



REGULAR CITY COUNCIL AND HOUSING AUTHORITY TUESDAY, OCTOBER 15, 2024 - MINUTES

CALL TO ORDER – The Closed Session meeting was called to order by Mayor Stephens at 4:01 p.m.

ROLL CALL

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

PUBLIC COMMENTS – NONE.

CLOSED SESSION ITEMS:

1. **CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to California Government Code Section 54957.6,(a)
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa Division Managers Association
2. **CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to California Government Code Section 54957.6,(a)
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa Confidential Management Unit
3. **CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to California Government Code Section 54957.6, (a)
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa City Executive Confidential Unit
4. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Insight Psychology and Addiction, Inc. v. City of Costa Mesa
United States District Court, Central District of California, Case No. 8:20 cv 00504 JVS
JDE

5. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – ONE CASE**
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: City of Costa Mesa; People of State of Cal. v. D'Alessio Investments LLC, et al.
440 Fair Dr. and 1779 Newport Blvd.
Orange County Superior Court Case No. 30-2020-01170520
6. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – ONE CASE**
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: D'Alessio Investments LLC v. City of Costa Mesa
Orange County Superior Court Case No. 30-2020-01132646
7. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - ONE CASE**
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: City of Costa Mesa v. D'Alessio; 1963 Wallace Ave.
Orange County Superior Court Case No. 30 2020 01133479

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

Closed Session adjourned at 5:48 p.m.

CALL TO ORDER - The Regular City Council and Housing Authority meeting was called to order by Mayor Stephens at 6:04 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE – A video was played of the National Anthem and the mayor led the Pledge of Allegiance.

MOMENT OF SOLEMN EXPRESSION – Led by Rabbi Stephen Einstein, Congregation B’Nai Tzedek, Fountain Valley.

ROLL CALL

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

Absent: None.

CITY ATTORNEY CLOSED SESSION REPORT – No reportable action.

PRESENTATIONS:

The City Council recognized October as Breast Cancer Awareness Month 2024 and presented the proclamation to the Susan G. Komen Foundation.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Speaker, spoke against W. 19th Street traffic improvements and on witnessing a crash, spoke against Measure K, spoke on voting, and spoke on a planning commissioner's views on parking.

Constance Esposito, United Sovereign Americans, spoke on a resolution submitted by United Sovereign Americans.

Speaker, read wording from the resolution submitted by the United Sovereign Americans.

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Ursin Russell, Costa Mesa, spoke in support of the resolution read by previous speakers regarding elections, and requested the item be placed on the next City Council agenda.

Speaker, requested safety measures at Fair Drive and Loyola Road.

Dolores Ellis, President of Bean's Beagles Dog Rescue, spoke on dog shelters and dog rescues, spoke on adoptions being down, and spoke on the need for help in shelters.

Jay Humphrey, Costa Mesa, spoke on disability accommodations and ADA compliance, spoke on the need for hearing accommodations at other city facilities, and offered to help find solutions.

Yolanda Macias, Founder of Bean's Beagles Dog Rescue, thanked Council Member Harper for his donation, spoke on the non-profit, and spoke on the rescue of dogs.

Tyler Wayman, Costa Mesa, spoke against the bike lanes on Santa Ana Avenue, and spoke on parking problems in the area.

Benny Hallock, spoke against the bike lanes on Santa Ana Avenue, submitted a petition regarding the project, spoke on parking issues related to the project, spoke on problems dropping off and picking up children at the school, and expressed safety concerns.

Speaker, spoke against the bike lanes on Santa Ana Avenue, expressed concern on the expansion of the CIP budget and the appearance of "shaking down" businesses for Traffic Impact Fees, and spoke on safety in the city.

Speaker, spoke on Bean's Beagles Dog Rescue and rescuing dogs, thanked Council Member Harper for his donations to various charities in the city, and spoke on supporting animal shelters and rescues.

Speaker, spoke on public transit, improving bus stops and beautifying the city, spoke on collaboration with Orange County Transportation Authority, spoke on a transit signal priority project, and spoke on increasing bus services on arterial streets.

Speaker, Resilience Orange County, spoke on hosting an Affordable Housing/Tenants Rights meeting, spoke on National Hunger and Homelessness Awareness Week in November, spoke on the Tenants Know Your Rights Workshop on October 21st, and spoke on working with Council Member Chavez on the alleyway improvements.

Juano Trejo, thanked Sergio Escobar for his assistance with housing services, spoke in support of the Tenant Protection Ordinance, thanked Council Member Chavez for attending an affordable housing event, spoke on safety concerns, and requested additional police patrols.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Gamos spoke on celebrating Halloween and participating in the Barktoberfest Event.

Council Member Harper spoke on voter integrity, expressed concern regarding the Santa Ana Avenue bike lane project, and spoke on bike safety.

