



**REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY AND HOUSING AUTHORITY
OCTOBER 18, 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 Chavez, Council Member Harlan, Council Member Reynolds, Mayor Pro Tem Marr (Arrived 5:18 p.m.), and Mayor Stephens.

Absent: Council Member Gameros 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 4:04 p.m. for Closed Session.

Closed Session adjourned at 5:57 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 6:05 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

The National Anthem was led by St. John the Baptist Clover Choir and the Pledge of Allegiance was led by Mayor Stephens.

MOMENT OF SOLEMN EXPRESSION

Led by Rev. Dr. George Okusi, St. John the Divine Episcopal Church.

ROLL CALL

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

Absent: Council Member Gameros and Council Member Harper.

CITY ATTORNEY CLOSED SESSION REPORT – No reportable action.

PRESENTATIONS:

Council Member Reynolds presented the Walktober Month proclamation to Brett Atencio Thomas, Active Transportation Coordinator.

Mayor Stephens presented the Domestic Violence Awareness Month proclamation to Arezoo Shahbazi Roa, Prevention Education & Marketing Manager at Human Options, Inc.

Mayor Stephens presented the Crime Prevention Month proclamation to Captain Bakkila, Public Affairs Manager Roxi Fyad, and Crime Prevention Specialist Jenette Martinez.

Mr. Sean McReynolds, Townsend Public Affairs, provided an update on State Legislation.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Flo Martin thanked Captain Bakkila for providing newspapers to her, and requested the Police Department to issue more traffic citations.

Mr. Vivar thanked the City Council for the Walktober proclamation, and spoke on scam artists in the community and for residents to be aware.

Jenn Tanaka spoke on the City Housing Element being out of compliance, and spoke in support of Measure K.

Speaker, commented on the state legislation presentation, building and development, increased rents, spoke on the need for investing in community programs and after school programs, and to provide supplies.

Russell Toler requested more police enforcement on the streets, requested police on bikes by the schools, spoke in support of Measure K, spoke on the process for approving development projects, traffic, and zoning reforms.

Becca Walls spoke on problems regarding the Newport Center Animal Hospital, lack of access to records, lack of services for animals, lack of oversight, and requested a new Request for Proposals for the contract.

Jay Humphrey spoke on the grants received for parks, expressed concern that the Parks and Community Services Commission and Fairview Park Steering Committee were not consulted, spoke on receiving citizens input, and spoke on Measure Y and against Measure K.

Ralph Taboada spoke on the grant received for parks, spoke on the Parks and Community Services Commission being involved to determine the projects, and having residents involved in the process.

Speaker, spoke on rising costs of rents and the need for affordable housing.

Rick Huffman spoke on traffic issues on Paularino, that drivers have damaged walls, and suggested traffic calming measures, especially around schools.

Matt Garcia, President of Harbor Soaring Society, thanked the City for the Scarecrow Festival, spoke on Harbor Soaring Society involvement with STEM and STEAM activities at schools.

Speaker, spoke in sympathy for the Ukrainians, spoke on the current council and the promises they made, spoke against Measure K, and spoke on preserving Measure Y.

Speaker, requested an update on the Housing Element and it being out of compliance, spoke on having an alternative plan, spoke on transparency, and spoke on adopting an ethics policy.

Speaker, spoke in support of Measure K, spoke on problems and accidents associated with drunk drivers, spoke on safe public spaces, and on preventative measures.

Wendy Leece, spoke on transparency, the parks grants and requested a study session on the distribution of the funds, requested the Fairview Park funds be reviewed by the Fairview Park Steering Committee, stated opposed to Measure K, and spoke on the State taking away local control.

Hank Castignetti, Orange County Model Engineers, spoke on the train rides at the Scarecrow Festival, spoke on the October 25th Orange County Model Engineers bridge dedicating ceremony, the Orange County Model Engineers have a new website, the Toys for Tots drive and partnering with Goat Hill Lions Club on October 19th and 20th.

Speaker, spoke on the Parks and Animal Committees and lack of transparency, spoke on complaints against Newport Center Animal Hospital and requested a new Request for Proposals for the contract, spoke against Measure K and lack of planning, spoke on State Legislation, and on citizen engagement.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Chavez spoke on scams and to call the police, spoke on maintenance issues on Charle Street, requested an update on permit parking, requested graffiti clean-up on Shalimar Street, spoke on speeding on Wallace Street, spoke on street sweeping hours and citations, spoke on President Biden's visit, spoke on inflation and increased rents, rent control, and requested a resolution supporting Human Rights in Iran.

Council Member Harlan requested a resolution supporting Human Rights in Iran, spoke on the OCMA opening, spoke on a new pedestrian crosswalk at Tustin Ave. and Woodland Place, and thanked Mr. Minter for the new picnic table at Jordan Park.

Council Member Reynolds requested a resolution supporting Human Rights in Iran, requested a webpage on the tree planting program, spoke on the parks grants and how the money can be used and to have discussions during the Open Space Master Plan and Fairview Park Master Plan discussions, requested an Ethics and Code of Conduct policy, spoke on state legislation eliminating bike licenses and how the process started in Costa Mesa, spoke on safe streets, and spoke in support of biking and walking.

