



CITY OF COSTA MESA

REGULAR CITY COUNCIL AND HOUSING AUTHORITY*

Agenda

Tuesday, November 19, 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.

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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.

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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.

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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>.

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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 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
2. 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
3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Pursuant to California Government Code Section 54956.8
APN: 424-211-01; Property: 695 W. 19th Street, Costa Mesa, CA 92627
Agency Negotiators: Lori Ann Farrell Harrison, City Manager
Negotiating Parties: Jamboree Housing
Under Negotiation: Price and Terms of Payment

REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY

NOVEMBER 19, 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. Proclamation: Movember

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 24-384 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](#) [24-385](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Stacy Mai, Nicholas Meldrum, Norman Meldrum, Jinzi Quan.

3. **[ADOPTION OF WARRANT RESOLUTION](#)** **[24-360](#)**

RECOMMENDATION:

City Council approve Warrant Resolution No. 2725.

Attachments: [1. Summary Check Register 10-03-24](#)
[2. Summary Check Register 10-04-24](#)
[3. Summary Check Register 10-10-24](#)
[4. Summary Check Register 10-17-24](#)
[5. Summary Check Register 10-24-24](#)
[6. Summary Check Register 10-31-24](#)

4. **[MINUTES](#)** **[24-386](#)**

RECOMMENDATION:

City Council approve the minutes of the regular meeting of October 15, 2024.

Attachments: [1. 10-15-2024 Draft Minutes](#)

5. **[REVIEW AND APPROVE RECOMMENDED CITY COUNCIL MEETING CALENDAR FOR 2025](#)** **[24-383](#)**

RECOMMENDATION:

Review and approve the proposed City Council Meeting Calendar for 2025.

6. **[AMENDMENT OF THE MICROSOFT ENTERPRISE AGREEMENT RENEWAL](#)** **[24-396](#)**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the purchase of additional Microsoft Enterprise subscription licenses through Dell Technologies in the amount of \$36,383.
2. Authorize the City Manager to approve and execute future purchases of additional licenses for staff hires, not to exceed a total amount of \$94,248.

7. [**AUTHORIZE THE PURCHASE OF VEHICLES FROM SELMAN 24-391 CHEVROLET**](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the purchase of two (2) Chevrolet Equinox EV and one (1) Chevrolet Silverado Trail Boss for a total of \$157,970.05 from Selman Chevrolet located at 1800 E. Chapman Avenue, Orange, CA, 92867.
2. Authorize the City Manager or designee to execute the necessary documents for the purchase.

8. [**MEASURE M2 EXPENDITURE REPORT**](#) [**24-393**](#)

RECOMMENDATION:

Staff recommends the City Council adopt the proposed Resolution No. 2024-xx, (Attachment 1) approving the Measure M2 Expenditure Report and authorizing staff to submit the report to the Orange County Transportation Authority (OCTA).

- Attachments:** [1. Proposed Resolution No. 2024-xx](#)
[2. Measure M2 Expenditure Report](#)

9. [**RESOLUTION FOR SUBMITTAL OF A GRANT APPLICATION FOR 24-394 THE REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM \(PROJECT P\) FUNDING**](#)

RECOMMENDATION:

Staff recommends the City Council adopt the proposed Resolution No. 2024-xx, approving the submittal of a grant application for the Regional Traffic Signal Synchronization Program (Project P) under the Orange County Transportation Authority's (OCTA's) Comprehensive Transportation Funding Program (CTFP) for Fiscal Years 2025-2026 to 2027-2028.

- Attachments:** [1. Proposed Resolution No. 2024-xx](#)

10. **SIGNAL MODERNIZATION FOR SYSTEMIC SAFETY 24-395 IMPROVEMENTS**

RECOMMENDATION:

Staff recommends the City Council:

1. Award a Professional Services Agreement (PSA) to Kimley-Horn and Associates, Inc. for professional engineering design services for the Signal Modernization for Systemic Safety Improvements project (Federal Project No. HSIPL-5312(107)) in the amount of \$300,729.75 (Attachment 1), in substantially the form as attached and in such final form as approved by the City Attorney.
2. Authorize a ten percent (10%) contingency in the amount of \$30,073 for any additional services that may be required by the project.
3. Authorize the City Manager and the City Clerk to execute the PSA and any future amendments to the agreement.

Attachments: [1. Proposed PSA](#)

11. **ACCEPTANCE OF THE CONNECTOR PIPE SCREEN INSTALLATION 24-397 PROJECT, PHASE IV, CITY PROJECT NO. 23-08**

RECOMMENDATION:

Staff recommends the City Council:

1. Accept the work performed by United Storm Water, Inc. 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.

12. [ACCEPTANCE OF CALRECYCLE SB 1383 LOCAL ASSISTANCE 24-399 OWR4 GRANT FUNDS](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Accept \$295,972 in grant funds from the California Department of Resources Recycling and Recovery (CalRecycle) SB 1383 Local Assistance OWR4 Grant Program.
2. Authorize the City Manager or designee with signature authority to execute all documents necessary to implement the grant and all grant-related reports to CalRecycle.
3. Authorize revenue and expense appropriations in the amounts of \$295,972, respectively, to account for the SB 1383 grant award in the City's State Grant Fund (Fund 231).

