



CITY OF COSTA MESA

REGULAR CITY COUNCIL AND HOUSING AUTHORITY*

Agenda

Tuesday, June 18, 2024

6:00 PM

City Council Chambers
77 Fair Drive

***Note: All agency memberships are reflected in the title "Council Member"**
4:00 P.M. Closed Session

The City Council meetings are presented in a hybrid format, both in-person at City Hall and as a courtesy virtually via Zoom Webinar. If the Zoom feature is having technical difficulties or experiencing any other critical issues, and unless required by the Brown Act, the meeting will continue in person.

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As a courtesy, the public may participate via the Zoom option.

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Please click the link below to join the webinar:

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Or sign into Zoom.com and “Join a Meeting”

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- The virtual conference room will open. If you receive a message reading, “Please wait for the host to start this meeting,” simply remain in the room until the meeting begins.
- During the Public Comment Period, use the “raise hand” feature located in the participants’ window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

Participate via telephone: (For both 4:00 p.m. and 6:00 p.m. meetings)

Call: 1 669 900 6833 Enter Webinar ID: 818 7957 9049/ Password: 608584

During the Public Comment Period, press *9 to add yourself to the queue and wait for city staff to announce your name/phone number and press *6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

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Additionally, members of the public who wish to make a written comment on a specific agenda item, may submit a written comment via email to the City Clerk at cityclerk@costamesaca.gov. Comments received by 12:00 p.m. on the date of the meeting will be provided to the City Council, made available to the public, and will be part of the meeting record.

Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at (714) 754-5225 or cityclerk@costamesaca.gov and staff will attempt to accommodate you. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City’s website.

Note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information. All pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted, a direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats, .mp4, .mov or .wmv. Only one file may be included per speaker for public comments, for both videos and pictures. Please e-mail to the City Clerk at cityclerk@costamesaca.gov NO LATER THAN 12:00 Noon on the date of the meeting. If you do not receive confirmation from the city prior to the meeting, please call the City Clerks office at 714-754-5225.

Note regarding agenda-related documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5): Any related documents provided to a majority of the City Council after distribution of the City Council Agenda Packets will be made available for public inspection. Such documents will be posted on the city's website and will be available at the City Clerk's office, 77 Fair Drive, Costa Mesa, CA 92626.

All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.

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As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing. Agendas and reports can be viewed on the City website at <https://costamesa.legistar.com/Calendar.aspx>.

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CLOSED SESSION - 4:00 P.M.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given a total of three minutes to speak on all items on the Closed Session agenda.

CLOSED SESSION ITEMS:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Pursuant to California Government Code Section 54956.8
APN: 420-012-16
Agency Negotiators: Lori Ann Farrell Harrison, City Manager
Negotiating Parties: State of California
Under Negotiation: Price and Terms of Payment

REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY

JUNE 18, 2024 – 6:00 P.M.

JOHN STEPHENS
Mayor

JEFFREY HARLAN
Mayor Pro Tem - District 6

ANDREA MARR
Council Member - District 3

MANUEL CHAVEZ
Council Member - District 4

LOREN GAMEROS
Council Member - District 2

ARLIS REYNOLDS
Council Member - District 5

DON HARPER
Council Member - District 1

KIMBERLY HALL BARLOW
City Attorney

LORI ANN FARRELL HARRISON
City Manager

CALL TO ORDER

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

MOMENT OF SOLEMN EXPRESSION

[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The City Council disclaims any intent to endorse or sponsor the views of any speaker.]

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. Presentation: 2024 NMUSD Students Military Service Recognition
2. Proclamation: 2024 Pride Month

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Comments on Consent Calendar items may also be heard at this time.
Comments are limited to 3 minutes, or as otherwise directed.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Each council member is limited to 3 minutes. Additional comments will be heard at the end of the meeting.

1. Council Member Chavez
2. Council Member Gameros
3. Council Member Harper
4. Council Member Marr
5. Council Member Reynolds
6. Mayor Pro Tem Harlan
7. Mayor Stephens

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the City Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion.

1. [PROCEDURAL WAIVER: WAIVE THE FULL READING OF ALL 24-259 ORDINANCES AND RESOLUTIONS](#)

RECOMMENDATION:

City Council and Housing Authority approve the reading by title only and waive full reading of Ordinances and Resolutions.

2. [READING FOLDER](#) [24-260](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk and authorize staff to reject any and all Claims: Allstate Insurance Company (Steven Larsen), Devon Bradley.

3. [ADOPTION OF WARRANT RESOLUTION](#) [24-258](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2719.

Attachments: [1. Summary Check Register 05-30-2024](#)
[2. Summary Check Register 06-06-2024](#)

4. [MINUTES](#) [24-261](#)

RECOMMENDATION:

City Council approved the minutes of the regular meeting of June 4, 2024.

