



City of Costa Mesa

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY

Agenda

Tuesday, January 18, 2022

6:00 PM

Via Zoom

***Note: All agency memberships are reflected in the title "Council Member"
5:00 P.M. Closed Session**

The City Council meeting will be held virtually via Zoom Webinar. Pursuant to the State of California Assembly Bill 361(Gov. Code §54953(b)(3)) the City Council Members and staff may participate by video conference.

You may participate via the following options:

1. 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/c/costamesatv).

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

Please click the link below to join the webinar:

<https://zoom.us/j/98376390419?pwd=dnpFelc5TnU4a3BKWVlyRVZMallZZz09>

Or sign into Zoom.com and "Join a Meeting"

Enter Webinar ID: 983 7639 0419/ Password: 905283

- 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: 983 7639 0419/ Password: 905283

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.

3. 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.

4. 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. Please e-mail to the City Clerk at cityclerk@costamesaca.gov NO LATER THAN 12:00 Noon on the date of the meeting.

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.

The City of Costa Mesa aims to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is currently provided, the Clerks office will attempt to accommodate in a reasonable manner. Please contact the City Clerk's office 24 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible 714-754-5225 or at cityclerk@costamesaca.gov.

El objetivo de la Ciudad de Costa Mesa es cumplir con la ley de Estadounidenses con Discapacidades (ADA) en todos los aspectos. Si como asistente o participante en esta junta, usted necesita asistencia especial, más allá de lo que actualmente se proporciona, la oficina del Secretario de la Ciudad intentara de complacer en una forma razonable. Favor de comunicarse con la oficina del Secretario de la Ciudad con 24 horas de anticipación para informarnos de sus necesidades y determinar si alojamiento es realizable al 714-754-5225 o cityclerk@costamesaca.gov.

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 LEGAL COUNSEL - EXISTING LITIGATION - ONE CASE
Pursuant to California Government Code Section 54956.9 (d)(1)
Costa Mesa v. NMUSD, OCSC Case No. 30-2021-01179397-CU-WM-CXC.
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(2) of Section 54956.9, California Government Code
Bernede v. Costa Mesa, OCSC Case No. 30-2019-01041552-CU-PO-CJC

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY**

Tuesday, January 18, 2022– 6:00 P.M.

JOHN STEPHENS
Mayor

MANUEL CHAVEZ
Council Member - District 4

ANDREA MARR
Mayor Pro Tem - District 3

JEFFREY HARLAN
Council Member - District 6

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.]

Pastor Jordan Hansen, Newport Mesa Church

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS: NONE.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Comments are limited to 3 minutes, or as otherwise directed.

Comments on Consent Calendar items may also be heard at this time.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Each council member is limited to 4 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 Harlan
5. Council Member Harper
6. Mayor Pro Tem Marr
7. Mayor Stephens

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR (Items 1-10)

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: APPROVE THE READING BY TITLE ONLY 21-543 OF ALL ORDINANCES AND RESOLUTIONS**](#)

RECOMMENDATION:

City Council and Agency Board approve the reading by title only and waive full reading of Ordinances and Resolutions.

2. [**READING FOLDER**](#) [**21-544**](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Mike Baxter, Heizel Castillo, Southern California Edison, Riccardo Grad, Kevin Kono, Damon Levy, Edward Martindale, Ahmad Masri, Mercury Insurance, Estate of Heizel Michelle Pozo-Castillo, Marcial Pozo, Francisco Roman, Ray Taylor, Christianne Leman & Elizabeth Freeman.

3. [ADOPTION OF WARRANT RESOLUTION](#) [21-513](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2672

Attachments: [Summary Check Register 1-18-2022](#)

4. [MINUTES](#) [21-542](#)

RECOMMENDATION:

City Council approve the Minutes of the Regular meeting of December 7, 2021, the Special Closed Session meeting of January 5, 2022, and the Special Joint Closed Session meeting of January 11, 2022.

