



CITY OF COSTA MESA

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

Agenda - **Final Amended**

Tuesday, August 1, 2023

6:00 PM

City Council Chambers
77 Fair Drive

***Note: All agency memberships are reflected in the title "Council Member"**

POTENTIAL REALLOCATION OF LIONS PARK CAFÉ GRANT FUNDS TO OTHER PARKS PROJECT(S) HAS BEEN REMOVED FROM THE AGENDA

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Enter Webinar ID: 983 7639 0419/ Password: 905283

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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.

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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].

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

AUGUST 1, 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

PRESENTATIONS:

1. Recognition of the Costa Mesa Little League (CMLL) Teams
2. Commendation to Costa Mesa Little League President Brian Rottschafer
3. SoCal Gas Check Presentation

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 Reynolds
2. Council Member Chavez
3. Council Member Gameros
4. Council Member Harper
5. Council Member Marr
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 ALI23-1330 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](#) [23-1331](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Jenette Martinez, Chelsea Nava, Tyler Tessmann.

3. **[ADOPTION OF WARRANT RESOLUTION](#)** **[23-1333](#)**

RECOMMENDATION:

City Council approve Warrant Resolution No. 2702.

Attachments: [1. Summary Check Register 7.13.23](#)
[2. Summary Check Register 7.20.23](#)

4. **[DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE 2023 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE](#)** **[23-1309](#)**

RECOMMENDATION:

Staff recommends the City Council:

Designate City Manager Lori Ann Farrell Harrison as Costa Mesa's voting delegate and Deputy City Manager Alma Reyes as the alternate for the 2023 League of California Cities Annual Conference.

Attachments: [1. 2023 Annual Conference Voting Delegate/Alternate Form](#)

5. [VACATION OF A PORTION OF A PUBLIC UTILITY EASEMENT A23-1302
1940 WALLACE AVENUE](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Adopt Resolution 2023-xx to vacate a portion of a City public utility easement at 1940 Wallace Avenue.
2. Authorize the execution of the Quitclaim Deed by the Mayor and the City Clerk.

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. Even if considered a project, it would be categorically exempt under Class 1, section 15301 (Existing Facilities), Class 3, section 15307 (New Construction or Conversion of Small Structures) and/or Class 32, section 15332 (Infill Development).

Attachments: [1. Resolution](#)
[2. Quitclaim Deed](#)
[3. Plat and Legal](#)
[4. PC Resolution 2023-18](#)

6. [VACATION OF A PORTION OF A PUBLIC UTILITY EASEMENT A23-1303
2156 MYRAN DRIVE](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Adopt Resolution 2023-xx for the vacation of a portion of a City public utility easement at 2156 Myran Drive.
2. Authorize the execution of the Quitclaim Deed by the Mayor and the City Clerk.

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. Even if considered a project, it would be categorically exempt under Class 1, section 15301 (Existing Facilities), and/or Class 32, section 15332 (Infill Development).

Attachments: [1. Resolution](#)
[2. Quitclaim Deed](#)
[3. Plat and Legal](#)
[4. PC Resolution 2023-19](#)

7. [FIFA WORLD CUP 2026 - POTENTIAL USE OF JACK HAMMETT23-1308
SPORTS COMPLEX](#)

RECOMMENDATION:

Staff requests City Council direction on:

1. Use of Jack Hammett Sports Complex as a Team Base Camp for a national soccer team during the 2026 FIFA World Cup tournament.
2. Authorize the City Manager to negotiate and execute necessary agreements in accordance with City Council direction.

Attachments: [1. Costa Mesa Training Site - Rental Fee](#)
[2. FIFA World Cup 2026 Training Site Photos](#)

8. **SCHOOL CROSSING GUARD SERVICES** **23-1310**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve a Professional Services Agreement (PSA) with All City Management Services (ACMS) to provide school crossing guard services for the 2023-2024 and 2024-2025 school years for an initial two-year period, for a total not-to-exceed amount of \$328,569 annually and an option to extend for up to three (3) additional terms of one (1) year each.
2. Approve the Consumer Price Index (CPI) increase for each extension period.
3. Authorize the City Manager and the City Clerk to execute the PSA and any future authorized amendments to the agreement.

Attachments: [1. Proposed PSA with ACMS](#)
[2. Exhibit 2 - Crossing Guards Map](#)
[3. Previous PSA with ACMS 8/1/2019](#)

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. [APPEAL OF PLANNING APPLICATION 22-04 FOR A RETAIL CANNABIS STOREFRONT BUSINESS LOCATED AT 2790 HARBOR BOULEVARD, SUITES 107, 109, AND 115 \(FROM THE EARTH\)](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Uphold the Planning Commission's decision and adopt a Resolution to deny Planning Application 22-04; or
2. Overturn the Planning Commission's decision and adopt a Resolution to approve Planning Application 22-04, subject to City Council findings and conditions of approval.

Attachments: [Agenda Report](#)

1. [Resolution for Denial](#)
2. [Resolution for Approval](#)
3. [Filed Appeal Application & Supplemental Information](#)
4. [Planning Commission Resolution](#)
5. [Planning Commission Minutes](#)
6. [Planning Commission Public Comments](#)

OLD BUSINESS:

1. [RECOMMENDATIONS FROM CITY COUNCIL COMMITTEE LIAISON 23-1313 REGARDING CITY COMMITTEES](#)

RECOMMENDATION:

Staff recommends that the City Council approve the recommendations of the City Council Committee Liaisons as follows:

1. Review and approve the City Council Liaisons recommendations on the Committees' Scopes of Work (Attachment 1).
2. Streamline all Committees to seven (7) members, through attrition as terms expire, except for the Active Transportation Committee, Mobile Home Park Advisory Committee and the Traffic Impact Fee Committee.
3. Consent to the formation of an Ad Hoc Committee (e.g. standing committees, subcommittees, working groups) upon approval of the City Council Liaison and City Attorney.
4. Request staff to meet with the Costa Mesa Historical Society on a potential merger of the Society and the Historical Preservation Committee.
5. Approve revised Council Policy 000.2, with City Council's recommendations to be incorporated (Attachment 2).

