



## City of Costa Mesa

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

### Agenda

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Tuesday, May 17, 2022

6:00 PM

City Council Chambers  
77 Fair Drive

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**\*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 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 choose to participate in person or by video conference.

You may participate via the following options:

1. Attending in person: Attendees are encouraged to wear masks at their discretion. If you are feeling ill, you may still participate in the meeting via Zoom.

2. 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](http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true) and online at [youtube.com/costamesatv](https://www.youtube.com/costamesatv).

3. 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/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 4:00 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.

4. 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.

5. 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. 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](mailto: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 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.

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. Note, Closed Captioning is available via the Zoom application. 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](mailto: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](mailto: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)  
Name of Case: Costa Mesa v. Newport Mesa Unified School District, Orange County Superior Court Case No. 30-2021-01179397-CU-WM-CXC.
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – ONE CASE  
Pursuant to California Government Code Section 54956.9 (d)(1)  
Name of Case: Insight Psychology and Addiction, Inc. v. City of Costa Mesa, U.S. District Court, Central District of California, Case No. 8:20 cv 00504 JVS JDE
3. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - ONE CASE  
Pursuant to California Government Code Section 54956.9(d)(4), Potential Litigation
4. THREAT TO SECURITY  
Pursuant to California Government Code Section 54957(a),  
Consultation with: City Manager and Police Chief

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

**MAY 17, 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 - Mrs. McVeigh First Grade Class,  
Sonora Elementary School**

**MOMENT OF SOLEMN EXPRESSION - Pastor David Manne, Calvary Chapel, Costa Mesa**

[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: National Emergency Medical Services Week 2022](#) [22-700](#)  
**Attachments:** [Proclamation: EMS Week](#)
  
2. [Proclamation: National Public Works Week 2022](#) [22-702](#)  
**Attachments:** [Proclamation: Public Works Week](#)
  
3. [Proclamation: Mental Health Awareness Month 2022](#) [22-703](#)  
**Attachments:** [Proclamation: Mental Health Awareness](#)

**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 Harlan
2. Council Member Harper
3. Council Member Reynolds
4. Council Member Chavez
5. Council Member Gameros
6. Mayor Pro Tem Marr
7. Mayor Stephens

**REPORT – CITY MANAGER**

**REPORT – CITY ATTORNEY**

**CONSENT CALENDAR (Items 1-11)**

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 22-691 OF ALL ORDINANCES AND RESOLUTIONS](#)

RECOMMENDATION:

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

2. [READING FOLDER](#) [22-692](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Marco Camberos, Juliet Cannon, Riccardo Grad, William Henry Saylor.

3. [ADOPTION OF WARRANT RESOLUTION](#) [22-694](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2680

**Attachments:** [Summary Check Register week of 4.25.22 .pdf](#)  
[Summary Check Register Week of 5.2.22.pdf](#)

4. [MINUTES](#) [22-696](#)

RECOMMENDATION:

City Council approve the Minutes of the Regular meeting of April 19, 2022 and the Special Study Session of April 26, 2022.

**Attachments:** [1. 04-19-2022 Draft Minutes](#)  
[2. 04-26-2022 Draft Special Study Session Minutes](#)

5. **[ADOPTION OF A RESOLUTION TO ALLOW MEMBERS OF THE CITY 22-695 COUNCIL, COMMISSIONS AND COMMITTEES TO PARTICIPATE IN THE MEETINGS REMOTELY, AS NEEDED, DUE TO HEALTH AND SAFETY CONCERNS FOR THE MEMBERS AND THE PUBLIC](#)**

RECOMMENDATION:

Staff recommends the City Council adopt Resolution 2022-xx to allow the members of the City Council, Commissions, and Committees to participate in the 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.
- Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.

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

6. **[REQUEST TO CANCEL THE REGULAR CITY COUNCIL MEETING OF 22-699 JULY 5, 2022](#)**

RECOMMENDATION:

Staff recommends the City Council cancel the regular meeting of Tuesday, July 5, 2022.



7. [BUSINESS IMPROVEMENT AREA \(BIA\) REAUTHORIZATION, 22-681  
RESOLUTION OF INTENTION, AND REVIEW OF ANNUAL REPORT](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the 2021-2022 Annual Report for the Business Improvement Area (BIA) (Attachment 1).
2. Receive and file the audited financial report for Fiscal Years 2020 and 2021 (Attachment 2).
3. Adopt the Resolution declaring the City's intention to levy an annual assessment for Fiscal Year 2022-23 for the Business Improvement Area covering certain Costa Mesa hotels and motels and setting the time and place for a Public Hearing on the proposal (Attachment 3).

