



CITY OF COSTA MESA

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, AND HOUSING AUTHORITY*

Agenda

Tuesday, March 21, 2023

6:00 PM

City Council Chambers
77 Fair Drive

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

The City Council meetings are presented in a hybrid format, both in-person at City Hall and as a courtesy virtually via Zoom Webinar.

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Zoom Webinar: (For both 4:00 p.m. and 6:00 p.m. meetings)

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- During the Public Comment Period, use the "raise hand" feature located in the participants' window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

Participate via telephone: (For both 4:00 p.m. and 6:00 p.m. meetings)
Call: 1 669 900 6833 Enter Webinar ID: 983 7639 0419/ Password: 905283
During the Public Comment Period, press *9 to add yourself to the queue and wait for city staff to announce your name/phone number and press *6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

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

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

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

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

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

Free Wi-Fi is available in the Council Chambers during the meetings. The network username available is: CM_Council. The password is: cmcouncil1953.

As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance.

En conformidad con la Ley de Estadounidenses con Discapacidades (ADA), aparatos de asistencia están disponibles y podrán ser prestados notificando a la Secretaria Municipal. Si necesita asistencia especial para participar en esta junta, comuníquese con la oficina de la Secretaria Municipal al (714) 754-5225. Se pide dar notificación a la Ciudad por lo mínimo 48 horas de anticipación para garantizar accesibilidad razonable a la junta. [28 CFR 35.102.35.104 ADA Title II]. Servicios de traducción de idioma están disponibles para esta junta llamando al (714) 754-5225 por lo mínimo 48 horas de anticipación.

CLOSED SESSION - 4:00 P.M.

CALL TO ORDER

ROLL CALL

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

CLOSED SESSION ITEMS:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Carrin A. Leaman vs. City of Costa Mesa Orange County Superior
Courts Case No. 30-2021-01196302-CU-OR-CJC
2. CONFERENCE WITH LEGAL COUNSEL
ANTICIPATED LITIGATION - ONE CASE
Pursuant to California Government Code Section 54956.9 (d)(2)
3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to California Government Code Section 54957, (b)(1)
Title: City Manager

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY, AND HOUSING AUTHORITY**

MARCH 21, 2023 – 6:00 P.M.

JOHN STEPHENS
Mayor

JEFFREY HARLAN
Mayor Pro Tem - District 6

ANDREA MARR
Council Member - District 3

MANUEL CHAVEZ
Council Member - District 4

LOREN GAMEROS
Council Member - District 2

ARLIS REYNOLDS
Council Member - District 5

DON HARPER
Council Member - District 1

KIMBERLY HALL BARLOW
City Attorney

LORI ANN FARRELL HARRISON
City Manager

CALL TO ORDER

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

MOMENT OF SOLEMN EXPRESSION

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

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. [Presentation: Pacifica Christian State Finals](#) [23-1134](#)
 2. [Proclamation: 2023 Nowrūz- Persian New Year](#) [23-1131](#)
- Attachments:** [1. Proclamation: 2023 Nowrūz- Persian New Year](#)

3. [Presentation: Active Transportation Committee](#)

[23-1135](#)

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Comments are limited to 3 minutes, or as otherwise directed.

Comments on Consent Calendar items may also be heard at this time.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Each council member is limited to 4 minutes. Additional comments will be heard at the end of the meeting.

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

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR (Items 1-10)

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

1. [PROCEDURAL WAIVER: WAIVE THE FULL READING OF AL23-1127 ORDINANCES AND RESOLUTIONS](#)

RECOMMENDATION:

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

2. [READING FOLDER](#) [23-1128](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Mario Andrade, Eric Irwin, Jesse Isais, Joe Marchese, Linda Paz, Javier Rodriguez, Lieu Tran.

3. [ADOPTION OF WARRANT RESOLUTION](#) [23-1130](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2696.

Attachments: [1. Summary Check Register week of Feb. 27](#)
[2. Summary Check Register week of March 6](#)

4. [MINUTES](#) [23-1129](#)

RECOMMENDATION:

City Council approve the Minutes of the Regular meeting of March 7, 2023.

Attachments: [1. 03-07-2023 Draft Minutes](#)

5. [INCREASE COMPENSATION TO VINCENT BENJAMIN GROUP, LLC](#) [23-1122](#)
[AGREEMENT FOR TEMPORARY STAFFING SERVICES](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the increase of an additional \$100,000 to the Vincent Benjamin Group, LLC agreement and revise language for temporary Citywide staffing services.
2. Authorize the City Manager and City Clerk to accept and execute future amendments to the agreement.

