



Overview on Medi-Cal Renewal

City of Costa Mesa
October 17, 2023

Katrina Foley, 5th District Supervisor, Orange County
Yunkyung Kim, Chief Operating Officer, CalOptima Health
An Tran, Director, County of Orange Social Services Agency



CalOptima Health Mission

*“To serve member health
with excellence and dignity,
respecting the value and needs of
each person.”*

CalOptima Health Medi-Cal Insurance

- \$4 billion budget with 90% State tax revenues and 10% Federal funds
- Organized health care through a network of contracts with providers
- Separate public agency bylaws and a fiduciary Board of Directors



CalOptima Health Medi-Cal Insurance (cont.)

Orange County Population:

~3.1 Million Residents

CalOptima Health Insures:

~980,000 Members

City of Costa Mesa Population:

~112,000 Residents

CalOptima Health Insures:

~30,100 City of Costa Mesa Residents
(27% of all residents)

New Initiatives

- **Street Medicine**
 - Launched in Garden Grove 4/1/23
 - Designed to expand in the future
- **CalAIM Benefits**
(California Advancing and Innovating Medi-Cal)



Community Supports

1. Housing Transition Navigation
2. Housing Deposits
3. Housing Tenancy & Sustaining Services
4. Recuperative Care (Medical Respite)
5. Short-Term Post-Hospitalization Care
6. Day Habilitation Programs
7. Medically Tailored Meals
8. Sobering Center
9. Personal Care/Homemaker
10. Respite Program
11. Home Modifications
12. Asthma Remediation
13. Nursing Facility Transition
14. Community Transition Services

\$8 Million Grant for Costa Mesa Project

- This month, CalOptima Health approved the distribution of \$52.3 million in grant funds as part of homeless health effort
 - \$8 million to C&C Development for the Mesa Vista project
- Mesa Vista will offer affordable housing with on-site supportive services tailored to veterans, people with serious mental illness and seniors
- The planned renovation will remodel the current motel rooms into 87 units



Medi-Cal Renewal

Step 1: Update Your Contact Info

- Report any changes:
 - Name
 - Mailing address
 - Email address
 - Phone number
- Contact the County of Orange Social Services Agency (SSA):
 - Online: **BenefitsCal.com**
 - Phone: **1-800-281-9799**
 - In person: SSA Regional Offices



ATTENTION Medi-Cal Members

TAKE ACTION to Keep Your Medi-Cal

CalOptima Health's Medi-Cal plan covers vital health care services for you and your family, including doctor visits, prescriptions, vaccinations, mental health care and more. Make sure you renew it when it's time.

Update your contact information
Report any new changes to your name, mailing address, email address and phone number, so the County of Orange Social Services Agency (SSA) can contact you. Call 1-800-281-9799.

Create or check your online account
You can sign up to receive alerts about your Medi-Cal. Create or log into your account to get these alerts. You may submit renewals or requested information online. Go to MyBenefitsCalWIN.org.

Check your mail
SSA will mail you a letter about your Medi-Cal eligibility. You may need to complete a renewal form. If you are sent a renewal form in a yellow envelope, submit your information online, by phone, in person or by mail to avoid a gap in your coverage.

Complete your renewal form (if you get one)
If you receive a renewal form, submit your information within 60 days online, by phone, in person or by mail to avoid a gap in your coverage.

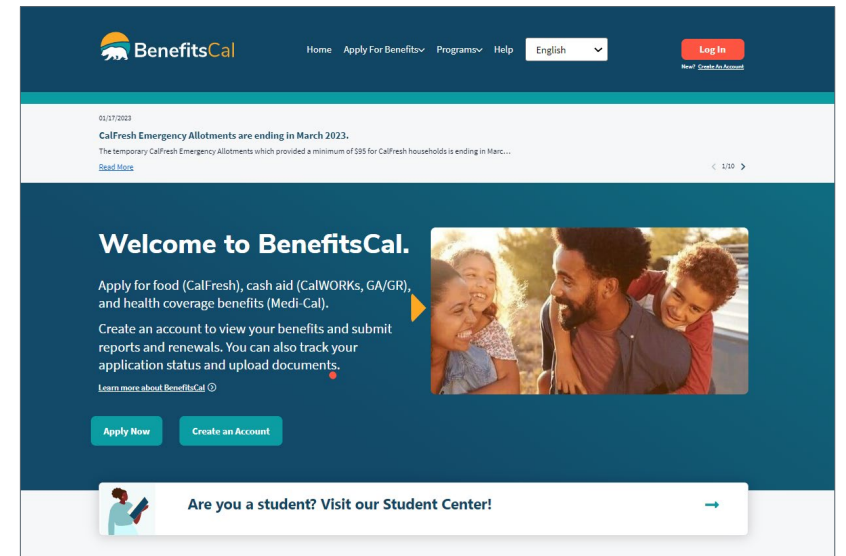
Medi-Cal Renewal

Step 2: Create or Check Your Online Account

- Use new online system:

BenefitsCal.com

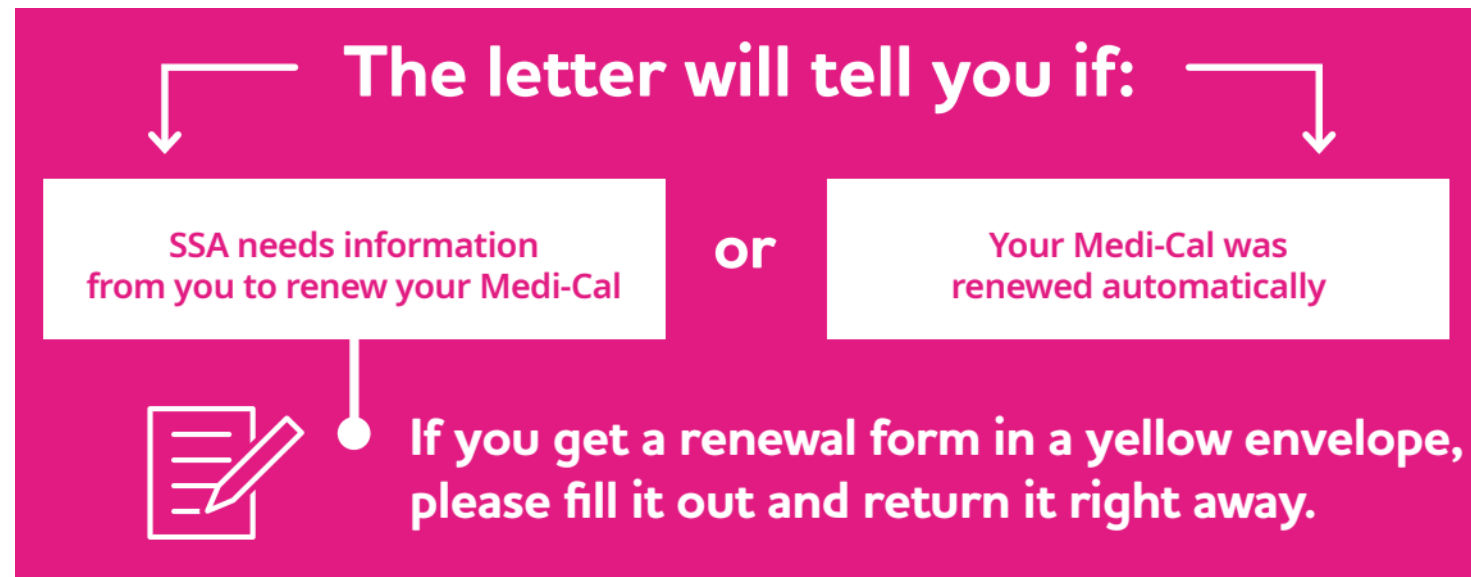
- Create your account
- Check your renewal month
- Make updates



Medi-Cal Renewal

Step 3: Check Your Mail

- You will get one of two letters in the mail:
 - Automatic renewal letter (regular envelope)
 - Renewal form (yellow envelope)



Medi-Cal Renewal

Step 4: Complete Your Renewal Form

- Respond in the way best for you:
 - Online
 - By phone
 - In person
 - By mail
- Act as soon as possible:
 - Due date on the renewal form
 - No later than 60 days

STATE OF CALIFORNIA HEALTH AND HUMAN SERVICES AGENCY DEPARTMENT OF HEALTH CARE SERVICES

You may lose your Medi-Cal if you do not respond by [Month day, Year]

Medi-Cal Renewal Form

You can get this form in another language or accessible format of your choice. To ask for help in your language, call: 1-XXX-XXX-XXXX (TTY: 1-XXX-XXX-XXXX).

[prepopulate] Notice date: [prepopulate]
[prepopulate] Case number: [prepopulate]
[prepopulate] Case name: [prepopulate]
Worker name: [prepopulate]
Worker telephone number: [prepopulate]

It's time to renew benefits for:

Name	Date of birth
[prepopulate]	[prepopulate]

Household members not on this form will get a separate letter about their Medi-Cal.