Attachments: [1. 06-04-2024 Draft Minutes](#)

5. [CLEAN MOBILITY OPTIONS VOUCHER PILOT PROGRAM AND GRANT FOR COMMUNITY BASED TRANSIT](#) [24-227](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the proposed contract with Circuit Transit, Inc. for the Clean Mobility Options (CMO) Voucher Pilot Program in an amount not to exceed \$500,000 annually, for a term of three (3) years after commencement of on-demand transit services.
2. Authorize the City Manager and City Clerk to execute the agreement and future amendments to the agreement within the budgeted amount.

Attachments: [1. Agreement with Circuit Transit Inc.](#)
[2. Resolution No. 2024-01-Clean Mobility Options Voucher Pilot Program](#)

6. [AGREEMENT FOR FUEL PROCUREMENT AND DELIVERY 24-243 SERVICES WITH MERRIMAC PETROLEUM, INC.](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the proposed Agreement with Merrimac Petroleum, Inc., DBA Merrimac Energy Group, 1240 Wardlow Road, Long Beach, CA 90807, for the purchase and delivery of fuel in an annual amount not to exceed \$250,000.
2. Authorize the City Manager and City Clerk to execute the agreement and future authorized amendments to the agreement.

Attachments: [1. City of Ventura's General Services Agreement No. PW22-1064](#)
[2. City of Ventura's General Services Agreement No. PW22-1064 Amendment No. 1](#)
[3. City of Ventura's RFP](#)
[4. Merrimac Energy Group Agreement \(DRAFT\)](#)

7. [AWARD OF THE TRAFFIC SIGNAL MODIFICATION AT BAKER 24-244 STREET AND BABB STREET, CITY PROJECT NO. 24-02, AND FINDING OF CALIFORNIA ENVIRONMENTAL QUALITY ACT \(CEQA\) CATEGORICAL EXEMPTION](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Make a finding of the California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15301 and adopt plans, specifications, and working details for the Traffic Signal Modification at Baker Street and Babb Street, City Project No. 24-02.
2. Award a Public Works Agreement (PWA) for construction to Crosstown Electrical & Data, Inc., 5454 Diaz Street, Irwindale, CA 91706, in the amount of \$292,787 and authorize an additional ten percent (10%) contingency totaling \$29,279 as needed for unforeseen costs from Measure "M2" Fairshare (416) fund balance.
3. Authorize a budget adjustment to appropriate \$60,537 from Fund 416 Measure "M2" Fairshare available fund balance to the project.
4. Authorize the City Manager and City Clerk to execute the PWA, and authorize the City Manager to execute future contract amendments within Council authorized limits.

ENVIRONMENTAL DETERMINATION:

The proposed action is exempt from the California Environmental Quality Act (CEQA). The action involves an organizational or administrative activity of government that will not result in direct or indirect physical change in the environment. In addition, the proposed action is exempt under Section 15301 relating to the operation, repair, maintenance, permitting, and/or minor alteration of existing public facilities.

Attachments: [1. Bid Abstract](#)
[2. Public Works Agreement](#)

8. [PLANNING APPLICATION PDRC-23-0001 TO ADD THE “LEROY 24-252 ANDERSON HOUSE” AT 208 MAGNOLIA STREET TO THE LOCAL HISTORIC REGISTER AND APPROVE A MILLS ACT CONTRACT FOR THE PROPERTY](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (“Common Sense”) of the CEQA Guidelines.
2. Adopt City Council Resolution 2024-XX to place the “Leroy Anderson House” at 208 Magnolia Street on the Local Register of Historic Places.
3. Approve a Mills Act contract between the City and the property owner to facilitate preservation of the subject property as a historic resource.

Attachments: [Agenda Report](#)

- [1. Resolution](#)
- [2. Applicant Letter](#)
- [3. Historical Assessment Report](#)
- [4. Mills Act Contract](#)
- [5. Draft Rehabilitation Plan](#)
- [6. State Inventory Form](#)
- [7. Historical Society Endorsement](#)
- [8. Mills Act Property Tax Abatement Program](#)
- [9. Planning Commission Resolution](#)
- [10. Planning Commission Minutes](#)
- [11. Planning Commission Report 012224](#)

9. [ADOPTION OF ORDINANCES APPROVING DEVELOPMENT 24-254 AGREEMENT \(DA-20-02\), REZONE \(R-20-01\), AND SPECIFIC PLAN \(SP-20-01\), AND ADOPTION OF RESOLUTION AMENDING CERTAIN CONDITIONS OF APPROVAL FOR THE ONE METRO WEST PROJECT LOCATED AT 1683 SUNFLOWER AVENUE](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Find that the proposed amendments are in substantial conformance with the Final Environmental Impact Report (EIR) for the One Metro West project (State Clearing House No. 2019050014), including a mitigation monitoring program and statement of overriding considerations, which was certified by the City Council on May 4, 2021, and that no further environmental review under CEQA is required pursuant to CEQA Guidelines Section 15162.
2. Give second reading to and adopt, by title only, Ordinance No. 2024-05 approving Development Agreement 20-02, modifying payment of impact fees and community benefits funding from one year to five years and clarifying the Agreement's effective date.
3. Give second reading to and adopt, by title only, Ordinance No. 2024-06 approving Rezone 20-01.
4. Give second reading to and adopt, by title only, Ordinance No. 2024-07 approving Specific Plan 20-01.