6. [CITY E-MAIL MANAGEMENT POLICY](#) [23-1103](#)

RECOMMENDATION:

Staff recommends the City Council adopt Resolution No. 2023-XX approving the City E-Mail Management Policy.

Attachments: [1. Resolution 2023-xx](#)
[2. E-Mail Management Policy](#)

7. [**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING THE TERMINATION OF THE LOCAL STATE OF EMERGENCY DECLARED BY PROCLAMATION 2020-01 AND RATIFIED BY RESOLUTION NO. 2020-09, RESCINDING RESOLUTION NO. 2020-09 AND RESOLUTION NO. 2021-24**](#)

RECOMMENDATION:

Staff recommends the City Council adopt Resolution No. 2023-XX to terminate the City's State of Emergency related to the COVID-19 Pandemic and certain related emergency actions.

Attachments: [1. Resolution 2023-xx](#)
[2. Resolution No. 2021-24](#)

8. [**RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2023 ORANGE COUNTY MARATHON RUNNING FESTIVAL**](#)

RECOMMENDATION:

Staff recommends the City Council:

Adopt Resolution No. 2023-xx, designating event routes for the 2023 Orange County (OC) Marathon Running Festival and approving the temporary street closures for May 6, 2023 and May 7, 2023, as requested for the 2023 OC Marathon Running Festival.

Attachments: [1. Resolution No. 2023-xx](#)
[2. OC Marathon 2023 Application](#)
[3. OC Marathon Full Route](#)
[4. OC Half Marathon Route](#)
[5. OC Marathon 5K Fun Run, Walk](#)
[6. OC Marathon Kids Run the OC](#)
[7. Special Event Resolution No. 04-38](#)
[8. OC Marathon Affected Streets List](#)
[9. OC Marathon - Major Intersections Affected](#)

9. [AUTHORIZE THE USE OF SOURCEWELL'S NATIONAL COOPERATIVE AGREEMENT WITH NATIONAL AUTO FLEET FOR THE PURCHASE OF TWENTY-ONE \(21\) ALLMAND PORTABLE LIGHT TOWERS](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize the use of Sourcewell's National Cooperative Agreement No. 091521-NAF with National Auto Fleet Group for the purchase of twenty-one (21) Allmand GR Series portable light towers.
2. Authorize the purchase of twenty-one (21) Allmand GR Series portable light towers for \$310,971.15 through National Auto Fleet Group.

Attachments: [1. National Auto Fleet Group Quote](#)
[2. Allmand GR Series Portable Light Tower Specs](#)

10. [APPROVAL FOR THE PURCHASE OF AUTOMATIC EXTERNAL DEFIBRILLATORS FOR FIRE DEPARTMENT AND CITY FACILITIES AND PURCHASE OF "X" SERIES ADVANCED MONITOR /DEFIBRILLATORS](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize the use of GPO NPP contract no. PS20200 with Zoll Medical Corporation for the purchase of thirty-one (31) AEDs for the Fire Department and twenty-four (24) for City Facilities. (Attachment 1)
2. Authorize the use of GPO NPP contract no. PS2022 with Zoll Medical Corporation for the purchase of twelve (12) "X" Series Advanced Monitors/Defibrillators. (Attachment 2)
3. Approve and authorize the City Manager and City Clerk to execute the necessary documents to purchase the automatic external defibrillators (AED's) and "X" series monitors/defibrillators.

Attachments: [1. Zoll AED quote](#)
[2. Zoll X Series Advanced Monitor-Defibrillator Quote](#)
[3. AED Location List](#)

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

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

PUBLIC HEARINGS: NONE.

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

OLD BUSINESS: NONE.

NEW BUSINESS:

