



CITY OF COSTA MESA

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

Agenda

Tuesday, September 5, 2023

6:00 PM

City Council Chambers
77 Fair Drive

***Note: All agency memberships are reflected in the title "Council Member"
5:00 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.

TRANSLATION SERVICES AVAILABLE / SERVICIOS DE TRADUCCIÓN DISPONIBLE

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Zoom Webinar: (For both 5:00 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

- If Zoom is not already installed on your computer, click “Download & Run Zoom” on the launch page and press “Run” when prompted by your browser. If Zoom has previously been installed on your computer, please allow a few moments for the application to launch automatically.
- 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 5:00 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 - 5:00 P.M.

Council Member Harper will be attending the meeting via Zoom Webinar from:
201 Redding Way, Carson City, NV 89705

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

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

SEPTEMBER 5, 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

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201 Redding Way, Carson City, NV 89705

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: Newport-Mesa Girls Softball 10U and 12U All-Star USA Softball So Cal C District 2023 Tournament Champions

2. [Proclamation: 2023 Hunger Action Month](#) [23-1358](#)
Attachments: [2023 Hunger Action Month Proclamation](#)

3. [Proclamation: 2023 National Hispanic Heritage Month](#) [23-1359](#)
Attachments: [09-05-2023 Hispanic Heritage Month](#)

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

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 ALI23-1354 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](#) [23-1356](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Paul Breithaudt, Jeremiah Anthony Duran, Dulce Escutia, Frank Gruber, Nancy Gruber, Monterey Management, Maria Pimentel, Rinaldo Porcile, Ellen Sandler, Christine Shingleton.

3. [ADOPTION OF WARRANT RESOLUTION](#) [23-1357](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2704.

Attachments: [1. Summary Check Register 7.27.23](#)
[2. Summary Check Register 8.1.23](#)
[3. Summary Check Register 8.14.23](#)
[4. Summary Check Register 8.17.23](#)
[5. Summary Check Register 8.24.23](#)

4. [MINUTES](#) [23-1355](#)

RECOMMENDATION:

City Council approve the minutes of the regular meetings of July 18, 2023 and August 1, 2023 and the Special Joint Study Session minutes of July 26, 2023.

Attachments: [1. 07-18-2023 Draft Minutes](#)
[2. 07-26-2023 Draft Minutes](#)
[3. 08-01-2023 Draft Minutes](#)

5. [AWARD OF THE INFORMATION TECHNOLOGY DEPARTMENT REMODELING PROJECT, CITY PROJECT NO. 22-09](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Adopt plans, specifications, and working details for the Information Technology Department Remodeling Project, City Project No. 22-09.
2. Authorize the City Manager and City Clerk to execute a Public Works Agreement (PWA) for construction to Builtall, 4712 East 2nd Street, #520, Long Beach, California 90803 in the amount of \$255,020, plus a ten percent (10%) contingency for the PWA and also contracts referenced below for a total contingency of \$42,279, and authorize a budget appropriation from available fund balances in the amount of \$250,000.
3. Authorize the City Manager or designee to execute the agreements and any future amendments to the agreements including increases to the not-to-exceed amount within City Council authority.

ENVIRONMENTAL DETERMINATION:

The proposed action is exempt from the California Environmental Quality Act (CEQA). 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. Bid Abstract](#)
[2. Project Cost Summary](#)

6. [PROFESSIONAL SERVICES AGREEMENT WITH WETLANDS 23-1352 WILDLIFE CARE CENTER](#)

RECOMMENDATION:

Staff recommends City Council:

1. Approve and authorize the City Manager to execute the Professional Services Agreement (PSA) with Wetlands Wildlife Care Center (WWCC) to provide full-service trauma care, shelter services, rehabilitation and release of rehabilitated wildlife for a two-year period, with up to three one-year extensions, for a not to exceed amount of \$57,000 annually.
2. Authorize a ten percent (10%) contingency annually for other unforeseen costs.
3. Authorize the City Manager or designee to execute the agreement and any future authorized amendments to the agreement.

Attachments: [PSA with Wetlands and Wildlife Care Center](#)

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:

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. [**AUTHORIZATION OF AN ADDITIONAL PARK RANGER FOR 23-1335 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 2023-24 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 (Rea, Wilson, Whittier, and potentially Pomona) for open space during off-school hours, as previously approved by the City Council.
2. [**COMPENSATION PLAN AND SALARY SCHEDULE REVISIONS FOR 23-1353 THE PARKS AND COMMUNITY SERVICES DIRECTOR CLASSIFICATION**](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Adopt Resolution Number 2023-XX updating the pay range for the Parks and Community Services Director.

Attachments: [1. Executive Resolution - Parks Com Serv Dir](#)

3. [**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](#)

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

ADJOURNMENT