Attachments: [1. OWR4 1383 Local Assistance Grant Program Awards](#)

13. [AWARD THE MAINTENANCE SERVICES AGREEMENT FOR 24-402 SIDEWALK INSPECTIONS WITH PRECISION CONCRETE CUTTING](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Award the Maintenance Services Agreement (MSA) for citywide sidewalk inspections with Precision Concrete Cutting, for an initial two-year period with three one-year renewal periods for a not-to-exceed annual amount of \$150,000.
2. Authorize the City Manager or designee to execute the agreement and future amendments to this agreement within Council authorized limits.

Attachments: [1. College Buys Contract](#)
[2. MSA with Precision Concrete Cutting](#)

14. [AWARD THE MAINTENANCE SERVICES AGREEMENT FOR TREE 24-401 MAINTENANCE SERVICES AND TREE CARE WITH WEST COAST ARBORISTS, INC.](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Award the Maintenance Services Agreement (MSA) with West Coast Arborists, Inc. for tree maintenance services and tree care in the annual amount of \$1,100,000, based on pricing provided through a cooperative agreement with the City of Rialto, for a term for an initial three-year period, effective December 1, 2024 - June 30, 2029, with the option of two one-year renewal period.
2. Authorize a ten percent (10%) contingency annually for emergency response, special events and other unforeseen costs, and approval for Consumer Price Index (CPI) escalation and de-escalation.
3. Authorize the City Manager or designee to execute the agreement and future amendments to this agreement within Council authorized limits.

Attachments: [1. City of Rialto RFB 24-025 WCA Agreement](#)
[2. WCA Agreement](#)

15. [AWARD OF PROFESSIONAL SERVICES AGREEMENT WITH LYONS 24-404 SECURITY TO PROVIDE SECURITY GUARD SERVICES FOR THE LIONS PARK CAMPUS, THE COSTA MESA SENIOR CENTER, AND OPEN NMUSD CAMPUSES](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Award a Professional Services Agreement (PSA) to Lyons Security Inc. for an annual amount of \$490,000 towards unarmed security guard services for the Lions Park Campus, the Costa Mesa Senior Center, and three Newport Mesa Unified Campuses (Attachment 1).
2. Authorize the City Manager and City Clerk to execute the PSA.
3. Authorize the City Manager and City Clerk to execute future changes and amendments to the agreement and allow up to an additional 10% contingency in the amount of \$49,000.

Attachments: [1. Lyons Security Services, Inc. PSA](#)

**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. [**PUBLIC HEARING ON ISSUANCE OF TAX-EXEMPT BONDS FOR 24-403
MESA VISTA APARTMENTS AND RESOLUTION APPROVING THE
ISSUANCE OF BONDS**](#)

RECOMMENDATION:

1. Conduct a Tax Equity and Fiscal Responsibility Act Hearing, as required by Section 147(f) of the Internal Revenue Code of 1986 to receive comments in consideration of the issuance of tax-exempt bond financing by the California Statewide Communities Development Authority for the benefit of Costa Mesa M6 LP, to provide financing for the acquisition, construction, improvement, and equipping of an 87-unit multifamily rental housing project generally known as Mesa Vista Apartments.
2. Adopt a resolution approving the issuance of Bonds by the California Statewide Communities Development Authority not to exceed \$25,000,000 for the benefit of Costa Mesa M6 LP, to provide financing for the acquisition, construction, improvement, and equipping of an 87-unit multifamily rental housing project generally known as Mesa Vista Apartments.

- Attachments:** [1. CDLAC Resolution](#)
[2. CTCAC Reservation Letter/Staff Report](#)
[3. TEFRA Resolution - Mesa Vista](#)

2. [**PUBLIC HEARING REGARDING THE DEVELOPMENT IMPACT FEES 24-387 ANNUAL REPORT AND THE TRAFFIC IMPACT FEE ANALYSIS FOR THE FISCAL YEAR ENDED JUNE 30, 2024**](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Receive and file the Development Impact Fees Annual Report (Attachment 1) for the Fiscal Year ended June 30, 2024.
2. Adopt resolution (Attachment 2) continuing the citywide traffic impact fee for new development that incorporates recommendations from the Traffic Impact Fee Ad Hoc Committee and staff, which include:
 - Adopt a traffic impact fee of \$228 per Average Daily Trip (ADT) based on the Capital Improvement Projects in Attachment 4 and Active Transportation projects in the adopted Active Transportation Plan (ATP).
 - Approve allocation of up to ten percent (10%) of traffic impact fees towards traffic signal synchronization projects.
 - Approve a five percent (5%) reduction in automobile trips as a result of ATP implementation and an additional five percent (5%) reduction in automobile trips for developments proposing to implement active transportation improvements beyond typical development requirements.
 - Approve the annual accounting of the Citywide Traffic Impact Fee Program (Attachment 6).