Mayor Pro Tem Marr clarified rumors regarding Stater Brothers, spoke on Northgate Market opening in October 2023, spoke on parks grants, spoke on scams and sharing information to expose the scams, spoke on the Animal Services Committee, the Flying Museum at Miramar is looking for a new location, encouraged all to visit the Bonnie Matthews cartoon artwork at the Senior Center, and requested staff to look into state legislation on speed limits.

Mayor Stephens spoke on attending the service for Lt. Hildeman, Senator Mins Town Hall at Norma Hertzog Community Center on October 29th, spoke on the Animal Services Committee, park grants and providing more information on the projects and citizen involvement, and requested a resolution supporting Human Rights in Iran.

REPORT – CITY MANAGER – Ms. Farrell Harrison spoke on Code Enforcement Officer Appreciation Week, spoke on OCME bridge dedication on October 25th, Fire and Rescue Open House on October 22nd, Shine the Light event regarding Domestic Violence and walking vigil on Tuesday, October 25th, spoke on homelessness and provided statistics, spoke on reviewing the Animal Services contracts, and spoke on the park grants and state funding.

REPORT – CITY ATTORNEY – NONE.

CONSENT CALENDAR (Items 1-7)

MOVED/SECOND: Council Member Chavez/Council Member Reynolds

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Gameros 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: Jessie Cortez, Cage Cramer, Maria Yolanda Alonso Manero.

3. ADOPTION OF WARRANT RESOLUTION

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

ACTION:

City Council approved Warrant Resolution No. 2688.

4. MINUTES

ACTION:

City Council approved the Minutes of the Regular meeting of October 4, 2022.

5. MONTHLY UPDATE OF STRATEGIC PLAN GOALS AND OBJECTIVES

ACTION:

City Council approved the October 2022 update to the City of Costa Mesa's Strategic Plan Goals and Objectives.

6. ACCEPTANCE OF THE FIRE STATION NO. 3 IMPROVEMENTS AND REPAIRS PROJECT, CITY PROJECT NO. 21-06

ACTION:

1. City Council accepted the work performed by Urban Professional Builders, Inc., 157 El Nido Avenue, Pasadena, CA 91107, for the Fire Station No. 3 Improvements and Repairs Project, City Project No. 21-06, and authorized 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, if appropriate, at the conclusion of the one-year warranty period.

7. APPROVAL FOR THE PURCHASE OF REPLACEMENT MOBILE DATA COMPUTERS (MDC)

ACTION:

1. City Council authorized the purchase of replacement Mobile Data Computers (MDC) for the Fire & Rescue Department based on pricing provided through the National Association of State Procurement Officials (NASPO) Value Point Master Agreement No. MNWNC-124 and California's Participating Addendum #7-15-70-34-023 for \$168,331.76, with a 10% contingency (\$16,833.18) for unforeseen costs, for a total not-to-exceed amount of \$185,164.94.
2. Authorized the City Manager to execute the necessary documents for the purchase of the MDCs and associated hardware from CDCE, Inc., 22641 Old Canal Road, Yorba Linda, California, 92887.

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

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

PUBLIC HEARINGS:

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

1. 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

Presentation by Mr. Doudar, Building Official and Mr. Neal, Fire Marshal.

Mr. Neal noted an amendment to the resolution adding Chapters 57 (CFC), 58 (CFC) and 80 (CFC) by reference on page 4 of the Resolution.

Public Comments:

Marc Vukceovich spoke on building environmental friendly buildings, removing natural gas from homes, proper sound installation, and single staircase reform.

MOVED/SECOND: Council Member Harlan/Council Member Reynolds

MOTION: Approve recommended actions.

SUBSTITUTE MOTION/SECOND: Mayor Pro Tem Marr/Council Member Chavez

SUBSTITUTE MOTION: Approve recommended actions except to not change the State recommendations in Section 1207.4.1 Electrical Disconnects.

Discussion ensued on section 1207.4.1 Electrical Disconnects, and the suggested change that the ESS disconnecting means shall be within 36-inches of the main electrical service means.

Council Member Chavez withdrew his second.

SUBSTITUTE MOTION/SECOND: Mayor Pro Tem Marr/Council Member Reynolds

SUBSTITUTE MOTION: Approve recommended actions except to not change the State recommendations in Section 1207.4.1 Electrical Disconnects.

SUBSTITUTE MOTION/SECOND: Mayor Pro Tem Marr/Council Member Reynolds

SUBSTITUTE MOTION: Approve recommended actions except to not change the State recommendations in Section 1207.4.1 Electrical Disconnects.

The motion carried by the following roll call vote:

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

Nays: Mayor Stephens

Absent: Council Member Gameros and Council Member Harper.

Abstain: None

Motion carried: 4-1

ACTION:

1. City Council held a public hearing and adopted Resolution 2022-63 of the City Council of the City of Costa Mesa, California, setting forth findings with respect to local climatic and geographic conditions within the City of Costa Mesa to allow certain local amendments to the California Building Code, California Residential Code, and California Fire Code including adding Chapters 57 (CFC), 58 (CFC) and 80 (CFC) by reference on page 4 of the Resolution.
2. Introduced for first reading Ordinance No. 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.

OLD BUSINESS: NONE.

NEW BUSINESS: NONE.

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

ADJOURNMENT – The Mayor adjourned the meeting at 8:55 p.m.

Minutes adopted on this 1st day of November, 2022.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk

DRAFT