→ Step 1. Read the form and answer the questions
→ Step 2. Sign and date on the Declaration and Signature page
→ Step 3. Send the form with proof by the due date of [Month day, Year]

Easy ways to give us your form and proof:

Online at [SAWS online portal] or coveredca.com	By mail in the envelope that came with this letter.	By phone at [1-XXX-XXX-XXXX] (TTY: 1-XXX-XXX-XXXX).	In person to [Name of county office] at [address], [City, State, ZIP]. They are open Monday through Friday, [X:XX a.m. to X:XX p.m.]
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? **Questions? Call your local county office at [1-XXX-XXX-XXXX] before the due date.**

MC 216 ENG (Rev 10/20) page 1 of 19

Medi-Cal Renewal Member Resources

- CalOptima Health Customer Service:
 - Phone: **1-888-587-8088**
- County of Orange Social Services Agency (SSA):
 - Phone: **1-800-281-9799**
 - Online: **[BenefitsCal.com](https://www.benefitscal.com)**
- To learn about community events
 - Follow social media @caloptima: Instagram/Facebook/X

Partnership With City of Costa Mesa

- Join the campaign to help your residents renew their Medi-Cal
- Adopt the renewal proclamation
- Distribute Medi-Cal renewal information in city publications and channels
 - www.caloptima.org/renew (community partner toolkit)
- Co-host Medi-Cal Renewal and CalFresh Enrollment events with CalOptima Health and the County of Orange Social Services Agency (SSA)



THANK YOU & QUESTIONS

Fairview Park in 2003

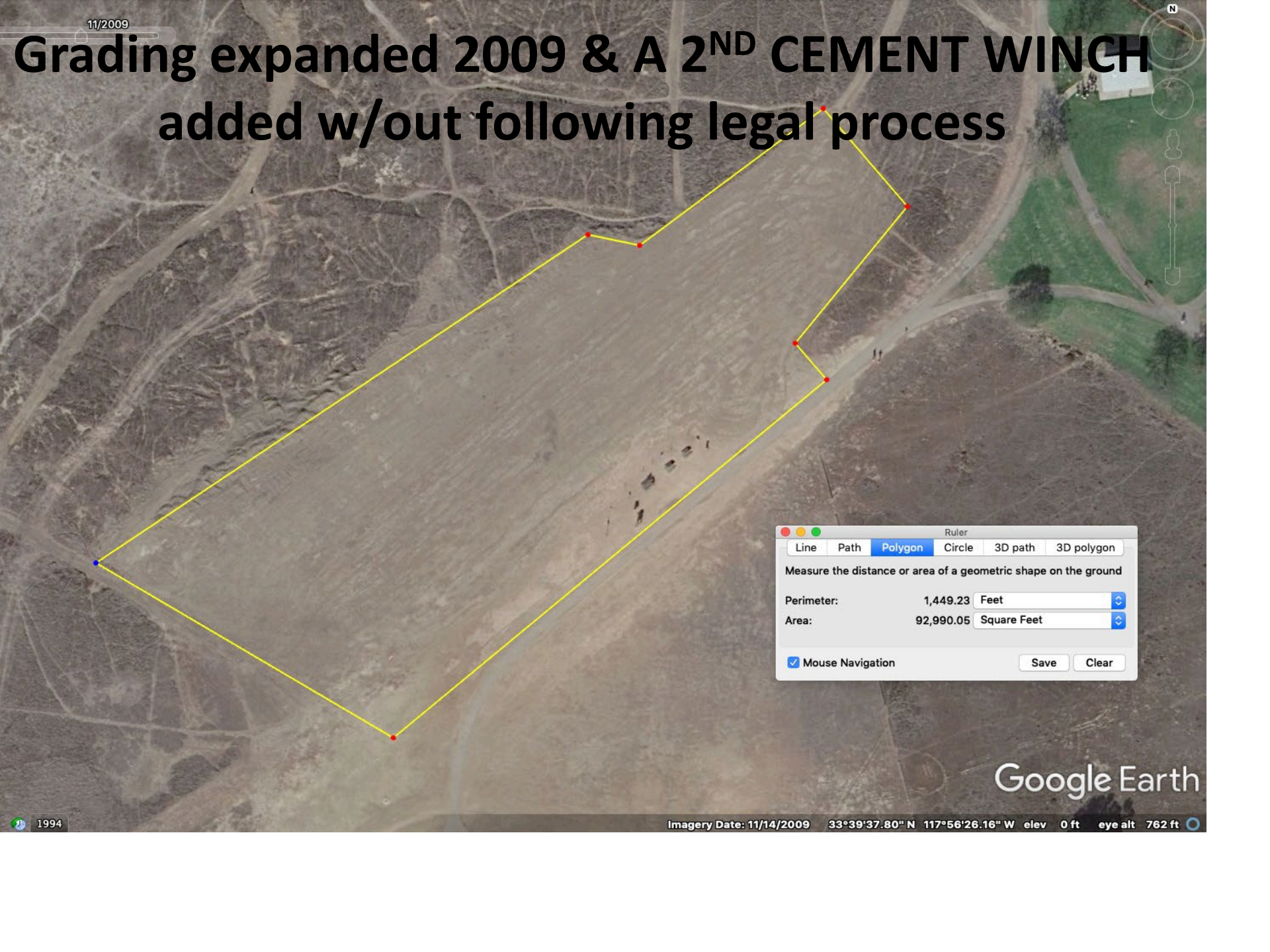


Graded vernal pool watershed in 2005



11/2009

Grading expanded 2009 & A 2ND CEMENT WINCH added w/out following legal process



Ruler

Line Path **Polygon** Circle 3D path 3D polygon

Measure the distance or area of a geometric shape on the ground

Perimeter: 1,449.23 Feet

Area: 92,990.05 Square Feet

Mouse Navigation

Save Clear

Google Earth

1994

Imagery Date: 11/14/2009 33°39'37.80" N 117°56'26.16" W elev 0 ft eye alt 762 ft

San Diego Button Celery

Fairview Park, Costa Mesa, 6-15-19



Ron Vanderhoff

June 15 · 🌐

This is probably the rarest and most interesting of all the species at Fairview Park. It is *Eryngium aristulatum* var. *parishii* (Apiaceae) San Diego button celery. It is known exclusively from a few Southern vernal pools and is listed as both a US and CA Endangered Species. — in [Costa Mesa, California](#).

👍❤️ 16

4 Comments

1 Share

👍 Like

💬 Comment

➦ Share



Fred Roberts You found it this year. I don't recall finding it in 2017 and I heard it was not seen in 2016 either.

Like · Reply · 2w

👍 1



James Bailey Yup this was the last "missing" plant for Fairview. It has been several years since it was found, we thought it was gone.

Like · Reply · 1w



Write a comment...



👍 Like 💬 Comment ➦ Share

Tag Photo

Options

Send in Messenger

🔍 Type here to search



A launch/land site not to exceed
one foot in width and 600 foot
string (FPMP p.33)

The launch/land site is 92,990.05
Sq. Ft. which far exceeds what the
FPMP says











Medak, Christine <Christine_Medak@fws.gov>

Thu, May 4, 8:00AM ☆ ↶ ⋮

to Jonathan, me ▾

Kim,

We have been coordinating with City staff to develop recommendations for the City Council. While in the past we have said that it may be possible to have certain types of quiet planes (i.e., gliders) in Fairview Park at certain times of the year, and under certain conditions, we have not advocated for model plane use in the park. Recent drone use by Orange County Vector Control was monitored by biologists and clearly demonstrates that use of the drone flushed birds from the vernal pools. Use of drones to control mosquitos results in a temporary disturbance to birds and addresses a human health concern. Regular use of model planes can displace birds from the vernal pools or their watersheds. City staff also have these reports and it was my understanding that they were recommending to have the flying field relocated.

Christine L. Medak

Fish and Wildlife Biologist

U.S. Fish and Wildlife Service

2177 Salk Avenue, Suite 250

Carlsbad, CA 92008

Office: 760-431-9440, ext 298

<http://www.fws.gov/carlsbad/>

Subject: FW: Glider field surveys

From: Barry Nerhus <bnerhus@endemicenvironmental.net>

Sent: Thursday, July 13, 2023 6:57 PM

To: Alex Eagleton <aeagleton@endemicenvironmental.net>

Cc: DALTON, KELLY M. <KELLY.DALTON@costamesaca.gov>; Emma Dressel <edressel@endemicenvironmental.net>;

Luma Fowler <luma@endemicenvironmental.net>

Subject: Re: Glider field surveys

Hey Kelly,

I surveyed the site today and did not find any rare plants on the runway. Senesced small flowered microseris was found in the vicinity, which I've shown to you on the past. There are a few native plant species abundantly growing on and adjacent to the runway. I did not detect any nesting birds. I recommend minimizing the mowing to what they minimally need. There is a great deal of birds foraging in the area and would like to conserve as much as we can.

