



City of Costa Mesa

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

Agenda

Tuesday, September 6, 2022

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 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, or if you've been exposed to someone with COVID-19, 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 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. 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. 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.

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.

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 and will be available at the City Clerk's office, 77 Fair Drive, Costa Mesa, CA 92626.

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.

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]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance.

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]. Servicios de traducción de idioma están disponibles para esta junta llamando al (714) 754-5225 por lo mínimo 48 horas de anticipación.

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: Daniel A. Stefano, Acting City Manager
Name of Employee Organization: Costa Mesa City Employees Association (CMCEA).
2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to California Government Code Section 54957.6 (a)
Agency Designated Representative: Daniel A. Stefano, Acting City Manager
Name of Employee Organization: Costa Mesa Police Association (CMPA).
3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Penfil v. City of Costa Mesa,
Orange County Superior Court Case No. 30-2020-01147493-CU-WT-CJC

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

September 6, 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, Mesa Church

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. [Commendation: Bryce Sheridan - 49th Annual Will Jordan 22-854 Champion](#)

Attachments: [Commendation: Bryce Sheridan - 49th Annual Will Jordan Champion](#)

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2. [Proclamation: 2022 Hunger Awareness Month](#) [22-852](#)
Attachments: [Proclamation: 2022 Hunger Awareness Month](#)

 3. [Proclamation: 2022 National Child Awareness Month](#) [22-853](#)
Attachments: [Proclamation: 2022 National Child Awareness Month](#)

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 1-10)

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: WAIVE THE FULL READING OF ALL 22-838 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](#) [22-848](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: AAA, AA Car Rental, Victoria Baer, Cage Cramer, Joe Hernandez, Nydia Houck, Jason Jones, Kathleen Jones, Zachary Pederson, Carolyn Richardson, and Mike Schaefer.

3. [ADOPTION OF WARRANT RESOLUTION](#) [22-850](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2685

Attachments: [1. Summary Check Register week of 8.1.2022](#)
[2. Summary Check Register week of 8.8.2022](#)
[3. Summary Check Register week of 8.8.2022 \(2\)](#)
[4. Summary Check Register week of 8.15.2022](#)
[5. Summary Check Register week of 8.22.2022](#)

4. [MINUTES](#) [22-849](#)

RECOMMENDATION:

City Council approve the Minutes of the Study Session of July 12, 2022 and Regular meetings of July 19, 2022 and August 2, 2022.

Attachments: [1. 07-12-2022 Draft Minutes](#)
[2. 07-19-2022 Draft Minutes](#)
[3. 08-02-2022 Draft Minutes](#)

5. **[ADOPTION OF A RESOLUTION TO ALLOW MEMBERS OF THE CITY 22-839 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, Commission, and Committees to participate in the meetings remotely, as needed, via Zoom due to:

1. 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.
2. Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.

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

6. **[AUTHORIZE CITY MANAGER TO ENTER INTO A PURCHASE 22-816 AGREEMENT FOR THE PURCHASE OF FOUR \(4\) AMBULANCES THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS \(H-GAC\) BUY COOP WITH REDSKY EMERGENCY VEHICLES](#)**

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize City Manager or designee, to enter into a purchase agreement for four (4) ambulances through the Houston-Galveston Area Council of Governments (H-GAC) Buy Coop Purchasing contract # AM10-20 with Redsky Emergency Vehicles (Attachment 1), and secure funding through a master lease agreement.
2. Authorize the City Manager and City Clerk to execute the necessary documents to acquire the additional ambulances

Attachments: [1. Costa Mesa Proposal](#)
[2. HGAC Contract](#)
[3. RedSky Fire Apparatus LLC](#)

7. [ACCEPTANCE OF THE CITYWIDE PARKWAY PROJECT - 22-842 MAINTENANCE ZONES 6 AND 7, CITY PROJECT NO. 20-07](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Accept the work performed by Nationwide Contracting Services, Inc. dba Nationwide General Construction Services (“Nationwide”), for the Citywide Parkway Project - Maintenance Zones 6 and 7, Project, City Project No. 20-07, 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; and release the Faithful Performance Bond one (1) year after the filing date.