Attachments: [Agenda Report](#)

1. [Ordinance 2024-05 \(Development Agreement\)](#)
2. [Ordinance 2024-06 \(Rezone\)](#)
3. [Ordinance 2024-07 \(Specific Plan\)](#)
4. [City Council Report June 4, 2024](#)
5. [Track Changes Development Agreement](#)

10. **SECOND READING OF ORDINANCE NO. 2024-02 AMENDING TITLE 24-228 13 (PLANNING, ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE TO ESTABLISH AFFORDABLE HOUSING REQUIREMENTS FOR NEW RESIDENTIAL DEVELOPMENT PROJECTS**

RECOMMENDATION:

Staff recommends the City Council:

1. Find that the adoption of Ordinance No. 2024-02 is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061(b)(3), General Rule in that the Affordable Housing Ordinance will not have a significant impact on the environment.
2. Give second reading to and adopt Ordinance No. 2024-02 approving the Affordable Housing Ordinance and amending Title 13 to establish the affordable housing requirements for certain new residential development projects.

Attachments: [Agenda Report](#)

[1. Ordinance No. 2024-02](#)

[2. City Council AHO changes](#)

[3. City Council Agenda Report April 2, 2024](#)

11. **APPROVAL OF AMENDMENT TO MERCY HOUSE AGREEMENT FOR 24-268 CITYWIDE RENTAL ASSISTANCE PROGRAM**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve Amendment No. 5 to the Subrecipient Agreement with Mercy House Living Centers increasing the compensation by \$500,000 for a total not-to-exceed amount of \$2,050,000 for the administration of the City's Rental Assistance Program for very low-income households.
2. Authorize a budgetary increase of \$500,000 to be funded by recently granted FEMA reimbursements.
3. Authorize the City Manager and the City Attorney to make all contract amendments as needed, and execute the contract amendment(s).

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. [**FIRST READING OF ORDINANCES TO AMEND CHAPTERS 2 AND 3 24-226 OF TITLE 4 \(BICYCLES\); AND CHAPTERS 1 THROUGH 21 OF TITLE 10 \(MOTOR VEHICLE TRAFFIC\) OF THE COSTA MESA MUNICIPAL CODE AND PURSUANT TO THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT \("CEQA"\), FIND THE ORDINANCE IS NOT A "PROJECT" AND FURTHER, THAT IT IS EXEMPT FROM THE PROVISIONS OF CEQA PURSUANT TO CEQA GUIDELINES SECTION 15061\(B\)\(3\)**](#)

RECOMMENDATION:

Staff and the Active Transportation Committee recommend the City Council:

Introduce for first reading, Ordinance Nos. 2024-xx and 2024-xx, to amend Chapters 2 and 3 of Title 4 (Bicycles) and Chapters 1 through 21 of Title 10 (Motor Vehicle Traffic), respectively, of the Costa Mesa Municipal Code to be in compliance with current California laws related to bicycles and current practices and procedures.

Attachments: [1. Title 4 Ordinance with Exhibit A](#)
[2. Title 10 Ordinance with Exhibit A](#)

2. [**FEE RESOLUTION TO ESTABLISH THE AFFORDABLE HOUSING 24-229 IN-LIEU FEE SCHEDULE**](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA), Section 15061(b)(3) ("General Rule").

2. Adopt a fee resolution establishing the affordable housing in-lieu fee.

Attachments: [Agenda Report](#)
[1. Resolution](#)
[2. City Council Agenda Report April 2, 2024](#)
[3. City Council Minutes April 2, 2024](#)

OLD BUSINESS: NONE.

NEW BUSINESS:

1. [URBAN MASTER PLAN SCREENING REQUEST \(PSCR-24-0003\) 24-255 FOR A PROPOSED 38 UNIT LIVE/WORK DEVELOPMENT ON A 2.3 ACRE SITE WITHIN THE MESA WEST BLUFFS URBAN PLAN LOCATED AT 960 WEST 16TH STREET](#)

RECOMMENDATION:

Staff recommends the City Council review and provide feedback on the proposed 38-unit new live/work development in the Mesa West Bluffs Urban Plan area, and to provide comment on the requested deviations.

Attachments: [Agenda Report](#)

1. [Applicant Letter](#)
2. [Application Summary Sheet](#)
3. [Existing Site Photos](#)
4. [Preliminary Plans](#)

2. [APPOINTMENT TO THE PARKS AND COMMUNITY SERVICES 24-241 COMMISSION](#)

RECOMMENDATION:

Staff recommends the City Council make the appointment as follows:

1. Parks and Community Services Commission - Make one (1) member appointment to fill vacancy with term expiration of January 2025. Appointment by Council Member Gameros.

Attachments: [1. Parks and Community Services Commission Applications](#)

ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

ADJOURNMENT