Barry









Western
Kingbird
waiting





Appeal Hearing
Planning Application 22-05
1505 Mesa Verde Drive East

City Council Meeting
October 17, 2023

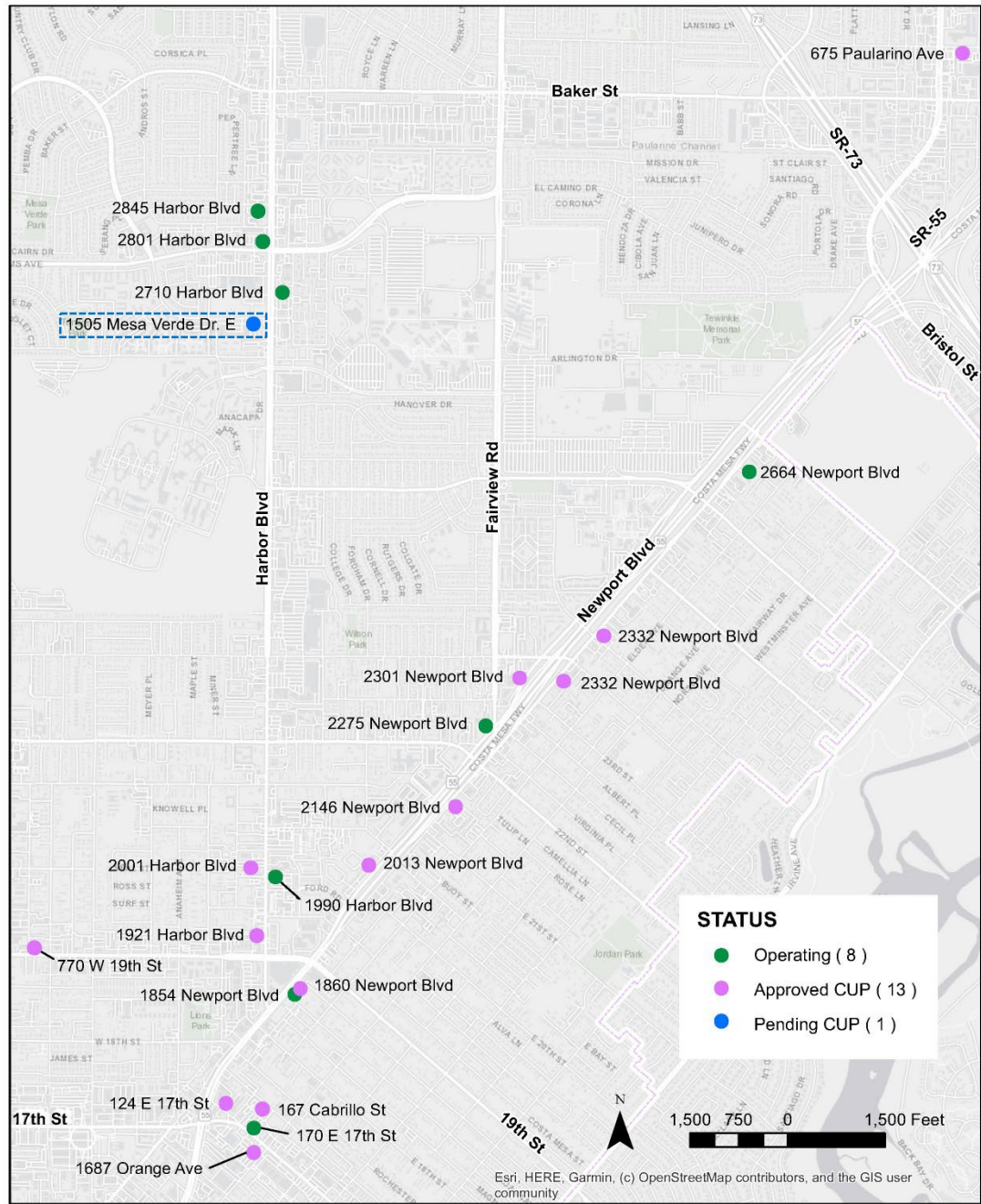


Planning Application 22-05

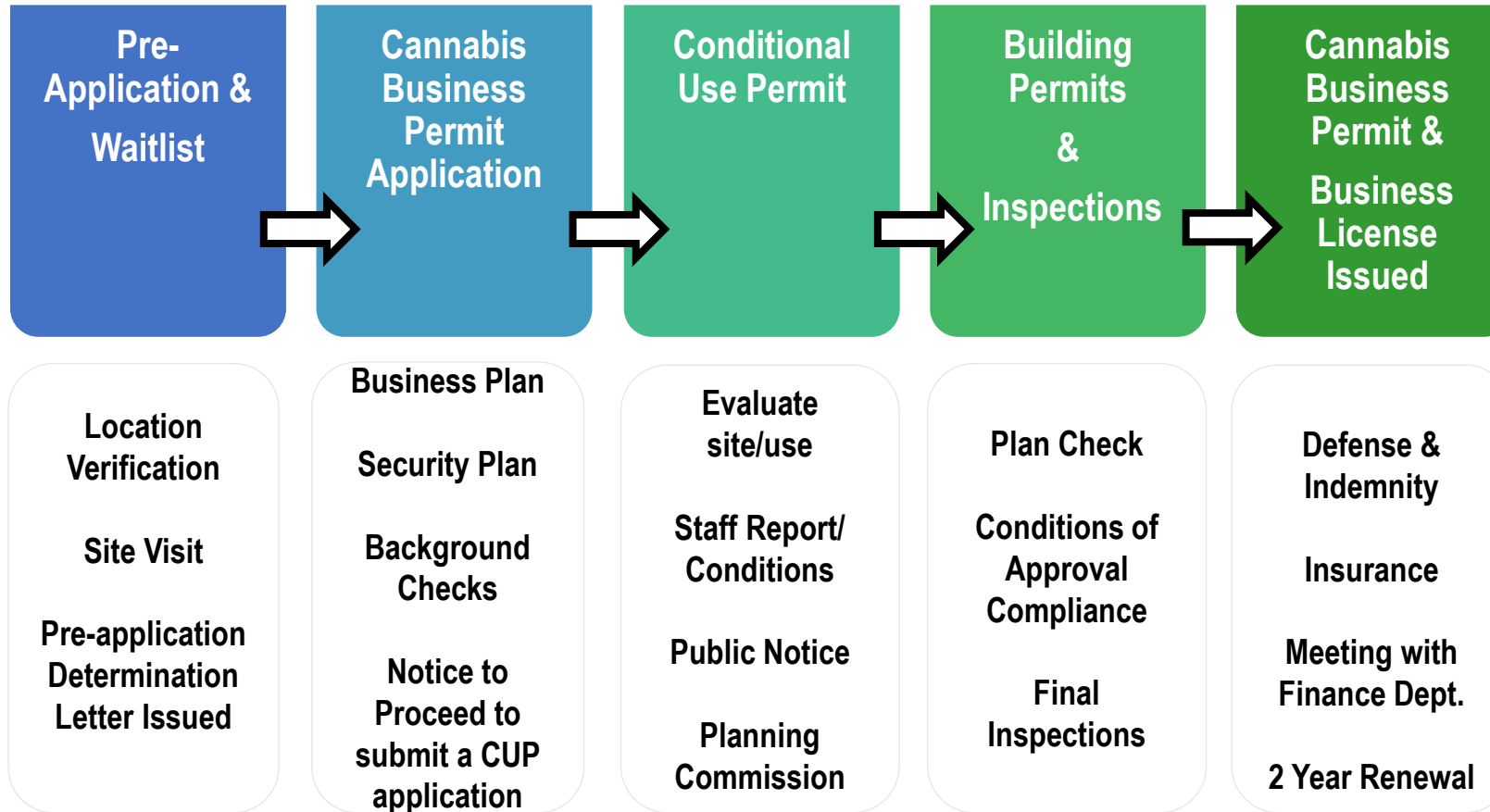
- Conditional Use Permit (CUP)
- Retail cannabis storefront with delivery
- Proposed business name is “C21+”

Retail Cannabis Storefront CUP Status

Retail Cannabis Storefronts



Cannabis Storefront Application Process



Project Location and Zoning District



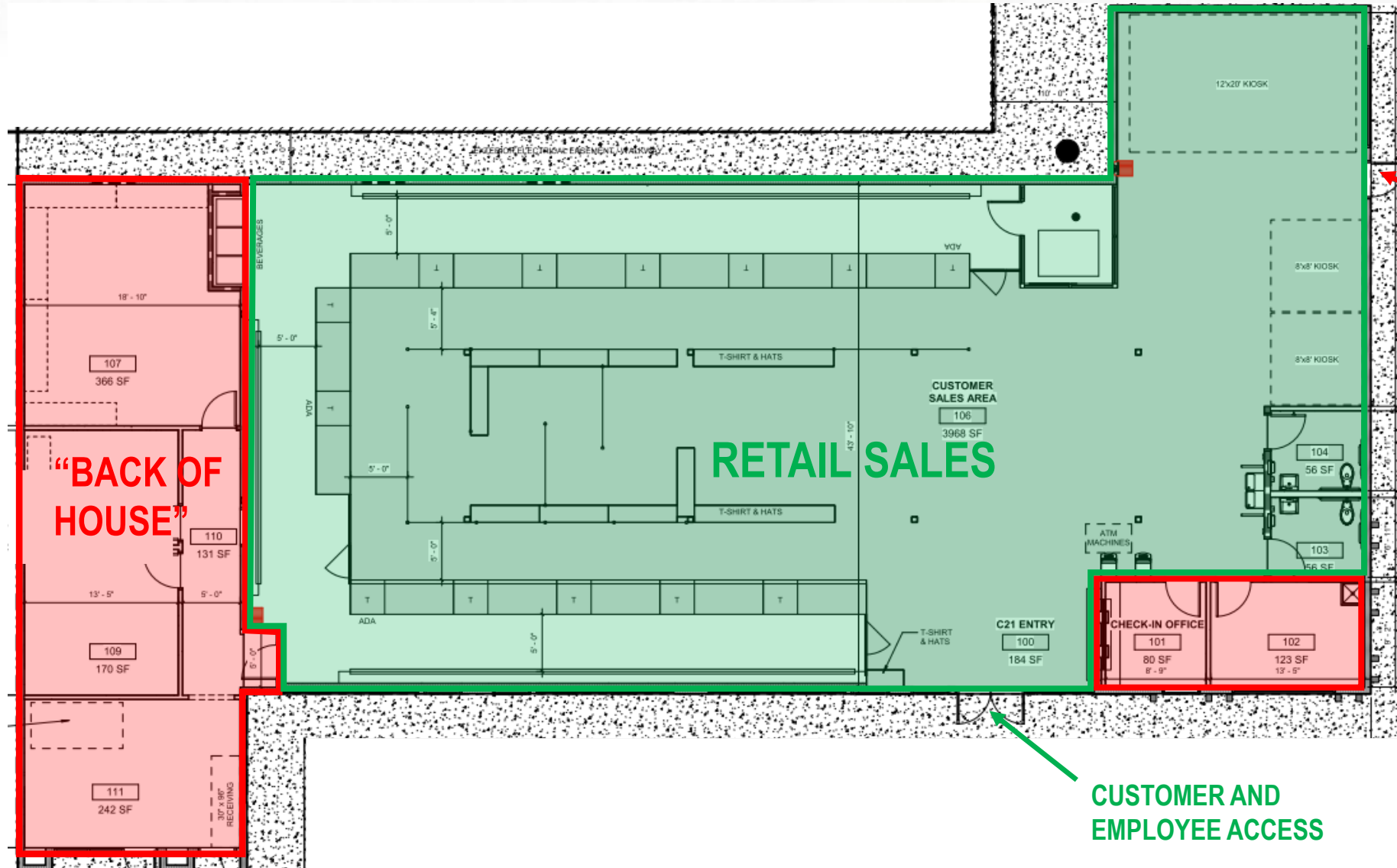
Existing Conditions



Proposed Exterior



Proposed Floor Plan



ACCESS CONTROLLED DOOR

CUSTOMER AND EMPLOYEE ACCESS

Conditions of Approval (COA)