Attachments: [1. Final Cost Report](#)

8. [ACCEPTANCE OF THE 2021 EMERGENCY MANAGEMENT 22-843 PERFORMANCE GRANT](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the Agreement to Transfer Funds for the 2021 Emergency Management Performance Grant Program (EMPG) (the “Agreement”) and authorize the City Manager to execute the agreement.
2. Adopt Resolutions No. 2022- XX, which authorizes the application for and acceptance of funds under the Emergency Management Performance Grant (EMPG) Program, and authorizes the City Manager or designee to accept the 2021 EMPG Program.
3. Approve revenue and expense appropriations in the amount of \$17,429 respectively, for the 2021 EMPG Program.

Attachments: [1. 2021 EMPG Grant Resolution](#)
[2. 2021 EMPG Transfer Agreement](#)

9. [APPROVAL TO HIRE FULL-TIME CUSTODY STAFF FOR COSTA 22-844 MESA POLICE JAIL OPERATION SERVICES](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Authorize the City Manager or designee to increase the City's table of organization to account for eleven (11) full-time custody staff to facilitate Costa Mesa Jail Operations.
2. Adopt Resolution Number 2022-XX, which amends Resolution Number 2022-35, establishing the new Custody Supervisor classification and corresponding salary range.
3. Authorize the appropriation of \$175,215 from the General Fund's (101) fund balance for Police Department custody staff to facilitate Costa Mesa Jail Operations.

Attachments: [1. Resolution - CMCEA - Custody Supervisor](#)

10. [ACCEPTANCE AND ALLOCATION OF THE 2022-23 OFFICE OF 22-845 TRAFFIC SAFETY GRANT FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the proposed Resolution No. 2022-XX, which ratifies the application for a grant award from the State of California - Office of Traffic Safety (OTS) for the Selective Traffic Enforcement Program (STEP) and authorizes the City Manager or designee to execute all grant documents, including the Grant Agreement, and accept and administer the grant.
2. Approve revenue and expense appropriations in the amount of \$265,000 respectively, for the 2022-23 OTS STEP grant.

Attachments: [1. Costa Mesa Resolution No. 22-XX OTS STEP Grant Resolution](#)
[2. Costa Mesa - PT23097 - Grant Agreement](#)

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. [**SUBSTANTIAL AMENDMENT TO THE FISCAL YEAR 2021-2022 22-799 ANNUAL ACTION PLAN IDENTIFYING FUNDING PRIORITIES FOR THE HOME-AMERICAN RESCUE PLAN \(ARP\) ALLOCATION PLAN**](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Hold a Public Hearing regarding the FY 2021-2022 Substantial Amendment to the Annual Action Plan.
2. Approve the recommended allocation of \$1,816,742 for the HOME-ARP Allocation Plan, a Substantial Amendment to the FY 2021-2022 Annual Action Plan.
3. Adopt Resolution No. 2022-XX in order to:
 - a. Approve the HOME-ARP Allocation Plan, a Substantial Amendment to the 2021-2022 Annual Action Plan.
 - b. Authorize the City Manager, or the City Manager's designee, to submit the 2021-2022 Annual Action Plan Substantial Amendment to the U.S. Department of Housing and Urban Development.
 - c. Designate the City Manager, or the City Manager's designee, as the official representative of the City to administer the programs and to execute and submit all required agreements, certifications, and documents required by HUD, and execute all agreements for the use of funds approved in the 2021-2022 Annual Action Plan Substantial Amendment.
4. Authorize revenue and expense appropriations, respectively, each in the amount of \$1,816,742, for the HOME-ARP Allocation Plan.

- Attachments:** [1. Resolution](#)
[2. ARP Allocation Plan FY21-22 Draft](#)
[3. Public Notice](#)
[4. Public Notice, Spanish version](#)
[5. HOME-ARP Survey Results](#)

OLD BUSINESS:

NONE.

NEW BUSINESS:

1. [EXECUTION OF A SUBRECIPIENT AGREEMENT WITH THE COUNTY 22-841 OF ORANGE TO ACCEPT GRANT FUNDS FOR THE BENEFIT OF THE BRIDGE SHELTER](#)

RECOMMENDATION:

1. Authorize the City Manager and City Clerk to execute the Subrecipient Agreement between the City of Costa Mesa and the County of Orange to receive grant funds in the amount of \$100,000 to support shelter and support services for people experiencing homelessness.
2. Upon approval, authorize revenue and expense allocations in the amount of \$100,000 respectively, in County of Orange grant funds to support shelter and support services for people experiencing homelessness.
3. Authorize the City Manager and City Clerk to execute a Professional Services Agreement with Trellis International in a not to exceed amount of \$70,000.

Attachments: [1. Subrecipient Agreement with the County of Orange.](#)

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

ADJOURNMENT