



CITY OF COSTA MESA

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

Agenda

Tuesday, July 18, 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=dnpFelc5TnU4a3BKWVlyRVZMallZZz09>

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.

Note, if you have installed a zoom update, please restart your computer before participating in the meeting.

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. 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**

JULY 18, 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. [Certificate of Recognition: 2023 OC Artist of the Year Alexandr23-1307 Hernandez](#)

2. [2023 Parks and Recreation Month](#) [23-1306](#)

Attachments: [1. Proclamation: Parks Make Life Better](#)

3. [Presentation: TESSA Demonstration](#) [23-1305](#)

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 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:

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 ALI23-1274 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](#) [23-1296](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Lindsey Biurquiz, Delco Company, Robert De Pasquale, Evangelina Espinosa, Lorie Milton, Nicholas Patrick, Jake Querry, Angela Vargas.

3. [ADOPTION OF WARRANT RESOLUTION](#) [23-1298](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2701.

Attachments: [1. Summary Check Register 6.12.23](#)
[2. Summary Check Register 6.19.23](#)
[3. Summary Check Register 6.26.23](#)
[4. Summary Check Register 7.3.23](#)

4. [MINUTES](#) [23-1282](#)

RECOMMENDATION:

City Council approve the minutes of the regular meeting of June 20, 2023.

Attachments: [1. 06-20-2023 Draft Minutes](#)

5. [FINAL MAP FOR TRACT NO. 19120 LOCATED AT 1978 MEYER PLACE AND 1979 ANAHEIM AVENUE, COSTA MESA](#) [23-1284](#)

RECOMMENDATION:

Staff recommends the City Council approve the final Tract Map No. 19120 and authorize the signing of the map by the City Clerk and the City Engineer.

Attachments: [1. Tract Map 19120](#)
[2. Conditions of Approval](#)

6. **[TRAFFIC MANAGEMENT SERVICES AGREEMENTS WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION](#)**

RECOMMENDATION:

Staff recommends City Council:

1. Approve the 2023 agreement between the City and the 32nd District Agricultural Association for traffic management services for the Orange County Fair.
2. Approve the 2023 agreement between the City and the 32nd District Agricultural Association for traffic management services for all designated year-round events at the Orange County Fair and Event Center ("OCFEC").
3. Authorize the City Manager, or her designee, to execute the agreements.
4. Authorize the City Manager, or her designee, to execute any amendments to the agreements, including but not limited to, amendments increasing the maximum compensation to be paid to the City.

Attachments: [1. City of Costa Mesa Fair Final 2023](#)
[2. City of Costa Mesa Year Round Final 2023](#)
[3. Special Events Rate](#)

7. **[AMENDMENT TO EXTEND TERM OF FALCK AMBULANCE SERVICES AGREEMENT](#)**

RECOMMENDATION:

Staff recommends approval of the attached Amendment Number One extending the term of the Ambulance Services Agreement with Falck Mobile Health Corp, (Previously known as Care Ambulance) for the continuation of emergency ambulance operator and support services until July 31, 2024, adjust the compensation as discussed herein, appropriate the increase of \$550,00 in the Fire Department's operating budget, and authorize the City Manager to execute the Amendment.

Attachments: [1. Amendment No. 1 with Falck Ambulance Service, Inc.](#)
[2. PSA with Care Ambulance Service, Inc.](#)
[3. Exhibit A - Fee Schedule](#)
[4. Exhibit B - Additional Expenses](#)

8. [ONE YEAR EXTENSION OF THE PROFESSIONAL SERVICES AGREEMENT WITH WITTMAN ENTERPRISES, LLC FOR AMBULANCE BILLING AND COST RECOVERY SERVICES RFP 18-03](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve Amendment Number One to extend the term of the Professional Services Agreement for Ambulance Billing and Cost Recovery Services between Wittman Enterprises, LLC and the City of Costa Mesa for one additional year expiring on July 31, 2024, for a total not-to-exceed amount of \$240,000. (Attachment 1).
2. Authorize the City Manager to execute the Amendment

Attachments: [1. Amendment No. 1 with Wittman Enterprises, LLC](#)
[2. PSA with Wittman Enterprises, LLC](#)

9. [2021 AND 2022 ANNUAL REVIEW OF THE COSTA MESA 2015-2035 GENERAL PLAN](#)

RECOMMENDATION:

Staff recommends the City Council approve the 2021 and 2022 Annual Review of the 2015-2035 Costa Mesa General Plan for submittal to the State Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD).

