



**REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY, AND HOUSING AUTHORITY*
MARCH 7, 2023 - MINUTES**

CALL TO ORDER –The Closed Session meeting was called to order by Mayor Stephens at 4:00 p.m.

ROLL CALL

Present: Council Member Chavez, Council Member Gameros, Council Member Reynolds (Arrived 4:04 p.m.), Mayor Pro Tem Harlan, and Mayor Stephens.

Absent: Council Member Harper Council Member Marr

PUBLIC COMMENTS – NONE.

CLOSED SESSION ITEMS:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to California Government Code Section 54956.9 (d)(1)

Name of Case: Lorna Lyttle vs. City of Costa Mesa Orange County Superior Courts
Case No. 30-2022-01268630-CU-OE-WJC

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to California Government Code Section 54956.9, (d)(1)

Name of Case: SoCal Recovery, LLC, a California limited liability company v. City of Costa Mesa, United States District Court, Central District of California, Case No. 8:18-cv-01304-JVS-PJW.

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to California Government Code Section 54956.9, (d)(1)

Name of Case: Raw Recovery, LLC et al v. City of Costa Mesa, United States District Court, Central District of California, Case No. 8:18-cv-01080-JVS-AGR

4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code

Name of Case: Ohio House, LLC v. City of Costa Mesa, USDC, Central District of CA, Case No. 8:19-cv-01710-DOC (KESx)

5. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - ONE CASE

Pursuant to California Government Code Section 54956.9 (d)(2), Potential Litigation.

City Council recessed at 4:04 p.m. for Closed Session.

Closed Session adjourned at 5:30 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 6:01 P.M.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

A video was played of the National Anthem and Mayor Stephens led the Pledge of Allegiance.

MOMENT OF SOLEMN EXPRESSION

Led by Pastor Jordan Hansen.

ROLL CALL

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

Absent: Council Member Marr.

CITY ATTORNEY CLOSED SESSION REPORT – No reportable action.

PRESENTATIONS:

Mayor Stephens presented a proclamation to the Costa Mesa Women’s Club in recognition of 2023 Women's History Month.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Speaker, spoke on expressing kindness to others, and spoke on the bus shelters that need to be cleaned.

Chris McEvoy, Costa Mesa, expressed concerns on the residential permit parking program.

Kim Hendricks spoke on Fairview Nature Park, a restoration project on Saturday, March 11th, and spoke in opposition to flyers at Fairview Park.

Juana Trejo spoke on council members making connections with the people in their districts.

Marc Vukceovich spoke against capping the amount of cannabis dispensaries and spoke on the number of places to buy alcohol.

Speaker, spoke in support of rent control.

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Jenn Tanaka, Costa Mesa, spoke on a Costa Mesa for Better Streets Alliance Resolution, spoke on maintaining and improving bus shelters, and spoke on the Housing Element and comprehensive rezoning.

Speaker, spoke on updating the Costa Mesa flag.

Cynthia McDonald spoke on transparency and the City Council Strategic Planning Retreat.

Tom Carroll spoke on ending the City’s emergency declaration.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Harper spoke on updating the city flag, spoke on the Strategic Planning Retreat and releasing agendas to the public sooner, and spoke on the status of the Flock camera system.

Council Member Reynolds spoke on the possibility of a historical marker at the Costa Mesa Women's Club, requested a townhall meeting on the Residential Permit Parking Program, requested an update on the Wilson Street restriping, spoke on the maintenance of bus stops and shelters, spoke on rents and distributing information on resources at City Hall and parks, expressed concern on the impending food cliff and the waitlist for services, spoke on hosting a Women in Engineering night for high schools on March 29th, and spoke on a bike safety festival on May 27th.

Council Member Chavez spoke on attending the Soy Youth Leadership Council, thanked Assembly Member Cottie Petrie Norris for the shredding and trash pickup event, spoke on meeting with Salud OC and that they offered tours to council members to meet people in their districts, requested red curbs at Wallace and Shalimar and Wallace and James, requested the lights at Wallace be addressed, expressed concern that the Myers Street roundabout is not working as intended, spoke on Climate Resilience and the Climate Action Plan Request for Proposals.

Council Member Gameros spoke on a tour with Senator Min of Estancia High School's Engineering Program.

Mayor Pro Tem Harlan spoke on the redesign on the city flag, spoke on the maintenance of bus shelters, spoke on a meeting with 17th street businesses with the Police Department on dealing with transients, spoke on a video perpetuating misinformation on Project Homekey and clarified that it is not a homeless shelter.

Mayor Stephens spoke on the Strategic Planning Retreat on March 10th, spoke on the Labors of Love Program that assists homeowners with fixing their houses and connecting residents with resources, spoke on the UCI Health Center ribbon cutting ceremony, spoke on the March 21st meeting will include a Nowruz celebration and proclamation, spoke on opening days for Costa Mesa Little League and Pony League, spoke on addressing bus shelter maintenance issues, spoke on the emergency declaration ending, spoke on Pacifica Christian boys basketball game against Orange Lutheran to qualify for the State Championship game, spoke on attending the Orange County Business Council dinner and recognition of the Related Bristol Project, and spoke on a meeting with Habitat for Humanity on affordable housing.

