



# CITY OF COSTA MESA

## REGULAR CITY COUNCIL AND HOUSING AUTHORITY\*

### Agenda

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Tuesday, August 6, 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"**  
**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 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.

Zoom Webinar: (For both 5:00 p.m. and 6:00 p.m. meetings)

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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: (For both 5:00 p.m. and 6:00 p.m. meetings)

Call: 1 669 900 6833 Enter Webinar ID: 818 7957 9049/ Password: 608584

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. This includes items submitted for the overhead screen during the meeting. Items submitted for the overhead screen should be 1 page and provided to the City Clerk prior to the start of the meeting. 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>.

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**CLOSED SESSION - 5:00 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 REAL PROPERTY NEGOTIATOR  
Pursuant to California Government Code Section 54956.8  
APN: 424-051-23; Property: 778 Shalimar Drive, Costa Mesa, CA 92627  
Agency Negotiators: Lori Ann Farrell Harrison, City Manager  
Negotiating Parties: Dominic Bulone  
Under Negotiation: Price and Terms of Payment

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

**AUGUST 6, 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**

**CITY ATTORNEY CLOSED SESSION REPORT**

**PRESENTATIONS:**

1. Recognition of the Costa Mesa Pony 13U All-Stars and 10U Sox
2. Recognition of the Costa Mesa Little League 10U, 11U and 12U All-Stars, and Major Dodgers

**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 Harper
2. Council Member Marr
3. Council Member Reynolds
4. Council Member Chavez
5. Council Member Gameros
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 24-298 ORDINANCES AND RESOLUTIONS\*\*](#)

RECOMMENDATION:

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

2. [\*\*READING FOLDER\*\*](#) [\*\*24-300\*\*](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk and authorize staff to reject any and all Claims: Subro Claims, Inc. on behalf of Geico Ins. for Alex Hernandez, Ashley Ned, Mercury Ins. for Richard Chamberlin, Zoe Marie Neria Percival.

3. **[ADOPTION OF WARRANT RESOLUTION](#)** **[24-288](#)**

RECOMMENDATION:

City Council approve Warrant Resolution No. 2721.

- Attachments:** [1. Summary Check Register 06.27.24](#)  
[2. Summary Check Register 07.03.24](#)  
[3. Summary Check Register 07.12.24](#)  
[4. Summary Check Register 07.18.24](#)

4. **[MINUTES](#)** **[24-299](#)**

RECOMMENDATION:

City Council approve the minutes of the regular meeting of July 16, 2024.

- Attachments:** [1. 07-16-2024 Draft Minutes](#)

5. **[AGREEMENT FOR A SCHOOL RESOURCE OFFICER PROGRAM 24-289](#)**  
**[BETWEEN THE CITY OF COSTA MESA AND NEWPORT-MESA](#)**  
**[UNIFIED SCHOOL DISTRICT FOR FISCAL YEAR 2024-2025](#)**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the agreement for a School Resource Officer (SRO) Program between the City of Costa Mesa and Newport-Mesa Unified School District (NMUSD) for Fiscal Year 2024-2025.
2. Authorize the City Manager to execute the agreement.

- Attachments:** [1. Costa Mesa SRO Agreement FY 24-25](#)  
[2. SRO projected 2024-2025](#)

6. [SERVICE AGREEMENT AMENDMENT WITH TYLER TECHNOLOGIES 24-291  
PERTAINING TO IMPLEMENTATION OF THE CITY'S LAND  
MANAGEMENT SYSTEM \(TESSA\) UPDATE](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize the City Manager and City Clerk to increase the total compensation by \$90,000 to a not-to-exceed amount of \$1,300,856, in substantially the form as approved by the City Attorney.
2. Authorize the City Manager to approve future amendments to the agreement with Tyler Technologies in an amount not-to-exceed \$100,000.