Attachments: [1. Agenda Report](#)
[2. Draft 2021 & 2022 Annual Review](#)

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

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

PUBLIC HEARINGS:

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

1. [REVIEW OF PLANNING COMMISSION APPROVAL CONDITIONS 23-1232 FOR THE NORTHGATE MARKET AT 2300 HARBOR BOULEVARD \(UNIT C\)](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1) for Existing Facilities; and Section 15303 (Class 3), New Construction or Conversion of Small Structures.
2. Review and consider the May 15, 2023 Application for Review and the May 8, 2023 Planning Commission staff report, final resolution, and meeting minutes.
3. Uphold the Planning Commission's approval as written or modify conditions of approval to allow for televisions on the outdoor patio located near Wilson Street, and modified hours of operation to allow the proposed outdoor dining areas to be open for breakfast.

APPLICANT OR AUTHORIZED AGENT:

The authorized agent is Le Architecture (representing Northgate Market), and the applicant is Harbor Center Partners.

- Attachments:** [1. Resolution](#)
[2. Filed Review Application](#)
[3. Planning Commission Public Comments](#)
[4. Planning Commission Resolution](#)
[5. Planning Commission approved minutes](#)
[6. City Council Public Comments](#)

OLD BUSINESS: NONE.

NEW BUSINESS:

1. **COSTA MESA TENNIS CENTER OPERATIONS** **23-1295**

RECOMMENDATION:

Staff recommends the City Council:

1. Award an operation agreement to Agape Tennis Academy for the Management and Operation of the Costa Mesa Tennis Center.
2. Authorize the City Manager or her designee to negotiate the terms and conditions for the financial share between the City and Agape Tennis Academy.
3. Authorize the City Manager and the City Clerk to execute the operating agreement and future amendments to the agreement within City Council authorized limits.

2. [**AUTHORIZE THE USE OF SOURCEWELL'S NATIONAL COOPERATIVE AGREEMENT WITH WHP TRAINING TOWERS FOR THE PURCHASE OF A PRE-FABRICATED TRAINING TOWER AT FIRE STATION NO. 4**](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize the use of Sourcewell's National Cooperative Agreement No. 011822-JHK with WHP Trainingtowers for the purchase and installation of a pre-fabricated training tower at Fire Station No. 4 in the amount of \$2,178,190.05.
2. Authorize an additional ten percent (10%) contingency of \$217,819.05 for unforeseen costs.

ENVIRONMENTAL DETERMINATION:

The proposed action is exempt from the California Environmental Quality Act (CEQA) because it is not a "project" under Section 15378(b)(5) of CEQA Guidelines. The action involves an organizational or administrative activity of government that will not result in the direct or indirect physical change in the environment. In addition, the proposed action is exempt under Section 15301 relating to the operation, repair, maintenance, permitting, and/or minor alteration of existing public facilities.

Attachments: [1. Fire Station No. 4 Tower Sourcewell Proposal](#)
[2. Site Plan and Training Tower](#)

3. [**RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21221, FOR THE REHIRE OF EMERGENCY SERVICES MANAGER BRENDA EMRICK**](#)

RECOMMENDATION:

Staff recommends the City Council:

Adopt by resolution the exception to the 180-Day Wait Period pursuant to Government Code Sections 7522.56 and 21221(h) (Attachment I) to retain the services of retired Emergency Services Manager Brenda Emrick

Attachments: [1. Resolution.Emrick](#)
[2. Job Offer.Emrick](#)

4. [CITY COUNCIL DIRECTION REGARDING POTENTIAL BEHAVIORAL HEALTH UNIT AT COSTA MESA BRIDGE SHELTER THROUGH GRANT FUNDED PARTNERSHIP WITH COUNTY](#)

RECOMMENDATION:

City Council direction and authorization is requested regarding the following:

1. Potential joint application with the Orange County Health Care Agency to the California Department of Health Care Services for Behavioral Health Bridge Housing Program funds to create a new 50 bed Behavioral Health Unit at the Costa Mesa Bridge Shelter for individuals with Serious Mental Illness (SMI) or Substance Use Disorder (SUD), and appropriate all awarded funds to the Housing Authority's Shelter Budget.
2. Allocation of up to \$1.27 million in American Rescue Plan Act funds as the City's portion of gap financing to undertake and complete the \$5.0 million in capital improvements needed to convert 15,000 square ft. of existing warehouse space in Unit B of the Bridge Shelter for a new Behavioral Health Unit, including \$3.75 million in capital grant funding from the County for this purpose.
3. Authorize the City Manager or her designee to execute agreements and amendments to agreements to bring the Bridge Shelter Expansion Project to fruition.

Attachments: [1. CIP Attachment](#)

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

ADJOURNMENT