



## City of Costa Mesa

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

#### Agenda - **Final Amended**

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Tuesday, April 5, 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: It is recommended that all persons regardless of vaccination status continue to wear a mask while indoors at City Hall or the Council Chambers.

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://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 - INITIATION OF LITIGATION - TWO CASES  
Pursuant to California Government Code Section 54956.9 (d)(4), Potential Litigation.
3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Pursuant to California Government Code Section 54956.8  
APN: 420-012-16  
Agency Negotiators: Lori Ann Farrell Harrison, City Manager  
Negotiating Parties: State of California  
Under Negotiation: Price and Terms of Payment
4. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION  
Pursuant to California Government Code Section 54956.9 (d)(1)  
Name of Case: City of Costa Mesa v. Ohio House, LLC, a California limited liability corporation; Richard Perlin, Nancy Perlin, Dolores Perlin, and Brandon Stump as individuals, Orange County Superior Court Case No. 30 2018 01006173 CU OR NJC.

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

**April 5, 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**

Led by Jeanette Chervony

**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.]

Led by Pastor Ian Stevenson, Trellis

**ROLL CALL**

**CITY ATTORNEY CLOSED SESSION REPORT**

**PRESENTATIONS:**

1. [Presentation: Costa Mesa High School Cheerleading Team CIF 22-634 Championship Recognition](#)

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2. [Presentation: Sage Hill High School Girls' Basketball Team CIF 22-635 State Division II Title Recognition](#)
  3. [Proclamation: Sexual Assault Awareness Month 2022](#) [22-633](#)  
**Attachments:** [Proclamation: Sexual Assault Awareness Month 2022](#)
  4. [Presentation: Bikeway and Walkability Committee](#) [22-637](#)

**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 1-6)**

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 22-597 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](#) [22-620](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Ronald Brewer, Chris Corn, Glenn Halperin, Emma Andrade Luna & Cynthia White House, Paula Kemp, Thomas Serra, and United Services Automobile Association (USAA).

3. [ADOPTION OF WARRANT RESOLUTION](#) [22-628](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2677

**Attachments:** [Summary Check Register week of 3.7.22](#)  
[Summary Check Register week of 3.14.22](#)  
[Summary Check Register week of 3.21.22](#)

4. [MINUTES](#) [22-627](#)

RECOMMENDATION:

City Council approve the Minutes of the Regular meeting of March 15, 2022.

**Attachments:** [03-15-2022 Draft Minutes](#)

5. [ORANGE COUNTY REGISTRAR OF VOTERS BALLOT DROP BOX 22-625 LICENSE AGREEMENT](#)

RECOMMENDATION:

Staff recommends the City Council:

Approve the License Agreement with the Orange County Registrar of Voters (ROV) for placement of Official Ballot Drop Box on City property at the Boys and Girls Club of Costa Mesa.

**Attachments:** [Agenda Report](#)  
[1. Map of Ballot Box Locations](#)  
[2. Ballot Box License Agreement](#)

6. [ACQUISITION AND REPLACEMENT OF ESSENTIAL POLICE 22-624 DEPARTMENT EQUIPMENT FROM AXON ENTERPRISE, INC.](#)

RECOMMENDATION:

Staff recommends City Council to:

1. Authorize the use of NPPCGov Contract (League of Oregon Cities) NO. PS20270 with Axon Enterprise, Inc. for the purchase of Axon Tasers T7.
2. Authorize the City Manager to purchase the Axon Tasers T7 replacing the current and outdated Axon Tasers for \$446,576 and execute any necessary documents in connection with such purchase, in a form approved by the City Attorney.
3. Authorize a budget adjustment appropriating \$446,576 from the unassigned fund balance in the Asset Forfeiture Fund in the Police Department budget for this purpose.

