

From: [Priscilla Rocco](#)
To: [CITY CLERK](#)
Subject: Bees and the Terrible, Horrible, No Good, Very Bad Week
Date: Tuesday, June 18, 2024 11:54:09 AM

City Council,

It was an emotional rollercoaster for me last week. It started happily, planting the natives I grew from seed, watching my bees on the rosemary, and rejoicing that Councilwoman Marr had announced at the last council meeting that she'd be working to legalize beekeeping in Costa Mesa.

33 years ago when I bought my home, I took out the lawns, put in drip irrigation, and started planting and composting. My front and back gardens are full of fruit trees, grapes, berries, artichokes, asparagus, tomatoes, beans, other seasonal vegetables, native plants like milkweed and lots of flowers and vines. Therefore it's home to bees, butterflies, nesting birds, lizards, spiders, moths, squirrels, and the occasional opossum, duck, or raccoon. Bees have been living in a trash can in my atrium on and off for the last ten years. My neighbors don't mind; they love my gardens. So do the families who walk their kids and dogs to the corner park.

But on Saturday, June 8, I was cited by Costa Mesa Animal Control for violating Municipal Code 3-18: "It shall be unlawful for any person to have, keep, or maintain any hive or swarm of bees within the city." The citation said to "Please have bees removed within SEVEN DAYS! Failure to comply with the above may necessitate your appearance in court."

I was heartbroken and in a panic, but I arranged for a beekeeper I met on Earth Day at City Hall to give me an estimate on re-homing my bees. Prices range from \$250 to \$385, which is a lot for someone living entirely on Social Security. Turns out my beekeeper, Alberta Mirisciotti, was the same person who Councilmember Marr had spoken to and quoted on June 4: "We can raise chickens in Costa Mesa, but not honeybees." In 2023, Alberta also worked with Animal Services on a beekeeping subcommittee that wrote a model ordinance, referencing Fullerton's beekeeping best practices, and incorporating the feedback from the OC Beekeeper Association. Therefore, most of the work has already been done.

So I called Councilmember Marr and left a message. I wrote to her and each city council member begging for a reprieve for my bees until the code

was changed. After all, bees are allowed in Huntington Beach, Santa Ana, Irvine, Laguna Hills, Laguna Woods, San Clemente, Anaheim, Fullerton, Orange, Stanton, Tustin, Westminster, and Yorba Linda.

With only two days left and no word from the city council, I wrote a letter to the editor of the Daily Pilot. You may have seen it in last Sunday's edition. I message it to Mayor Stephens. Late on the last day, I finally got a letter from the Deputy Chief of Police saying Mayor Stephens had spoken to her, and since the beekeeping code was being reviewed by the city council, I wouldn't be fined and could keep my bees until a decision is made.

Thank you Mayor Stephens for stepping in to save my bees, and thank you for working to allow beekeeping in Costa Mesa. Bees pollinate most of what we eat, but they are dying at an alarming rate. If we can save bees by taking out our lawns and planting native and pollinator plants, it follows that we must allow beekeeping. Because some of those bees will decide to make their home in a trash can in an atrium, so they can roll out of bed to pollinate your garden. And where there are gardens, there will always be bees! Thank you again Mayor Stephens!

Priscilla Rocco
Costa Mesa

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June 18, 2024

Costa Mesa City Council
Raja Sethuraman, Public Services Director
77 Fair Drive
Costa Mesa, CA 92626
citycouncil@costamesaca.gov
raja.sethuraman@costamesaca.gov

Dear Members of the City Council and Public Works Director Sethuraman:

We are very excited to see the new Circuit Transit program on the consent calendar for today's meeting. However, we wanted to take the opportunity of your review of this program to comment on the City's current approach to these kinds of projects and to make suggestions we believe are in the best interest of the public.

1. All transit-related projects and policies, such as the Circuit Transit program, would benefit from input from the Active Transportation Committee.

Although the Circuit Transit program shows promise for expanding transit opportunities in Costa Mesa, we note that this opportunity was not presented to the Active Transportation Committee (ATC). This may be because the ATC's mandate is, at the moment, narrowly focused on walkability and bikeability. However, we would suggest that transit opportunities should also fall within their purview because users almost always must walk or bicycle to and from transit stops. Now, it is true that the Circuit Transit program is distinct from traditional transit programs because it offers point-to-point transit. But this very distinction underscores the need to bring these kinds of projects to the ATC before presenting them to the City Council.