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

7. [AUTHORIZE THE PURCHASE OF FORD FLEET VEHICLES](#) [24-297](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize by minute action, that compliance with the bidding requirements and procedures is inefficient and not in the best interest of the city, based on identified conditions and supported by substantial evidence.
2. Authorize the purchase of Ford fleet vehicles from local authorized Ford dealerships.
3. Authorize the City Manager or designee to execute the necessary documents for the purchase of new and replacement Ford fleet vehicles as approved in Fiscal Year 2024-2025, and as approved during the annual budget.

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

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

**PUBLIC HEARINGS: (NEXT PAGE)**

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



1. [INTRODUCTION AND FIRST READING OF AN ORDINANCE 24-302 APPROVING THE FIRST AMENDMENT \(DA-20-05\) TO DEVELOPMENT AGREEMENT \(DA-94-01\) BETWEEN THE CITY OF COSTA MESA AND THE INTERINSURANCE EXCHANGE OF THE AUTOMOBILE CLUB ALLOWING FOR A 20-YEAR TIME EXTENSION THAT WOULD EXPIRE OCTOBER 31, 2044; AMENDING PROVISIONS PERTAINING TO THE RATE AND METHODOLOGY FOR CALCULATING TRAFFIC IMPACT FEES; AND, AMENDING PROVISIONS RELATED TO THE SETBACK OF A FUTURE PARKING STRUCTURE; FOR A PROPERTY LOCATED AT 3333 FAIRVIEW ROAD](#)

RECOMMENDATION:

On July 22, 2024, the Planning Commission recommended that the City Council approve the proposed Development Agreement amendments and Ordinance adoption by a vote of 4-1-2 to:

1. Find, pursuant to CEQA Guidelines Section 15162, that the project is within the scope of the June 20, 1994-certified Final Environmental Impact Report (EIR) #1045 (State Clearing House No. 94021036) for the Auto Club Expansion project. The effects of the project were examined in the 1994 FEIR, and all feasible mitigation measures and alternatives developed in the 1994 FEIR are incorporated into this project and no new mitigation measures are required. Therefore, the 1994 FEIR for the Automobile Club Expansion project is determined to be adequate to serve as the environmental documentation for this project, that no further environmental review is required, and that all requirements of CEQA are satisfied.
2. Introduce for first reading, by title only, Ordinance 2024-XX approving the First Amendment (DA-20-05) to the Automobile Club of Southern California Development Agreement (DA-94-01) to allow for a 20-year time extension that would expire October 31, 2044; to amend provisions pertaining to the rate and methodology for calculating traffic impact fees; and to amend provisions related to the setback of a future parking structure.

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

- [1. Ordinance](#)
- [2. Development Agreement Track Changes Reference Only](#)
- [3. Applicant Letter](#)
- [4. Project Plans](#)
- [5. Unofficial Planning Commission Minutes](#)
- [6. Planning Commission Resolution](#)
- [7. Planning Commission Public Comments](#)
- [8. Planning Commission July 22 2024 Staff Report](#)

2. [ORDINANCE NO. 2024-02 AMENDING TITLE 13 \(PLANNING, ZONING 24-277 AND DEVELOPMENT\) OF THE COSTA MESA MUNICIPAL CODE TO ESTABLISH AFFORDABLE HOUSING REQUIREMENTS FOR NEW RESIDENTIAL DEVELOPMENT PROJECTS, AND A FEE RESOLUTION TO ESTABLISH THE AFFORDABLE HOUSING IN-LIEU FEE SCHEDULE](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Find that the adoption of Ordinance No. 2024-02 is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061(b)(3), General Rule in that the Affordable Housing Ordinance and subsequent Affordable Housing In-Lieu Fee will not have a significant impact on the environment.
2. Adopt Ordinance No. 2024-02, approving the Affordable Housing Ordinance and amending Title 13 to establish the affordable housing requirements for certain new residential development projects or make changes to Ordinance No. 2024-02 and give it a new first reading.
3. Adopt a fee resolution establishing the affordable housing in-lieu fee.

