



**REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY AND HOUSING AUTHORITY
JUNE 21, 2022 – CLOSED SESSION - 5:00 P.M. - MINUTES**

CALL TO ORDER - The Closed Session meeting was called to order by Mayor Stephens at 5:02 p.m.

ROLL CALL

Present: Council Member Chavez, Council Member Harlan, Council Member Reynolds (Arrived 5:03 p.m.), Mayor Pro Tem Marr, and Mayor Stephens.

Absent: Council Member Gameros and Council Member Harper.

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 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 Employees Association (CMCEA).

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

Closed Session adjourned at 6:00 p.m.

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY
JUNE 21, 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 6:06 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

Led by Planning Commissioner Jimmy Vivar.

MOMENT OF SOLEMN EXPRESSION

Led by Pastor Christine Nolf from Redemption Church.

CITY ATTORNEY CLOSED SESSION REPORT - No reportable action.

ROLL CALL

Present: Council Member Chavez (Via Zoom Webinar), Council Member Gamos, Council Member Harlan, Council Member Harper, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Absent: None.

PRESENTATIONS:

Mayor Stephens provided certificates of Recognition to Newport Harbor High School Girls' Lacrosse Team CIF Champions.

Mayor Stephens provided certificates of Recognition to Newport Harbor High School Girls' Water Polo Team CIF Champions.

Mayor Stephens provided certificates of Recognition to Newport Harbor High School Boys' Water Polo CIF SS Open Division Champions.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Speaker, spoke on problems associated with having to move their food truck every ten minutes and requested how to change the time limit.

Chris Corum, spoke on problems associated with a fire at his house and problems with permits.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Reynolds spoke on the storm drain master plan, supports movies in the park at Balearic Park, requested information on food truck rules and food truck zones, participated in the walk audit for Placentia Avenue improvement projects, spoke on creating Public Service Announcements for traffic calming strategies, and spoke on results of the Meyer Place traffic calming measures.

Council Member Chavez spoke on Wilson Blvd. improvements due to recent construction, speeding on Labrador Drive, fireworks issues, spoke on an hourly free meal from 12:00 – 1:00 p.m. at Donald Dungan Library for those under the age of 18, and the July 3rd event at the OC Fairgrounds.

Council Member Harlan congratulated the Newport Harbor Baseball team for winning the CIF championship, and thanked Goat Hill Lions Club for hosting a golf tournament.

Mayor Pro Tem Marr read a letter from Bob Ooten, Costa Mesa Sanitary District thanking city employees who assisted with the shredding and compost event.

Mayor Stephens spoke on attendance at Juneteenth Gospel Voices of OC event, Arts in Learning Conservatory event, spoke on playing at the Goat Hill Lions Club golf tournament, thanked the Newport Rib Company for hosting the dinner auction event and raising money for the Altobelli family, is pleased with Randolph St. project improvements, and spoke on the Independence Day celebration on July 3rd at the OC Fairgrounds.

CITY MANAGER REPORT – Ms. Farrell Harrison spoke on the Independence Day event on July 3rd, spoke on concerts in the park, spoke on safe and sane fireworks are the only fireworks allowed, spoke on rental assistance programs available, and thanked the Development Services and Building Department for their efforts.

CITY ATTORNEY REPORT – None.

CONSENT CALENDAR (Items 1-11)

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

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 11.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Gameros and Council Member Harper.

Motion carried: 5-0

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: Robert Becker, Jeffrey Pham, Mari Shimizu.

3. ADOPTION OF WARRANT RESOLUTION

ACTION:

City Council approved Warrant Resolution No. 2682

4. 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 2022-42 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.

5. BIENNIAL REVIEW OF CITY'S CONFLICT OF INTEREST CODE

ACTION:

City Council approved Resolution No. 2022-43 revising the list of designated positions in the City's Conflict of Interest Code.

6. MONTHLY UPDATE OF STRATEGIC PLAN GOALS AND OBJECTIVES

ACTION:

City Council approved the June 2022 update to the City of Costa Mesa's Strategic Plan Goals and Objectives.

7. AGREEMENT FOR DIESEL FUEL PROCUREMENT AND DELIVERY SERVICES WITH MERRIMAC PETROLEUM, INC.

ACTION:

1. City Council approved the Agreement with Merrimac Petroleum, Inc., DBA Merrimac Energy Group, 1240 Wardlow Road, Long Beach, CA 90807, for the purchase and delivery of diesel fuel in an annual amount not to exceed \$360,000 based upon pricing through an Agreement with the City of Torrance, Bid No. B2019-07, for an initial term of two (2) years effective July 1, 2022.
2. Authorized the City Manager and the City Clerk to execute the agreement and future authorized amendments to the agreement.

