



REGULAR CITY COUNCIL AND HOUSING AUTHORITY TUESDAY, AUGUST 6, 2024 - MINUTES

CALL TO ORDER –The Closed Session meeting was called to order by Mayor Stephens at 5:01 p.m.

ROLL CALL

Present: Council Member Chavez, Council Member Gameros (Arrived 5:14 p.m.), Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Absent: None.

PUBLIC COMMENTS – NONE.

CLOSED SESSION ITEMS:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to California Government Code Section 54956.8

APN: 424-051-23; Property: 778 Shalimar Drive, Costa Mesa, CA 92627

Agency Negotiators: Lori Ann Farrell Harrison, City Manager

Negotiating Parties: Dominic Bulone

Under Negotiation: Price and Terms of Payment

City Council recessed at 5:02 p.m. for Closed Session.

Closed Session adjourned at 5:54 p.m.

CALL TO ORDER The Regular City Council and Housing Authority meeting was called to order by Mayor Stephens at 6:05 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 Pastor Phil Eyskens, Lighthouse Church.

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 Mayor recognized the Costa Mesa Pony 13U All-Stars and 10U Sox.

The Mayor recognized the Costa Mesa Little League 10U, 11U and 12U All-Stars, and Major Dodgers.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Speaker, spoke against the traffic calming measures on West 19th Street, provided photos, and the potential effects on emergency response times.

Speaker, spoke on the no loitering or camping in vehicles signage at Fairview Park, and would like the 4 hour time limit changed to 6 hours, and spoke on monitoring the parking at Fairview Park.

Scott Glabb, spoke on the Costa Mesa High School football team, invited the City Council to attend the football games, and spoke on sponsorship of the team.

Terri Fuqua, Costa Mesa, spoke on people camping in cars and vans all day at Fairview park and requested additional park rangers for enforcement.

Aayush Manapat, Policy Intern, representing Orange County Supervisor Foley's office, provided an update on the activities of the Supervisor's office.

Speaker, Costa Mesa, spoke on resources for the homeless, and spoke on safe parking for the homeless.

Roberto Herrera, Resilience Orange County, requested audio Spanish translation be available on YouTube, requested the agendas be published earlier, spoke on the alleyway on Plumer Street, and requested a crosswalk at the intersection of Placentia Avenue and Center Street.

Alberta Mirisciotti spoke in support of a beekeeping ordinance.

Marcel Arriba, Costa Mesa, requested audio Spanish translation be available on YouTube.

Greg Tennell, Costa Mesa, spoke against third party animal licensing and requested the process be brought in house.

Speaker, requested the Spanish agendas be published earlier, and requested the Costa Mesa recycling center be reopened.

Speaker, requested a crosswalk at Placentia Avenue and Center Street, spoke on alleys at Valencia Street, and spoke on animals and taxes.

Ralph Taboada, Costa Mesa, thanked staff, the Police Department, Mayor Stephens, and Council Members Marr and Reynolds for their support of the Costa Mesa Grand Prix, and spoke in support of biking and walking in Costa Mesa.

Speaker, invited City Council to a meeting on August 17th regarding alleyways near Center Street.

Carmen Ramirez, Costa Mesa, requested a crosswalk at Center Street and Placentia Avenue, thanked the City for translation services and including them in community meetings, and spoke on youth in the community playing safely in the parks.

Scott Carroll, Costa Mesa Sanitary District, spoke on upcoming townhall meetings regarding the transition to the new waste collection system.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Harper thanked Scott Glabb for his service on the Parks and Community Services Commission, spoke on homelessness in the community, requested the agenda to be posted earlier, spoke in support of beekeeping, spoke on dog licensing, spoke on noise complaints from rumble strips along Adams Avenue, and spoke on the complaint from Karen Millard regarding being overbilled by the Sanitary District and the response from the Sanitary District.

Council Member Marr expressed apologies for not attending the last meeting, spoke on the Costa Mesa Grand Prix, spoke on the meeting videos being posted in Spanish, spoke on the Orange Coast College Recycling Center, and spoke on the Costa Mesa Sanitary District Town Hall meetings and outreach on the new waste collection system.

