESSION REPORT – City Attorney David E. Kendig

CONSENT CALENDAR ITEMS - All matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion without discussion. Persons wishing to address the City Council regarding Consent Calendar matters should submit comments in writing with the City Clerk. (Agenda Items 1 through 5)

1. WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA

Recommendation: That the City Council waive reading in full of all ordinances and resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

2. APPROVAL OF MINUTES – THE REGULAR MEETING OF THE CITY COUNCIL HELD ON JULY 7, 2020

Recommendation: That the City Council approve the Action Minutes of the Regular Meeting of the City Council held on July 7, 2020.

3. RATIFICATION OF PAYROLL AND DEMANDS

The City Council has approved the use of Government Code Section 37208 to expedite the payment of City of Tustin obligations that are in accordance with the approved budget or continued operations authorizations.

Recommendation: It is recommended that the City Council approve Payroll in the amount of \$809,653.95; and Demands in the amount of \$1,690,814.14.

4. AWARD OF CONTRACT FOR THE CONSTRUCTION OF PEPPERTREE PARK IMPROVEMENTS PROJECT (CIP No. 20085)

Bids for the Peppertree Park Improvements Project (CIP No. 20085) have been received and a construction contract is ready to be awarded to the lowest responsive/responsible bidder, Landscape Support Services.

Recommendation: It is recommended that the City Council:

1. Find the bid submitted by the apparent low bidder, Green Giant Landscape, Inc., to be nonresponsive.
2. Award the construction contract to Landscape Support Services, the lowest responsive/responsible bidder, in the amount of \$1,220,762.65, and authorize the Mayor and the City Clerk to execute the contract documents on behalf of the City.

5. RESPONSE TO GRAND JURY REPORT ENTITLED “PROTECTING THOSE WHO PROTECT AND SERVE”

Consider approving the proposed City response to the Orange County Grand Jury’s June 30, 2020 Report entitled “Protecting Those Who Protect and Serve”.

Recommendation: That the City Council approve the proposed response letter (attached as Exhibit B to the staff report).

REGULAR BUSINESS ITEMS 6 - 7

6. DESIGNATION OF VOTING DELEGATES AND ALTERNATES – LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE SCHEDULED FOR OCTOBER 7 - 9, 2020 (LONG BEACH)

In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate and up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Recommendation: Pleasure of the City Council.

7. DESIGNATING BALLOT ARGUMENT AUTHOR(S) AND CONSIDERATION OF BALLOT ARGUMENT LANGUAGE REGARDING BALLOT MEASURE SEEKING VOTER APPROVAL FOR LIMITED COUNCIL COMPENSATION

Consider designating City Councilmembers as ballot argument author(s) and potentially consider ballot argument language as follow-up to the City Council’s

November 19, 2019 approval placing a measure on the November 2020 ballot asking voters a question relating to an amendment of the Tustin City Code to allow for limited City Council compensation.

Recommendation: That the City Council direct one of the following options, or provide alternative direction:

Option 1 – Authorize a Subcommittee to Compose the Council’s Argument: Authorize one or more Councilmembers to write and sign the Council’s ballot argument and, (without further review of the argument by the Council) to submit the argument to the City Clerk; or

Option 2 - City Council Itself Approves a Specific Argument: The City Council approves a specific ballot argument that will be submitted to the City Clerk on behalf of the City Council.

OTHER BUSINESS/CITY MANAGER AND CITY ATTORNEY

COUNCIL MEMBER COMMENTS AND REPORTS

ADJOURNMENT