Council Member Marr reported that no city staff engage in anything that resembles “shaking down” businesses, in response to a public comment.

Council Member Reynolds spoke on safe streets, routes to schools, spoke on speed reductions on Costa Mesa streets, thanked staff for handling the bus maintenance issues, spoke on maintenance practices and upgrading the bus stop facilities, spoke on Orange County Transportation Authority hosting a walk audit on Monday, October 28th, and on October 29th at the Norma Hertzog Community Center the County of Orange will host a Talbert Park Master Plan Process community meeting, and spoke in support of ADA equipment upgrades at the Senior Center and in all community rooms.

Council Member Chavez spoke on attending the Orange County Pride Festival, spoke on attending the Fire Department open house, spoke on attending the 1 Million Homes event, spoke on alleyway improvements and trash can enclosers, spoke on Think Together leaving the City and working on other resources to support the community with their absence, spoke on free bus rides on election day, spoke on elections and democracy, and spoke in support of ADA equipment upgrades.

Mayor Pro Tem Harlan spoke on attending the State of the Schools event by Newport Mesa Unified School District, participated in the Walk to School event at Kaiser Elementary, and spoke on Newport Harbor High School winning the Battle of the Bay.

Mayor Stephens spoke on attending the Orange County Pride event, the 75th anniversary of Lighthouse Church, the Newport Rib Company 40th anniversary, spoke on the Halloween Boutique at Triangle Square, spoke in support of ADA upgrades at City facilities, spoke on the Project Hope Alliance open house on October 16th, spoke on Human Options candlelight vigil on October 16th, and the Veteran of the Year event on November 1st and the Mayor nominated Vic Bakkila for the award.

REPORT – CITY MANAGER – Ms. Farrell Harrison spoke on the accomplishments and successes of the Network for Homeless Solutions, spoke on the Great Shake Out and emergency preparedness on October 17th, and will look into the ADA upgrades.

REPORT – CITY ATTORNEY – NONE.

CONSENT CALENDAR

MOVED/SECOND: Council Member Reynolds/Council Member Chavez

MOTION: Approve the Consent Calendar except for item no. 6.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

1. PROCEDURAL WAIVER: WAIVE THE FULL READING OF ALL ORDINANCES AND RESOLUTIONS

ACTION:

City Council and Housing Authority approved the reading by title only and waived further reading of Ordinances and Resolutions.

2. READING FOLDER

ACTION:

City Council received and filed Claims received by the City Clerk and authorized staff to reject any and all Claims: Edwin Ramos Madrid, Ashley Ned.

3. MINUTES

ACTION:

City Council approved the minutes of the regular meeting of October 1, 2024.

4. COMPUTER SYSTEM REPLACEMENT PROGRAM

ACTION:

1. City Council approved the purchase of 60 desktop and 32 laptop computer systems in phase 1-of-3 to replace end-of-life computers.
2. Authorized the City Manager or designee to execute purchase orders with Dell and CDW-G in the amount of \$248,250.
3. Authorized the City Manager or designee to approve cost increases of up to 10% for each phase of the project in the event of rising equipment prices.

5. SPECTRUM ENTERPRISE SERVICE AGREEMENT

ACTION:

1. City Council approved the 5-year Spectrum Enterprise Service Agreement between the City of Costa Mesa and Charter Communications Operating LLC, on behalf of subsidiary Spectrum Enterprise, for the continued network connections between City Hall and all of the remote sites throughout the City, commencing on November 1 2024, through October 31, 2029.
2. Approved the Service Order in the annual amount of \$209,889 (paid in monthly installments of \$17,490.68).
3. Authorized the City Manager and the City Clerk to execute the agreement.
4. Authorized the City Manager or designee to accept and execute future amendments including any potential increase in services and equipment as long as the amendments are within the appropriated budget.

ITEMS PULLED FROM THE CONSENT CALENDAR

6. ON-CALL ENGINEERING STAFF SUPPORT AND PROGRAM MANAGEMENT SERVICES

Public Comments:

Jay Humphrey, Costa Mesa, requested clarification on why this item was placed on Consent Calendar.

Speaker, spoke in support of the item and the completion of projects faster.

MOVED/SECOND: Council Member Reynolds/Council Member Chavez

MOTION: Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

1. City Council approved and authorized the City Manager and the City Clerk to execute the Professional Services Agreements (PSA) with each consulting firm listed below from October 15, 2024 - June 30, 2029, in substantially the form as attached and in such final form as approved by the City Attorney for on-call engineering staff support and program management services for various Public Works projects.

- Ardurra Group, Inc.
- TKE Engineering, Inc.
- Transtech Engineers, Inc.
- Iteris, Inc.

2. Authorized the City Manager and the City Clerk to execute future amendments with the above-listed firms including any potential increases in compensation as long as the amendments are within the approved allocated aggregate amount of \$400,000 annually amongst all firms.

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

PUBLIC HEARINGS: NONE.