- More than 45 standard conditions of approval related to cannabis storefronts
 - Cannabis consumption prohibited onsite
 - Onsite security guard 24/7
 - Odor control
 - Age restrictions
 - State license & compliance with all applicable State regulations
 - CBP renewal
 - Changes in ownership/operation subject to City review and approval
 - Recordkeeping and remitting taxes to City



Project Specific COAs

- **Prior to issuance of Cannabis Business Permit, COA No. 7:** Parking lot signs installed related to using consideration of neighbors
- **Operational COA No. 2:** Hours limited to 9 AM to 9 PM Monday through Thursday, and 9 AM to 10 PM Friday through Sunday
- **Operational COA No. 23:** Trash enclosure use limited to the hours between 8 AM and 8 PM



Required CUP Findings

- The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area;
- Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood; and
- Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

Planning Commission and Appeal

- Planning Commission approved the application at the August 14, 2023 meeting.
- Adjacent property owner/property manager filed an appeal of the Planning Commission's decision.
 - “Detrimental to the 45 mostly small family businesses at Mesa Verde Plaza”;
 - “Detrimental to attracting future desirable tenants to Mesa Verde Plaza”;
 - “Detrimental to parking at Mesa Verde Plaza”;
 - “Detrimental to security in Mesa Verde Plaza and surrounding neighborhood; and
 - “Detrimental to sustainable community development”



Staff Recommendation

- The City Council hearing is a “de novo” hearing
- Staff recommends that the City Council either:
 - 1) Uphold the Planning Commission’s decision and adopt a Resolution to approve Planning Application 22-05 subject to conditions of approval; or
 - 2) Overturn the Planning Commission’s decision, deny Planning Application 22-05, and direct staff to prepare a Resolution reflecting the City Council’s findings for denial.

**Appeal Hearing
Planning Application 22-05
1505 Mesa Verde Drive East**

**City Council Meeting
October 17, 2023**



Appeal of PA-22-05 by Mark Les

- Property owner of Mesa Verde Plaza & 60 year resident of Mesa Verde.
- Measure Q was passed by voters and a Code is in place. Stores can open anywhere that satisfies the Code.
- This specific location does not satisfy the code or requirements of a CUP.
- The Planning application omitted disqualifying information.

"No cannabis retail storefront use shall be located: Within one thousand (1,000) feet from a ... playground..." (CMMC, Title 13, Ch. 9, Art., 21 § 13-200.93(e)(1))

Costa Mesa Municipal Code Title 9 Chapter 6 § 9-485

"Playground" Definition

Playground means and includes both a public *playground* located in a city park and a **private *playground***. A private *playground* shall mean a **privately-owned outdoor^① recreation area**, including a tot lot, **containing *playground* equipment or amenities such as swings, slides, sandboxes^②**, or similar installations designed for use by minors and serving either the general public or residents of a development^③ where the *playground* equipment is located, **including residential subdivisions and/or developments such as apartments, townhomes and/or condominium complexes^④**, mobile home parks or other similar residential uses, as well as *playground* equipment serving registered guests at hotels and motels. A private *playground* does not include a *playground* or *playground* equipment installed at a single-family residence, or play equipment that is part of a privately-owned commercial business or place of worship^⑤, **or a *playground* that is access-controlled during operating hours^⑥ or does not have direct access from the public right-of-way^⑦**. A private *playground* does not include areas designated for use as a playing field or court, pool, or skate facility.

The Aura residential playground meets ALL tests in the code



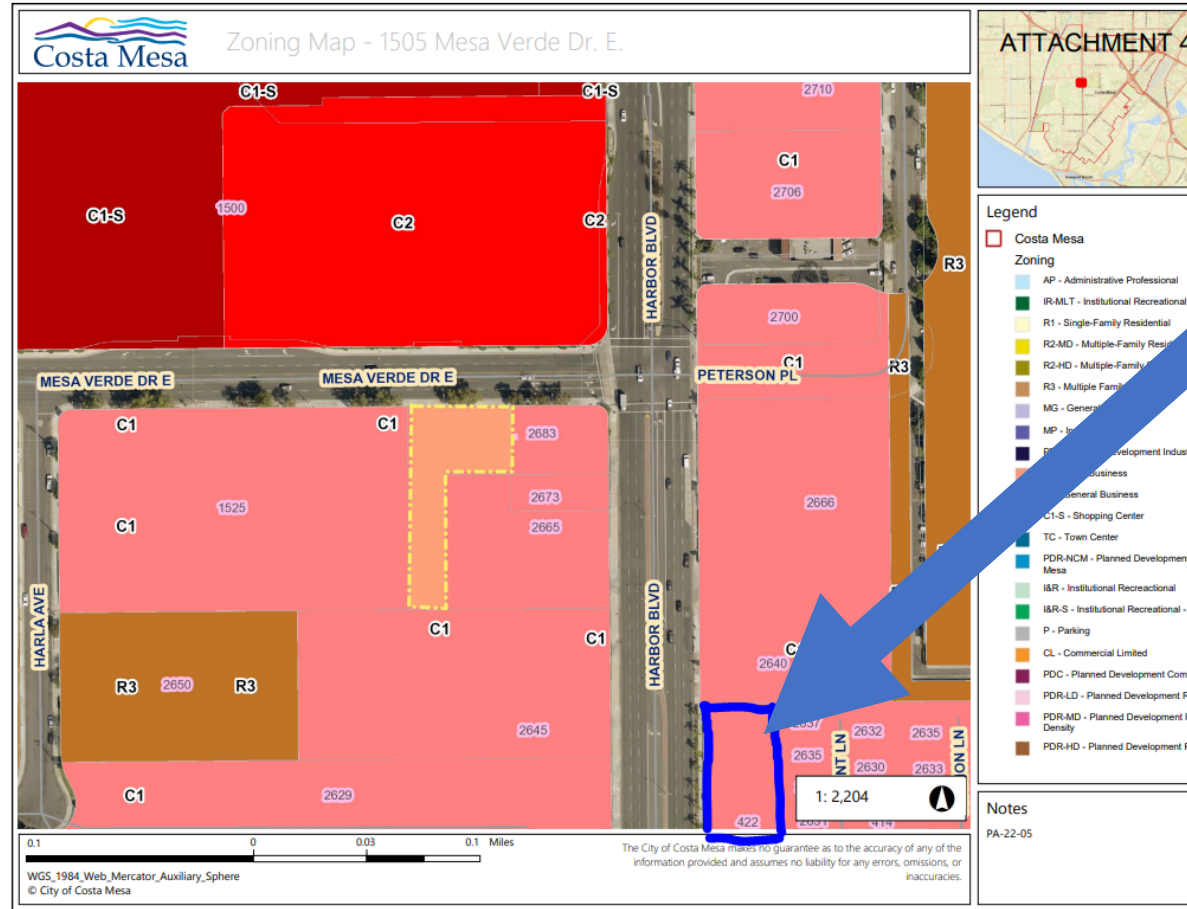
- ✓ **Within 1,000 Feet (608 Feet)**
- ✓ Privately owned recreation area ①
- ✓ Contains playground equipment ②
- ✓ Serves residents of a development ③
- ✓ Includes residential subdivision ④



- ✓ Not a Single Family Residence, place of worship or business ⑤
- ✓ Not Access Controlled ⑥
- ✓ Direct Access from a public right of way (Merrimac way) ⑦

Outdated zone map in application

Playground area listed as C-1 Commercial



Highlighted box was rezoned to residential (R2-MD) in 2016

Code does not allow youth centers within 600 feet

Youth center means any public or private facility that is primarily used to host recreation or social activities for minors, specifically private youth membership organizations or clubs, social services teenage club facilities, video arcades where ten (10) or more games or game machines or devices are operated or similar amusement park facilities, but does not include dance studios, tutoring, martial arts studios or similar type of uses.

Legacy Escape Rooms

Hosts social activities and parties for minors



ArtSteps

Hosts recreational art activities for minors



Musika

Hosts recreational music activities for minors



Home school enrichment activities

Provides social activities for minors



John Ortega golf instruction

Recreation & instruction for kids



Marine boot camp prep

High school recruits do regular preparation and bonding for boot camp



Chiropractor for kids and expectant moms



OC Tae Kwon Do

95% Kids



Code says no cannabis near K-12,
playgrounds or youth centers.

Why?

- Because groups of children next door to cannabis is non-compatible & detrimental.
- Therefore just like code, next door cannabis is not compatible & detrimental to these youth businesses too.

Negative parking impact

My lot is closer, safer & easier to park



Cannabis negative impacts neighbors

Business

Art Steps

Lollipop Pediatric
Dentistry

Harbor Compound
Pharmacy

2750 Harbor Blvd
Ownership

Marquee Plaza
(1500 Adams)

Complaint

If C21+ is located next door, will move out of CM.