- Attachments:** [1. 2023-24 DIF Report](#)
[2. Traffic Impact Fee Resolution](#)
[3. Citywide Traffic Impact Fee Annual Report](#)
[4. Revised TIF Calculation 2024](#)
[5. Chronology of City Council Actions](#)
[6. FY23-24 TIF Accounting](#)

OLD BUSINESS:

1. [INTRODUCTION AND FIRST READING OF AN ORDINANCE 24-364 AMENDING TITLE 3 \(ANIMAL REGULATIONS\) OF THE COSTA MESA MUNICIPAL CODE BY AMENDING CHAPTER I \(IN GENERAL\) AND CHAPTER VI \(SPECIAL ANIMAL PERMIT\) TO PROVIDE FOR BEEKEEPING AND TO CLARIFY APPEAL PROCEDURES FOR SPECIAL ANIMAL PERMITS](#)

RECOMMENDATION:

Staff recommends the City Council introduce for first reading the attached Ordinance No. 2024-XX amending Title 3 (Animal Regulations) of the Costa Mesa Municipal Code by amending Chapter I (In General) and Chapter VI (Special Animal Permit) to allow for the lawful keeping of bees and/or hives within the City and to clarify appeal procedures for special animal permits.

- Attachments:** [1. CMMC BEEKEEPING ORDINANCE](#)
[2. Residential Beekeeping Application](#)
[3. Residential Beekeeping Best Management Practices](#)

NEW BUSINESS:

1. [AWARD OF THE 2024-2025 CITYWIDE PARKWAY MAINTENANCE, 24-398 STREET REHABILITATION, AND SLURRY SEAL PROJECT, CITY PROJECT NO. 24-03, AND FINDING OF CALIFORNIA ENVIRONMENTAL QUALITY ACT \(CEQA\) CATEGORICAL EXEMPTION](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Make a finding of California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15301.
2. Adopt plans, specifications, and working details for the 2024-2025 Citywide Parkway Maintenance, Street Rehabilitation, and Slurry Seal Project, City Project No. 24-03.
3. Award a Public Works Agreement (PWA) for construction to Onyx Paving Company, Inc., 2890 East La Cresta Avenue, Anaheim, California 92806 in the amount of \$9,163,000 (Base Bid).
4. Authorize the City Manager and City Clerk to execute the PWA with Onyx Paving Company, Inc., and future amendments to the agreements within Council authorized limits.
5. Authorize an additional ten percent (10%) contingency, in the amount of \$916,300 for construction, as needed for any unforeseen costs related to this project.

ENVIRONMENTAL DETERMINATION:

The proposed action is exempt from the California Environmental Quality Act (CEQA). The action involves an organizational or administrative activity of government that will not result in the direct or indirect physical change in the environment. In addition, the proposed action is exempt under Section 15301 relating to the operation, repair, maintenance, permitting, and/or minor alteration of existing public facilities.

Attachments: [1. Location Maps](#)
[2. Bid Abstract](#)
[3. Public Works Agreement](#)

2. [APPROVE THE ACQUISITION OF REAL PROPERTY LOCATED AT 24-407 778 SHALIMAR DRIVE, COSTA MESA, CA 92627 FOR EVALUATION OF COMMUNITY SERVING PUBLIC USES](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Determine the acquisition of the property is exempt from analysis under the California Environmental Quality Act (CEQA).
2. Approve the acquisition of real property located at 778 Shalimar Drive, Costa Mesa, CA 92627 for evaluation of community serving public uses.
3. Authorize the release of all contingency items related to the Real Estate Purchase Agreement, including appraisal and inspections.
4. Authorize a budget appropriation in the amount of \$1.5 million from audited General Fund Unassigned Fund Balances for the acquisition of 778 Shalimar Drive, Costa Mesa, CA 92627.
5. Authorize the City Manager and City Clerk to execute any and all real estate purchase documents, disclosures, escrow paperwork and future authorized changes and amendments necessary.

Attachments: [1. Real Property Purchase Agreement - 778 Shalimar Drive](#)
[2. Site Plan](#)
[3. Site Photos](#)
[4. Vicinity Map](#)
[5. ACFR Fund Balance Reserves](#)

3. [ADOPTION OF SALARY AND BENEFIT RESOLUTIONS FOR THE 24-406 COSTA MESA DIVISION MANAGERS ASSOCIATION \(CMDMA\), CONFIDENTIAL MANAGEMENT UNIT AND EXECUTIVE EMPLOYEES](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve and Adopt Resolution Number 2024-XX revising the pay ranges and benefits for the Costa Mesa Division Managers Association.
2. Approve and Adopt Resolution Number 2024-XX revising the pay ranges and benefits for the Confidential Management Unit.
3. Approve and Adopt Resolution Number 2024-XX revising the pay ranges and benefits for Executive Employees.

Attachments: [1. SALARY RESOLUTION - CMDMA](#)
[2. SALARY RESOLUTION - CMU](#)
[3. SALARY RESOLUTION - EXECUTIVE](#)

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

ADJOURNMENT