



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 – 4:00 p.m.

CALL TO ORDER – #2479

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 – 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
4. 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.
5. THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code § 54957): Consultation with Police Chief and City Attorney

**REGULAR MEETING OF THE CITY COUNCIL AND TUSTIN HOUSING AUTHORITY
5:00 P.M.**

CALL TO ORDER – #2479

PLEDGE OF ALLEGIANCE – Council Member Puckett

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 Deputy Police Chief Jeffrey Blair

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 8)

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 JUNE 16, 2020

Recommendation: That the City Council approve the Action Minutes of the Regular Meeting of the City Council held on June 16, 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 \$860,641.92; and Demands in the amount of \$9,262,288.02.

4. ACCEPTANCE OF PUBLIC IMPROVEMENT AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION FOR THE COLUMBUS TUSTIN PARK PICNIC SHELTER AND SPORTS FIELD IMPROVEMENTS (CIP NO. 20080)

The Columbus Tustin Park Picnic Shelter and Sports Field Improvements project has been completed and the project is ready for acceptance and filing of the Notice of Completion.

Recommendation: It is recommended that the City Council:

1. Adopt Resolution No. 20-48 accepting the Columbus Tustin Park Picnic Shelter and Sports Field Improvements (CIP No. 20080), and
2. Authorize the City Clerk to file the Notice of Completion with the County Recorder's office.

RESOLUTION NO. 20-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUSTIN CALIFORNIA ACCEPTING THE WORKS OF IMPROVEMENT AND AUTHORIZING THE RECORDATION OF THE NOTICE OF COMPLETION FOR THE COLUMBUS TUSTIN PARK PICNIC SHELTER AND SPORTS FIELD IMPROVEMENTS (CIP NO. 20080)

5. JOHN WAYNE AIRPORT NOISE ABATEMENT QUARTERLY REPORT

This agenda report transmits the John Wayne Airport (JWA) Noise Abatement Quarterly Report for the fourth quarter of 2019. The average noise level measured at Tustin's monitoring station (NMS 10N), located at Columbus Tustin Middle School on Beneta Way (Figure 1), remained fairly consistent with prior quarters during this fourth quarter reporting period. Average noise levels during the fourth quarter continued to remain well below the City, County, and State criteria of 65 dB Community Noise Equivalent Level (CNEL) for residential uses.

Recommendation: That the City Council receive and file this report.

6. LEGISLATIVE UPDATE

Staff has prepared a summary of legislative activity.

Recommendation:

1. Take a SUPPORT position on AB 2178 (Levine) Emergency Services
2. Take a SUPPORT position on AB 2213 (Limón) Office of Emergency Services: Model Guidelines

3. Take a SUPPORT position on SB 1299 (Portantino) Housing Development. Incentives. Rezoning of Idle Retail Sites
4. Receive and file the updated Legislative Matrix
5. Other actions at the pleasure of the City Council

7. AUTHORIZATION OF CITY MANAGER TO NEGOTIATE, APPROVE AND EXECUTE LEASE AMENDMENTS WITH TENANTS OF CITY-OWNED PROPERTY DURING THE LOCAL EMERGENCY RELATING TO COVID-19

Consider delegating authority to the City Manager to negotiate, approve and execute lease amendments with tenants of City-owned non-residential property during the local emergency relating to COVID-19.

Recommendation: That the City Council authorize the City Manager, for the duration of the COVID-19 local emergency, to negotiate, approve and execute lease amendments with non-residential tenants of City-owned property, including but not limited to authorization to increase, reduce and/or defer rented space and/or past due or future rent amounts with individual tenants, provided the City Manager determines that each lease amendment is the most reasonable economic mitigation alternative then available to the City.

8. MODIFICATION OF THE SCHEDULES OF THE REGULAR MEETINGS OF THE CITY COUNCIL AND PLANNING COMMISSION

Consider adopting Resolution 20-50 to revise the schedules of regular meetings of the Tustin City Council and Planning Commission.

Recommendation: That the City Council adopt Resolution 20-50 to establish revised schedules for the regular meetings of the City Council and Planning Commission.

RESOLUTION NO. 20-50

A RESOLUTION APPROVING A MODIFIED SCHEDULE OF REGULAR MEETINGS OF THE CITY COUNCIL AND PLANNING COMMISSION.

REGULAR BUSINESS ITEMS 9-10

9. TERMINATION OF LOCAL EMERGENCY DUE TO CIVIL UNREST

On May 31, 2020, the City Manager, acting in his capacity as Director of Emergency Services, proclaimed the existence of a local emergency relating civil unrest, in accordance with Government Code Section 8630 and Tustin Municipal Code Sections 5204 and 5205(a)(1). The proclamation was subsequently ratified by the City Council on June 2, 2020. The civil unrest appears to have largely subsided at this time, at least locally, so termination of the local emergency is recommended.

Recommendation: That the City Council proclaim the local emergency declared in response to civil unrest to be terminated, effective immediately.

10. RESOLUTION DETERMINING THE NEED TO CONTINUE THE LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19)

Consider adoption of Resolution 20-49 determining that there is a need to continue the local emergency relating to COVID-19 in accordance with Government Code Section 8630.

Recommendation: Adopt Resolution No. 20-49 Determining the Need to Continue the Local Emergency Regarding Novel Coronavirus (COVID-19).

RESOLUTION NO. 20-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUSTIN, CALIFORNIA, DETERMINING THE NEED TO CONTINUE THE LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19)

OTHER BUSINESS/CITY MANAGER AND CITY ATTORNEY

COUNCIL MEMBER COMMENTS AND REPORTS

ADJOURNMENT