



**REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY AND HOUSING AUTHORITY
NOVEMBER 1, 2022 - MINUTES**

CALL TO ORDER – The Closed Session meeting was called to order by Mayor Stephens at 4:02 p.m.

ROLL CALL

Present: Council Member Gameros, Council Member Harlan, Council Member Reynolds (arrived 4:03 p.m.), Mayor Pro Tem Marr, and Mayor Stephens.

Absent: Council Member Chavez and Council Member Harper.

PUBLIC COMMENTS – NONE.

CLOSED SESSION ITEMS:

1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to California Government Code Section 54957.6, (a)

Agency Designated Representative: Lori Ann Farrell Harrison, City Manager

Name of Employee Organization: Costa Mesa City Employees Association (CMCEA).

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to California Government Code Section 54957.6 (a)

Agency Designated Representative: Lori Ann Farrell Harrison, City Manager

Name of Employee Organization: Costa Mesa Police Association (CMPA).

City Council recessed at 4:03 p.m. for Closed Session.

Closed Session adjourned at 4:48 p.m.

CALL TO ORDER - The Regular City Council and Successor Agency to the Redevelopment Agency and Housing Authority meeting was called to order by Mayor Stephens at 6:00 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE - Led by Mr. Jimmy Vivar.

MOMENT OF SOLEMN EXPRESSION - Led by Pastor Phil Eyskens from Lighthouse Church.

ROLL CALL

Present: Council Member Gameros, Council Member Harlan, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Absent: Council Member Chavez and Council Member Harper.

CITY ATTORNEY CLOSED SESSION REPORT – No reportable action.

PRESENTATIONS:

Mayor Stephens presented the 2022 National Native American Heritage Month proclamation to Barbara Steck, President of the Costa Mesa Historical Society.

Mayor Stephens presented the 2022 Veterans Day proclamation to Jodie Merkle, Team Red, White, and Blue Orange County Chapter Captain.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Wendy Simao spoke on noise concerns at The 12 Gym.

Speaker, spoke on the Coronavirus.

Speaker, requested an update on the status of the Housing Element, spoke on an alternative plan if Measure K fails, and spoke on transparency in the process.

Jay Humphrey spoke against Measure K, spoke on citizens not able to hold town hall meetings at City facilities, and spoke on the lack of an inclusionary housing ordinance.

Linda Kraemer spoke in support of Measure K, spoke on sustainable living and community outreach.

Chris Corum spoke on a fire at his home.

Ben Chapman spoke on social media posts and against Measure K.

Speaker, spoke in support of Measure K.

Hank Castignetti representing Orange County Model Engineers, thanked Mayor Stephens, Council Member Gameros, and Supervisor Foley for proclamations, and spoke on the Toys for Tots toy drive on November 19th and 20th.

Speaker, spoke on National Native Heritage Month and having local Native Americans accept the Proclamation, spoke on the Animal Services Committee, and spoke against Measure K.

Speaker, spoke against Measure K.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Gameros spoke on Halloween, thanked staff and the Police and Fire Departments.

Council Member Harlan requested a report on The 12 Gym, an update on the crosswalk on Tustin Ave., spoke on a recent house fire and the family being displaced, and on housing affordability.

Council Member Reynolds provided an update on the Fairview Park Steering Committee and the Master Planning process that will be in collaboration with Banning Ranch and Talbert Park, provided an update on the Active Transportation Committee, spoke on the new Arts Commission, and spoke on murals being defaced.

Mayor Pro Tem Marr spoke on murals being defaced, thanked Police and Fire Departments, spoke on Senator Min's town hall meeting, spoke on being a Veteran and Team Red, White and Blue, and spoke on the history of The Iron Riders.

Mayor Stephens spoke on the Trestle Bridge rededication ceremony, attending the Vanguard University groundbreaking ceremony for the Freed Center for Leadership and Service, attending the Human Options Shine the Light event, and adjourning the meeting in honor of Judge Francis Munoz.

CITY MANAGER REPORT – Ms. Farrell Harrison spoke on the four Vote Centers in Costa Mesa, spoke on the Merrimac Way Project winning the Planning Project Award, Dump Day on November 19th, congratulated the CMTV3 team that won eight first place and two third place awards for video productions and programming, thanked all Veterans for their service, spoke on the Housing Element Update, and Ms. Le, Director of Economic and Development Services provided an update on The 12 Gym.

CITY ATTORNEY REPORT – Ms. Hall Barlow provided an update on the Camp Lila litigation and that the case was dismissed by Federal Court, responded to Mr. Corum's complaints, and spoke on honoring Veterans Day.

CONSENT CALENDAR (Items 1-7)

MOVED/SECOND: Council Member Harlan/Council Member Reynolds

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 7 except for 6.

The motion carried by the following roll call vote:

Ayes: Council Member Gameros, Council Member Harlan, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Nays: None

Absent: Council Member Chavez and Council Member Harper.

