



CITY OF COSTA MESA

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

Agenda

Tuesday, May 2, 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. If the Zoom feature is having system outages or experiencing other critical issues, the meeting will continue in person.

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

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/98376390419?pwd=dnpFelc5TnU4a3BKWVlyRVZMlZZz09>

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

Enter Webinar ID: 983 7639 0419/ Password: 905283

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

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

Call: 1 669 900 6833 Enter Webinar ID: 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].

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].

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
ANTICIPATED LITIGATION - THREE CASES
Pursuant to California Government Code Section 54956.9 (d)(2)

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

MAY 2, 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: Vanguard University Men's Volleyball National Champion
2. Presentation: Vanguard University Women's Beach Volleyball National Champion

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

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

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

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

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

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR (Items 1-9)

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 AL123-1173 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](#) [23-1174](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Julie May, Britt Lisa Meyer, Robert Edmund Meyer, Suzanne Tarvin, Ken Zammit.

3. [ADOPTION OF WARRANT RESOLUTION](#) [23-1176](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2698.

Attachments: [1. Summary Check Register week of March 27 2023](#)

[2. Summary Check Register week of April 3 2023](#)

[3. Summary Check Register week of April 10 2023](#)

[4. Summary Check Register week of April 17 2023](#)

4. [MINUTES](#) [23-1175](#)

RECOMMENDATION:

City Council approve the Minutes of the Study Session meetings of March 14, 2023 and April 11, 2023 and Regular meetings of March 21, 2023 and April 4, 2023.

Attachments: [1. 03-14-2023 Draft Minutes](#)

[2. 03-21-2023 Draft Minutes](#)

[3. 04-04-2023 Draft Minutes](#)

[4. 04-11-2023 Draft Minutes](#)

5. [BUSINESS IMPROVEMENT AREA \(BIA\) REAUTHORIZATION](#)[23-1166](#)
[RESOLUTION OF INTENTION, AND REVIEW OF ANNUAL REPORT](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the 2022-2023 Annual Report for the Business Improvement Area (BIA) (Attachment 1).

2. Receive and file the audited financial report for Fiscal Years Ended June 30, 2021 and June 30, 2022 (Attachment 2).

3. Adopt the Resolution declaring the City's intention to levy an annual assessment for Fiscal Year 2023-24 for the Business Improvement Area covering certain Costa Mesa hotels and motels and setting the time and place for a Public Hearing on the proposal (Attachment 3).

Attachments: [1. 2022-2023 Annual Report](#)

[2. Audit for Fiscal Year Ending June 2022](#)

[3. Resolution of Intent 2023-24 BIA Authorization](#)

6. [LICENSE PLATE READER CAMERA MOBILE SYSTEM](#) [23-1149](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize the use of National Cooperative Purchasing Alliance (NCPA) Contract #05-81 with IPS Group, Inc. for the purchase of a License Plate Reader Mobile System.
2. Authorize the purchase of the License Plate Reader Mobile System, in the amount of \$127,085.74 through National Cooperative Purchasing Alliance.

Attachments: [LPR NCPA Quote](#)

7. [RESOLUTION TO EXECUTE RIGHT-OF-WAY CERTIFICATIONS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION \(CALTRANS\)](#) [23-1154](#)

RECOMMENDATION:

Staff recommends the City Council adopt Resolution No. 2023-xx (Attachment 1) authorizing the Public Works Director or designee(s) to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, and/or Fund Transfer Agreements, including Right-of-Way Certifications, and any other certifications, amendments, and documents to facilitate processes related to the California Department of Transportation (Caltrans) and Federal Highway Administration (FHWA).

Attachments: [1. Draft Resolution](#)
[2. Resolution 07-01](#)

8. [AUTHORIZE THE USE OF SOURCEWELL'S NATIONAL COOPERATIVE AGREEMENT 032119 WITH QUINN COMPANY FOR THE PURCHASE OF ONE \(1\) NEW CATERPILLAR INC. MODEL: 308 EXCAVATOR AND ONE \(1\) CATERPILLAR INC. MODEL: 262d3 SKID STEER LOADER](#) [23-1183](#)

RECOMMENDATION:

Staff recommends the City Council authorize the use of Sourcewell's Cooperative Agreement No. 032119 with Caterpillar Inc. for the purchase of one (1) Caterpillar In. Model: 308 Excavator; and one (1) Caterpillar Inc. Model: 262D3 Skid Steer Loader for \$294,235.37 from Quinn Company.

