



**REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY AND HOUSING AUTHORITY
DECEMBER 6, 2022 - MINUTES**

CALL TO ORDER – The Closed Session meeting was called to order by Mayor Stephens at 5:00 p.m.

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.

PUBLIC COMMENTS – NONE.

CLOSED SESSION ITEMS:

1. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATION OF LITIGATION - ONE CASE**
Pursuant to California Government Code Section 54956.9 (d)(2), Potential Litigation.
2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Carrin A. Leaman vs. City of Costa Mesa Orange County Superior Courts Case No. 30-2021-01196302-CU-OR-CJC

Ms. Hall Barlow, City Attorney, stated #1, the Anticipated Litigation case is in respect to the claim filed by Alexander Gonzalez.

City Council recessed at 5:03 p.m. for Closed Session.

Closed Session adjourned at 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 6:05 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE – Led by Mr. Brendan Ford.

MOMENT OF SOLEMN EXPRESSION – Led by Pastor Christine Wallington, Seventh Day Adventist Church.

ROLL CALL

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

Absent: Council Member Harper.

CITY ATTORNEY CLOSED SESSION REPORT - NONE.

PRESENTATIONS: NONE.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Flo Martin spoke on a car and pedestrian accident on Bristol and Town Center Drive, and requested four leg crosswalks on all major intersections.

Speaker, spoke on addressing affordable housing.

Nick Anas, representing Supervisor Foley, spoke on CC-9, regarding American Rescue Plan Act (ARPA) funds from the County of Orange.

Matt Garcia reported on the Harbor Soaring Society events.

Speaker, spoke on authorizing beekeeping.

Wendy Moore spoke on authorizing beekeeping.

Speaker, spoke on the Tennis Center Request for Proposal and the timeline.

Speaker, spoke on Measure K and the election.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Reynolds spoke on continuing efforts on safe streets, parks access, housing challenges, and engaging citizens.

Council Member Chavez thanked Supervisor Foley's office for the grant monies, thanked the County of Orange, and thanked the Fire Department.

Council Member Gameros spoke on providing jobs and housing.

Council Member Harlan thanked all the candidates, and spoke on elections and housing.

Mayor Pro Tem Marr spoke on safe streets, reviewing the building codes, identifying resources not currently provided, assisting small businesses and streamlining processes, and thanked all volunteers who participated in the elections.

Mayor Stephens spoke on Snoopy House, spoke on the re-election of Supervisor Foley, requested an update on the Tennis Center Request for Proposals, requested an update on gliders at Fairview Park, and spoke on adjourning the meeting in memory of Les Gogerty, former CMPD Captain.

REPORT – CITY MANAGER - Ms. Farrell Harrison, congratulated the Mayor and City Council on their re-election, stated the Tennis Center Request for Proposal will be released in the next week, spoke on gliders at Fairview Park, a redesign of the website, and thanked Supervisor Foley for the grant monies.

REPORT – CITY ATTORNEY – Ms. Hall Barlow, congratulated the City Council on their re-election.

NEW BUSINESS:

1. CERTIFICATION OF GENERAL MUNICIPAL ELECTION AND CITY COUNCIL REORGANIZATION

Staff presentation by Ms. Green, City Clerk.

Public Comments:

The Murphy family congratulated the newly elected City Council.

Two speakers congratulated Manuel Chavez and all the newly elected mayor and council members.

Speaker spoke on his son.

Speaker congratulated all the newly elected mayor and council members.

MOVED/SECOND: Council Member Harlan/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 Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Nays: None

Absent: Council Member Harper.

Abstain: None

Motion carried: 6-0

ACTION:

1. Adopted Resolution No. 2022-76 to be read by title only and further reading waived:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2022; DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

2. The Oath of Office was administered to the newly-elected Mayor and City Council Members.
3. The newly elected Mayor and City Council Members provided comments.

Council Member Chavez spoke on his re-election and his priorities and the goals the Council has worked on, thanked those that have supported him, and spoke on representing Costa Mesa.

Council Member Marr spoke on the importance of democracy, Measure K, values, communication, community engagement, and thanked those who supported her.

Council Member Reynolds thanked her family and community; spoke on progress and issues to focus on in the coming years including housing and parks, representing Costa Mesa, and community engagement.

Mayor Stephens thanked his family, stated the same council has not been re-elected for 40 years, spoke on representing the City, praised staff, spoke on having a balanced budget, spoke on issues to address in the coming years, and thanked the voters.

