



CITY OF COSTA MESA

REGULAR CITY COUNCIL AND HOUSING AUTHORITY*

Agenda

Tuesday, October 15, 2024

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**

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.

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).

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 4:00 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 4:00 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 - 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 LABOR NEGOTIATORS
Pursuant to California Government Code Section 54957.6,(a)
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa Division Managers Association
2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to California Government Code Section 54957.6,(a)
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa Confidential Management Unit
3. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to California Government Code Section 54957.6, (a)
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa City Executive Confidential Unit
4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Insight Psychology and Addiction, Inc. v. City of Costa Mesa
United States District Court, Central District of California, Case No. 8:20 cv
00504 JVS JDE
5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – ONE
CASE
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: City of Costa Mesa; People of State of Cal. v. D'Alessio
Investments LLC, et al.
440 Fair Dr. and 1779 Newport Blvd.
Orange County Superior Court Case No. 30-2020-01170520
6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – ONE
CASE
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: D'Alessio Investments LLC v. City of Costa Mesa
Orange County Superior Court Case No. 30-2020-01132646

7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - ONE CASE
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: City of Costa Mesa v. D'Alessio; 1963 Wallace Ave.
Orange County Superior Court Case No. 30 2020 01133479

REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY

OCTOBER 15, 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. 2024 Breast Cancer Awareness 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 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 24-373 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](#) [24-374](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk and authorize staff to reject any and all Claims: Edwin Ramos Madrid, Ashley Ned.

3. [MINUTES](#) [24-375](#)

RECOMMENDATION:

City Council approve the minutes of the regular meeting of October 1, 2024.

Attachments: [1. 10-01-2024 Draft Minutes](#)

4. **[COMPUTER SYSTEM REPLACEMENT PROGRAM](#)** **[24-363](#)**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the purchase of 60 desktop and 32 laptop computer systems in phase 1-of-3 to replace end-of-life computers.
2. Authorize the City Manager or designee to execute purchase orders with Dell and CDW-G in the amount of \$248,250.
3. Authorize the City Manager or designee to approve cost increases of up to 10% for each phase of the project in the event of rising equipment prices.

Attachments: [1. CDW-G Quote](#)
[2. Dell Technologies Desktop Quote](#)
[3. Dell Technologies Laptop Quote](#)

5. **[SPECTRUM ENTERPRISE SERVICE AGREEMENT](#)** **[24-362](#)**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the 5-year Spectrum Enterprise Service Agreement between the City of Costa Mesa and Charter Communications Operating LLC, on behalf of subsidiary Spectrum Enterprise, for the continued network connections between City Hall and all of the remote sites throughout the City, commencing on November 1 2024, through October 31, 2029.
2. Approve the Service Order in the annual amount of \$209,889 (paid in monthly installments of \$17,490.68).
3. Authorize the City Manager and the City Clerk to execute the agreement.
4. Authorize the City Manager or designee to accept and execute future amendments including any potential increase in services and equipment as long as the amendments are within the appropriated budget.

Attachments: [1. Service Agreement](#)
[2. Ethernet Intrastate-Only Traffic Certification](#)

6. [ON-CALL ENGINEERING STAFF SUPPORT AND PROGRAM 24-366
MANAGEMENT SERVICES](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve and authorize the City Manager and the City Clerk to execute a Professional Services Agreement (PSA) with each consulting firm listed below from October 15, 2024 - June 30, 2029, in substantially the form as attached and in such final form as approved by the City Attorney for on-call engineering staff support and program management services for various Public Works projects.
 - Ardurra Group, Inc.
 - TKE Engineering, Inc.
 - Transtech Engineers, Inc.
 - Iteris, Inc.

2. Authorize the City Manager and the City Clerk to execute future amendments with the above-listed firms including any potential increases in compensation as long as the amendments are within the approved allocated aggregate amount of \$400,000 annually amongst all firms.

- Attachments:** [1. PSA with Ardurra Group](#)
[2. PSA with TKE Engineering](#)
[3. PSA with Transtech Engineers](#)
[4. PSA with ITERIS Inc.](#)

**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: NONE.

NEW BUSINESS:

1. [RECEIVE AND FILE CONCEPTUAL DESIGN OF THE FIRE STATION 24-367 NO. 2 RECONSTRUCTION PROJECT](#)

RECOMMENDATION:

Staff recommends the City Council receive and file the conceptual plans for the design of the Fire Station No. 2 Reconstruction Project.

Attachments: [1. Conceptual plans](#)

2. [PROFESSIONAL SERVICES AGREEMENT \(PSA\) WITH DUDEK FOR 24-361 CLIMATE ACTION AND ADAPTATION PLAN CONSULTING SERVICES](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve a Professional Services Agreement (PSA) for two years with two one-year renewals in the amount of \$418,625 to Dudek (Environmental, Planning and Engineering Firm) for consulting services.
2. Authorize a ten percent (10%) contingency in the amount of \$41,862 for unforeseen costs related to the project.
3. Authorize a budget adjustment of \$300,000 from the Capital Improvement Fund (401) fund balance and \$50,000 from the SoCal Gas Climate Adaptation and Resiliency Grant.
4. Authorize the City Manager, or designee, and City Clerk to execute the PSA and any future amendments to the agreement.

Attachments: [1. Dudek Professional Services Agreement](#)

3. **[HOUSING ELEMENT IMPLEMENTATION UPDATE & DEVELOPMENT 24-371 SERVICES PROCESS IMPROVEMENTS TO FACILITATE HOUSING DEVELOPMENT](#)**

RECOMMENDATION:

Staff recommends the City Council receive the staff presentation regarding Housing Element implementation progress and development services resource enhancements and provide feedback.

Attachments: [Agenda Report](#)

[1. Housing Element Implementation Timeline 2024](#)

[2. Housing Plan Programs](#)

4. **[ACCEPTANCE OF PART 1 OF THE STORM DRAIN MASTER 24-365 DRAINAGE PLAN \(SDMDP\) UPDATE](#)**

RECOMMENDATION:

Staff recommends the City Council accept Part 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.

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

ADJOURNMENT