Abstain: Mayor Stephens recused himself on item 3 the Warrant Resolution due to campaign contributions received.

Motion carried: 5-0

1. PROCEDURAL WAIVER: WAIVE THE FULL READING OF ALL ORDINANCES AND RESOLUTIONS

ACTION:

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

2. READING FOLDER

ACTION:

City Council received and filed Claims received by the City Clerk: Mercury Insurance Company, Abel Cirio Diaz, Fernanda Gomes Da Silva, Keith Riggert.

3. ADOPTION OF WARRANT RESOLUTION

Mayor Stephens recused himself on item 3 the Warrant Resolution due to campaign contributions received.

ACTION:

City Council approved Warrant Resolution No. 2689.

4. MINUTES

ACTION:

City Council approved the Minutes of the Regular meeting of October 18, 2022.

5. EXTENSION OF RESOLUTION NO. 2022-62 TO ALLOW MEMBERS OF THE CITY COUNCIL, COMMISSIONS AND COMMITTEES TO PARTICIPATE IN THE MEETINGS REMOTELY, AS NEEDED, DUE TO HEALTH AND SAFETY CONCERNS FOR THE MEMBERS AND THE PUBLIC PURSUANT TO ASSEMBLY BILL 361

ACTION:

City Council extended Resolution 2022-62 to allow the members of the City Council, Commission, and Committees to participate in the meetings remotely, as needed, via Zoom due to:

1. The current State of Emergency and global pandemic, which continues to directly impact the ability of the members of the City's legislative bodies to meet safely in person; and
2. Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.

7. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING TITLE 5, BUILDINGS AND CONSTRUCTION AND TITLE 7, FIRE PROTECTION AND PREVENTION, OF THE COSTA MESA MUNICIPAL CODE TO ADOPT THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, AS LOCALLY AMENDED, AND THE ORANGE COUNTY GRADING AND EXCAVATION CODE

ACTION:

City Council gave second reading to and adopted Ordinance 2022-07, which amends Title 5, Buildings and Construction, and Title 7, Fire Protection and Prevention, of the Costa Mesa Municipal Code to adopt the 2022 Edition of the California Building Standards Code, as locally amended, and the current edition of the Orange County Grading and Excavation Code.

ITEMS PULLED FROM THE CONSENT CALENDAR

6. ACCEPTANCE OF THE NEW TRAFFIC SIGNAL AT BAKER STREET AND RANDOLPH AVENUE PROJECT, CITY PROJECT NO. 21-01

Public Comments:

Marc Vukceovich spoke in support of the project.

MOVED/SECOND: Mayor Pro Tem Marr/Council Member Harlan

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Gameros, Council Member Harlan, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Nays: None

Absent: Council Member Chavez and Council Member Harper.

Abstain: Mayor Stephens recused himself on item 3 the Warrant Resolution due to campaign contributions received.

Motion carried: 5-0

ACTION:

1. City Council accepted the work performed by PTM General Engineering Services, Inc. (PTM) for the New Traffic Signal at Baker Street and Randolph Avenue Project, City Project No. 21-01, and authorize the City Clerk to file the Notice of Completion.
2. Authorized the City Manager to release the retention monies thirty-five (35) days after the Notice of Completion filing date; release the Labor and Material Bond seven (7) months after the filing date; and release the Faithful Performance Bond one (1) year after the filing date.

-----**END OF CONSENT CALENDAR**-----

PUBLIC HEARINGS:

(Pursuant to Resolution No. 05-55, Public Hearings begin at 7:00 p.m.)

1. **EXTENSION OF URGENCY ORDINANCE 2020-15 SUSPENDING CERTAIN PERMIT REQUIREMENTS AND DEVELOPMENT STANDARDS FOR OUTDOOR ACTIVITIES DUE TO THE COVID-19 PANDEMIC**

Presentation by Ms. Le, Economic and Development Services Director.

Public Comments:

Tim Taber spoke in support of the outdoor dining spaces and streamlining the process, and requested a longer extension.

Marc Vukceovich spoke in favor of the item and on AB 2097 regarding parking minimums.

MOVED/SECOND: Mayor Pro Tem Marr/Mayor Stephens

MOTION: Approve the extension through December 31, 2023.

The motion carried by the following roll call vote:

Ayes: Council Member Gameros, Council Member Harlan, Council Member Reynolds, and Mayor Pro Tem Marr.

Nays: Mayor Stephens

Absent: Council Member Chavez and Council Member Harper.

Abstain: None

Motion carried: 5-0

ACTION:

1. City Council extended Urgency Ordinance 2020-15 to December 31, 2023.
2. Provided direction to prepare a Code amendment to modify development standards and streamline the approval process for outdoor dining in Costa Mesa.

OLD BUSINESS: NONE.

NEW BUSINESS: NONE.

ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS – NONE.

ADJOURNMENT – The Mayor adjourned the meeting at 7:44 p.m. in memory of Judge Francis Munoz.

Minutes adopted on this 15th day of November, 2022.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk

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