4. Selection of the Mayor Pro Tem.

MOVED/SECOND: Mayor Stephens/Council Member Chavez

MOTION: Mayor Stephens nominated Council Member Harlan for Mayor Pro Tem.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Harper.

Abstain: None

Motion carried: 6-0

CONSENT CALENDAR (Items 1-10)

MOVED/SECOND: Council Member Chavez/ Council Member Marr

MOTION: Approve recommended actions for consent calendar items 1-10.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Harper.

Abstain: Council Member Gameros recused himself on item 3 the Warrant Resolution due to his wife working for Priceless Pets and Mayor Stephens recused himself on item 3 the Warrant Resolution due to campaign contributions received.

Motion carried: 6-0

1. PROCEDURAL WAIVER: WAIVE THE FULL READING 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: Jesus Benitez, Rosita Bishopp, Shandler Brown, and Robert Steven Wilson.

3. ADOPTION OF WARRANT RESOLUTION

Council Member Gameros recused himself on this item due to his wife working for Priceless Pets and Mayor Stephens recused himself on this item due to campaign contributions received.

ACTION:

City Council approved Warrant Resolution No. 2691

4. MINUTES

ACTION:

City Council approved the Minutes of the Regular meeting of November 15, 2022.

5. EXTENSION OF RESOLUTION NO. 2022-62 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 PURSUANT TO ASSEMBLY BILL 361

ACTION:

City Council extended Resolution 2022-62 to allow the members of the City Council, Commission, 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; and
- Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.

6. ACCEPTANCE OF RANDOLPH AVENUE AND ST. CLAIR STREET PARKING AND PEDESTRIAN IMPROVEMENT PROJECT, CITY PROJECT NO. 21-07

ACTION:

1. City Council accepted the work performed by All American Asphalt, Inc., 400 East Sixth Street, Corona, CA 92879 for the Randolph Avenue and St. Clair Street Parking and Pedestrian Improvement Project, City Project No. 21-07, and authorized the City Clerk to file the Notice of Completion.
2. Authorized 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.

7. MEASURE M2 EXPENDITURE REPORT

ACTION:

City Council adopted Resolution No. 2022-77, approving the Measure M2 Expenditure Report and authorizing staff to submit the report to the Orange County Transportation Authority (OCTA.)

8. CLEAN CALIFORNIA MAINTENANCE AGREEMENT

ACTION:

1. City Council approved the Clean California Maintenance Agreement between the City of Costa Mesa (City) and the California Department of Transportation (Caltrans).
2. Awarded a Maintenance Services Agreement (MSA) to The Saylor Group Corporation, 28699 Fieldgrass Street, Menifee, California 92584 in the not-to-exceed amount of \$150,000.
3. Authorized the revenue and expense appropriations in the amounts of \$150,000 respectively, for the maintenance agreement with Caltrans.
4. Authorized the City Manager and City Clerk to execute both agreements and future amendments within Council authorized limits.

9. ALLOCATION OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FROM THE COUNTY OF ORANGE FOR CITY PROJECTS

ACTION:

1. City Council approved the projects for the allocation of American Rescue Plan Act (ARPA) funds from the County of Orange.
2. Authorized the City Manager to negotiate agreements and appropriate eligible ARPA funds that were allocated to the County through the Office of Supervisor Foley for two City projects.

10. ADOPT A RESOLUTION FOR THE APPLICATION OF SPECIFIED GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION

ACTION:

1. City Council adopted Resolution No. 2022-78 for the formal submittal of a grant application to the California Department of Parks and Recreation Specified Grant Program for \$10,000,000 in grant funds for improvements at the Jack Hammett Sports Complex, TeWinkle Park and Athletic Complex, Fairview Park, Shalimar Park; and \$1,200,000 in grant funds to expand and upgrade the Ketchum- Libolt Park (Grant-Funded Projects).
2. Delegated authority to the City Manager, or her designee, as the agent of the City, and under City Council direction, to accept grant funds, conduct all negotiations, and execute and submit all documents including, but not limited to, applications, agreements, deed restrictions, amendments, and payment requests which may be necessary for the completion of the upgrades at Grant-Funded Projects, in order to expend all funds by the statutory deadlines.

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

-----**END OF CONSENT CALENDAR**-----

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

ADJOURNMENT – The Mayor adjourned the meeting at 7:37 p.m. in memory of Les Gogerty, former CMPD Captain.

Minutes adopted on this 17th day of January, 2023.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk

DRAFT