



# CITY OF COSTA MESA

## REGULAR CITY COUNCIL AND HOUSING AUTHORITY\*

### Agenda

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Tuesday, April 16, 2024

6:00 PM

City Council Chambers  
77 Fair Drive

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

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 technical difficulties or experiencing any other critical issues, and unless required by the Brown Act, the meeting will continue in person.

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As a courtesy, the public may participate via the Zoom option.

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[pwd=\\_XoNBT2uciL7zrDsfj4A9Q9srLgExg.bQEU-le6VvXjPDeL](https://us06web.zoom.us/j/81879579049?pwd=_XoNBT2uciL7zrDsfj4A9Q9srLgExg.bQEU-le6VvXjPDeL)

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

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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.

Participate via telephone:

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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](mailto: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](mailto: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](mailto: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].

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**REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY**

**APRIL 16, 2024 – 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. Presentation: Street Vending Enforcement Update
2. Presentation: Working Wardrobes

**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 3 minutes. Additional comments will be heard at the end of the meeting.

1. Council Member Gameros
2. Council Member Harper
3. Council Member Marr
4. Council Member Reynolds
5. Council Member Chavez
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 ALL 24-129 ORDINANCES AND RESOLUTIONS](#)

RECOMMENDATION:

City Council and Housing Authority approve the reading by title only and waive full reading of Ordinances and Resolutions.

2. [READING FOLDER](#) [24-130](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk and authorize staff to reject any and all Claims: Jennifer Maniaci, Johnathan Pate, Loya Casualty Insurance Company (Smith, Brittany).

3. [ADOPTION OF WARRANT RESOLUTION](#) [24-115](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2715.

**Attachments:** [1. Summary Check Registry 4-1-24](#)

4. [MINUTES](#) [24-131](#)

RECOMMENDATION:

City Council approved the minutes of the regular meeting of April 2, 2024.

**Attachments:** [1. 04-02-2024 Draft Minutes](#)

5. [ANIMAL CARE SHELTER SERVICES - PRICELESS PETS RESCUE](#) [24-116](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve and authorize the City Manager to execute the Professional Services Agreement with Priceless Pets Rescue (PPR) to provide full-service animal sheltering and animal adoption services. PPR will be responsible for the intake, coordination, and management of animals within the City of Costa Mesa for a five-year term, July 1, 2024 - June 30, 2029, for a not to exceed amount of \$480,000 annually.
2. Approve an annual Consumer Price Index (CPI) escalation and de-escalation not exceeding 5%.
3. Authorize the City Manager and City Clerk to execute the agreement and any future authorized amendments to the agreement.
4. Authorize the City Manager or designee to extend the PPR interim service agreement (Amendment #6) until June 30, 2024, for a not to exceed amount of \$33,000 monthly.

**Attachments:** [1. PSA with Priceless Pets](#)  
[2. Exhibit A - RFP](#)  
[3. Exhibit B - Scope of Services](#)  
[4. Exhibit C - Consultants Proposal](#)

6. [SECOND READING OF ORDINANCES TO AMEND TITLE 13 24-128 \(PLANNING, ZONING AND DEVELOPMENT\) AND TITLE 9 \(LICENSES AND BUSINESS REGULATIONS\) OF THE COSTA MESA MUNICIPAL CODE TO MODIFY THE CITY'S RETAIL CANNABIS PROVISIONS AND FIND THIS PROJECT TO BE CATEGORICALLY EXEMPT FROM CEQA](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA), Section 15061(b)(3) ("General Rule").
2. Give second reading to and adopt Ordinance No. 2024-03 amending Title 13 (Planning, Zoning and Development) and Ordinance No. 2024-04 amending Title 9 (Licenses and Business Regulations) of the Costa Mesa Municipal Code to modify the City's retail cannabis provisions.

**Attachments:** [Agenda Report](#)

- [1. Draft Ordinance Title 13](#)
- [2. Draft Ordinance Title 9](#)
- [3. Exhibit A Title 13](#)
- [4. Exhibit A Title 9](#)
- [5. Track changes Title 13](#)
- [6. Track changes Title 9](#)

**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 THE PLANNING COMMISSION'S DECISION TO 24-101 APPROVE MINOR CONDITIONAL USE PERMIT APPLICATION ZA-22-11 FOR A DRIVE-THROUGH OPERATION AND A REDUCTION OF REQUIRED PARKING; DEVELOPMENT REVIEW \(PDVR-23-0003\) TO ALLOW THE DEMOLITION OF AN EXISTING 25,159-SQUARE-FOOT COMMERCIAL BUILDING AND TO CONSTRUCT A NEW 2,913-SQUARE-FOOT RAISING CANES RESTAURANT WITH 1,303 SQUARE FEET OF COVERED OUTDOOR PATIO AREA; MINOR MODIFICATION PMND-23-0003 TO ALLOW FOR A DECREASE OF 20% IN REQUIRED FRONT YARD/LANDSCAPE SETBACK; FOR A PROPERTY LOCATED AT 1595 OLD NEWPORT BOULEVARD](#)

**RECOMMENDATION:**

Staff recommends that the City Council review the Planning Commission's decision to approve ZA-22-11, PDVR-23-0003, and PMND-23-0003.

**Attachments:** [Agenda Report](#)

- [1. Resolution](#)
- [2. Filed Review Application](#)
- [3. Planning Commission minutes](#)
- [4. Planning Commission Resolution](#)
- [5. Planning Commission public comments](#)
- [6. Planning Commission Report 021224](#)
- [7. Site Plan](#)



2. [APPEAL OF PLANNING APPLICATION 22-37 TO ESTABLISH AN 24-117 EVENT CENTER WITH OUTDOOR ACTIVITIES, INCLUDING A REQUEST TO OFFER VALET PARKING AND TO DEVIATE FROM PARKING REQUIREMENTS LOCATED AT 3150 BEAR STREET](#)

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), Existing Facilities.
2. Adopt a Resolution approving Planning Application 22-37, based on findings of fact and subject to conditions of approval.

**Attachments:** [Agenda Report](#)

[1. Resolution](#)

[2. Filed Appeal](#)

[3. Additional Materials](#)

[4. Planning Commission Resolution](#)

[5. Planning Commission Public Comments](#)

[6. Planning Commission minutes](#)

[7. Planning Commission Agenda Report](#)

**OLD BUSINESS: NONE.**

**NEW BUSINESS: (NEXT PAGE)**

1. [FISCAL YEAR 2023-24 MID-YEAR BUDGET UPDATE AND 24-051 ADJUSTMENTS](#)

RECOMMENDATION:

The Finance Department is undergoing the mid-year budget review for Fiscal Year 2023-24 that began on July 1, 2023. Certain staffing changes are recommended to assist in achieving City Council goals and priorities as soon as possible. In addition, Funds in the Capital Improvement Program (CIP) that need to be carried over into Fiscal Year 2023-24 require City Council approval.

1. Amend the Table of Organization to add 3.27 new FTEs in the Economic and Development Services Department (2.0 FTEs); Parks and Community Services (0.75 FTE); and the Police Department (0.52 FTEs) to help achieve City Council goals and priorities related to housing, park and environmental resources management, and public safety.
2. Approve FY 2023-24 Staffing title changes and compensation adjustments to realign positions with current operational needs in multiple departments.
  - a. Approve Resolution No. 2024-XX, approving new classification and salary/pay ranges for an Animal Services Coordinator, new title for Multimedia Specialist and new title and pay ranges for Finance Officer.
  - b. Approve Resolution No. 2024-XX approving compensation adjustments for Finance Officer (Confidential).
  - c. Approve Resolution No. 2024-XX creating new classification and salary/pay ranges for Graduate Intern and compensation adjustments for Intern classification, absorbed within the existing adopted budget, in order to create a more viable pipeline of applicants to recruit City employees.
3. Approve FY 2023-24 Budget Carryovers from the prior year in the General Fund and the various Capital Projects Funds for outstanding capital projects.

- Attachments:** [1. Mid year CIP](#)  
[2. Confidential Resolution](#)  
[3. Part Time Resolution](#)  
[4. CMCEA Resolution](#)  
[5. 4.2.24 Org chart](#)

2. [APPOINTMENT TO THE PLANNING COMMISSION AND VARIOUS 24-111 CITY COMMITTEES](#)

RECOMMENDATION:

Staff recommends the City Council make appointments as follows:

1. Planning Commission - Make one (1) member appointment to fill vacancy with term expiration of January 2027. Appointment by Council Member Reynolds.
2. Animal Services Committee - Make four (4) member appointments with a term expiration of April 2026. One nomination by Mayor Stephens, Council Member Harper, Council Member Gameros, and Mayor Pro Tem Harlan. A Council Member may defer their nomination to the Council Liaison (Mayor Stephens, Council Member Harper).
3. Active Transportation Committee - Make six (6) member appointments with a term expiration of April 2026. One nomination by Mayor Stephens, Council Member Harper, Council Member Gameros, and Mayor Pro Tem Harlan, and two at-large appointments. The two at-large members should ensure broad representation of different mobility options and experiences (e.g., walk, bike, bus, and age ability). A Council Member may defer their nomination to the Council Liaison (Council Member Reynolds).
4. Finance and Pension Advisory Committee - Make four (4) member appointments with a term expiration of April 2028. One nomination by Mayor Stephens, Council Member Harper, Council Member Gameros, and Mayor Pro Tem Harlan. A Council Member may defer their nomination to the Council Liaison (Mayor Stephens, Alternate Council Member Marr, and Council Member Harper).
5. Housing and Public Service Grants Committee - Make four (4) regular member appointments with a term expiration of April 2026. One nomination by Mayor Stephens, Council Member Harper, Council Member Gameros, and Mayor Pro Tem Harlan. A Council Member may defer their nomination to the Council Liaison (Council Member Chavez, Alternate Council Member Harper).
6. Mobile Home Park Advisory Committee - Make one (1) Park Owner or Representative appointment, two (2) Mobile Home Park Resident appointments, and one (1) Independent Citizen At-large appointment, all with a term expiration of April 2028. One nomination by Mayor Stephens, Council Member Harper, Council Member Gameros, and Mayor Pro Tem Harlan. A Council Member may defer their nomination to the Council Liaison (Council Member Reynolds, Alternate Council Member Chavez).

7. Approve the recommendation from the Historical Preservation Committee to formally dissolve, and appropriate an estimated total of \$13,000 from uncommitted Costa Mesa Community Foundation Fund and authorize a transfer from the Costa Mesa Historical Preservation Committee to the Costa Mesa Historical Society.

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

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

**ADJOURNMENT**