Attachments: [1. 12-07-2021 Draft Minutes](#)

[2. 01-05-22 Special Closed Session - Draft Minutes](#)

[3. 01-11-22 Special Closed Session - Draft Minutes](#)

5. [ADOPTION OF A RESOLUTION TO CONTINUE CONDUCTING 21-545 MEETINGS OF THE CITY COUNCIL, COMMISSIONS AND COMMITTEES REMOTELY AS NEEDED DUE TO HEALTH AND SAFETY CONCERNS FOR THE PUBLIC](#)

RECOMMENDATION:

Staff recommends the City Council adopt Resolution 2021-xx to allow the City to continue conducting City Council, Commission, and Committee meetings remotely as needed via Zoom due to:

- The current State of Emergency and global pandemic, which continues to directly impact the ability of the members of the City's legislative bodies to meet safely in person; and
- Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.

Attachments: [1. Draft Resolution No. 2021-xx](#)

6. [MONTHLY UPDATE OF STRATEGIC PLAN GOALS AND 21-515 OBJECTIVES](#)

RECOMMENDATION:

Staff recommends that the City Council approve the January update to the City of Costa Mesa's Strategic Plan Goals and Objectives.

Attachments: [Strategic Plan Objectives UPDATE January 2022](#)

7. [2021 PAVEMENT MANAGEMENT RELIEF FUNDING PROGRAM](#) [21-523](#)

RECOMMENDATION:

Staff recommends that the City Council approve Resolution No. 2022-xx (Attachment 1) authorizing the submittal of the Fairview Road Improvement Project to the 2021 Pavement Management Relief Funding Program (PMRF).

Attachments: [1. Resolution No. 2022-XX](#)

8. [A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COSTA MESA AUTHORIZING ACCEPTANCE OF ASSISTANCE TO FIREFIGHTERS GRANT \(AFG\) AWARD FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY \(FEMA\)](#) [21-532](#)

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt the proposed resolution (Attachment 1) which ratifies the application for the Assistance to Firefighters Grant (AFG) award from the Federal Emergency Management Agency (FEMA) and authorizes the City Manager to execute the grant agreement for the amount of \$730,613.76 for the purchase of Personal Protective Equipment (PPE) and other firefighting equipment; and
2. Approve budget appropriations of \$664,194.33 from FEMA and the City's required 10% match of \$66,419.43 for the Fiscal Year 2020 Assistance to Firefighters Grant for a total budget of \$730,613.76.
3. Approve the City's 10% match appropriation transfer of \$66,419.43 from the FY 2021-2022 General Fund Non-Departmental Adopted Budget to the Federal Grant Fund 230 to comply with the FEMA award requirement.

Attachments: [1. Costa Mesa Resolution No. 2022-xx FEMA AFG](#)
[2. Award Letter - EMW-2020-FG-15200](#)

9. [ADOPT A RESOLUTION SUPPORTING THE ACQUISITION OF 21-537 BANNING RANCH BY THE TRUST FOR PUBLIC LAND](#)

RECOMMENDATION:

City Council to consider the adoption of Resolution 2022-XX in support of the acquisition of Banning Ranch by The Trust for Public Land (TPL) for the permanent preservation of public open space.

Attachments: [1. Banning Ranch Reso. No. 2022-XX](#)

10. [ADOPT RESOLUTION APPROVING RECOGNIZED OBLIGATION 21-539 PAYMENT SCHEDULE FOR FISCAL YEAR 2020-2021 FOR THE PERIOD OF JULY 1, 2022 TO JUNE 30, 2023](#)

RECOMMENDATION:

Adopt Successor Agency Resolution No. 2022-xx approving the Recognized Obligation Payment Schedule for Fiscal Year 2022-23 for the period of July 1, 2022 to June 30, 2023.

