



**CITY OF COSTA MESA
REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY AND HOUSING AUTHORITY- MINUTES
MAY 17, 2022 - 4:00 P.M. - Closed Session**

CALL TO ORDER - The Closed Session meeting was called to order by Mayor Stephens at 4:00 p.m.

ROLL CALL

Present: Council Member Chavez, Council Member Gameros, Council Member Harlan (Arrived 4:12 p.m.), Council Member Harper (Arrived 4:11 p.m.), Council Member Reynolds (Arrived 4:02 p.m.), Mayor Pro Tem Marr, and Mayor Stephens.

Absent: None.

PUBLIC COMMENTS – NONE.

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

City Council recessed at 4:02 p.m. for Closed Session.

Closed Session adjourned at 5:35 p.m.

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY
MAY 17, 2022 – 6:00 P.M.**

CALL TO ORDER - The Regular City Council and Successor Agency to the Redevelopment Agency and Housing Authority meeting was called to order by Mayor Stephens at 6:00 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

Led by Mrs. McVeigh's second grade class from Sonora Elementary School and the Pledge of Allegiance led by Council Member Harper.

MOMENT OF SOLEMN EXPRESSION

Led by Pastor David Manne, Calvary Chapel, Costa Mesa

ROLL CALL

Present: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Absent: None.

CITY ATTORNEY CLOSED SESSION REPORT - No reportable action.

PRESENTATIONS:

Mayor Stephens presented a proclamation in honor of National Emergency Medical Services Week 2022.

Mayor Stephens presented a proclamation in honor of National Public Works Week 2022.

Mayor Stephens presented a proclamation in honor of Mental Health Awareness Month 2022.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Chris Corum, Costa Mesa, spoke on a fire at his house.

Marc Vukceovich, Costa Mesa, spoke in appreciation of the Public Services Department, advocated for mass transit options on Beach Blvd., spoke on state legislation regarding housing at DMV sites, and spoke on affordable housing.

Speaker, spoke on previous comments made against her at a former meeting, family owns a food truck and spoke on problems associated with the neighbors, and spoke on false accusations.

Speaker, spoke in support of the food truck and the services they provide.

Jimmy Vivar, Costa Mesa, thanked the Public Services Department, spoke on organizing a walk for blindness this Saturday, and warned about scammers in the community.

Hank Castignetti, Orange County Model Engineers, acknowledged Reina Cuthill for Love Costa Mesa Day, and free ride weekend.

Speaker, owner of the taco food truck, requested protection for her family, spoke on false accusations, spoke in support of small businesses, and spoke on hardships during the pandemic.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Harlan thanked Transportation Services Department and the Police Department for coordination of the bike to school event, and thanked all volunteers for Love Costa Mesa Day.

Council Member Harper thanked staff for following up on public commenters, and spoke on urban coyotes.

Council Member Reynolds thanked volunteers for Love Costa Mesa Day, thanked the public works team, spoke on mental health proclamations and bike to school day, spoke on a bike day workshop on Friday, May 20th, congratulated youth the Mariachi group for placing second at the Battle of the Mariachi in the youth category.

Council Member Chavez thanked the Fire and Rescue Department, thanked staff for efforts for Love Costa Mesa Day, spoke on the calming measures on Meyers Street near the DMV needing repair or removal, requested the space between Pomona Ave. and Victoria Street to be added to the CIP budget to put a fence around the area and make it a butterfly garden.

Council Member Gameros thanked the Fire Department units that assisted at the recent Laguna Niguel Coastal fire, recognized the Public Services Department, and spoke on youth sports programs that are available.

Mayor Pro Tem Marr thanked all for Love Costa Mesa Day.

Mayor Stephens spoke on the Lions Club Fish Fry June 3rd to June 5th, spoke on Love Costa Mesa Day, spoke on Someone Cares Soup Kitchen every Saturday distributing food in the neighborhoods, spoke on attending the Lets Be Kind lunch, spoke on a podcast with Dr. Wesley Smith, stated Harvey Milk Day is May 22nd and will be flying the Pride Flag at City Hall, spoke on a Memorial Day parade by the Noble Cause Foundation, Share Our Selves wild and crazy taco night at the Fairgrounds, the Les Miller Awards at Orange Coast College, and thanked the firefighters for their efforts during the Coastal fire.

CITY MANAGER REPORT – Ms. Farrell Harrison, thanked Ms. Jimenez and Ms. Reyes for their work on Love Costa Mesa Day, spoke on receiving lunch from several local restaurants, thanked the Police Department Chief for attending the event, current recruitments for the Police Department, and spoke on the homeless point in time count.