Current neighbor of Stiizy will not renew their lease

Moving out of Costa Mesa because of nearby cannabis

Large increase in loitering and nuisances from Stiizy

7 “No Off the Charts” parking signs due to spillover

Detrimental leasing impacts

- OC Dept Education had a school at my center for 16 years.
- Cannabis application was filed and they gave notice shortly after.
- Now because California Health Code does not allow cannabis store within 600 feet of a school I can never lease to a school again.
- That is extremely detrimental

Deny PA 22-05

- Planning staff did not have the entire story when they approved
 - Playground & Youth centers too close and against code
 - Incompatible & detrimental to eight Youth centers and businesses next door
 - Detrimental parking & loitering spill over like other properties reporting
 - Detrimental to future leasing for Mesa Verde Plaza

Appendix



5 PLAY STRUCTURE AGES 2-5 YEARS
 6 RUBBERIZED PLAY SURFACE

CONSTRUCTION LEGEND:

- 1 PROJECT SIGNAGE ON WALL
- 2 EXISTING SIDEWALK, PROTECT IN PLACE
- 3 54" HIGH PRECISION BLOCK MASONRY WALL
- 4 6" HIGH PRECISION BLOCK MASONRY PILASTER
- 5 PLAY STRUCTURE AGES 2-5 YEARS
- 6 RUBBERIZED PLAY SURFACE
- 7 PICNIC TABLE (3 TOTAL)
- 8 PEDESTAL-TYPE BBQ (3 TOTAL)
- 9 DECORATIVE BENCH (4 TOTAL)
- 10 TRASH RECEPTACLE (4 TOTAL)
- 11 PET WASTE DISPENSER
- 12 OFF-STREET PARKING SPACE (TYP.)
- 13 ENHANCED PAVING AT ENTRANCE
- 14 ENHANCED PLANTING AT ENTRANCE

PLANTING LEGEND:

EXISTING STREET TREES		BOTANICAL NAME	COMMON NAME	QTY.	
	(A)	PIRUS CALLERIANA BRADFORD (TO REMAIN - PROTECT IN PLACE)	BRADFORD PEAR TREE	8	
	(B)	WAS-INGTONA ROBUSTA (TO BE REMOVED)	MEXICAN FAN PALM	2	
PROPOSED TREES:		BOTANICAL NAME	COMMON NAME	SIZE	QTY.
		HARBOR BLVD. STREET TREE / PARK TREE			
		PLATANUS ACERIFOLIA BLOODGOOD	LONDON PLANE TREE	36' BOX	14
		ENTRY PALMS			
		SYAGRUS ROMANOFFIANUM	QUEEN PALM	12 SHH	15
		CANOPY TREE			
		TRIFOLIUM IRIDI	TRIFOLIUM TREE	36' BOX	17
		INTERIOR STREET TREE			
		GEUKERIA PARVIFLORA	AUSTRALIAN YELLOW	24' BOX	7
		LAGERSTROEMIA 'CATAWBA'	GRAPE MYRTLE	24' BOX	15
		MAGNOLIA G. LITTLE GEM	SOUTHERN MAGNOLIA	24' BOX	16
PROPOSED SHRUBS/GROUNDCOVER:		BOTANICAL NAME	COMMON NAME	SIZE	QTY.
		AGAPANTHUS AFRICANUS	BLUE LILY OF THE NILE		
		CEANOTHUS 'TANFREE POINT'	CEANOTHUS		
		COTONEASTER SP.	COTONEASTER		
		HEMERICALLIS HYB.	YELLOW/ORANGE DAIYLILS		
		JUNIPERUS CHINENSIS GOLD COAST	GOLD COAST JUNIPER		
		LANTANA MONTEVIDENSIS	LAVENDER LANTANA		
		LEPTOSPERMUM SCOPARIUM	NEW ZEALAND TEA		
		MAGNOLIA AQUILIFORMIS	DREDCON GRAPE		
		MYOPORUM PARV. PROSTRATUM	DWARF MYOPORUM		
		PELAGONUM PELTATUM MITTUT	IVY GERANIUM		
		PHORADENDRUM TENAX 'SHARPE RED'	DWARF RED NEW ZEALAND FLAX		
		PHORADIA FRASERI	FRASER'S PHOTINA		
		RHAPHIOLIPS INDICA 'CLARK'	WHITE PINK HAWTHORN		
		ROSBARBARIS OFF. PROSTRATA	PROSTRATE ROSEMARY		
		SALVIA BRUCANTHA	BLUE SALVIA		
		SOLITIA HETEROPHYLLA	AUSTRALIAN BILIBELLS		
		STRELLITIA REGINA	BIRD OF PARADISE		
PROPOSED GRASSES:		BOTANICAL NAME	COMMON NAME	SIZE	QTY.
		CAREX O'VILLEA	BERKELEY SEDGE		
		FESTUCA 'SISKIYOU BLUE'	SISKIYOU FESCUE		
TURF:		BOTANICAL NAME	COMMON NAME	SIZE	QTY.
		MARATHON II	DWARF FESCUE		
		PRIVATE HOMEOWNER AREA: TO BE MAINTAINED BY HOMEOWNER			

HARBOR BLVD.

MERRIMAC WAY



2626 HARBOR BOULEVARD
CONCEPTUAL LANDSCAPE PLAN
 COSTA MESA, CALIFORNIA

MAINTENANCE RESPONSIBILITY:



DATE: 03-02-16

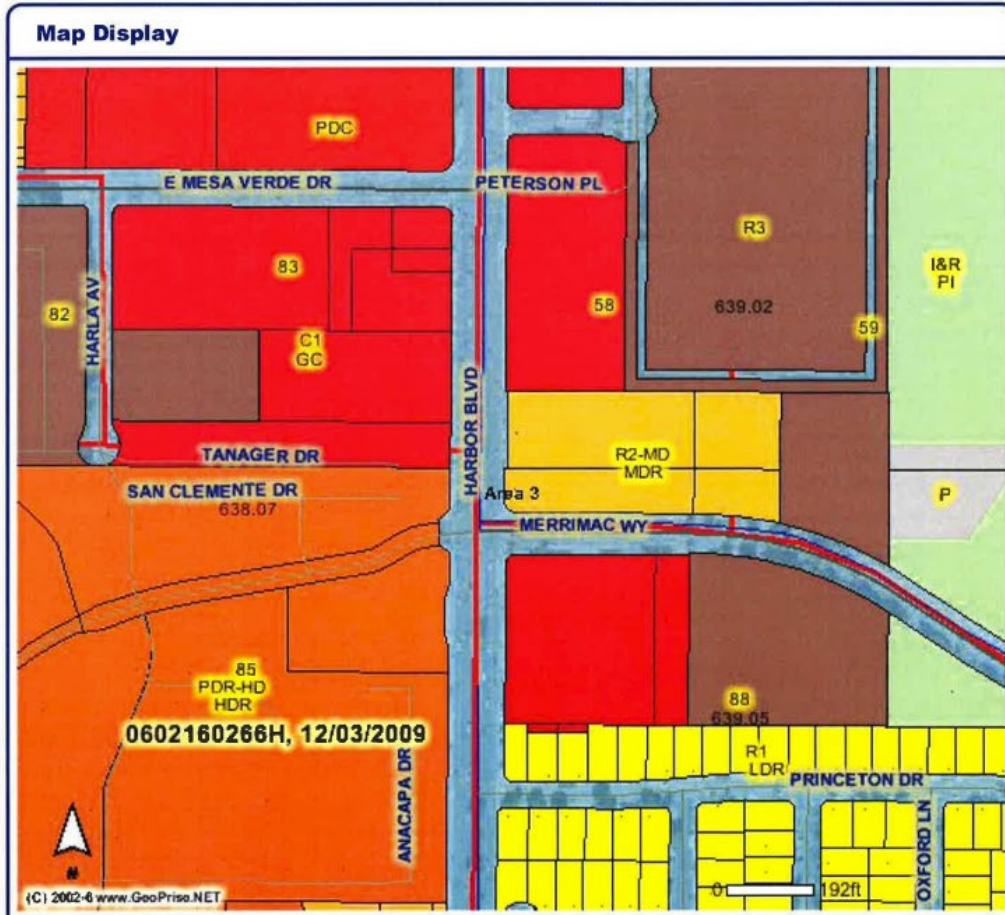
SB

Overview Map



Legend

Address Points	Newport BLVD	Parcel Lines	C1-S
Freeway	Primary	City Boundary	C2
Roads	SECONDRARY	Hydrology Channels	CL
Collector Freeway	Water Ways	Zoning	I&R
Major (cont)	Street Names	AP	I&R-S
	Street Centerlines	C1 (cont)	MG
			MP
			P
			PDC (cont)



the end of the three north-south turning private streets to facilitate site circulation.

The proposal provides two on-site parks for the residential units, and a Land Use Restriction is required indicating that the 0.28-acre park shall not be subdivided and separately developed. Open space areas throughout the project includes two private parks, including a 0.28-acre private park, a 0.07-acre private park, private homeowner areas, and landscaped parkway areas. The 0.28-acre private park is located along the Harbor Boulevard setback, providing a landscaped buffer between the units and Harbor Boulevard. A condition of approval requires the applicant provide a Land Use Restriction to ensure the 0.28-acre park will not be subdivided or separately developed in the future. The 0.07-acre private park is designed within the central portion of the development lot to allow maximum use by all residents. A total of 10 parking spaces are provided alongside the parks for guest parking. The park also includes a play structure for young children, a rubberized play surface, walkways, two picnic tables, pedestal-type BBQ's, decorative benches, and dog waste stations for dog-walkers. These features are located all within a natural landscape of drought tolerant trees, shrubs, and grasses.