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

[1. Ordinance 2024-02](#)

[2. Track Changes](#)

[3. In-Lieu Fee Resolution](#)

[4. 2nd Reading City Council Agenda Report June 18, 2024](#)

[5. In-Lieu Fee Resolution City Council Agenda Report June 18, 2024](#)

**OLD BUSINESS: NONE.**

**NEW BUSINESS:**

1. [\*\*CITY COUNCIL FIRST READING OF ORDINANCE TO INCREASE 24-239 CITY COUNCIL COMPENSATION\*\*](#)

RECOMMENDATION:

Staff recommends the City Council introduce for first reading, by title only, Ordinance No. 2024-XX increasing the City Council compensation effective after the general election, with the new City Council in December 2024.

**Attachments:** [1. Council Salaries Ordinance](#)

2. [\*\*ACCEPTANCE OF THE STORM DRAIN MASTER DRAINAGE PLAN 24-245 \(SDMDP\)\*\*](#)

RECOMMENDATION:

Staff recommends the City Council accept Phase 1 of the Storm Drain Master Drainage Plan (SDMDP) update consisting of the Existing Conditions Assessment Report (ECAR) and the Proposed Drainage & Water Quality Improvements.

3. [\*\*GENERAL PLAN \(PSCR-24-0001\) AND RESIDENTIAL INCENTIVE 24-301 OVERLAY DISTRICT DEVELOPMENT SCREENING REQUEST FOR A PROPOSED RESIDENTIAL DEVELOPMENT ON A 1.77 ACRE SITE LOCATED AT 220 VICTORIA PLACE \(“VICTORIA PLACE”\)\*\*](#)

RECOMMENDATION:

Provide direction regarding whether or not a General Plan Amendment associated with the proposed development of 40 residential units should proceed for the property located at 220 Victoria Place. The General Plan Amendment would include adding an overlay (Residential Incentive Overlay District) to the property that would allow for residential development, pursuant to specific standards of Costa Mesa Municipal Code Section (CMMC) Chapter V, Article 12.

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

[1. Applicant Letter](#)

[2. Trip Generation Memo](#)

[3. Preliminary Plans](#)

4. [UPDATES TO POLICE DEPARTMENT STAFFING AND 24-312 COMPENSATION RELATED TO POLICE RECRUIT, POLICE CADET, POLICE RESERVE OFFICER AND COMMUNICATIONS OFFICER POSITIONS](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize and approve staffing as follows:
  - a. Authorize an increase of 5.0 FTE for Police Cadet
  - b. Authorize an increase of 2.5 FTE for Police Reserve Officer
2. Approve Resolution Number 2024-XX establishing full-time pay rate and benefits for Police Recruit.
3. Approve Resolution Number 2024-XX revising the pay rate for Police Reserve Officer.
4. Appropriate \$211,000 in the FY 2024/2025 Police Department's General Fund budget to cover the estimated costs of the additional 5.0 FTE Police Cadets.

**Attachments:** [1. Police Recruit Resolution](#)  
[2. Police Reserve Resolution](#)

5. [COSTA MESA CHAMBER OF COMMERCE FINANCIAL SUPPORT](#) [24-284](#)

RECOMMENDATION:

Staff recommends the City Council authorize the use of City Manager contingency funds to provide relief to the Costa Mesa Chamber of Commerce due to the financial impacts of COVID-19 and the loss of revenue.

**Attachments:** [1. City of Costa Mesa ARPA Financial Support Request Letter](#)

6. [APPROVE PROPOSED DESIGN IMPROVEMENTS FOR SHALIMAR 24-279 PARK](#)

RECOMMENDATION:

Staff recommends the City Council approve the conceptual park design Plan B, and provide staff direction on the Parks and Community Services Commission recommendation to include restroom facilities, for the proposed improvements at Shalimar Park, 782 Shalimar Drive, Costa Mesa.

**Attachments:** [1A. Design Plan Option A with Renderings](#)  
[1B. Design Plan Option B with Renderings](#)  
[2A. Amenity Options](#)  
[2B. Amenity Options - Community Feedback](#)

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

**ADJOURNMENT**