The ATC can provide valuable insight into the appropriate balance between traditional, bus-oriented transit versus innovative, but car-oriented, transit. For example, we note that the Circuit Transit cars are unlikely to be able to accommodate bicycles, and this will limit the program's appeal to prefer to run multiple errands by bike. Another issue the ATC might have raised is the geofenced coverage map. Although W. 19th Street is

covered, its counterpart on the Eastside is not; therefore, the Circuit Transit program is unlikely to well address demand to cross the dangerous 19th Street/Newport Boulevard intersection. These are all issues that we believe the ATC would have raised if they had the chance.

That said, at this point we would not recommend the approval of the Circuit Transit program be delayed to allow the ATC to weigh in. But we hope Public Works will consider bringing any enhancements or continuation of this project, as well as any future transit-related projects, to the ATC in the future for its review and comment.

2. The ATC should be given regular updates on the status of the Clear Channel bus shelter contract.

The shelter contract will govern the look, availability and maintenance of our 197+ bus stops for the next ten years, maybe more, and the public has not been given an update on the status of this contract since it expired in April. Again, it would be entirely appropriate for the ATC to receive timely reports regarding the city's progress negotiating this critical contract. The cleanliness and accessibility of, and the amenities available at, our bus stops *directly affects* the public realm.

It would also be helpful for the ATC to get an update on the City's intent to dedicate revenue from this contract to the improvement of the streets and areas surrounding our bus stops. This plan will inevitably involve trade offs; for example, should that fund be permitted to accumulate funds to offset the significant costs of infrastructure upgrades, or should it regularly expend its funds to provide for small but meaningful improvements like new trash cans, benches, beautification, etc.? These tradeoffs are exactly the kind that are well served by input from resident committees.

3. The City should disclose restriping plans well in advance.

There has been a lot of discussion recently about changes to street design, and some of the complaints have centered on a lack of transparency and advanced notice about street changes. While we have generally been enthusiastically supportive of such changes, we agree that the City's process could be improved.

In the recent Adams Avenue project the striping plan is buried deep on page 365 of the project agreement, and it wasn't disclosed until the agreement had been fully negotiated and prepared for signature. In other words, it was far too late at that point for the public to provide any input on those plans.

Instead, we would suggest that restriping plans either be disclosed on the City's website, disclosed to the ATC, or both, as soon as those plans are finalized and before

the selection of a contractor. This would permit the public a chance to digest those plans and to potentially make suggestions before the bidders are selected and while changes will not incur additional costs.

Thank you very much for your consideration of our comments. We are very proud of the great strides Costa Mesa has made to improve our streets and our public realm in the past several years. We look forward to the many improvements yet to come.

The Board of Costa Mesa Alliance for Better Streets

Russell Toler

Mike Lingle

Flo Martin

David Martinez

Ralph Taboada

Jenn Tanaka

Marc Vukceвич

CC:

Brett Atencio Thomas, Active Transportation Coordinator

brettatencio.thomas@costamesaca.gov

From: [SETHURAMAN, RAJA](#)
To: [Jenn Tanaka](#)
Cc: [CITY COUNCIL](#); [FARRELL HARRISON, LORI ANN](#); [GALLARDO DALY, CECILIA](#); [THOMAS, BRETT ATENCIO](#); [CITY CLERK](#); [Russell Toler](#); [Mike Lingle](#); [Ralph Taboada](#); [Flo Martin](#); [David Martinez](#); [Marc Vukceвич](#); [GREEN, BRENDA](#); [Kimberly Hall Barlow - City Attorney](#)
Subject: RE: CMABS Letter for City Council 6/18
Date: Tuesday, June 18, 2024 12:56:49 PM

Ms. Tanaka:

Thanks for your letter and your comments on the CMO Transit grant as well as other projects. Regarding CMO, staff updated the Active Transportation Committee at least on two occasions this year on February 7, 2024 and May 3, 2024. There were other updates in 2023 before this went to Council on January 16, 2024. This item is a follow up to the January 16 meeting report, which provided all details of the program. The CMO program limits the service area to primarily service SB535 Disadvantaged Communities and AB 1550 Low Income Communities, and therefore could not be expanded into Eastside residential areas. In the future, if the City is able to fund the program completely, other options can be explored.

The Bus Shelter Franchise Request for Proposal (RFP) is still in its draft stage and will be shared with the Active Transportation Committee when it is in a more final stage.

Adams Avenue project was presented to the Active Transportation Committee as well as to the Mesa Verde community on several occasions. We have orally updated the Committee during staff update that we will be implementing Phase 1 striping plan at this time. The bicycle trail project will be implemented following completion of SCE undergrounding. This was also shared with the Committee as we applied for and secured grant funding for that project.

Staff is working closely with Active Transportation Committee on all items and will continue to share information all relevant projects. Thank you.