Attachments: [Quotes](#)

9. [MICROSOFT ® ENTERPRISE AGREEMENT LICENSING COMPLIANCE](#) **3-1181**

RECOMMENDATION:

Staff recommends the City Council approve the true-up of the Microsoft ® Enterprise Agreement with SoftwareONE in the amount of \$279,050.60.

Attachments: [1. License Agreement](#)
[2. Quote](#)

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

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

PUBLIC HEARINGS: (Next Page)

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

1. [FISCAL YEAR \(FY\) 2023-2024 ANNUAL ACTION PLAN IDENTIFYING FUNDING PRIORITIES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AND HOME INVESTMENT PARTNERSHIPS GRANT \(HOME\) PROGRAMS](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Hold a Public Hearing regarding the FY 2023-2024 Annual Action Plan.
2. Approve the recommended allocation of \$1,689,303 for FY 2023-2024 Community Development Block Grant, which includes the annual allocation of \$1,010,506, \$78,797 in prior year(s) uncommitted program funds, and \$600,000 in re-programmed CDBG funds.
3. Approve the recommended allocation of \$549,260 for the Fiscal Year 2023-2024 HOME Investment Partnerships Grant, which includes the annual allocation of \$509,260 and \$40,000 in program income (lien/HOME loan repayments).
4. Adopt Resolution No. 2023-XX in order to:
 - a. Approve the FY 2023-2024 Annual Action Plan.
 - b. Authorize the City Manager, or the City Manager's designee, to submit the FY 2023-2024 Annual Action Plan to the U.S. Department of Housing and Urban Development.
 - c. Designate the City Manager, or the City Manager's designee, as the official representative of the City to administer the programs and to execute and submit all required agreements, certifications, and documents required by HUD, and execute all subrecipient agreements for the use of funds approved in the FY 2023-2024 Annual Action Plan.
5. Provide direction regarding potential changes to the City's Tenant-Based Rental Assistance (TBRA) and Single-family Rehabilitation Grant and Loan Programs, as described in the staff report.

Attachments: [1. Resolution](#)

[2. Public Services Grant Recommendations](#)

[3. Draft 23-24 Annual Action Plan](#)

OLD BUSINESS:

1. [**AWARD OF STREET SWEEPING SERVICES**](#) [**23-1186**](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Award a Maintenance Services Agreement (MSA) for citywide street sweeping services to Sweeping Corp of America (SCA) for an initial two-year period with three one-year renewal periods for a not to exceed annual amount of \$1,467,791.
2. Authorize a ten percent (10%) contingency annually for emergency response, special events and other unforeseen costs and approval for Consumer Price Index (CPI) escalation and de-escalation.
3. Authorize the City Manager and City Clerk to execute the agreement and future amendments to this agreement within Council authorized limits.

Attachments: [Maintenance Services Agreement with SCA](#)

2. [**CONSIDERATION OF MODEL FLYING ACTIVITY AT FAIRVIEW PARK**](#) [**23-1190**](#)

RECOMMENDATION:

Staff recommends that an environmental compatibility and biological resource assessment be completed by MIG Consulting LLC, as envisioned by the Fairview Park Master Plan Update, including the existing flying field location and/or other potential locations at Fairview Park, and that the temporary suspension of flying field activity be continued until such assessment is completed, due to current biological activity at the site.

Attachments: [1. US Fish & Wildlife Service Correspondence](#)
[2. Biological Sensitivity Map - Fairview Park Master Plan \(1998\)](#)
[3. California Dept. of Fish & Wildlife Correspondence](#)
[4. Excerpt of 4-12-23 Unofficial Fairview Park Steering Committee Minutes](#)
[5. Excerpts from Fairview Park Master Plan - References to Model Aircraft](#)

NEW BUSINESS: NONE.

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

ADJOURNMENT