Attachments: [1. Committees](#)
[2. Draft Council Policy 000-2](#)

NEW BUSINESS:

1. [**APPOINTMENT TO THE PLANNING COMMISSION**](#) [**23-1292**](#)

RECOMMENDATION:

Staff recommends Council Member Marr make one (1) member appointment to the Planning Commission (term expiration of January 2027), with approval by the City Council.

Attachments: [1. Planning Commission Applications](#)

2. [**GENERAL PLAN SCREENING REQUEST \(GPS-23-03\) FOR A23-1327 PROPOSED RESIDENTIAL DEVELOPMENT ON A 14.25 ACRE SITE LOCATED AT 3333 SUSAN AVENUE \(“Hive Live”\)**](#)

RECOMMENDATION:

Staff recommends the City Council provide direction to staff as to whether to process a General Plan Amendment request and other associated entitlements for the development of a 14.25-acre parcel located at 3333 Susan Street with 1,050 residential units, 2,500 square feet of retail space, and 5.05 acres of open space (“Hive Live”).

Attachments: [Agenda Report](#)

[1. Applicant Letter](#)

[2. Applicant Letter 2](#)

[3. Trip Generation](#)

[4. Preliminary Plans](#)

3. THIS ITEM HAS BEEN REMOVED FROM THE AGENDA

~~POTENTIAL REALLOCATION OF LIONS PARK CAFÉ GRANT FUNDS TO OTHER PARKS PROJECT(S)~~

4. [AUTHORIZATION TO SUBMIT A JOINT APPLICATION WITH 23-1336 THE COUNTY TO THE STATE FOR BEHAVIORAL HEALTH BRIDGE HOUSING FUNDS TO INCREASE CAPACITY AND IMPLEMENT BEHAVIORAL HEALTH CARE AT THE BRIDGE SHELTER](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize submission of an application with the Orange County Health Care Agency to the California Department of Health Care Services for Behavioral Health Bridge Housing Program funds to increase capacity at the Bridge Shelter by adding 15 behavior health beds and associated services 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. Authorize the City Manager or her designee to execute agreements and amendments to agreements to bring the Bridge Shelter Behavioral Health Project to fruition.

Attachments: [1. CIP Attachment](#)

5. [PROFESSIONAL SERVICES AGREEMENT FOR COMMUNITY VISIONING AND LAND USE PLANNING SERVICES FOR THE FAIRVIEW DEVELOPMENTAL CENTER](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize the City Manager and City Clerk to appropriate and execute a Professional Services Agreement with PlaceWorks for a not-to-exceed amount of \$2,236,253 (including contingencies to cover any unforeseen costs and/or additional services that may be needed upon City staff's approval) for a two-year period with up to three one-year extensions, in substantially the same form as attached and in such final form as approved by the City Attorney.
2. Authorize the City Manager or designee to execute the agreement and any future amendments to the agreement including increases to the not-to-exceed amount, up to the \$3.5 million authorized by the State for this project, as and if needed.

Attachments: [Agenda Report](#)

- [1. FDC Oct. 4, 2022 Agenda Report](#)
- [2. FDC Agreement](#)
- [3. PSA Placeworks FDC 8-1-23](#)

6. [AUTHORIZATION OF AN ADDITIONAL PARK RANGER FOR HARPER PARK SCHOOL FIELD ACCESS AND UPDATE REGARDING ENHANCED SECURITY AT FOUR NEWPORT MESA UNIFIED SCHOOL DISTRICT FIELDS ON THE WESTSIDE](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize an increase to the City's Table of Organization by one full-time Park Ranger position in the Police Department and increase the Fiscal Year 2023-34 Adopted Budget accordingly.
2. Receive and file an update on upcoming amendments to the existing Lyons Security Services agreement to increase access to open space at up to four elementary school sites on the Westside (Rae, Wilson, Whittier and potentially Pomona) for open space during off school hours, as previously approved by the City Council.

7. **[REQUEST FOR CITY COUNCIL DIRECTION REGARDING THE 23-1328 RESEARCH FOR AND POTENTIAL DEVELOPMENT OF AMENDMENTS TO THE CITY'S CANNABIS ORDINANCES](#)**

RECOMMENDATION:

Staff recommends the City Council provide direction regarding researching and exploring with the Planning Commission options and amendments to the City's cannabis regulations to address concerns regarding potential unanticipated business displacement and overconcentration of retail cannabis businesses.

Attachments: [Agenda Report](#)

8. **[REQUEST FOR CITY COUNCIL DIRECTION REGARDING THE 23-1334 RESEARCH FOR AND POTENTIAL DEVELOPMENT OF AN EVICTION ORDINANCE](#)**

RECOMMENDATION:

Consider whether to direct staff to prepare a report on a possible ordinance requiring just cause for termination of residential tenancies.

Attachments: [1. Long Beach Ordinance No. 22-0006](#)
[2. Buena Park Ordinance No. 1721](#)

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

ADJOURNMENT