Council Member Reynolds spoke on the Costa Mesa Grand Prix, spoke on the Newport-Mesa Resource Fair and swimming lessons, spoke in support of the pop up bike lanes, thanked Sergio Escobar and Ivis Torres for their work in the community, spoke on the City's values and making meetings more accessible, spoke on compassion, inquired on pet licensing, spoke on the Fairview Park Master Plan process and the next meeting will be held on Wednesday, September 4th at the Senior Center, and spoke on traffic calming requests.

Council Member Chavez praised the Police Department for their responsiveness, and improvement in community relations, spoke on the August 11th back to school event on Shalimar Drive, spoke on the Tuesday, August 13th prayer walk at Shalimar Park, spoke on the intersection at Placentia Avenue and Center Street, spoke in support of translating YouTube videos, and requested staff address speeding concerns at the intersection of Mesa Verde West and Country Club Road.

Council Member Gameros spoke on positive changes in the community and the Police Department's involvement, spoke on the upcoming workshop on August 9th on the Fairview Developmental Center, spoke on the August 15th free housing workshop, spoke on the city recruiting in the Police Department, thanked the Police Department cadets for traffic control during the Orange County Fair, spoke on pool safety, and spoke on the City of the Arts and Art Venture opening day at Norma Hertzog Community Center on August 14th.

Mayor Pro Tem Harlan spoke on school starting on Monday, August 19th, spoke on the demolition derby event at the Orange County Fair, spoke on the concerts in the park, the Raiders Training Camp, attending the 1st annual car show at Ganahl Lumber, and requested an update on the park rangers at Harper Park.

Mayor Stephens spoke on the Raiders Training Camp, spoke on Dan Krikorian appointed as head basketball coach at Chapman University, spoke in support of Spanish translation for YouTube, spoke in support of posting the agendas earlier, spoke in support of researching Placentia Avenue and Center Street safety measures, thanked Costa Mesa TV for their work at the council meetings, spoke on attending the Costa Mesa Grand Prix, spoke on the issues at Clearbrook Lane and spoke on e-bike safety.

REPORT – CITY MANAGER – Ms. Farrell Harrison, reported on the park rangers at Harper Park, that staff is exploring Spanish translation services and YouTube options, staff will research Placentia Avenue and Center Street safety measures, and thanked public commenters for their kind words toward staff.

REPORT – CITY ATTORNEY – NONE.

CONSENT CALENDAR

MOVED/SECOND: Council Member Chavez/Council Member Harper

MOTION: Approve the Consent Calendar.

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: Council Member Gameros recused himself on item 3 the Warrant Resolution due to his wife being employed by Priceless Pet Rescue.

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: Subro Claims, Inc. on behalf of Geico Ins. for Alex Hernandez, Ashley Ned, Mercury Ins. for Richard Chamberlin, Zoe Marie Neria Percival.

3. ADOPTION OF WARRANT RESOLUTION

Council Member Gameros recused himself on this item due to his wife being employed by Priceless Pet Rescue.

ACTION:

City Council approved Warrant Resolution No. 2721.

4. MINUTES

ACTION:

City Council approved the minutes of the regular meeting of July 16, 2024.

5. AGREEMENT FOR A SCHOOL RESOURCE OFFICER PROGRAM BETWEEN THE CITY OF COSTA MESA AND NEWPORT-MESA UNIFIED SCHOOL DISTRICT FOR FISCAL YEAR 2024-2025

ACTION:

1. City Council approved the agreement for a School Resource Officer (SRO) Program between the City of Costa Mesa and Newport-Mesa Unified School District (NMUSD) for Fiscal Year 2024-2025.

2. Authorized the City Manager to execute the agreement.

6. SERVICE AGREEMENT AMENDMENT WITH TYLER TECHNOLOGIES PERTAINING TO IMPLEMENTATION OF THE CITY'S LAND MANAGEMENT SYSTEM (TESSA) UPDATE

ACTION:

1. City Council authorized the City Manager and City Clerk to increase the total compensation by \$90,000 to a not-to-exceed amount of \$1,300,856, in substantially the form as approved by the City Attorney.

2. Authorized the City Manager to approve future amendments to the agreement with Tyler Technologies in an amount not-to-exceed \$100,000.

7. AUTHORIZE THE PURCHASE OF FORD FLEET VEHICLES

ACTION:

1. City Council authorized by minute action, that compliance with the bidding requirements and procedures is inefficient and not in the best interest of the city, based on identified conditions and supported by substantial evidence.