Attachments: [1. Resolution ROPS FY 2022-23](#)
[2. ROPS Payment Schedule 22-23](#)

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. [**CITY OF COSTA MESA 2021-2029 \(SIXTH CYCLE\) HOUSING 21-530 ELEMENT \(GP-21-01\)**](#)

RECOMMENDATION:

Staff recommends that the City Council receive a staff presentation for the 2021-2029 (Sixth Cycle) General Plan Housing Element Update, take public comment, consider the Planning Commission's recommendation, provide feedback to staff, and continue the item to the February 1, 2022 City Council meeting for consideration of Housing Element adoption.

Attachments: [1. Housing Element Update ISMND](#)
[2. Updatd Draft Housing Element \(strikethrough underline version\)](#)
[3. Planning Commission Resolution](#)
[4. Public Comments](#)
[5. ISMND Public Comments](#)

OLD BUSINESS: NONE.

NEW BUSINESS:

1. [**2021 LEGISLATIVE REPORT AND UPDATE FROM TOWNSEND 21-546 PUBLIC AFFAIRS**](#)

RECOMMENDATION:

Receive and file the 2021 legislative update and report from Townsend Public Affairs.

2. [URBAN MASTER PLAN SCREENING REQUEST \(UMP-21-005\) FOR A 21-526 NINE-UNIT LIVE/WORK DEVELOPMENT LOCATED AT 1540 SUPERIOR AVENUE](#)

RECOMMENDATION:

Staff recommends that the City Council review and provide feedback on the proposed nine-unit live/work project at 1540 Superior Avenue, located in the 19 West Urban Plan area.

Attachments: [1. UMP-21-005 Summary Sheet](#)
[2. UMP-21-005 Applicant Letter](#)
[3. UMP-21-005 Vicinity Map](#)
[4. UMP-21-005 Zoning Map](#)
[5. UMP-21-005 Plans](#)

3. [CITY OF COSTA MESA AND COSTA MESA PUBLIC FINANCING 21-541 AUTHORITY FINANCIAL STATEMENTS FOR THE PERIOD ENDING JUNE 30, 2021](#)

RECOMMENDATION:

1. Staff recommends that the City Council receive and file the following reports for the fiscal year ended June 30, 2021:
 - a. Annual Comprehensive Financial Report (ACFR) (Attachment 1);
 - b. Air Quality Improvement Fund Compliance Report (Attachment 2);
 - c. Audit Communication Letter (Attachment 3); and
 - d. Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets (Attachment 4).
2. Staff recommends that the City Council and Costa Mesa Public Financing Authority receive and file the Costa Mesa Public Financing Authority audited financial statements for the fiscal year ended June 30, 2021 (Attachment 5).

Attachments: [1. City of Costa Mesa 2021 ACFR Final](#)
[2. Air Quality MD Opinion Letter](#)
[3. Audit Communication Section 260 Letter](#)
[4. Independent Accountant's Rpt Letter](#)
[5. Costa Mesa Public Financing Authority Audit Rpt](#)

4. **[COSTA MESA FINANCING AUTHORITY FISCAL YEAR 2020-2021 21-538
AUDITED FINANCIAL STATEMENTS](#)**

RECOMMENDATION:

Staff recommends that the City Council and Costa Mesa Financing Authority receive and file the Costa Mesa Financing Authority's audited financial statements for the fiscal year ended June 30, 2021.

Attachments: [1. Costa Mesa Financing Authority Audit Report](#)

5. **[COSTA MESA HOUSING AUTHORITY FINANCIAL STATEMENTS 21-540
AND HOUSING SUCCESSOR ANNUAL REPORT FOR THE PERIOD
ENDING JUNE 30, 2021](#)**

RECOMMENDATION:

Staff recommends that the City Council and Housing Authority receive and file the following:

1. The Fiscal Year 2020-21 Independent Financial Audit of the Costa Mesa Housing Authority, including the Low and Moderate Income Housing Asset Fund; and
2. The Fiscal Year 2020-21 Housing Successor Annual Report prepared under the California Health and Safety Code Section 34176.1 as the housing successor and Section 34328 as a housing authority.

Attachments: [1. CM Housing Authority Audit Report](#)
[2. Housing Report CMHA FY 20-21](#)

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

ADJOURNMENT