



CITY OF COSTA MESA

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

Agenda - **Final Amended**

Tuesday, October 17, 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**

AMENDED AGENDA - NEW BUSINESS #4 HAS BEEN REMOVED

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

Please contact the City Clerk at (714) 754-5225 to request language interpreting services for City meetings. Notification at least 48 hours prior to the meeting will enable the City to make arrangements.

Favor de comunicarse con la Secretaria Municipal al (714) 754-5225 para solicitar servicios de interpretación de idioma para las juntas de la Ciudad. Se pide notificación por lo mínimo 48 horas de anticipación, esto permite que la Ciudad haga los arreglos necesarios.

Members of the public can view the City Council meetings live on COSTA MESA TV (SPECTRUM CHANNEL 3 AND AT&T U-VERSE CHANNEL 99) or http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true and online at [youtube.com/costamesatv](https://www.youtube.com/costamesatv).

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

- 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 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. Agendas and reports can be viewed on the City website at <https://costamesa.legistar.com/Calendar.aspx>.

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 - EXISTING LITIGATION – ONE CASE
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Schaefer v. Costa Mesa
Orange County Superior Court Case No. 30-2022-01286737-CU-PO-CJC
2. THREAT TO SECURITY
Pursuant to California Government Code Section 54957(a)
Consultation with: Costa Mesa Director of Emergency Services, City Manager, Police Chief, Fire Chief.
3. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS
Pursuant to California Government Code Section 54956.8
APN: 420-012-16
Agency Negotiators: Lori Ann Farrell Harrison, City Manager
Negotiating Parties: State of California
4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - ONE CASE
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**

OCTOBER 17, 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. [Proclamation: 2023 Domestic Violence Awareness Month](#) [23-1421](#)
Attachments: [10-17-2023 Domestic Violence Awareness Month](#)

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2. [Proclamation: 2023 National Crime Prevention Month](#) [23-1422](#)
Attachments: [10-17-2023 National Crime Prevention Month](#)
 3. [Presentation: CalOptima Health- Medi-Cal Renewals](#) [23-1425](#)

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 ALI23-1413 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** **23-1415**

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Alexandra Lee Atalla, Luca Farren Atalla, Theresa Atalla, Jeremiah Duran, Violeta Vushcan.

3. **ADOPTION OF WARRANT RESOLUTION** **23-1420**

RECOMMENDATION:

City Council approve Warrant Resolution No. 2707.

Attachments: [1. Summary Check Register 10-2-2023](#)
[2. Summary Check Register 10-5-2023](#)

4. **MINUTES** **23-1414**

RECOMMENDATION:

City Council approve the minutes of the regular meeting of October 3, 2023.

Attachments: [10-03-2023 Draft Minutes](#)

5. **REQUEST TO CANCEL THE REGULAR MEETING OF TUESDAY
NOVEMBER 21, 2023 DUE TO THANKSGIVING RECESS
CALENDARS** **23-1385**

RECOMMENDATION:

Staff recommends the City Council cancel the regular meeting of Tuesday, November 21, 2023 due to Thanksgiving Holiday and academic recess calendars.

6. [ACCEPTANCE AND ALLOCATION OF THE 2023-24 OFFICE OF TRAFFIC SAFETY GRANT FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the proposed Resolution No. 2023-XX, which ratifies the application for a grant award from the State of California - Office of Traffic Safety (OTS) for the Selective Traffic Enforcement Program (STEP) and authorize the City Manager or designee to execute all grant documents, including the Grant Agreement, and accept and administer the grant.
2. Approve revenue and expense appropriations in the amount of \$285,000, respectively, for the 2023-24 OTS STEP Grant.

Attachments: [1. OTS STEP Grant Agreement](#)
[2. Resolution No. 23-XX OTS STEP Grant](#)

7. [ACCEPTANCE OF THE ORGANIZED RETAIL THEFT PREVENTION GRANT FOR THE COSTA MESA POLICE DEPARTMENT OF \\$3.5 MILLION](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the proposed resolution 2023-XX authorizing participation in the Organized Retail Theft (ORT) Prevention Grant Program and the City Manager, or designee, to execute the ORT Standard Agreement.
2. Approve revenue and expense appropriations in the amount of \$3,518,133, respectively, for the Organized Retail Theft (ORT) Prevention Grant.

Attachments: [1. 23-27 ORTP Grant Agreement](#)
[2. Resolution](#)

8. [RESPONSE TO THE GRAND JURY REPORT TITLED “WELCOME TO 23-1408 THE NEIGHBORHOOD- ARE CITIES RESPONSIBLY MANAGING THE INTEGRATION OF GROUP HOMES?”](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the attached response to the 2022-23 Orange County Grand Jury Report, “Welcome to the Neighborhood- Are cities responsibly managing the integration of group homes?”
2. Authorize the Mayor to submit the response to the Presiding Judge of the Superior Court pursuant to Penal Code Section 933.05 (a) and (b).