REPORT – CITY MANAGER – Ms. Farrell Harrison spoke on the City Hall painting project that is completed and the Police Department will be painted next, spoke on Women in Construction Week, committee recruitments, spoke on a Fair Housing Foundation Workshop on March 23rd and the resources available, SoCal Gas Assistance Programs, addressed the Emergency Declarations ending, stated the Police Department Flock cameras were installed two weeks ago, spoke on analyzing Public Works Department projects, spoke on addressing bus shelter maintenance issues, and Mr. Sethuraman provided an update on the Wilson Street restriping project.

REPORT – CITY ATTORNEY – Ms. Hall Barlow spoke on rising rents and the resources available including: the Fair Housing Council, OC Legal Aid, Veterans Hotline, and Public Law Center.

CONSENT CALENDAR (Items 1-7)

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

MOTION: Approve recommended actions for consent calendar items 1-7.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Marr

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

Motion carried: 6-0

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: Oscar Dandolo, Brenda Leyva, Mercury Insurance (Jonathan Reyes), Susan Schultz, Armando Valencia Munoz.

3. ADOPTION OF WARRANT RESOLUTION

Mayor Stephens recused himself on this item due to campaign contributions received.

ACTION:

City Council approved Warrant Resolution No. 2695.

4. MINUTES

ACTION:

City Council approved the Minutes of the Study Session of February 15, 2023 and Regular meeting of February 21, 2023.

5. DESIGNATION OF VOTING DELEGATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2023 REGIONAL CONFERENCE AND GENERAL ASSEMBLY

ACTION:

City Council designated Council Member Reynolds as the delegate for the upcoming 2023 Annual Southern California Association of Governments (SCAG) Regional Conference & General Assembly.

6. MONTHLY UPDATE OF STRATEGIC PLAN GOALS AND OBJECTIVES

ACTION:

City Council approved the January and February 2023 updates to the City of Costa Mesa's Strategic Plan Goals and Objectives.

7. 2023-28 NEWPORT BAY WATERSHED COOPERATIVE AGREEMENT

ACTION:

1. City Council approved the Agreement to fund Total Maximum Daily Load (TMDL) programs and related activities in the Newport Bay Watershed, Cooperative Agreement No. MA-080-23010376.

2. Authorized the Mayor and the City Clerk to execute Cooperative Agreement No. MA-080-23010376.

3. Authorized the City Manager to execute any future amendments to this agreement.

AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR

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

PUBLIC HEARINGS: NONE.

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

OLD BUSINESS: NONE.

NEW BUSINESS:

1. DISSOLVING CITY COUNCIL AD HOC COMMITTEES

Presentation by Ms. Green, City Clerk.

Public Comments:

Speaker, spoke on Ad Hoc Committees addressing specific subjects and spoke on establishing parameters.

MOVED/SECOND: Mayor Stephens/Council Member Chavez

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Marr

Abstain: None

Motion carried: 6-0

ACTION:

City Council dissolved the following City Council Ad Hoc Committees: the Cannabis Ad Hoc Committee, the Fairview Developmental Center Ad Hoc Committee, Housing Ad Hoc Committee, and the City Manager Ad Hoc Committee.

2. PROFESSIONAL SERVICES AGREEMENT WITH THE SOLÍS GROUP FOR ADMINISTRATION OF THE COMMUNITY WORKFORCE AGREEMENT

Presentation by Mr. Sethuraman, Public Works Director.

Staff clarified the Fairview Park projects are not included on the list.

Discussion ensued on the apprenticeship and enforcement policies if the contractor does not meet the goals, MC3 programs and resources, pre-apprenticeship programs, communicating with builders, apprenticeship requirements, the number of projects, time period of the contract, performance measures, policy and procedures mandating local hire and proper ratios, penalties for failing to comply with requirements, and monthly progress reporting.

Ms. Hall Barlow, City Attorney, stated language will be added to the contract listing penalties if they fail to comply with the requirements in the contract.

Public Comments:

Dave Everett, Western Electrical Contractors Association, spoke on goals, lack of penalties for the Project Labor Agreement (PLA), and stated non-union apprenticeships cannot work on PLA projects, there will be an increase in costs of construction projects, and submitted written comments for the record.

Speaker, spoke on the bidding process and any other bidders, transparency on the Community Workforce Agreement, in house vs. consulting services for administration of the agreement, and oversight on the costs.

Speaker, spoke in support of Community Workforce Agreements, best practices in the bidding policy, how it benefits the community, and climate change impacts.

MOVED/SECOND: Council Member Gameros/Council Member Chavez

MOTION: Approve recommended actions.

Council Members Gameros and Chavez spoke on the importance of the agreement.

Council Member Reynolds requested a formal report back to City Council at least two times a year.

Council Member Harper spoke on enforcement, requested a list of projects including: date approved by City Council, Project Name, Estimated Cost, Current Status of the project, and spoke in opposition to the motion.

MOVED/SECOND: Council Member Gameros/Council Member Chavez

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays: Council Member Harper

Absent: Council Member Marr

Abstain: None

Motion carried: 5-1

ACTION:

1. City Council awarded the Professional Services Agreement (PSA) to The Solís Group for administration of the Community Workforce Agreement (CWA) for an initial three-year period with two one-year renewal periods for a not to exceed amount of \$400,000.
2. Authorized the City Manager or designee to execute the agreement and any future authorized amendments to this agreement.

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

ADJOURNMENT –The Mayor adjourned the meeting at 8:18 p.m.

Minutes adopted on this 21st day of March, 2023.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk