



## **REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, AND HOUSING AUTHORITY NOVEMBER 7, 2023 – MINUTES**

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

### **ROLL CALL**

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

Absent: Council Member Reynolds.

### **PUBLIC COMMENTS**

Rachel Xin, owner of High Seas Dispensary, spoke on Conference with Legal Counsel, Existing Litigation - 1921 Harbor Blvd., LLC dba High Seas, Orange County Superior Court.

The City Attorney reported the subject of one of the two cases on item #1 - Conference with Legal Counsel - Anticipation of Litigation is to discuss a threat of litigation by Rutan and Tucker law firm, pertaining to Old Business item #1, Just Cause Residential Tenant Protections.

### **CLOSED SESSION ITEMS:**

- 1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATION OF LITIGATION - TWO CASES**  
Pursuant to California Government Code Section 54956.9 (d)(2), Potential Litigation.
- 2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – ONE CASE**  
Pursuant to California Government Code Section 54956.9 (d)(1)  
Name of Case: 1921 Harbor Blvd. LLC dba High Seas  
Orange County Superior Court Case No. Pending
- 3. 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

#### **4. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to California Government Code Section 54957.6 (a)

Agency Designated Representative: Lori Ann Farrell Harrison, City Manager and Alma Reyes, Deputy City Manager

Name of Employee Organization: Costa Mesa Firefighters Association (CMFA).

City Council recessed at 4:06 p.m. for Closed Session.

Closed Session adjourned at 5:45 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 6:02 p.m.

**NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE** – Fire Captain Fred McDowell led the National Anthem and Mayor Stephens led the Pledge of Allegiance.

**MOMENT OF SOLEMN EXPRESSION**– Led by Rabbi Stephen Einstein, Congregation B’Nai Tzedek, Fountain Valley.

#### **ROLL CALL**

Present: Council Member Chavez, Council Member Gameros, Council Member Harper, Council Member Marr Council Member Reynolds (Arrived 6:23 p.m.), Mayor Pro Tem Harlan and Mayor Stephens.

Absent: None.

**CITY ATTORNEY CLOSED SESSION REPORT** – No reportable action.

#### **PRESENTATIONS:**

The Mayor presented the Native American Heritage Month Proclamation to Mr. Chee.

The Mayor presented the Movember 2023 Proclamation to Mr. Hernandez.

#### **PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA**

Speaker spoke on the meeting regarding the Fairview Developmental Center site, Measure K, and requested a Citizens Advisory Group.

Gary Tracy spoke in support of providing permits to open High Seas Dispensary.

John Palmer, Costa Mesa, spoke on e-bike issues and dangerous speeds, and requested e-bike enforcement and education.

Bill Mason spoke in support of providing permits to open High Seas Dispensary.

Speaker, thanked City Council for positive changes in the neighborhood, spoke on walking signals, bike lanes, and workshops for Fairview Developmental Center.

Rachel Xin, owner of High Seas Dispensary, spoke on providing permits to open High Seas Dispensary.

Speaker, Costa Mesa, spoke on gang activity in her neighborhood, the Police Department response, and requested interpreters at the 911 call center.

Josh Guesman, Vice President of the Orange County Model Engineers, spoke on behalf of Hank Castignetti, provided an update on the Orange County Model Engineers activities.

Juana Trejo, Costa Mesa, spoke on auto thefts, graffiti and gang activity in the community, and requested more of a police presence.

Jay Humphrey, Costa Mesa, requested education and enforcement regarding e-bikes, spoke on assisted hearing devices and better audio at all community meetings, spoke on citywide noticing for future Fairview Developmental Center meetings, and is opposed to the State Emergency Operations Center at the Fairview Developmental Center.

Kevin Ferrer, spoke in support of providing permits for High Seas Dispensary.

Charlene Ashendorf, Costa Mesa, thanked the City for the Artventure event, and spoke on Costa Mesa as the City of the Arts.

Speaker, spoke in support of granting the permits for High Seas Dispensary.

Speaker, spoke in support of granting the permits for High Seas Dispensary.

Carmen Ramirez, Costa Mesa, spoke on an increase of graffiti in the neighborhood, an influx of youth on e-bikes in the parks at night, and requested additional police activity in the neighborhood.

Devon Martinez, spoke in support of granting the permits for High Seas Dispensary.

Becca Walls, Chair of the Animal Services Committee, spoke on the Newport Center Animal Hospital contract ending, and the urgency of facilitating a new contract.

Zachary Blauvelt, spoke in support of granting the permits for High Seas Dispensary.

Norma Fisher, Costa Mesa, spoke on being evicted, and requested funding for low income seniors.

Ralph Taboada, Costa Mesa, spoke on the utilization of metrics and workload indicators.

Cynthia McDonald, Costa Mesa, representing Costa Mesa First, spoke on additional public outreach and noticing for community meetings, audio issues at community meetings, and forming a citizens advisory committee.

Speaker, spoke on street safety, Assembly Bill 413, and requested additional protected bike lanes.

Speaker, spoke on the role of government and government spending.

Aaron McCall spoke on e-bikes, traffic and pedestrian safety, and crosswalks.

Speaker, spoke on Native Americans, Fairview Park, and against the Harbor Soaring Society.

Wendy Leece, Costa Mesa, spoke on the Fairview Developmental Center meeting, requested additional outreach, and forming a citizens advisory committee.

### **COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS**

Council Member Reynolds spoke on improving outreach for the Fairview Developmental Center meetings, spoke on W. 19<sup>th</sup> St. improvements, requested bollards West of Placentia Ave., requested public information videos on infrastructure improvements, congratulated Mayor Stephens on his appointment to the board of the Orange County Transportation Authority, and thanked the team that hosted the clean-up at a property on Avocado Ave.

Council Member Chavez spoke on public safety, spoke on reporting any suspicious activity, spoke on incentivizing the apartment owners to install cameras, and spoke on the Fairview Developmental Center site and housing.

Council Member Gameros spoke on reflecting on Veterans Day.

Council Member Harper spoke on metrics, supports a Citizen Advisory Committee for the Fairview Developmental Center, spoke on e-bike safety and enforcement, spoke on Placentia Ave. bollards being damaged, the narrow lanes, and cars crossing the center lines and bike lanes.

Council Member Marr spoke on the lanes on Placentia Ave. are narrow to reduce speeds, spoke on High Seas Dispensary, requested an update from Ms. Hall Barlow, City Attorney, who spoke on a claim and lawsuit from High Seas Dispensary, Council Member Marr requested an update on the Newport Center Animal Hospital contract, inquired on translation services at dispatch, spoke on the Fairview Developmental Center meetings and additional outreach.

Mayor Pro Tem Harlan spoke on the fence at Harper Park, thanked the Public Works Department for installing the signalized crosswalk at Santa Ana Ave. and Esther St, spoke on the Fairview Developmental Center site workshop and it being the beginning of a 2-year process and spoke on additional outreach, spoke on attending the 25<sup>th</sup> anniversary of Robinson Hill Architects event, and spoke on the Hamas terrorist attack on Israel.

Mayor Stephens spoke on Chris McGuire for receiving the Veteran of the Year award, spoke on his appointment to the Orange County Transportation Authority, spoke on e-bikes and safety issues, education, and enforcement, spoke on Northgate Market opening on November 17<sup>th</sup>, spoke on the Veterans Day celebration on November 11<sup>th</sup> at 2:00 pm at Heroes Hall, spoke on graffiti and thanked the Public Works Department for expediency in the clean-up, spoke on the Fairview Developmental Center and writing a letter to the Governor against putting an Emergency Operation Center at the site, requested noticing to the entire city for community meetings, praised CMTV for awards received, spoke on engaging CMTV for Fairview Developmental Center planning efforts, and congratulated Fire Chief Stefano for being inducted into the Fire Chief Hall of Fame.

**REPORT – CITY MANAGER** – Ms. Farrell Harrison congratulated Fire Chief Stefano for being inducted into the Fire Chiefs Hall of Fame, thanked Ms. Ashendorf for her public comment, thanked the Arts Commission and staff for Artventure, introduced Broc Coward Community Relations Manager, and Jay Barkman, Government Affairs Manager, spoke on the carpool lanes opening on the I-405 freeway on December 1st, spoke on community engagement efforts for future meetings, spoke on the Animal Services contract, an e-bike ordinance, Spanish translation services at dispatch is available, and played a video regarding the new Costa Mesa 311 Application.

**REPORT – CITY ATTORNEY** – Ms. Hall Barlow reported that the Da Silva lawsuit has been dismissed.

## **CONSENT CALENDAR**

**MOVED/SECOND:** Council Member Chavez/Council Member Reynolds

**MOTION:** Approve the Consent Calendar.

The motion carried by the following roll call vote:

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

Nays: None

Absent: None.

Abstain: None.

Motion carried: 7-0

### **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: Malik Anthony Atalla, Kendra Boost, Christopher Matlick, Jeff Schoneman, High Seas.

### **3. ADOPTION OF WARRANT RESOLUTION**

**ACTION:**

City Council approved Warrant Resolution No. 2708.

### **4. MINUTES**

**ACTION:**

City Council approved the minutes of the regular meeting of October 17, 2023.

**5. PURCHASE OF THE FOSTER & FREEMAN DCS®5 DIGITAL CAPTURE SYSTEM FOR THE POLICE DEPARTMENT CRIME SCENE UNIT**

**ACTION:**

1. City Council approved and authorized the purchase of a DCS®5 Digital Capture System from Foster & Freeman for the Crime Scene Unit (CSU) in the amount of \$112,106.
2. Authorized the City Manager to execute a Purchase Order, and any other documents required in connection with the purchase of the DCS®5 Digital Capture System.

**6. ACCEPTANCE OF THE 2023-2024 CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) GRANT**

**ACTION:**

1. City Council adopted the Resolution No. 2023-52 authorizing the acceptance of grant funds in the amount of \$40,000 from the California Department of Alcoholic Beverage Control in connection with its Alcohol Policing Partnership Program.
2. Approved budget appropriation of \$40,000 from the Alcoholic Beverage Control Grant.

**7. SUB RECIPIENT AGREEMENT FOR THE 2022 URBAN AREA SECURITY INITIATIVE GRANT**

**ACTION:**

City Council authorized the City Manager, or designee, to execute the Sub-Recipient Agreement with the City of Anaheim for the FY 2022 Urban Areas Security Initiative (UASI) Grant Program.

**8. PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR THE COSTA MESA SKATE PARK EXPANSION**

**ACTION:**

1. City Council awarded a Professional Services Agreement (PSA) to David Volz Design Landscape Architects, Inc., 151 Kalmus Drive, Suite M8, Costa Mesa, California in the amount of \$287,476 for the design of the Costa Mesa Skate Park located at 900 Arlington Drive, Costa Mesa, and authorized the City Manager and the City Clerk to execute the PSA.
2. Authorized a ten percent (10%) contingency in the amount of \$28,748 in order to cover additional work or unforeseen circumstances.
3. Authorized the City Manager and the City Clerk to execute the PSA and any future amendments to the agreement within Council authorized limits.

**9. 2025 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM**

**ACTION:**

City Council adopted Resolution No. 2023-53, approving projects for inclusion in the Orange County Transportation Authority's (OCTA) Federal Transportation Improvement Program (FTIP) for Fiscal Years 2024/25 through 2029/30.

**10. BICYCLE SAFETY EDUCATION PROGRAM FOR SCHOOLS**

**ACTION:**

1. City Council awarded a Professional Services Agreement (PSA) to Walk 'n Rollers, 8800 Venice Boulevard, Suite 301, Los Angeles, CA 90034 for the development of a Bicycle Safety Education Program for Schools in the amount of \$149,967.
2. Authorized a ten percent (10%) contingency in the amount of \$14,996 for unforeseen costs.
3. Authorized the City Manager and the City Clerk to execute the PSA and any future amendments to the agreement.

**11. REJECT ALL BIDS - ADAMS AVENUE AND PINECREEK DRIVE INTERSECTION PROJECT, FEDERAL PROJECT NO. CML-5312(104), CITY PROJECT NO. 23-01**

**ACTION:**

City Council rejected all bids for the Adams Avenue and Pinecreek Drive Intersection Project, Federal Project No. CML-5312(104), City Project No. 23-01, and directed staff to re-advertise the project.

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

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

City Council recessed into a break at 8:07 p.m.

City Council reconvened at 8:22 p.m.

**PUBLIC HEARINGS: NONE.**

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

## **OLD BUSINESS:**

### **1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA 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))**

Presentation by Mr. Robbins, Neighborhood Improvement Manager and Ms. Le, Director of Economic and Development Services.

**MOVED/SECOND:** Council Member Marr/Gameros

**MOTION:** Limit public comments to 2 minutes each and 4 minutes for translation.

The motion carried by the following roll call vote:

Ayes: Council Member Gameros, Council Member Harper, Council Member Marr, and Mayor Pro Tem Harlan.

Nays: Council Member Chavez, Council Member Reynolds, and Mayor Stephens.

Absent: None.

Abstain: None.

Motion carried: 4-3

Public Comments:

Speaker, spoke in opposition of the proposed ordinance.

Speaker, spoke in opposition of the proposed ordinance.

Victor Cao, California Apartment Association, spoke in opposition of the proposed ordinance.

Maricela Lopez spoke in support of the proposed ordinance.

Ian Stevenson spoke in support of residents who need assistance.

Carmen Ramirez spoke in support of the proposed ordinance.

Speaker, spoke in opposition of the proposed ordinance.

Speaker, Resilience Orange County, spoke in support of the proposed ordinance.

Nick Gould, real estate broker, spoke in opposition of the proposed ordinance.

Speaker, spoke in support of the proposed ordinance.

Chip Ahlswede, Apartment Association of Orange County, spoke in opposition of the proposed ordinance.

Ashley Anderson, Trustee, Newport Mesa Unified School District, spoke in support of the proposed ordinance.



Speaker, spoke in opposition of the proposed ordinance.

Speaker, Resilience Orange County, spoke in support of the proposed ordinance.

Speaker, spoke in opposition of the proposed ordinance.

Juana Trejo spoke in support of the proposed ordinance.

Speaker, spoke in support of the proposed ordinance.

Speaker, Resilience Orange County, spoke in support of the proposed ordinance.

Aaron McCall spoke in support of the proposed ordinance.

Haley Horton spoke in support of the proposed ordinance.

Kathy Esfahani spoke in support of the proposed ordinance.

Dianna Russell spoke in support of the proposed ordinance.

**MOVED/SECOND:** Council Member Chavez/Council Member Gameros

**MOTION:** Approve an urgency ordinance, appropriate \$300,000 of ARPA funds to Families Forward for family rental assistance, proposed the City to provide through ARPA funds the additional 1-month fair market rental assistance, remove the landlords mandatory notification to the City, and the City to conduct outreach to landlords and tenants regarding the ordinance.

Mayor Stephens requested a friendly amendment that the urgency ordinance would take effect November 21<sup>st</sup> to allow for outreach.

Council Member Chavez did not agree to the change.

Mayor Stephens requested a friendly amendment to change the \$300,000 to \$500,000.

Council Member Chavez agreed to the change.

Mayor Stephens clarified the ARPA funds covering the 1-month rent is for fair market value.

**SUBSTITUTE MOTION /SECOND:** Council Member Marr/Council Member Reynolds

**SUBSTITUTE MOTION:** Adopt an urgency ordinance as written by staff with one exception: reduce the amount of rental assistance to 1-month of fair market value, to appropriate \$300,000 of ARPA funds, to allocate \$250,000 of uncommitted ARPA funds to Jones & Mayer for eviction and rental-related legal services, and to add 2 full time employees: a Community Outreach Worker and a Code Enforcement Officer.

Note: Urgency Ordinance requires a four-fifths vote.

The motion failed by the following roll call vote:

Ayes: Council Member Chavez, Council Member Harper, Council Member Reynolds, Council Member Marr, and Mayor Stephens.

Nays: Council Member Gameros and Mayor Pro Tem Harlan.

Absent: None.

Abstain: None.

Motion failed: 5-2

**SECOND SUBSTITUTE MOTION:** Council Member Marr

**SECOND SUBSTITUTE MOTION:** Adopt an ordinance as written by staff with one exception: reduce the amount of relocation assistance to 1-month of fair market value, to appropriate \$300,000 of ARPA funds, to allocate \$250,000 of uncommitted ARPA funds to Jones & Mayer, and to add 2 full time employees: a Community Outreach Worker and a Code Enforcement Officer.

The motion failed for lack of a second.

**THIRD SUBSTITUTE MOTION /SECOND:** Council Member Gameros/Council Member Reynolds

**THIRD SUBSTITUTE MOTION:** Adopt an urgency ordinance as written by staff with one exception: reduce the amount of relocation assistance to 1-month of fair market value, to appropriate \$300,000 of ARPA funds, allocate \$250,000 of uncommitted ARPA funds to Jones & Mayer, and to add 3 full time employees: a Community Outreach Worker, a Code Enforcement Officer, and a Senior Planner.

Mayor Pro Tem Harlan requested a friendly amendment: include outreach to landlords.

Council Member Gameros (1) and Council Member Reynolds (2) agreed to the amendment.

**THIRD SUBSTITUTE MOTION /SECOND:** Council Member Gameros/Council Member Reynolds

**THIRD SUBSTITUTE MOTION:** Adopt an urgency ordinance as written by staff with one exception: reduce the amount of relocation assistance to 1-month of fair market value, appropriate \$300,000 of ARPA funds, allocate \$250,000 of uncommitted ARPA funds to Jones & Mayer, add 3 full time employees: a Community Outreach Worker, a Code Enforcement Officer, and a Senior Planner, and to include outreach to landlords.

The motion carried by the following roll call vote:

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

Nays: Council Member Harper.

Absent: None.

Abstain: None.

Motion Carried: 6-1

Council Member Harper indicated he did not support the motion as he does not agree to the addition of a Senior Planner.

#### ACTION:

1. City Council adopted Urgency Ordinance No. 2023-04 (as amended), an Urgency Ordinance 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).

2. Appropriated a total of \$300,000 from uncommitted American Rescue Plan Funds (ARPA) to provide supplemental rental assistance to households facing no-fault just cause eviction, and authorized the City Manager, City Attorney, and City Clerk to approve and execute new or amended agreements with existing program providers.
3. Allocated \$250,000 from uncommitted ARPA funds to the Law Offices of Jones Mayer, increasing the scope of the contract to include eviction and rental-related legal services, including but not limited to court filings, to enforce the eviction protection provisions of the Costa Mesa Municipal Code regarding unlawful acts in connection with no-fault just cause evictions.
4. Approved the addition of three (3) Full Time Equivalent (FTE) staff positions to implement, monitor, and enforce the subject Urgency Ordinance. The staff positions include one Community Outreach Worker in the Neighborhood Improvement Division, one (1) Senior Planner, and one (1) Code Enforcement Officer II in the Economic and Development Services Department.
5. Directed staff to conduct outreach to landlords.

#### **NEW BUSINESS:**

##### **1. FISCAL YEAR 2022-23 PRELIMINARY UNAUDITED YEAR-END FINANCIAL REPORT**

Presentation by Ms. Molina, Finance Director.

Public Comments: None.

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

**MOTION:** Approve staff recommendation with the addition of funding bus shelters and amenities if there is more than \$6 million in surplus.

Council Member Reynolds requested a friendly amendment to allocate \$300,000 to bus shelters from the workers compensation fund.

Council Member Chavez did not agree to the request.

**SUBSTITUTE MOTION/SECOND:** Council Member Marr/Council Member Reynolds

**SUBSTITUTE MOTION:** Approve staff recommendation except, instead of funding \$1.1 million for the Lions Park Café, move \$300,000 of those funds to fund bus shelters and amenities and the remainder to Housing Element Programs.

The motion failed by the following roll call vote:

Ayes: Council Member Reynolds and Council Member Marr.

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

Absent: None.

Abstain: None.

Motion failed: 2-5

**SECOND SUBSTITUTE MOTION/SECOND:** Council Member Reynolds

**SECOND SUBSTITUTE MOTION:** Approve staff recommendation with the following change: reallocate \$300,000 from the workers compensation fund to fund bus shelters and amenities.

Council Member Chavez agreed to add the change to his motion as an amendment in lieu of a substitute motion.

**ORIGINAL MOTION/SECOND:** Council Member Chavez/Mayor Pro Tem Harlan

**ORIGINAL MOTION:** Approve staff recommendation with the addition of reallocating \$300,000 from the workers compensation fund to fund bus shelters and amenities.

The motion carried by the following roll call vote:

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

Nays: Council Member Harper and Council Member Marr.

Absent: None.

Abstain: None.

Motion carried: 5-2

**ACTION:**

City Council authorized the City Manager, or her designee, to concur with FiPAC recommendations on the allocation and appropriation of Fiscal Year 2022-23, if available, year-end savings estimated between \$4.0 million to \$6.0 million in order of priority as follows:

- a) Transfer \$1.1 million to Fund 401 for the Lions Park Café;
- b) Transfer \$1.5 million to Fund 401 for Fire Station #4 Training Tower;
- c) Deposit \$300,000 to Fund 401 for bus shelters and amenities.
- d) Deposit \$500,000 (up to \$1.0 Million, if available for surplus funds of \$6.0 million) to the Workers' Compensation Fund Balance designation;
- e) Transfer \$900,000 to Housing Fund 222 for Housing Element and Visioning;
- f) Transfer \$300,000 to Equipment Fund 602 to pay the balance of one Fire Engine Apparatus; and
- g) Transfer \$1.2 million to Fund 401 for improvements to the City's Golf Course and Tennis Center.

## **2. LIONS PARK CAFÉ PROJECT**

Presentation by Mr. Sethuraman, Public Works Director.

Public Comments: None.

**MOVED/SECOND:** Council Member Chavez/Council Member Reynolds

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Harper.

Abstain: None.

Motion carried: 6-0

**ACTION:**

1. City Council authorized the City Manager and City Clerk to execute the Professional Services Agreement (PSA) with Johnson Favaro, 5898 Blackwelder Street, Culver City, CA 90232, in the amount of \$130,250 with a three-year contract extension, and any future amendments.
2. Authorized the City Manager and City Clerk to execute the Professional Services Agreement (PSA) with STV Construction, Inc., 1055 West Seventh Street, Suite 2900, Los Angeles, CA 90017, in the amount of \$226,960 with a three-year contract extension, and any future amendments.
3. Authorized the City Manager to execute Change Order No. 2 to the Purchase Order with Tovey/Shultz Construction, Inc., 18261 Collier Avenue, Unit A, Lake Elsinore, CA 92530, in the amount of \$1,929,805, and any future amendments.
4. Created and amended the City's budget appropriations and allocations in the amounts and funds as needed to effectuate the changes identified above.

**MOVED/SECOND:** Council Member Reynolds/Council Member Chavez

**MOTION:** Continue the meeting past midnight.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Reynolds, Council Member Marr, and Mayor Stephens.

Nays: Mayor Pro Tem Harlan.

Absent: Council Member Harper.

Abstain: None.

Motion carried: 5-1

**3. REQUEST FOR CITY COUNCIL DIRECTION REGARDING THE POTENTIAL PREPARATION OF A MORATORIUM AND/OR OTHER ALTERNATIVE PROCEDURE TO DISCONTINUE OR SUSPEND ACCEPTANCE AND PROCESSING OF CANNABIS RETAIL APPLICATIONS**

Presentation by Ms. Le, Economic and Development Services Director.

Public Comments:

Speaker, expressed concern for pausing the process of cannabis applications.

Speaker, spoke in opposition of the item.

Keith Scheinberg, spoke in opposition of the item.

**MOVED/SECOND:** Mayor Stephens/Mayor Pro Tem Harlan

**MOTION:** Receive and file the report.

**SUBSTITUTE MOTION/SECOND:** Council Member Marr/Council Member Chavez

**SUBSTITUTE MOTION:** Direct staff to draft a resolution to limit the cannabis storefronts to 22.

The motion failed by the following roll call vote:

Ayes: Council Member Chavez and Council Member Marr.

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

Absent: None.

Abstain: None.

Motion failed: 2-5

**SECOND SUBSTITUTE MOTION/SECOND:** Council Member Reynolds/Council Member Marr

**SECOND SUBSTITUTE MOTION:** Direct staff to draft a resolution to stop processing any applications on the waitlist and in the pre-application process.

The motion failed by the following roll call vote:

Ayes: Council Member Reynolds and Council Member Marr.

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

Absent: None.

Abstain: None.

Motion failed: 2-5

**ORIGINAL MOTION/SECOND:** Mayor Stephens/Mayor Pro Tem Harlan

**MOTION:** Receive and file the report.

The motion carried by the following roll call vote:

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

Nays: Council Member Harper, Council Member Reynolds, and Council Member Marr.

Absent: None.

Abstain: None.

Motion carried: 4-3

**ACTION:**

City Council received and filed the staff report.

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

**ADJOURNMENT**– Mayor Stephens adjourned the meeting at 12:03 a.m.

**Minutes adopted on this 5<sup>th</sup> day of December, 2023.**

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John Stephens, Mayor

ATTEST:

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Brenda Green, City Clerk

DRAFT