1. [ADOPTION OF THE SIDE LETTERS OF AGREEMENT BETWEEN THE CITY OF COSTA MESA \(CITY\) AND THE COSTA MESA POLICE MANAGEMENT ASSOCIATION \(CMPMA\), THE COSTA MESA FIRE MANAGEMENT ASSOCIATION \(CMFMA\), THE COSTA MESA FIREFIGHTERS ASSOCIATION \(CMFA\), ADOPTION OF ACCOMPANYING SALARY RESOLUTIONS FOR THE CMPMA, CMFMA, CMFA, COSTA MESA DIVISION MANAGERS ASSOCIATION \(CMDMA\), EXECUTIVE EMPLOYEES, AND THE CONFIDENTIAL MANAGEMENT UNIT](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve and Adopt the Side Letter of Agreement between the City of Costa Mesa and CMPMA (Attachment I);
2. Approve and Adopt the Side Letter of Agreement between the City of Costa Mesa and CMFMA (Attachment II);
3. Approve and Adopt the Side Letter of Agreement between the City of Costa Mesa and CMFA (Attachment III);
4. Approve and Adopt Resolution Numbers 2023-XX, 2023-XX, 2023-XX, 2023-XX, 2023-XX, and 2023-XX revising the pay ranges for CMPMA, CMFMA, CMFA, CMDMA, Unrepresented Executive Employees and the Confidential Management Unit (Attachments IV - IX);
5. Approve the Fiscal Impact Analyses (Attachment X); and
6. Authorize the City Manager and members of the City's Negotiation Team to execute the MOU documents and appropriate into the respective departmental budgets.

Attachments: [1. CMPMA Side Letter](#)

[2. CMFMA Side Letter](#)

[3. CMFA Side Letter](#)

[4. CMPMA Resolution](#)

[5. CMFMA Resolution](#)

[6. CMFA Resolution](#)

[7. CMDMA Resolution](#)

[8. Executive Resolution](#)

[9. Confidential Management Resolution](#)

[10. Fiscal Impact Analysis of Side Letter Agreements](#)

2. [FISCAL YEAR 2022-23 MID-YEAR BUDGET UPDATE AND 23-1107 ADJUSTMENTS INCLUDING RECOMMENDED STAFFING CHANGES](#)

RECOMMENDATION:

1. Approve FY 2022-23 Budget Carryovers from the prior year in the General Fund and the various Capital Projects Funds for multi-year projects (Attachment 1).
2. Approve key staffing changes and compensation adjustments in order to: recruit for and hire certain hard to fill classifications in the Parks and Community Services Department; enhance productivity in the Public Works, Development Services and Information Technology Departments; and create stronger succession plans in the City Manager's Office and Police Department (Attachment 2).
 - a. Approve Resolution No. 2023-xx, approving the new classification and salary/pay ranges for a Deputy City Manager and Deputy Police Chief and compensation adjustments for the Assistant City Manager.
 - b. Approve Resolution No. 2023-xx, approving new classifications and salary/pay ranges for the Planning and Sustainable Development Manager and a Deputy Director of Public Works.
 - c. Approve Resolution No. 2023-xx, approving compensation adjustments and title changes for Parks and Community Services classifications and a title change for the Principal Civil Engineer.
 - d. Approve Resolution No. 2023-xx, approving compensation adjustments for Community Services Leaders and Lifeguards.

Attachments: [1. CIP Rollovers from FY 2021-22 to FY 2022-23](#)
[2. Executive Resolution](#)
[3. CMDMA Resolution](#)
[4. CMCEA Resolution](#)
[5. PT Resolution](#)

3. [PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES 23-1117 FOR THE DESIGN OF FIRE STATION NO. 4 TRAINING FACILITY](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Award a Professional Services Agreement to PBK Architects, Inc., 8163 Rochester Avenue, Suite 100, Rancho Cucamonga, California, for two years, with three one-year renewal periods, in an amount not to exceed \$362,000.
2. Authorize the City Manager and the City Clerk to execute the agreement and any future amendments to the agreement within Council authorized limits.

Attachments: [1. PSA with PBK Architects](#)

4. [DISCUSSION REGARDING ENVIRONMENTAL INCOMPATIBILITY OF 23-1118 MODEL AIRCRAFT FLYING FIELD AT FAIRVIEW PARK AND CONSIDERATION OF STAFF'S RECOMMENDATION TO CLOSE THE MODEL AIRCRAFT FLYING FIELD TO PROTECT SENSITIVE AND RARE SPECIES AND HABITATS AT THE SITE](#)

RECOMMENDATION:

Staff recommends the City Council provide direction to staff regarding whether to permanently close the Fairview Park model aircraft flying field, and terminate the model aircraft individual flyer permit system due to environmental incompatibility, safety issues, and infeasibility with required resource protection measures at the site, based on additional feedback provided by State and Federal regulatory agencies and a more exhaustive review of all available information regarding the rare and/or protected species and habitats located at Fairview Park.

Attachments: [1. 1998 Adopted Fairview Park Master Plan](#)
[2. Excerpt from HSS September 2009 Newsletter](#)
[3. Biologist's Summary of Biological Impacts Associated with Model Flying Activity](#)
[4. Burrowing Owl Survey Report LSA](#)

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

ADJOURNMENT