**Attachments:** [1. Travel Costa Mesa Annual Report 2021-22](#)  
[2. Audit Fiscal Year Ending June 2021](#)  
[3. Resolution of Intent 2022-23 BIA Authorization](#)

8. [DESIGNATION OF CITY NEGOTIATORS FOR THE COSTA MESA 22-697  
POLICE ASSOCIATION \(CMPA\) MEET AND CONFER AND  
AUTHORIZATION TO PROCEED WITH THE FINANCIAL ANALYSIS  
OF THE CURRENT MOU PER THE TRANSPARENCY IN LABOR  
NEGOTIATIONS COUNCIL POLICY](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Designate Liebert Cassidy Whitmore Partner Peter Brown as the Principal Negotiator and City Manager Lori Ann Farrell Harrison, Assistant City Manager Susan Price, Assistant to the City Manager Alma Reyes, Human Resources Manager Kasama Lee, and Finance Director Carol Molina as the City's representatives in negotiations with the CMPA.
2. Authorize staff to have the independent fiscal analysis of the current CMPA 2018-2024 Memorandum of Understanding (MOU) completed per the requirements of the Transparency In Labor Negotiations Council Policy (hereinafter policy).

9. [APPROVAL FOR THE PURCHASE OF SERVERS FOR LAND 22-642 MANAGEMENT SYSTEM WITH DELL MARKETING, L.P.](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize the use of NASPO ValuePoint Master Price Agreement (State of California) No. 15-70-34-003 with Dell Marketing, L.P. for the purchase of servers for the new Land Management System (LMS).
2. Approve and authorize the City Manager and City Clerk to execute the necessary documents to purchase servers for the new LMS System from Dell Marketing, L.P.

**Attachments:** [1. Dell Quote for Replacement Servers \(LMS\)](#)

10. [RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 22-680 2022-23 FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017](#)

RECOMMENDATION:

Staff recommends the City Council adopt Resolution No. 2022-xx, approving Sunflower Avenue Pavement Rehabilitation Project for funding with Road Maintenance and Rehabilitation Account (RMRA) revenues for Fiscal Year 2022-23.

**Attachments:** [1. SB 1 Resolution](#)

11. [APPROVAL OF A STREET CLOSURE AND ALCOHOL SERVICE FOR 22-684 THE 2022 COSTA MESA-NEWPORT HARBOR LIONS CLUB FISH FRY EVENT TO BE HELD AT LIONS PARK, 570 W. 18th STREET ON JUNE 3-5, 2022.](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Adopt Resolution No. 2022-xx, approving the closure of a portion of Park Avenue between 18th Street and 19th Street for the Costa Mesa-Newport Harbor Lions Club 2022 Fish Fry event beginning June 3 and ending June 6, 2022 (Attachment 1).
2. Approve a request from the Costa Mesa-Newport Harbor Lions Club to sell wine and beer at Lions Park, 570 W. 18th Street, for the 2022 Fish Fry event to be held on June 3-5, 2022.

**Attachments:** [1. Resolution No. 2022-XX](#)  
[2. License Agreement with Costa Mesa-Newport Harbor Lions Club 9.17.2022](#)  
[3. ABC License | Form - 221](#)

**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. [CONDUCT TAX EQUITY AND FISCAL RESPONSIBILITY ACT 22-678 \(TEFRA\) HEARING, ADOPT A RESOLUTION APPROVING THE ISSUANCE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY REVENUE OBLIGATIONS FOR THE BENEFIT OF VANGUARD UNIVERSITY OF SOUTHERN CALIFORNIA IN AN AMOUNT NOT-TO-EXCEED \\$30,000,000](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Conduct a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 to receive comments relating to the issuance by the California Enterprise Development Authority (the "Authority") of not to exceed \$30,000,000 in the Authority's Revenue Obligations (the "Obligations") for the benefit of Vanguard University of Southern California, a California nonprofit public benefit corporation (the "Borrower").
2. Adopt a Resolution approving the issuance of the Obligations by the Authority to finance and refinance the Facilities for the benefit of the Borrower.

**Attachments:** [1. Resolution](#)

**OLD BUSINESS: NONE.**

**NEW BUSINESS:**

1. [INTRODUCTION OF AN ORDINANCE ADDING CHAPTER XV 22-683 \(UNLAWFUL POSSESSION OF A CATALYTIC CONVERTER\) TO TITLE 11 \(OFFENSES-MISCELLANEOUS\) OF THE COSTA MESA MUNICIPAL CODE TO ESTABLISH REGULATIONS PROHIBITING THE UNLAWFUL POSSESSION OF CATALYTIC CONVERTERS IN THE CITY](#)

RECOMMENDATION:

Staff recommends the City Council:

Introduce for first reading, by title only, Ordinance No. 2022-xx, adding Chapter XV (Unlawful Possession of a Catalytic Converter) to Title 11 (Offenses-Miscellaneous) of the Costa Mesa Municipal Code to establish regulations prohibiting the unlawful possession of catalytic converters in the City.

**Attachments:** [1. Draft Ordinance](#)

2. [TERMINATION OF JAIL SERVICES CONTRACT BETWEEN ALLIED 22-705 UNIVERSAL AND THE CITY OF COSTA MESA](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Terminate the Professional Services Agreement for jail services between Allied Universal, assignor of G4S Secure Solutions (USA) Inc. and the City of Costa Mesa.
2. Authorize the City Manager or her designee to negotiate an agreement with the City of Huntington Beach for temporary jail services and/or to hire temporary staffing to operate the Costa Mesa Jail.

**Attachments:** [1. Amendment 1 to PSA with G4S Secure Solutions \(USA\) Inc.](#)

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

**ADJOURNMENT**