(Pursuant to Resolution No. 05-55, Public Hearings begin at 7:00 p.m.)

OLD BUSINESS: NONE.

NEW BUSINESS:

1. **RECEIVE AND FILE CONCEPTUAL DESIGN OF THE FIRE STATION NO. 2 RECONSTRUCTION PROJECT**

Presentation by Mr. Bauer, Deputy Public Works Director.

Public Comments:

Speaker, spoke on the \$10 million appropriated for the project and \$2 million earmarked from the fund balance, and spoke in support of borrowing less money.

Kyle Bishop, Costa Mesa, spoke in support of the project.

MOVED/SECOND: Mayor Stephens/Council Member Gamos

MOTION: Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council received and filed the conceptual plans for the design of the Fire Station No. 2 Reconstruction Project.

2. PROFESSIONAL SERVICES AGREEMENT (PSA) WITH DUDEK FOR CLIMATE ACTION AND ADAPTATION PLAN CONSULTING SERVICES

Presentation by Ms. Gregg, Contract Planner.

Public Comments:

Phil Chipman, Costa Mesa, spoke in support of the item.

Speaker, spoke on if the item is necessary, spoke on city resources, spoke on city processes, and spoke on utilizing city finances for CIP projects.

Craig Preston, spoke in support of the item.

Speaker, Resilience Orange County, spoke in support of the item and encouraged engagement with the Latino community.

MOVED/SECOND: Council Member Reynolds/Council Member Marr

MOTION: Approve staff recommendation with the following changes:

- Conduct individual meetings with Councilmembers during the visioning phase to get input on potential and priority measures.
- Provide mid-project update to City Council (Council Meeting or Study Session) at Completion of the following milestones:
 - GHG Inventory & Wedge Analysis
 - Vulnerability Assessment
 - Selection of Emissions Reduction Measures
 - Selection of Adaptation Measures
- Initiate public engagement no later than April 2025 (Earth Month).
- Require any marketing materials to adhere to sustainability principles (e.g., re-usable, biodegradable) and be sourced through Costa Mesa businesses.
- Work with consultant to determine whether and Interim Deliverable(s) is needed to leverage key grant funding opportunities.
- Examine how to expedite project schedule.

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: Council Member Harper.

Absent: None.

Abstain: None.

Motion carried: 6-1

ACTION:

1. City Council approved the Professional Services Agreement (PSA) for two years with two one-year renewals in the amount of \$418,625 to Dudek (Environmental, Planning and Engineering Firm) for consulting services.

2. Authorized a ten percent (10%) contingency in the amount of \$41,862 for unforeseen costs related to the project.
3. Authorized a budget adjustment of \$300,000 from the Capital Improvement Fund (401) fund balance and \$50,000 from the SoCal Gas Climate Adaptation and Resiliency Grant.
4. Authorized the City Manager, or designee, and City Clerk to execute the PSA and any future amendments to the agreement.

3. HOUSING ELEMENT IMPLEMENTATION UPDATE & DEVELOPMENT SERVICES PROCESS IMPROVEMENTS TO FACILITATE HOUSING DEVELOPMENT

Presentation by Ms. McGill, Planning and Sustainability Development Manager.

Public Comments:

Speaker, spoke on expediting housing implementation and goals.

Christian Lopez, Resilience Orange County, spoke on housing for lower income individuals and families, spoke in support of very low-income units and that the City should prioritize the production of very low-income units.

Speaker, Resilience Orange County, spoke in support of very low and low-income production.

MOVED/SECOND: Mayor Stephens/Council Member Chavez

MOTION: Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council received the staff presentation regarding Housing Element implementation progress and development services resource enhancements and provided feedback.

4. ACCEPTANCE OF PART 1 OF THE STORM DRAIN MASTER DRAINAGE PLAN (SDMDP) UPDATE

Presentation by Mr. Yang, City Engineer, Mr. Fouladi, Senior Engineer, and Mr. Ryan, Consulting Project Manager, Q3 Consulting.

Public Comments: None.

MOVED/SECOND: Council Member Reynolds/Council Member Chavez

MOTION: Approve staff recommendation with the following changes:

- When discharge to Santa Ana River is referenced, replace with “discharge to Talbert Regional Park, Randall Preserve, and the Santa Ana River Corridor, which contain environmental mitigation sides and sensitive habitat areas”.
- On page 21, “Environmental Restrictions” section, add “In addition, some downstream discharge areas include environmental mitigation sites and sensitive habitat areas”.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council accepted Part 1 of the Storm Drain Master Drainage Plan (SDMDP) update consisting of the Existing Conditions Assessment Report (ECAR) and the Drainage & Water Quality Improvements.

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

ADJOURNMENT – Mayor Stephens adjourned the meeting at 11:04 p.m.

Minutes adopted on this 19th day of November, 2024.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk

DRAFT