**Attachments:** [Agenda Report](#)  
[Quote for Taser7](#)

**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. [RESOLUTION OF THE CITY'S INTENT TO OVERRULE THE ORANGE 22-632 COUNTY AIRPORT LAND USE COMMISSION'S INCONSISTENCY DETERMINATION FOR THE CITY OF COSTA MESA'S 2021-2029 6TH CYCLE HOUSING ELEMENT UPDATE](#)

RECOMMENDATION:

1. Conduct a public hearing and adopt a Resolution regarding the City's intent to overrule the Orange County Airport Land Use Commission's inconsistency determination for the City of Costa Mesa's 2021-2029 6th Cycle Housing Element Update.
2. Direct City staff to forward the Resolution to the Airport Land Use Commission (ALUC), and after 45 days schedule a City Council public hearing to consider overruling ALUC's determination.

**Attachments:** [Agenda Report](#)

[1. Resolution](#)

[2. ALUC Staff Report 3-17-22](#)

[3. Staff Letter to ALUC Letter 3-17-22](#)

[4. ALUC Determination Letter](#)

**OLD BUSINESS:**

NONE.

**NEW BUSINESS:**

1. [APPOINTMENTS TO THE PARKS, ARTS AND COMMUNITY 22-594 SERVICES COMMISSION, AND VARIOUS CITY COMMITTEES](#)

RECOMMENDATION:

Staff recommends the City Council make appointments and changes as follows:

1. Parks, Arts, and Community Services Commission - Make one (1) appointment to fill the vacancy in District 3 (Mayor Pro Tem Marr) with a term expiration of January 2023.
2. Animal Services Committee - Make four (4) regular member appointments and two (2) alternate appointments to fill the vacancies with term expiration of April 2024. Appointments by Council Member Gameros as liaison to the Committee.
3. Bikeway and Walkability Committee - Make six (6) regular member appointments and two (2) alternate appointments to fill the vacancies with term expiration of April 2024, and rename the Bikeway and Walkability Committee to the Active Transportation Committee. Appointments by Council Member Harlan as liaison to the Committee.
4. Cultural Arts Committee - Make four (4) regular member appointments with a term expiration of April 2024 and one (1) regular member appointment with term expiration of April 2023. Appointments by Council Member Gameros as liaison to the Committee.
5. Fairview Park Steering Committee - Make one (1) alternate appointment with a term expiration of April 2023 and one (1) alternate appointment with term expiration of April 2025. Appointments by Council Member Reynolds as liaison to the Committee.
6. Finance and Pension Advisory Committee (FiPAC) - Make four (4) regular member appointments to fill the vacancies with a term expiration of April 2024. Appointments by Mayor Stephens as liaison to the Committee.
7. Historical Preservation Committee - Make four (4) regular member appointments and two (2) alternate appointments to fill vacancies with a term expiration of April 2024. Appointments by Council Member Chavez as liaison to the Committee.
8. Housing and Public Services Grants Committee - Make four (4) regular member appointments and one (1) alternate appointment to fill vacancies with a term expiration of April 2024. Appointments by Council Member Chavez as liaison to the Committee.
9. Mobile Home Park Advisory Committee - Make one (1) appointment to fill the Park Owner or his/her Representative vacancy, two (2) Mobile Home

Resident Owners vacancies, and one (1) Independent Citizen At-large vacancy with a term expiration of April 2024. Appointments by Mayor Stephens as liaison to the Committee.

**Attachments:** [Agenda Report](#)

[1. Parks, Arts, and Community Services Commission Applications](#)

[2. Animal Services Committee Applications](#)

[3. Bikeway and Walkability Committee Applications](#)

[4. Cultural Arts Committee Applications](#)

[5. Fairview Park Steering Committee Applications](#)

[6. Finance and Pension Advisory Committee Applications](#)

[7. Historical Preservation Committee Applications](#)

[8. Housing and Public Services Grants Committee Applications](#)

[9. Mobile Home Park Advisory Committee Applications](#)

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

**ADJOURNMENT**