2. Authorized the purchase of Ford fleet vehicles from local authorized Ford dealerships.

3. Authorized the City Manager or designee to execute the necessary documents for the purchase of new and replacement Ford fleet vehicles as approved in Fiscal Year 2024-2025, and as approved during the annual budget.

PUBLIC HEARINGS:

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

1. **INTRODUCTION AND FIRST READING OF AN ORDINANCE APPROVING THE FIRST AMENDMENT (DA-20-05) TO DEVELOPMENT AGREEMENT (DA-94-01) BETWEEN THE CITY OF COSTA MESA AND THE INTERINSURANCE EXCHANGE OF THE AUTOMOBILE CLUB ALLOWING FOR A 20-YEAR TIME EXTENSION THAT WOULD EXPIRE OCTOBER 31, 2044; AMENDING PROVISIONS PERTAINING TO THE RATE AND METHODOLOGY FOR CALCULATING TRAFFIC IMPACT FEES; AND, AMENDING PROVISIONS RELATED TO THE SETBACK OF A FUTURE PARKING STRUCTURE; FOR A PROPERTY LOCATED AT 3333 FAIRVIEW ROAD**

Ex Parte Communications:

Council Members Reynolds met with the applicant.

Mayor Stephens, Mayor Pro Tem Harlan, Marr, Gameros, and Chavez spoke with the applicant.

Presentation by Mr. Aldana, Assistant Planner.

The Interinsurance Exchange of the Automobile Club spoke on the item.

Discussion ensued on the applicant continuing to work with the City on potential changes such as a pathway, bike lanes, and the parking area.

Public Comments:

Marc Vukceovich spoke on the potential uses at the site, the amount of parking, and is opposed to the parking structure.

MOVED/SECOND: Mayor Stephens/Council Member Harper

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 found, pursuant to CEQA Guidelines Section 15162, that the project is within the scope of the June 20, 1994-certified Final Environmental Impact Report (EIR) #1045 (State Clearing House No. 94021036) for the Auto Club Expansion project. The effects of the project were examined in the 1994 FEIR, and all feasible

mitigation measures and alternatives developed in the 1994 FEIR are incorporated into this project and no new mitigation measures are required. Therefore, the 1994 FEIR for the Automobile Club Expansion project is determined to be adequate to serve as the environmental documentation for this project, that no further environmental review is required, and that all requirements of CEQA are satisfied.

2. Introduced for first reading, by title only, Ordinance 2024-10 approving the First Amendment (DA-20-05) to the Automobile Club of Southern California Development Agreement (DA-94-01) to allow for a 20-year time extension that would expire October 31, 2044; to amend provisions pertaining to the rate and methodology for calculating traffic impact fees; and to amend provisions related to the setback of a future parking structure.

City Council recessed into a break at 8:31 p.m.

City Council reconvened at 8:48 p.m.

2. ORDINANCE NO. 2024-02 AMENDING TITLE 13 (PLANNING, ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE TO ESTABLISH AFFORDABLE HOUSING REQUIREMENTS FOR NEW RESIDENTIAL DEVELOPMENT PROJECTS, AND A FEE RESOLUTION TO ESTABLISH THE AFFORDABLE HOUSING IN-LIEU FEE SCHEDULE

Presentation by Ms. Gregg, Contract Planner.

Discussion ensued on in-lieu fees, whether other cities have an affordable housing ordinance and in-lieu fees, development agreements, the \$2.5 million trust fund, and housing opportunity sites.

Public Comments:

Adam Wood, Building Industry Association, requested an update on the rezoning process, spoke on sluggish home sales, and the need to build units.

Jenn Tanaka, Costa Mesa, spoke on the need to build housing and spoke on in-lieu fees, revisiting the fees on a regular basis and including the wording to the ordinance.

Speaker, Resilience Orange County, spoke on housing insecurity, spoke in support of low and very low options for rental units, spoke in support of on-site production instead of in-lieu fees, and to have the ordinance apply to as many developments as possible.

Betsy Densmore spoke on the need for housing for working class people, spoke on in-lieu fees and market changes, and spoke in support of 15% of the units to be for those who work in the city.

Speaker, echoed previous speaker, spoke in support of higher density, spoke on rezoning north Costa Mesa, spoke on rental property changes, spoke on considering Area Median Income (AMI) and noted that it changes yearly, and spoke on the need for attainable housing not just affordable housing.