Raja Sethuraman
Public Works Director
City of Costa Mesa
714-754-5343

From: Jenn Tanaka <jenn@cmabs.org>
Sent: Tuesday, June 18, 2024 11:29 AM
To: SETHURAMAN, RAJA <RAJA.SETHURAMAN@costamesaca.gov>; CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>
Cc: THOMAS, BRETT ATENCIO <BRETTATENCIO.THOMAS@costamesaca.gov>; CITY CLERK <CITYCLERK@costamesaca.gov>; Russell Toler <russell@cmabs.org>; Mike Lingle <mike@cmabs.org>; Ralph Taboada <ralph@cmabs.org>; Flo Martin <flo@cmabs.org>; David Martinez <david@cmabs.org>; Marc Vukceвич <marcv@cmabs.org>
Subject: CMABS Letter for City Council 6/18

City Clerk:

Please find attached a letter relating to the City Council meeting this evening at City Hall.

Best,

Jenn Tanaka

on behalf the Board of the Costa Mesa Alliance for Better Streets

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Subject: Re: CMABS Letter for City Council 6/18
Date: Tuesday, June 18, 2024 3:00:23 PM

Hi Director Sethuraman:

First, thanks for the prompt reply! And second, we are thrilled to hear that Public Works agrees that transit projects fall under the purview of the active transportation committee. We obviously wholeheartedly agree. I don't think this has ever been explicitly stated before!

While only one of our board members (the esteemed Flo Martin) remain on the ATC, we had been under the impression that transit projects had not been previously brought in detail to this body. If we are mistaken we are happy to be! However, it would be great if in the future if this could be spelled out in the agenda and/or the minutes. I saw a reference to the CMO project in the February minutes, for example (thanks for pointing that out) but not in the February or May agendas or in the May minutes.

(As a side bar, I think the website for the ATC should be updated to include the minutes approved year to date).

For striping, we really wanted to just emphasize that it would be helpful to continue to disclose striping plans when they are available, preferably before change orders start getting really expensive. For example on Adams i wasn't sure if the ATC had gotten the actual striping plan or just an oral update as you mention.

And as for the bus shelter contract - we are delighted to hear that is moving forward. Any update on the internal Costa Mesa processes regarding dedicating revenue to the shelters from earnings?

Thanks!!! And I will be at council tonight so hopefully I'll see you there.

Jenn

Sent from my iPhone

On Jun 18, 2024, at 12:57 PM, SETHURAMAN, RAJA
<RAJA.SETHURAMAN@costamesaca.gov> wrote:

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Jenn Tanaka
on behalf the Board of the Costa Mesa Alliance for Better Streets

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June 17, 2024

Mayor Stephens and Council Members
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA

RE: Adopt Higher In Lieu Fees – and Consider a New Idea

Dear Mayor Stephens and Council Members:

Costa Mesa's affordable housing advocates are dismayed at how our City Council has bungled so badly its inclusionary housing policy. Over the last year, our collective hearts sank at every study session or city council meeting as we watched the proposed set-aside requirements shrink smaller and smaller in response to council member demands.

What went wrong? You ignored the recommendations of your expert consultant, Keyser Marston Associates.

KMA told you in a May 16, 2023 financial analysis that it was economically reasonable to require **19% low- or 12% very low-income units in developments of 60+ units/acre.** KMA further recommended requiring **11% low- or 7% very low-income units in projects of between 40 and 59 units/acre.** Instead, on April 2 you passed an ordinance requiring a *weak* 10% low or 5% very low-income at densities of 60+ units/acre, and for *all* densities below that, a *paltry* 6% low or 4% very low. (And *nothing* for projects of less than 50 units!)

You seem poised to repeat your error. The current in lieu fee proposal conflicts with KMA's recommendation.

In a January 2024 in lieu fee analysis done for the joint study session, KMA recommended **\$26.10/square foot** as the economically appropriate in lieu fee for developments of **21 or more units** with densities of **60+ units/acre**. Today, the city is considering whether to impose an in lieu fee requirement of just **\$19.50/square foot** for the same high density projects of **60+ units/acre**. **That is a 25% reduction in the in lieu fee.** *Where is the financial analysis justifying that reduction?*¹

We urge City Council to **follow the recommendation of your consultant** KMA and adopt an in lieu fee requirement of **\$26.10/square foot** for all developments of **60+ units/acre**. We further urge you to require **\$15/square foot** for all developments of **less than 60 units/acre**. Because the threshold for applying the Affordable Housing Ordinance is 50 units (another tragic policy choice), the \$15/square foot fee is easily supported by any qualifying development. Moreover, \$15/sq. ft. is the in lieu fee required in Santa Ana. **It would be absurd for Costa Mesa to have an in lieu fee lower than our neighbor's, particularly when rents in our city are uniformly higher.**

Please do the right thing for the people of Costa Mesa who desperately need affordable housing. Adopt higher in lieu fees than what are proposed.