CITY ATTORNEY REPORT – Ms. Hall Barlow, spoke on litigation regarding the Wallace property and the relocation agreement for existing tenants.

CONSENT CALENDAR (Items 1-11)

MOVED/SECOND: Council Member Chavez/Mayor Pro Tem Marr

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 11 except for item 11, which was pulled from the Consent Calendar.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Nays: None

Absent: None

Motion carried: 7-0

1. PROCEDURAL WAIVER: APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS

ACTION:

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

2. READING FOLDER

ACTION:

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

3. ADOPTION OF WARRANT RESOLUTION

ACTION:

City Council approved Warrant Resolution No. 2680

4. MINUTES

ACTION:

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

5. ADOPTION OF A RESOLUTION TO ALLOW MEMBERS OF THE CITY COUNCIL, COMMISSIONS AND COMMITTEES TO PARTICIPATE IN THE MEETINGS REMOTELY, AS NEEDED, DUE TO HEALTH AND SAFETY CONCERNS FOR THE MEMBERS AND THE PUBLIC

ACTION:

City Council adopted Resolution 2022-22 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.

6. REQUEST TO CANCEL THE REGULAR CITY COUNCIL MEETING OF JULY 5, 2022

ACTION:

City Council canceled the regular meeting of Tuesday, July 5, 2022.

7. BUSINESS IMPROVEMENT AREA (BIA) REAUTHORIZATION, RESOLUTION OF INTENTION, AND REVIEW OF ANNUAL REPORT

ACTION:

1. City Council approved the 2021-2022 Annual Report for the Business Improvement Area (BIA).
2. Received and filed the audited financial report for Fiscal Years 2020 and 2021.
3. Adopted Resolution No. 2022-23 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.

8. DESIGNATION OF CITY NEGOTIATORS FOR THE COSTA MESA 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

ACTION:

1. City Council designated 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. Authorized 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 MANAGEMENT SYSTEM WITH DELL MARKETING, L.P.

ACTION:

1. City Council authorized 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. Approved and authorized the City Manager and City Clerk to execute the necessary documents to purchase servers for the new LMS System from Dell Marketing, L.P.

10. RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2022-23 FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

ACTION:

City Council adopted Resolution No. 2022-24, approving Sunflower Avenue Pavement Rehabilitation Project for funding with Road Maintenance and Rehabilitation Account (RMRA) revenues for Fiscal Year 2022-23.

AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR

11. APPROVAL OF A STREET CLOSURE AND ALCOHOL SERVICE FOR 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.

Public Comments:

Joan Parks, Costa Mesa, spoke in support of the Fish Fry, spoke on support from city staff, thanked Kevin Stoddart, and spoke on various problems with planning the event.

MOVED/SECOND: Mayor Stephens/Council Member Chavez

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

1. City Council adopted Resolution No. 2022-25, 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 2 and ending June 6, 2022.
2. Approved the 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.

-----**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 (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**

Presentation by Mr. Inloes, Principal Planner and Economic Development Administrator.

Presentation by David Vazquez, Chief of Staff at Vanguard University.

Public Comments: None.

MOVED/SECOND: Council Member Chavez/Council Member Harper

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

1. City Council conducted 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. Adopted Resolution No. 2022- 26 approving the issuance of the Obligations by the Authority to finance and refinance the Facilities for the benefit of the Borrower.

OLD BUSINESS: NONE.

NEW BUSINESS:

- 1. INTRODUCTION OF AN ORDINANCE 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**

Presentation by Lt. Wadkins.

Public Comments: None.

MOVED/SECOND: Council Member Harper/Mayor Pro Tem Marr

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

City Council introduced for first reading, by title only, Ordinance No. 2022-02, 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.

2. TERMINATION OF JAIL SERVICES CONTRACT BETWEEN ALLIED UNIVERSAL AND THE CITY OF COSTA MESA

Presentation by Captain LaPointe.

Public Comments: None.

MOVED/SECOND: Council Member Gameros/Mayor Pro Tem Marr

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

1. City Council terminated the Professional Services Agreement for jail services between Allied Universal, assignor of G4S Secure Solutions (USA) Inc. and the City of Costa Mesa.
2. Authorized 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.

ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS – NONE.

ADJOURNMENT – The Mayor adjourned the meeting at 7:50 p.m.

Minutes adopted on this 7th day of June, 2022.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk

DRAFT