Cynthia McDonald, Costa Mesa, spoke in opposition of the ordinance as currently written, spoke on lowering the threshold of units and to raise the percentage of low and very low income units, and spoke on defining the purpose of the trust fund.

Kathy Esfahani, Costa Mesa Affordable Housing Coalition, spoke on the need for affordable housing, and spoke on strengthening the inclusionary housing ordinance by lowering the threshold from 50 to 30 units.

Speaker, inquired on the benefit of building more housing, and spoke on finding affordable housing in other areas.

MOVED/SECOND: Council Member Marr/Council Member Reynolds

MOTION: Approve staff recommendation regarding in-lieu fees, lower the project threshold from 50 units to 30 units, require every two years a review of the in-lieu fee threshold, and agendize within the next two months the affordable housing trust fund to discuss its purpose, intent, and goals.

SUBSTITUTE MOTION/SECOND: Council Member Harper

SUBSTITUTE MOTION: Receive and file the report.

The motion failed for lack of a second.

SUBSTITUTE MOTION/SECOND: Council Member Chavez/Mayor Pro Tem Harlan

SUBSTITUTE MOTION: Approve staff recommendation with the project threshold at 50 units, change the in-lieu fee to a flat \$10 fee and review every year, and bring back the affordable housing trust fund for discussion, clarification, and direction.

Mayor Stephens requested to change the number of threshold units to 30, to change the review to every two years, and to agendize the affordable housing trust for clarification.

Council Member Chavez (1st) and Mayor Pro Tem Harlan (2nd) agreed to change the review to every two years.

Council Member Chavez noted that the affordable housing trust fund was already included in his motion.

Council Member Harper requested the \$2.5 million of affordable housing trust fund be dedicated to any form of homeownership in Costa Mesa.

City Attorney Hall Barlow explained that the request could not be considered as the item is not on the agenda and will be agendized at a future date.

Discussion ensued on the \$10 in-lieu fee and the project threshold at 50 units.

SUBSTITUTE MOTION /SECOND: Council Member Chavez/ Mayor Pro Tem Harlan
SUBSTITUTE MOTION: Approve staff recommendation with the project threshold at 50 units, change the in-lieu fee to a flat \$10 fee and review every two years, and bring back the affordable housing trust fund for discussion, clarification, and direction.

The motion carried by the following roll call vote:

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

Nays: Council Member Gameros, Council Member Marr, and Council Member Reynolds.

Absent: None.

Abstain: None.

Motion carried: 4-3

ACTION:

1. City Council found that the adoption of Ordinance No. 2024-02 is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061(b)(3), General Rule in that the Affordable Housing Ordinance and subsequent Affordable Housing In-Lieu Fee will not have a significant impact on the environment.
2. Adopted Ordinance No. 2024-02, approving the Affordable Housing Ordinance and amending Title 13 to establish the affordable housing requirements for certain new residential development projects.
3. Adopted a fee resolution establishing the affordable housing in-lieu fee.

OLD BUSINESS: NONE.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Harlan

MOTION: Consider New Business item No. 3 next.

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

NEW BUSINESS:

3. GENERAL PLAN (PSCR-24-0001) AND RESIDENTIAL INCENTIVE OVERLAY DISTRICT DEVELOPMENT SCREENING REQUEST FOR A PROPOSED RESIDENTIAL DEVELOPMENT ON A 1.77 ACRE SITE LOCATED AT 220 VICTORIA PLACE ("VICTORIA PLACE")

Presentation by Mr. Mendez, Senior Planner.

Public Comments:

Speaker, spoke on development and the need for small businesses.

Cynthia McDonald spoke on density, spoke on the live/work concept and how it would impact the trip count, spoke on improvements to Victoria Place, and spoke on engaging the public and visioning.

ACTION:

City Council provided input on the General Plan Amendment associated with the proposed development of 40 residential units for the property located at 220 Victoria Place.

MOVED/SECOND: Council Member Harper/Council Member Chavez

MOTION: Reorder the agenda to consider New Business item No. 6, then New Business item No. 5, and reschedule New Business item No. 1 and New Business item No. 4 to the next regularly scheduled City Council meeting.

Discussion ensued on which items to consider and which items to defer to the next meeting.