CONDITION #20: *Prior to issuance of building permits for the proposed residential common-interest development project, applicant shall submit a Land Use Restriction indicating that the 0.28-acre park shall not be subdivided and separately developed. The 0.28-acre park in its entirety is to remain as an open space amenity serving the residents of the development. Future redevelopment into housing or other uses are expressly prohibited. This document shall be approved by the City Attorney's office and shall be recorded against the property or included as declaratory statements in the CC&Rs, as applicable. The final documentation of this restriction shall occur*

10 plus signs next to Off The Charts



My lot more accessible to their front door





18 feet wide vs 22 feet code

This property so close often confused as part of Mesa Verde Plaza



Applicant is in fact a cannabis Superstore!

The screenshot shows the homepage of Cannabis 21+. The header is black with the Cannabis 21+ logo on the left and a yellow 'Shop now' button on the right. A navigation menu below the header includes links for Home, Delivery Info, About, Products, Learn, Locations, and Contact. The main content area features a large banner with a sunset and palm trees. The banner text reads 'California's Cannabis Superstore!' in white and yellow, followed by 'You'll always get the best prices and products at our dispensaries – GUARANTEED' in white. A yellow 'Shop Now' button is centered below the banner. At the bottom, a row of yellow buttons lists various features: 'Products', 'Veteran-Owned', 'Women-Owned', 'Fast & Free Delivery', 'Out-the-Door Prices Include Taxes', 'Hundreds of Flower Brands', and 'Tons of'.

CANNABIS 21+

[Shop now](#)

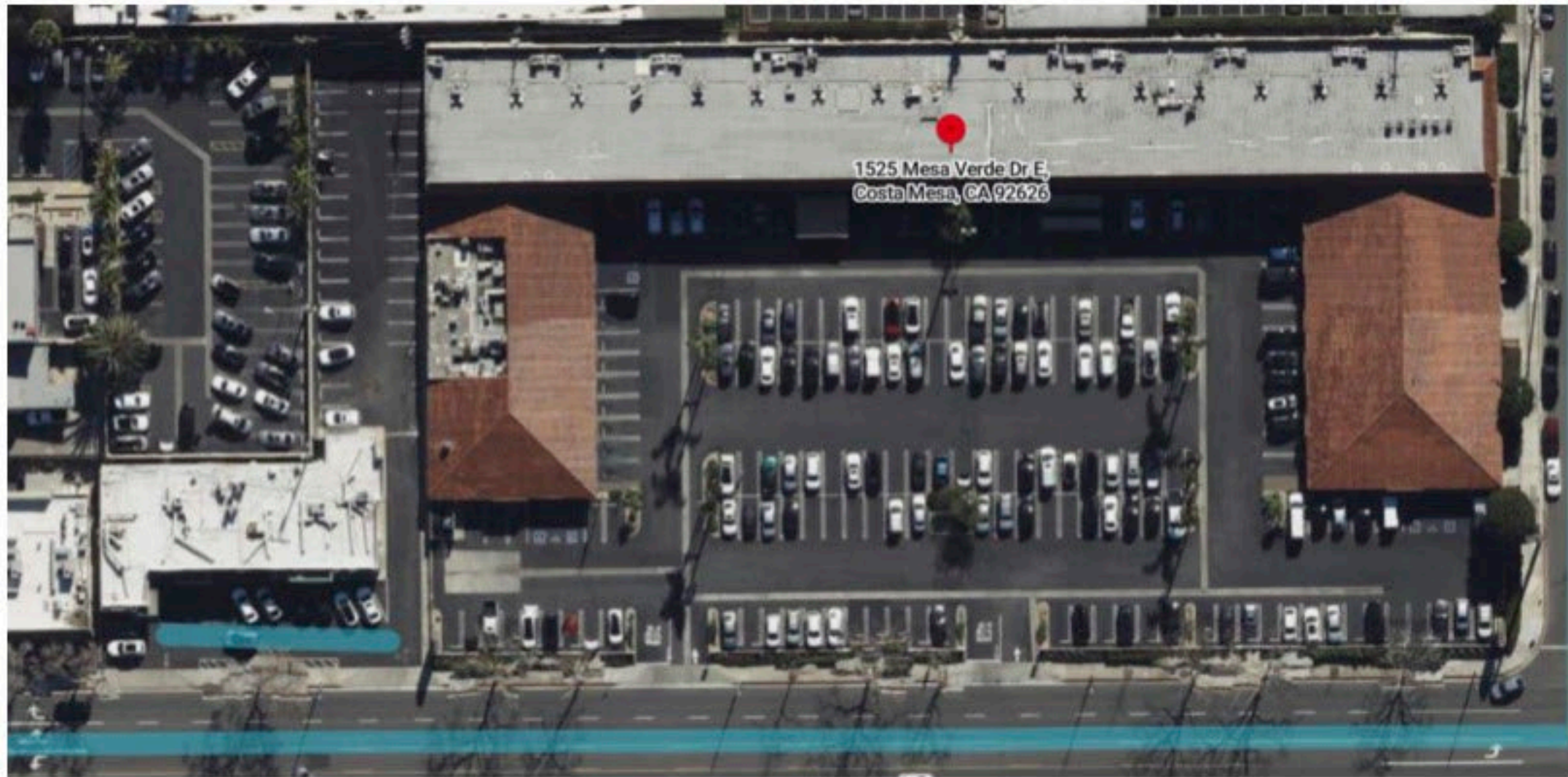
[Home](#) [Delivery Info](#) [About](#) [Products](#) [Learn](#) [Locations](#) [Contact](#)

California's Cannabis *Superstore!*

You'll always get the best prices and products at our dispensaries – GUARANTEED

[Shop Now](#)

[Products](#) [Veteran-Owned](#) [Women-Owned](#) [Fast & Free Delivery](#) [Out-the-Door Prices Include Taxes](#) [Hundreds of Flower Brands](#) [Tons of](#)



Walk & Bike traffic regularly cuts through to 7/11

- Cannabis traffic will now wander through peering in to children businesses



Untitled Map

Write a description for your map.

- Legend**
- 7-Eleven
 - Auto
 - Citi
 - Coinstar Kiosk | Bitcoin ATM
 - Feature 1
 - Feature 2
 - Feature 3
 - Lollipop Dental - Costa Mesa
 - Path Measure
 - TNT Fireworks
 - United States Postal Service
 - Vons



APPOINTMENTS TO VARIOUS CITY COMMITTEES

City Council Meeting
October 17, 2023



BACKGROUND

- At the City Council meeting on September 5, 2023 the City Council approved that each Council Member shall have the opportunity to either nominate a member or to defer his or her nomination to the City Council liaison.
- Because the committee members terms are staggered staff is recommending for this round of appointments, nominations to be made by Council Member Marr (District 3), Council Member Chavez (District 4), and Council Member Reynolds (District 5).
- For the next round of appointments in April 2024, nominations to be made by the Mayor and Council Members Gameros (District 2), Harper (District 1), Harlan (District 6).

Animal Services Committee

- Make three (3) member appointments with a term expiration of April 2025
 1. Becca Walls - District 1 (Incumbent)
 2. Calvin Alvarez - District 2
 3. Diana Lorraine Gardiner - District 5 (Incumbent)
 4. Randall Hoppe - District 5
 5. Diane Scioli - District 6
 6. Randi Miller - Non-Resident

Council liaisons - Mayor Stephens, Council Member Harper

Active Transportation Committee

- Make three (3) member appointments with a term expiration of April 2025. Two of the appointments are at-large to ensure broad representation of different mobility options and experiences (e.g. walk, bike, bus, and age ability).

1. Syed Zia Hussain - District 2
2. Kevin Tobin - District 2
3. Michaela Teissere - District 2
4. Dean Fisher - District 2
5. Richard Huffman - District 2 (Incumbent)
6. Neill Conti - District 3
7. Trace Yulie - District 5 (Incumbent)
8. Randall Hoppe - District 5
9. Jose Gomez - District 5
10. Peter Dickey - District 6
11. Daniel Bremmer - District 6
12. Robert Morse - District 6 (Alternate Incumbent)

Council liaison –
Council Member Reynolds

Fairview Park Steering Committee

- Make three (3) member appointments with a term expiration of April 2027
 1. Syed Zia Hussain - District 2
 2. Daniel Baume - District 2 (Alternate Incumbent)
 3. *Kohl Crecelius – District 3 (Incumbent)
 4. Randall Hoppe - District 5
 5. Deborah (Debby) Koken - District 5
 6. Jennifer L. Thomas - District 5
 7. Terri Fuqua - District 5 (Incumbent)
 8. Mathew Martin Garcia - District 5 (Alternate Incumbent)

*Application was submitted late

Council liaisons - Council Member Reynolds, Alternate Mayor Pro Tem Harlan and Council Member Chavez

Finance and Pension Advisory Committee

- Make three (3) member appointments with a term expiration of April 2027.
 1. Ralph Taboada - District 1 (Incumbent)
 2. Lydia Joy Chavez - District 3
 3. Boris Gresely - District 5 (Incumbent)
 4. Randall Hoppe - District 5
 5. Wendy Leece - District 5 (Incumbent)
 6. Tom Arnold - District 6 (Incumbent)
 7. Lisa L. Buchanan - District 6 (Incumbent)

Council liaisons - Mayor Stephens, Alternate Council Member Marr, and Council Member Harper

Housing and Public Service Grants Committee

- Make three (3) regular member appointments with a term expiration of April 2025.
 1. Syed Zia Hussain - District 2
 2. Madison Elizabeth Gibson - District 2
 3. Calvin Alvarez - District 2
 4. Daniel J Baume - District 2
 5. Becks Heyhoe - District 3
 6. Andrea Schmidt - District 4
 7. Jose Gomez - District 5
 8. Randall Hoppe - District 5
 9. Dianne Louise Russell - District 5
 10. Aaron McCall Craddolph - District 5 (Incumbent)
 11. Kevin Kott - District 6
 12. Michael John Gancar - District 6
 13. Marsha A. Wood - District 6

Council liaisons - Council Member Chavez, Alternate Council Member Harper

Mobile Home Park Advisory Committee

- Make two (2) Park Owner or Representative appointments, two (2) Mobile Home Park Resident appointments, and one (1) Independent Citizen At-large appointment, all with a term expiration of April 2027.
 1. Eileen Cirillo - District 1 (Park Owner or Representative - Incumbent)
 2. Syed Zia Hussain - District 2 (At-Large)
 3. Wyatt Lin - District 5 (Park Owner or Representative)
 4. Colette McCall Craddolph - District 5 (Mobile Home Park Resident - Incumbent)
 5. Joy Young - District 6 (Mobile Home Park Resident - Incumbent)
 6. Maria Horton - Non-Resident (Park Owner or Representative - Incumbent)

Council liaison - Council Member Reynolds

PROPOSED TENANT PROTECTION ORDINANCE

OCTOBER 17, 2023



BACKGROUND – TENANT PROTECTION ACT (AB-1482)

- October 8, 2019 – Assembly Bill 1482 (AB-1482) was signed into law, prohibiting owners of residential real property from evicting a tenant without just cause when said tenant has occupied the housing unit for at least 12 consecutive months. The Bill further defines two (2) types of just cause evictions:

At-Fault

- A. Failure to pay rent
- B. Breach of a material term of the lease
- C. Allowing or causing a nuisance
- D. Committing waste
- E. Failure to extend lease upon expiration
- F. Criminal activity
- G. Subletting in violation of the lease
- H. Failure to allow the owner to enter the property
- I. Using the property for an unlawful purpose
- J. An employee/agent fails to vacate upon being terminated
- K. Failure of tenant to surrender the property after providing written notice of intent to surrender

No-Fault

- A. Intent to occupy the property by the owner or an immediate family member
- B. Withdrawal of the property from the rental market
- C. Complying with an order from a government agency, court, or ordinance
- D. Intent to demolish
- E. Intent to substantially rehabilitate the property, which requires:
 - i. Replacement or substantial modification of a major system that requires a permit
 - ii. Cannot be completed with tenant in place
 - iii. Tenant must vacate for more than 30 days

BACKGROUND – HOMELESSNESS PREVENTION ACT (SB-567)

- September 30, 2023 – Senate Bill 567 (SB-567) signed into law, amending AB-1482 to place additional requirements on owners issuing **no-fault just cause evictions** and prescribing new enforcement mechanisms. Salient provisions include:
 - Intent to demolish or substantially rehabilitate – The owner must provide written notice to the tenant including:
 - Intent to demolish or substantially rehabilitate
 - Description of the substantial rehabilitation to be completed
 - Approximate estimated duration of the substantial rehabilitation or the expected date the property is to be demolished
 - A copy of the permit or permits required to undertake the substantial rehabilitation or demolition.
 - Intent to occupy – The owner or authorized family member must move in within 90 days of the tenant vacating and must occupy the unit for a period of 12 consecutive months
 - Enforcement - An owner who issues a notice of eviction in violation of AB-1482 and/or SB-567 is liable to the tenant in a civil action for damages of up to 3 times the actual damages, in addition to punitive damages.

BACKGROUND – AB-1482 & SB-567

- Both AB-1482 and SB-567 require owners who issue a **no-fault just cause eviction** to provide written notice informing the tenant of their right to relocation assistance, which includes either of the following:
 1. Waiver of the final month's rent; or
 2. Direct payment to the tenant equal to one month's rent
 - Payments must be made within 15 days of issuing notice to vacate
- Failure of an owner to comply with any of the provisions of AB-1482 or SB-567 renders void a notice to vacate.

PROPOSED TENANT PROTECTION ORDINANCE

- The proposed Tenant Protection Ordinance (TPO) is identical to the provisions of AB-1482 as amended by SB-567, with three exceptions:
 1. Immediate Implementation – SB-567 goes into effect on April 1, 2024. In order to assist as many households as possible, the City’s Ordinance would go into effect 30 days after Council approval.
 2. Notification to the City - In addition to the provision requiring owners to notify tenants of their intent to issue a no-fault just cause eviction, the Ordinance would require owners to notify the City within 72 hours after giving notice to their tenant.
 3. Additional Relocation Assistance - The Ordinance would require owners to pay tenants being issued a **no-fault just cause eviction** relocation benefits equal to two (2) months of Fair Market Rent (FMR)* or waive the tenant’s rent for two (2) months and pay the difference if FMR is greater.

Zip Code	Studio	One-Bedroom	Two-Bedroom	Three-Bedroom
92626	\$4,960	\$5,280	\$6,280	\$8,500
92627	\$4,240	\$4,520	\$5,360	\$7,260

EXEMPTIONS TO AB-1482 & SB-567

- The following types of residential real properties or residential circumstances are exempt from the provisions of AB-1482 & SB-567:
 - 1) Transient and tourist hotel occupancy
 - 2) Housing accommodations in a nonprofit hospital, religious facility, extended care facility, licensed residential care facility for the elderly, or an adult residential facility
 - 3) Dormitories owned and operated by an institution of higher education or a kindergarten and grades 1 to 12, inclusive, school.
 - 4) Housing accommodations in which the tenant shares bathroom or kitchen facilities with the owner who maintains their principal residence at the residential real property.
 - 5) Single-family owner-occupied residences
 - 6) An owner-occupied duplex



EXEMPTIONS TO AB-1482 & SB-567 (continued)

- The following types of residential real properties or residential circumstances are exempt from the provisions of AB-1482 & SB-567:
 - 7) Housing that has been issued a certificate of occupancy within the previous 15 years, unless the housing is a mobile home.
 - 8) Residential real property, including a mobile home, that is alienable separate from the title to any other dwelling unit, provided the owner is not:
 - 1) A real estate investment trust, 2) A corporation, 3) A limited liability company in which at least one member is a corporation, or 4) Management of a mobile home park; and the tenant has been provided written notice that the residential property is exempt.
 - 9) Housing restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for persons and families of very low, low, or moderate income or subject to an agreement that provides housing subsidies for affordable housing.



RECOMENDATION

1. Introduce and give first reading, waiving further reading, to Ordinance No. 23-XX Amending Title 9 (Licenses and Business Regulations) of the Costa Mesa Municipal Code by Adding Chapter II (Regulation of Certain Businesses, Article 24 (Just Cause Residential Tenant Protections) to support Costa Mesa renters facing no-fault just cause eviction.



QUESTIONS?





COSTA MESA COMMUNITY PROFILE

American Community Survey (2018)

- 41,019 Total Households
 - 60% Renters (24,611)
 - 55% of renters (13,536) identified “housing problems”:
 - Physical defects (lacking a complete kitchen or bathroom)
 - Overcrowded conditions
 - Housing cost burdened (housing costs exceed 30% of gross income)
 - Severe housing cost burdened (housing costs exceed 50% of gross income)

OC Superior Court of California (2020-2022)

- Costa Mesa has 4th highest eviction rate in Orange County



SYSTEM OF CARE FOR RENTERS

- Since 2020, the City Council has allocated over \$2 million for both short-term and long-term rental assistance. To date, providers have expended roughly \$1.5M to assist 162 households
- The City annually partners with the Fair Housing Foundation (FHF) to provide landlord/tenant rights education, landlord/tenant mediation, and housing discrimination assistance.
- In July 2023, the City Council awarded \$250,000 to Community Legal Aid So Cal to provide legal advice and in-court representation for housing-related cases, as well as assistance with identifying and securing public benefits.
- Since 2021, the City Council has awarded nearly \$11 million to support the development of permanent affordable housing for very low- and extremely low-income individuals and families.



**State's Southern Region Emergency Operations
Center Project at the Fairview Developmental Center –
Draft Environmental Impact Report Comment Letter**

October 17, 2023



State EOC Project – Proposed Location

The State has proposed a Southern Region EOC on 15 acres of the Fairview Developmental Center (FDC) Site

The remaining FDC acreage (approximately 100 acres) would be planned for a residential community by the City as a separate effort.

Public visioning meetings for master planning the remainder of the site will begin this fall.



SOURCE: IDS Group 2022

FIGURE 3-1

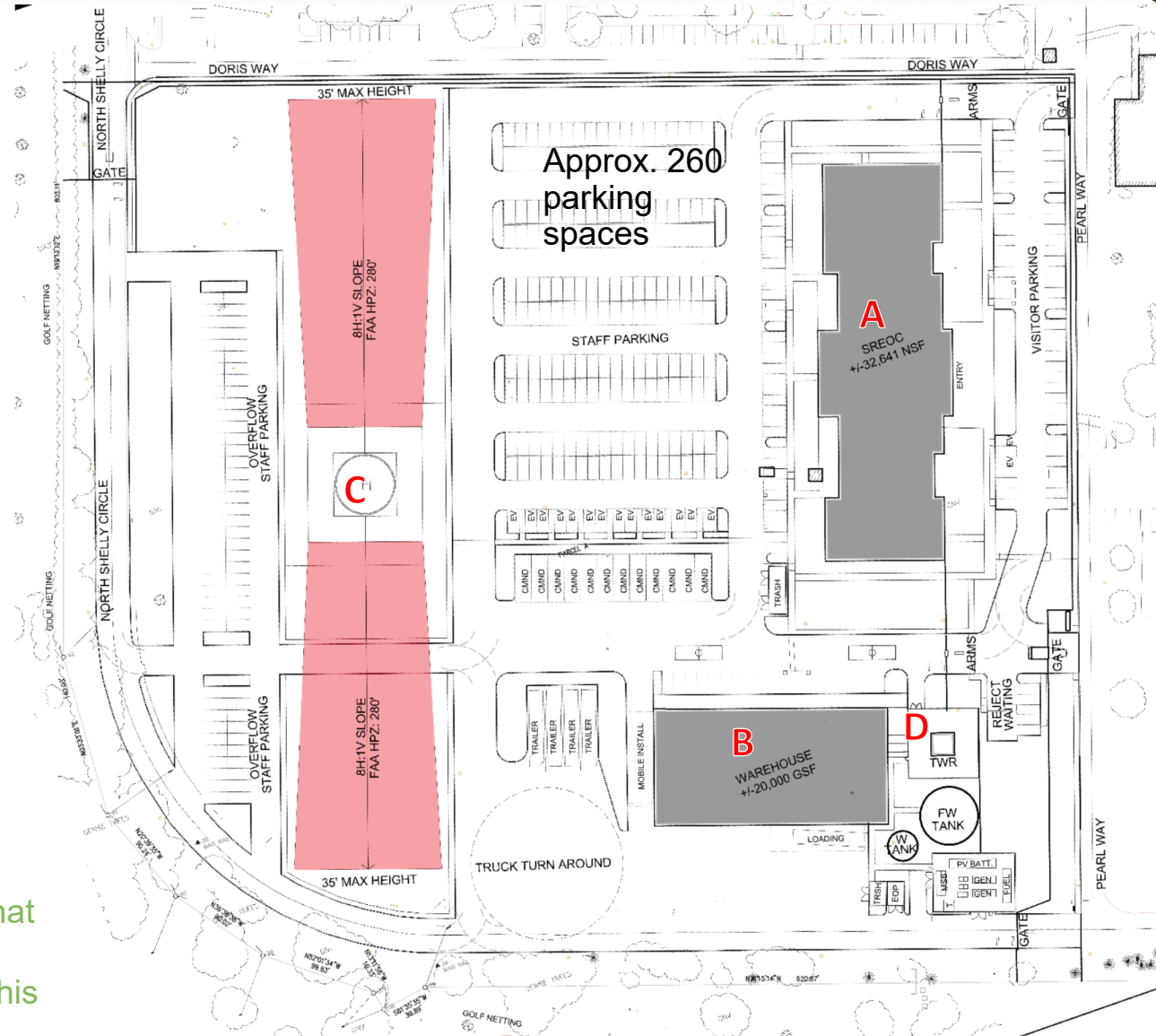
Project Location

State EOC Project - Proposed Components

- A. A single-story office building, up to 35,000 square feet
- B. 20,000-square-foot warehouse
- C. Helicopter Pad* for medium-size helicopters; limited to two landings annually or as needed during emergency response operations
- D. 120' tall communications tower

Other: landscaping and fencing, microgrid, parking lots, utilities, and roadway improvements. 37 month construction period.

* In a recent meeting, the State indicated verbally that the helipad will not be included in the final project. However, the City has not received confirmation of this intent in writing, if accurate.



State's Environmental Impact Report

- The proposed project is subject to the California Environmental Quality Act (CEQA) environmental review process.
- This process is intended to inform the decision makers and the public about the potential environmental effects of the proposed project and to prevent significant, avoidable environmental damage.
- CEQA requires a public agency to review and consider the information provided in an environmental document before making a decision to approve or deny a project.
- Due to potential significant environmental impacts associated with the proposed project, an Environmental Impact Report (EIR) was prepared.



State's Process

- Cal OES is the lead agency responsible for the preparation of the EIR.
- March 1, 2023: A Notice of Preparation (NOP) of an EIR and public scoping meeting was issued.
- March 13, 2023: The State conducted the Scoping Sessions to discuss the scope and content of the forthcoming EIR.
- April 17, 2023: The NOP public comment period closed.
 - City submitted a comment letter requesting specific issues and concerns be addressed in the State's EIR

Draft EIR released by the State

- The State's Draft EIR was released on September 5, 2023 for a 45-day public review period that will end on October 20, 2023 at 6 p.m.
- All comment should be sent directly to the State before the end of the public comment period: comments@oesregionsoutheoc.org
- The EIR is available online at: <https://oesregionsoutheoc.org/library/>
- City Council was briefed on the DEIR and its findings at the September 19, 2023 City Council meeting

September 28, 2023 State Public Meeting

- At the September 28, 2023 meeting, the State discussed the environmental review process with the public at the Fairview Developmental Center's Auditorium.
- There were approximately 85 attendees. The majority of the public comments expressed opposition to the project and concerns regarding its impacts to the community.
- There were no representatives from Cal OES in attendance that could respond to questions regarding the need for the EOC and why FDC is the most appropriate site.



City's Draft EIR Comment Letter

The City's draft comment letter/outline focuses on the following topics:

- FDC is the wrong site for the EOC
- Prioritize housing at FDC
- Insufficient community engagement
- The Project's Objectives are not Costa Mesa specific
- Land Use/Planning- there are more compatible alternatives
- The State did not analyze alternatives requested by the City
- Aesthetics/Visual Impacts
- Noise Impacts
- Traffic and Transportation Impacts (VMT Analysis)
- Hydrology and Water Quality Impacts
- Utilities and Service Systems Impacts
- Impacts to Public Services
- Impacts to Biological Resources
- Community Concerns

City's Draft EIR Comment Letter Highlights

FDC is the wrong site for an EOC

- ❑ Requests the State to reconsider other locations for the EOC – specifically, areas that support industrial uses. FDC is not the best site for a Regional EOC.
- ❑ As the FDC site is redeveloped with mixed-use and residential units, it will present a challenge for the EOC to mobilize during an emergency event without significant disruption to residents.
- ❑ FDC is adjacent to existing State-operated supportive housing and is planned to accommodate a high proportion of affordable housing. The State should avoid siting this type of use near lower-income communities, as it presents a social equity issue.
- ❑ The City, in coordination with the State, has a rare and unique opportunity to provide equitable access to housing, active transportation, and public/recreational facilities at FDC.

City's Draft EIR Comment Letter Highlights

Prioritize Housing First at FDC

- ❑ FDC is a housing opportunity site identified in the General Plan Housing Element
- ❑ Conflicts with the City's and State's mutual goal of accommodating high quality housing for mixed income levels of approximately 2,300 units serving 8,000 residents.
- ❑ Reduces acreage available for residential units and reduces land value which will adversely affect the potential for market-rate housing to offset the cost of providing affordable housing at the site, thereby affecting the overall feasibility of the project.
- ❑ Reiterates continued collaboration between City and State to plan for future redevelopment of the site and the decisions regarding FDC's onsite uses must prioritize housing first.

City's Draft EIR Comment Letter Highlights

Insufficient Community Engagement

- ❑ There has been woefully inadequate community engagement for the State's project.
- ❑ The purpose of CEQA is to increase public understanding and participation in the environmental review process, identify ways to avoid reduce potential impacts through feasible mitigation measures or alternatives, and to inform decision-makers and the public of the proposed project's potential environmental effects.
- ❑ The community should be provided multiple opportunities to engage the State throughout the planning process to fully understand the project objectives, components, and potential impacts from people who live and work near the site.
- ❑ To fully meet the intent of CEQA, the City requests that the State provide additional meaningful opportunities for public participation before decisions are made, to properly notice residents and to embrace a robust community engagement process.

City's Draft EIR Comment Letter Highlights

Project Objectives are not Costa Mesa specific

- ❑ EOC's Project Objectives do not consider the State/City long-term goals for housing, open space and multimodal active transportation at the FDC site.
- ❑ EOC Project Objectives include "Site the EOC on a property that is removed from high-traffic public areas and can be completely enclosed by perimeter fencing for security and controlled access." However, when FDC is redeveloped as a walkable residential village, the EOC will no longer be secluded and will present land use compatibility issues.
- ❑ The City requests the DEIR Project Objectives be revised to add an objective that acknowledges long term land use compatibility between the EOC site and its surrounding environs as an objective of the State.

City's Draft EIR Comment Letter Highlights

Land Use/Planning

- The DEIR does not discuss how the proposed EOC, its helipad and communication tower are compatible with the residential development that is planned for FDC.
- The DEIR does not quantify how often the EOC may be mobilized for emergency events and in doing so does not address its potential impacts.
- The limited access points to FDC and the future build out of the remainder of the FDC site for housing are land use compatibility issues and necessarily means that surrounding residential communities will experience significant disruption due to EOC operations.

City's Draft EIR Comment Letter Highlights

Reasonable Range of Alternatives

- The DEIR did not sufficiently consider the alternative sites noted in the City's prior letter. Rather, it includes a cursory review of alternatives and concludes they are not feasible without meaningful evaluation.
- There are other preferred sites for the EOC Project.

City's Draft EIR Comment Letter Highlights

Other Comments:

- Aesthetics/Visual Impacts
- Noise Impacts
- Traffic and Transportation Impacts (VMT Analysis)
- Impacts to Biological Resources
- Hydrology and Water Quality Impacts
- Utilities and Service Systems Impacts
- Impacts to Public Services
- Recirculation for additional for public comment

Staff Recommendation

Staff recommends the City Council:

- Provide feedback on the draft comment letter; and
- Authorize the City Manager or designee to finalize the letter incorporating Council feedback and submit the letter to the State.

**State's Southern Region Emergency Operations
Center Project at the Fairview Developmental Center –
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October 17, 2023