A new idea: Consider including in the ordinance another alternative for meeting the affordable housing requirement: a covenant to **set aside 30% of the units for tenants with Section 8 "Housing Choice" vouchers**. The landlord would receive market rate rent for those units, with qualifying tenants' rent subsidized by federal housing funds. A true win-win.

Respectfully,

Kathy Esfahani

Kathy Esfahani,
On behalf of the Costa Mesa Affordable Housing Coalition

¹ In January 2024, KMA's working assumption was that the inclusionary ordinance would require 11% low or 7% very low-income units for densities of 60+ units/acre. Today, of course, the affordability requirement at that density is reduced to 10% low or 5% very low. But the reduction of the inclusionary requirement from 11% low-income to 10% low-income does not justify a **25%** reduction in in lieu fees.



April 2, 2024

Mayor Stephens and Councilmembers
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Re: IN LIEU FEE RESOLUTION TO ESTABLISH THE AFFORDABLE HOUSING IN-LIEU FEE SCHEDULE

Mayor Stephens and Councilmembers

The Kennedy Commission (the Commission) is a broad-based coalition of residents and community organizations that advocates for the production of homes affordable for extremely low-income families earning less than \$30,000 annually in Orange County. Formed in 2001, the Commission has been successful in partnering and working with Orange County jurisdictions to create effective housing and land-use policies that have led to the construction of homes affordable to lower-income working families.

We are writing today to urge that the City of Costa Mesa adopt a strong Inclusionary Housing program and in lieu fee to incentivize affordable housing opportunities on sites that are identified in the 6th Cycle Housing Element.

We have participated in the affordable housing ordinance working group, study sessions and public hearings. The Commission supported the initial inclusionary housing requirement recommended by Keyser Marston and Associates of 19% low or 12% very low for development of 60+ units/acre and 11% low or 7% very low for developments of 40-59 units/acre.

On April 2 the City Council adopted a weaker ordinance lowering the consultant's recommended to 10% low or 5% very low for developments of 60+ units/acre and 6% low or 4% very low. We strongly believe that the policy needs to ensure that the City will effectively produce affordable housing at the extremely low, very low, and low-income level, these are the units not being created by the market. **By reducing the affordable housing requirement, the city now has put more weight on the value of the in lieu fee. We recommend that the in lieu fee be in a range of \$15 - \$19 a square foot to make affordable housing more feasible at the lower income levels.**

Moreover, we want to ensure that the city includes an Inclusionary Housing Ordinance as part of their housing programs and priorities to support extremely and very low-income families in Costa Mesa.

We also want to acknowledge Costa Mesa's Measure Y and its impact on affordable housing developments. One of the City's largest constraints to affordable housing development is Measure Y, because it prioritizes lower density and less development options. The City's residents recently

passed a measure to exempt certain sites from the Measure Y constraints. These sites are vital to addressing affordable housing needs as they are being identified for affordable housing at lower income. An Inclusionary Housing Ordinance would be a policy to ensure that affordable housing gets built at targeted categories at the extremely low and low income. If these sites do not produce affordable housing, the city will have a no net loss and will have to identify additional sites with the capacity of at least 30 units to the acre to meet its lower income housing needs.

CONCLUSION

The implementation of a strong Inclusionary Housing Ordinance that specifically focuses on extremely low, very low and low is essential to address the housing crisis impacting lower income families in Costa Mesa. An Inclusionary Housing Ordinance will bridge the gaps of systemic inequity by providing safe and affordable housing to working families facing housing and economic insecurity because of the lack of affordable housing options.

We are strongly recommending that the city implement an Inclusionary Housing Ordinance to ensure housing is produced equitably and creates balanced housing development to support housing for lower income residents.

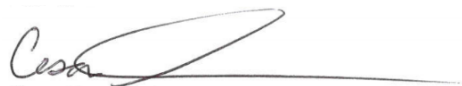
The Inclusionary Housing Ordinance needs to require at minimum the following affordable housing requirements in exchange for the developments incentives and the opportunity to build higher density developments.

Costa Mesa must have an effective inclusionary program that includes:

- Increase the required affordable housing set-aside of 15% at low and very low, extremely low-income and**
- In Lieu Fee option that request a contribution in the range of \$15 - \$19 a square foot (Kaiser Marsten recommended \$19 sf)**

We look forward to working with the City of Costa Mesa to encourage effective housing policies that will help create balanced housing development and create much-needed affordable housing in our local communities. If you have any questions, please feel free to contact me at (949) 250-0909 or cesarc@kennedycommission.org

Sincerely,



Cesar Covarrubias

Executive Director