



CITY OF COSTA MESA

REGULAR CITY COUNCIL AND HOUSING AUTHORITY*

Agenda

Tuesday, September 17, 2024

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 technical difficulties or experiencing any other critical issues, and unless required by the Brown Act, 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.

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Closed Captioning is available via the Zoom option in English and Spanish.

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)

Please click the link below to join the webinar:

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

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

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

Enter Webinar ID: 818 7957 9049/ Password: 608584

- 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: 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. 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. 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 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>. Las agendas y los informes se pueden ver en español en el sitio web de la Ciudad en <https://www.costamesaca.gov/trending/current-agendas/spanish-city-council-agendas>.

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.

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
Fairview Developmental Center; APN: 420-012-16
Property: 2501 Harbor Blvd., Costa Mesa, CA 92626
Agency Negotiators: Lori Ann Farrell Harrison, City Manager
Negotiating Parties: State of California
Under Negotiation: Price and Terms of Payment

REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY

SEPTEMBER 17, 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 Arts of Jiu Jit Su Athletes
2. Proclamation: Hispanic Heritage Month 2024

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 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 ALL 24-325 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](#) [24-328](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk and authorize staff to reject any and all Claims: Jennifer Nieto, Irvine Company-Enclave.

3. **[ADOPTION OF WARRANT RESOLUTION](#)** **[24-334](#)**

RECOMMENDATION:

City Council approve Warrant Resolution No. 2723.

Attachments: [Summary Check Register 08-15-24](#)
[Summary Check Register 08-23-24](#)
[Summary Check Register 08-29-24](#)

4. **[MINUTES](#)** **[24-331](#)**

RECOMMENDATION:

City Council approve the minutes of the Special meeting of April 19, 2024, the Study Session meeting of June 11, 2024, and the Regular meeting of September 3, 2024.

Attachments: [1. 04-19-2024 Draft Minutes](#)
[2. 06-11-2024 Draft Minutes](#)
[3. 09-03-2024 Draft Minutes](#)

5. **[MOBILE VIDEO SYSTEM \(MVS\) REPLACEMENT AND PURCHASE 24-340 WITH AXON ENTERPRISE, INC.](#)**

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize the purchase of a mobile video system (MVS) from Axon Enterprise, Inc. (Axon) through a proposed Omnia Partners Cooperative Agreement Contract #3544-21-4615 in the amount of \$6,949,522 to be paid in 10 annual installments of approximately \$733,300 in year one, and \$690,700 years two through ten, to replace the Police Department's current MVS.
2. Authorize a 1.5% contingency in the amount of \$104,243 for unforeseen costs relating to the replacement of the police department's current MVS.
3. Authorize the City Manager and City Attorney to execute any and all documents related to the Axon Enterprise agreement, in a form approved by the City Attorney.

Attachments: [1. Costa Mesa PD - \(176\) Unlimited w add-ons \(50\) Fleet 3 w ALPR \(4\) Interview Room - OMNIA](#)
[2. Costa Mesa PD \(CA\)-Omnia Piggyback](#)

6. ACCEPTANCE OF THE PLACENTIA AVENUE, WEST 19TH STREET, 24-338 AND EAST 17TH STREET PAVEMENT REHABILITATION, BICYCLE FACILITY, AND STRIPING IMPROVEMENTS PROJECT, CITY PROJECT NO. 22-08

RECOMMENDATION:

Staff recommends the City Council:

1. Accept the work performed by All American Asphalt, Inc., 400 East Sixth Street, Corona, California 92879 for the Placentia Avenue, West 19th Street, and East 17th Street Pavement Rehabilitation, Bicycle Facility, and Striping Improvements Project, City Project No. 22-08., and authorize the City Clerk to file the Notice of Completion.
2. Authorize the City Manager to release the retention monies thirty-five (35) days after the Notice of Completion filing date; release the Labor and Material Bond seven (7) months after the filing date; and release the Faithful Performance Bond one (1) year after the filing date.

- Attachments:** [1. Location Map](#)
[2. Final Cost Summary](#)

7. RESPONSES TO ORANGE COUNTY GRAND JURY REPORT -24-341 E-BIKES FRIEND OR FOE

RECOMMENDATION:

Staff recommends the City Council approve the draft responses to Findings 1-3 and Recommendations 1-3 in the Orange County Grand Jury (OCGJ) Report titled "E-Bikes Friend or Foe."

- Attachments:** [1. OC Grand Jury Report](#)
[2. CA Penal Code Sections 933 and 933.05](#)
[3. City's Draft Responses to OC Grand Jury Report](#)

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. [**CITY COUNCIL SECOND READING AND ADOPTION OF ORDINANCE 24-337 TO INCREASE CITY COUNCIL COMPENSATION**](#)

RECOMMENDATION:

Staff recommends the City Council give second reading to and adopt, 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 Compensation Ordinance](#)

NEW BUSINESS:

1. [APPROVAL OF SIDE LETTER WITH THE COSTA MESA CITY 24-351 EMPLOYEES ASSOCIATION REGARDING THE TELECOMMUNICATIONS BUREAU AND UPDATES TO THE POLICE DEPARTMENT HIRING AND REFERRAL INCENTIVE PROGRAM](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve and Adopt the Side Letter with the City Employees Association.
2. Approve and Adopt Resolution Number 2024-XX renaming Communications classifications and updating pay rates.
3. Approve and Adopt Resolution Number 2024-XX establishing the Reserve Senior Public Safety Dispatcher.
4. Approve the certified Fiscal Impact Analysis.
5. Authorize the City Manager and members of the City's Negotiation Team to execute the Side Letter documents.
6. Approve an appropriation increase of \$319,000 in the FY 2024/2025 Budget for year one of the one-time incentives for the retention and retroactive overtime costs and the new Hiring and Referral Incentive Program for Police Officers and Dispatchers.
7. Approve an appropriation increase of \$270,650 in the FY 2024/2025 Budget for recurring costs due to compensation adjustments for the Public Safety Dispatchers.

Attachments: [1. Side Letter](#)
[2. CMCEA Resolution](#)
[3. Part Time Resolution](#)
[4. Fiscal Analysis](#)

2. [AMENDMENTS TO PROFESSIONAL SERVICE AGREEMENTS WITH 24-339 MERCY HOUSE & BRACKEN'S KITCHEN FOR SERVICES AT THE COSTA MESA BRIDGE SHELTER](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve Amendment No. 2 to the Professional Services Agreement with Mercy House, increasing the compensation by \$197,894 for a new annual not-to-exceed amount of \$2,383,180.
2. Approve Amendment No. 4 to the Professional Services Agreement with Bracken's Kitchen, increasing the compensation by \$91,250 for a new annual not-to-exceed amount of \$492,750.
3. Authorize the City Manager and City Clerk to execute all agreements and any amendments to the agreements.

Attachments: [1. CM-CMO, PSA Mercy House Shelter Operator Amendment. No. 2](#)
[2. CM-CMO, PSA Bracken's Kitchen Amendment No. 4](#)

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

ADJOURNMENT