MOVED/SECOND: Council Member Harper/Council Member Chavez

MOTION: Reorder the agenda to consider New Business item No. 6, then New Business item No. 5, then New Business item No. 4, and reschedule New Business item No. 1 to the next regularly scheduled City Council meeting.

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. CITY COUNCIL FIRST READING OF ORDINANCE TO INCREASE CITY COUNCIL COMPENSATION

ACTION:

City Council continued the item to the next regularly scheduled meeting.

6. APPROVE PROPOSED DESIGN IMPROVEMENTS FOR SHALIMAR PARK

Presentation by Mr. Sethuraman, Public Works Director.

Community Works Design Group, spoke on the item.

Public Comments:

David Martinez spoke in support of Plan A.

MOVED/SECOND: Council Member Chavez/Council Member Harper

MOTION: Approve staff recommendation.

Council Member Reynolds requested to add security lighting for evening play.

Council Member Chavez (1st) and Council Member Harper (2nd) agreed to the change.

Mr. Sethuraman clarified the lighting is included in the project.

Discussion ensued on traffic calming measures.

Council Member Reynolds requested the structure at the entrance have an electrical component for movie nights.

Council Member Chavez (1st) and Council Member Harper (2nd) agreed to the change.

Ms. Reyes, Deputy City Manager confirmed that the city has portable projectors to hold movies in the park.

Council Member Chavez requested to add a barbeque to the design.

MOVED/SECOND: Council Member Chavez/Council Member Harper

MOTION: Approve staff recommendation, add security lighting for evening play, staff to explore traffic calming measures, and adding a barbeque.

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 approved the conceptual park design Plan B and provided direction to add security lighting for evening play, explore traffic calming measures, and adding a barbeque for the proposed improvements at Shalimar Park, 782 Shalimar Drive, Costa Mesa.

MOVED/SECOND: Mayor Stephens/Council Member Chavez

MOTION: Continue meeting past midnight.

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

5. COSTA MESA CHAMBER OF COMMERCE FINANCIAL SUPPORT

Presentation by Ms. Jakher, Assistant to the City Manager.

Representatives from the Chamber of Commerce spoke on the item.

Public Comments: None.

MOVED/SECOND: Council Member Marr/Council Member Chavez

MOTION: Continue the item to a later date and bring back more details on the financials.

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 continued the item to a later date and directed staff to bring back more details on the financials.

4. UPDATES TO POLICE DEPARTMENT STAFFING AND COMPENSATION RELATED TO POLICE RECRUIT, POLICE CADET, POLICE RESERVE OFFICER AND COMMUNICATIONS OFFICER POSITIONS

Presentation by Ms. Farrell Harrison, City Manager.

Public Comments:

Ralph Taboada spoke in support of the item but encouraged the Council to defer the \$211 thousand appropriation until to the mid-year budget review.

Jenn Tanaka echoed the previous speaker and inquired on the path to fill vacancies.

David Martinez agreed with the previous speakers, and would have liked to see the item considered with the budget.

MOVED/SECOND: Council Member Gameros/Mayor Stephens

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

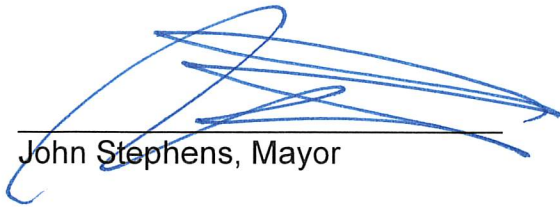
ACTION:

1. City Council authorized and approved staffing changes as follows:
 - a. Authorized an increase of 5.0 FTE for Police Cadet
 - b. Authorized an increase of 2.5 FTE for Police Reserve Officer
2. Approved Resolution Number 2024-38 establishing full-time pay rate and benefits for Police Recruit.
3. Approved Resolution Number 2024-39 revising the pay rate for Police Reserve Officer.
4. Appropriated \$211,000 in the FY 2024/2025 Police Department's General Fund budget to cover the estimated costs of the additional 5.0 FTE Police Cadets.

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

ADJOURNMENT – Mayor Stephens adjourned the meeting at 12:42 a.m.

Minutes adopted on this 3rd day of September, 2024.



John Stephens, Mayor

ATTEST:



Brenda Green, City Clerk