Attachments: [1. Orange County Grand Jury Report \(Welcome to the Neighborhood\)](#)
[2. Response to Grand Jury Report](#)

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 22-05 FOR A RETAIL CANNABIS STOREFRONT BUSINESS LOCATED AT 1505 MESA VERDE DRIVE EAST \(“C21+”\)](#)

RECOMMENDATION:

Staff recommends that the City Council uphold the Planning Commission’s decision and adopt a Resolution to approve Planning Application 22-05. The City Council may also overturn the Planning Commission’s decision and deny the request, and direct staff to prepare a Resolution reflecting the City Council’s findings for denial.

- Attachments:** [1. Resolution for Approval](#)
[2. Filed Appeal](#)
[3. Planning Commission Resolution](#)
[4. Planning Commission approved minutes](#)
[5. Planning Commission Public Comments](#)

OLD BUSINESS: NONE.

NEW BUSINESS: (Next Page)

1. **APPOINTMENTS TO VARIOUS CITY COMMITTEES** **23-1119**

RECOMMENDATION:

Staff recommends the City Council make appointments as follows:

1. Animal Services Committee - Make three (3) member appointments with a term expiration of April 2025. One nomination by Council Member Marr, Council Member Chavez, and Council Member Reynolds. A Council Member may defer his or her nomination to a Council Liaison (Mayor Stephens, Council Member Harper).
2. Active Transportation Committee - Make three (3) member appointments with a term expiration of April 2025. Two of the appointments are at-large to ensure broad representation of different mobility options and experiences (e.g. walk, bike, bus, and age ability). One nomination by Council Member Marr, Council Member Chavez, and Council Member Reynolds. A Council Member may defer his or her nomination to the Council Liaison (Council Member Reynolds).
3. Fairview Park Steering Committee - Make three (3) member appointments with a term expiration of April 2027. One nomination by Council Member Marr, Council Member Chavez, and Council Member Reynolds. A Council Member may defer his or her nomination to a Council Liaison (Council Member Reynolds, Alternate Mayor Pro Tem Harlan and Council Member Chavez).
4. Finance and Pension Advisory Committee - Make three (3) member appointments with a term expiration of April 2027. One nomination by Council Member Marr, Council Member Chavez, and Council Member Reynolds. A Council Member may defer his or her nomination to a Council Liaison (Mayor Stephens, Alternate Council Member Marr, and Council Member Harper).
5. Housing and Public Service Grants Committee - Make three (3) regular member appointments with a term expiration of April 2025. One nomination by Council Member Marr, Council Member Chavez, and Council Member Reynolds. A Council Member may defer his or her nomination to a Council Liaison (Council Member Chavez, Alternate Council Member Harper).
6. Mobile Home Park Advisory Committee - Make two (2) Park Owner or Representative appointments, two (2) Mobile Home Park Resident appointments, and one (1) Independent Citizen At-large appointment, all with a term expiration of April 2027. Nominations by Council Member Marr, Council Member Chavez, and Council Member Reynolds. A Council Member may defer his or her nomination to the Council Liaison (Council Member Reynolds).

7. Correct the term expiration dates for the Arts Commissioners. Terms ending in 2024 should be 2025 and terms ending in 2026 should be 2027 to coincide with the concurrent term of the respective appointing Council Member.

Attachments: [1. Animal Services Committee Applications](#)
[2. Active Transportation Committee Applications](#)
[3. Fairview Park Steering Committee Applications](#)
[4. Finance and Pension Advisory Committee Applications](#)
[5. Housing and Public Service Grants Committee Applications](#)
[6. Mobile Home Park Advisory Committee Applications](#)

2. [**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING TITLE 9 \(LICENSES AND BUSINESS REGULATIONS\) OF THE COSTA MESA MUNICIPAL CODE BY ADDING CHAPTER II \(REGULATION OF CERTAIN BUSINESSES, ARTICLE 24 \(JUST CAUSE RESIDENTIAL TENANT PROTECTIONS\)**](#)

RECOMMENDATION:

Staff recommends the City Council introduce and give first reading, waiving further reading, to Ordinance No. 23-XX Amending Title 9 (Licenses and Business Regulations) of the Costa Mesa Municipal Code by Adding Chapter II (Regulation of Certain Businesses, Article 24 (Just Cause Residential Tenant Protections) to support Costa Mesa renters facing no-fault just cause eviction.

Attachments: [1. Draft Ordinance](#)

3. [STATUS UPDATE REGARDING THE CALIFORNIA OFFICE OF 023-1427
EMERGENCY SERVICES' \(CAL OES\) SOUTHERN CALIFORNIA
REGIONAL EMERGENCY OPERATIONS CENTER \(EOC\) PROJECT
AT THE FAIRVIEW DEVELOPMENTAL CENTER SITE](#)

RECOMMENDATION:

Staff recommends the City Council:

- Provide feedback, as needed, regarding the City's comment letter on the State's Draft Environmental Impact Report for the Cal OES Southern California Regional EOC Project; and
- Authorize the City Manager or designee to finalize the draft letter incorporating feedback from the City Council and submit it to the State.

Attachments: [1. Draft Comment Letter-Outline re EOC Project Draft EIR.pdf](#)
[2. April 17 2023 City Comment Letter re: FDC OES Notice of
Preparation](#)
[3. Public Comments](#)

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

ADJOURNMENT