8. AMENDMENT FOR UNLEADED FUEL PROCUREMENT AND DELIVERY SERVICES WITH PINNACLE PETROLEUM, INC.

ACTION:

1. City Council approved Amendment No. 1 to the agreement with Pinnacle Petroleum, Inc., increasing Fiscal Year 2021-2022's annual amount by \$120,000 and increasing the annual not to exceed amount for subsequent years by \$400,000, resulting in annual allocation of \$800,000.
2. Authorized the City Manager and the City Clerk to execute the amendment and future authorized amendments to the agreement.

9. ACCEPTANCE OF THE FAIRVIEW ROAD HIGHWAY SAFETY IMPROVEMENT PROJECT, FEDERAL PROJECT NO. HSIPL-5312(102), CITY PROJECT NO. 19-10

ACTION:

1. City Council accepted the work performed by Hardy & Harper, Inc., for the Fairview Road Highway Safety Improvement Project, Federal Project No. HSIPL-5312(102), City Project No. 19-10, 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 Material Bond seven (7) months after the filing date; and release the Faithful Performance Bond, if appropriate, at the conclusion of the one-year warranty period.

10. RENEWED MEASURE M (M2) ELIGIBILITY

ACTION:

1. City Council approved the City's Maintenance of Effort (MOE) for Fiscal Year (FY) 2022-23.
2. Approved the M2 Seven-Year Capital Improvement Program (CIP) comprised of the City's Five-Year and future year CIP for FY 2022-23 through FY 2028-29.
3. Adopted Resolution No. 2022-44, for the Update of the Pavement Management Plan.
4. Authorized staff to submit documents to meet M2 Eligibility requirements.

11. ACCEPTANCE OF CALRECYCLE SB 1383 LOCAL ASSISTANCE GRANT

ACTION:

1. City Council accepted \$159,969 CalRecycle's SB 1383 Local Assistance Grant Program that was recently awarded to the City.
2. Authorized the City Manager or designee with signature authority to execute all documents necessary to implement the grant and all grant-related reports to CalRecycle.

3. Authorized revenue and expense appropriations in the amounts of \$159,969, respectively, to account for the SB 1383 grant award in the City's FY2021-22 State Grant Fund (Fund 231).

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

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

1. BUSINESS IMPROVEMENT AREA (BIA) REAUTHORIZATION, RESOLUTION TO LEVY ANNUAL ASSESSMENT

Presentation by Ms. Reyes, Assistant to the City Manager and Ms. Lombardi Fries, Travel Costa Mesa President.

Public Comments:

Maurice Mandel, spoke on hotel utilization during the Olympics.

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

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Gameros and Council Member Harper.

Motion carried: 5-0

ACTION:

1. Conducted a public hearing regarding the Business Improvement Area (BIA) reauthorization and levy of the annual assessment for Fiscal Year 2022-2023.
2. Adopted Resolution No. 2022-45, confirming the annual report filed by Travel Costa Mesa and levying an annual assessment for Fiscal Year 2022-23 for the Business Improvement Area (BIA) covering certain Costa Mesa hotels and motels.
3. Approved the use of \$164,000 in Federal American Rescue Plan Funds as revenue recovery for City activities, programs and events, until annual hotel tax and BIA revenues are restored to normal levels.

2. INTRODUCTION OF AN ORDINANCE TO APPROVE CODE AMENDMENT CO-2022-XX, AMENDING PORTIONS OF TITLE 10 OF THE COSTA MESA MUNICIPAL CODE PERTAINING TO PARKING BY PERMIT ONLY AND TO AUTHORIZE RELATED FEES

Presentation by Mr. Sethuraman, Public Works Director and Ms. Rosales, Transportation Manager.

Public Comments:

Patricia Collen, inquired if a home with five families living together had a limit on the number of cars allowed and if not how is the city going to handle that situation.

Maurice Mandel, spoke on the parking study as being incomplete, submitted a letter, and spoke on problems in the study.

Discussion ensued on including language in the ordinance to allow for flexibility in certain situations; and clarification on an eligible driver.

MOVED/SECOND: Council Member Chavez/Council Member Harlan

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Gameros and Council Member Harper.

Motion carried: 5-0

ACTION:

1. City Council introduced for first reading, by title only, Ordinance No. 2022-04, to approve Code Amendment CO-2022-xx, amending portions of Title 10 of the Costa Mesa Municipal Code (CMMC) pertaining to parking by permit only and to authorize related fees.
2. Approved Amendment No. 3 to the Professional Services Agreement with Dixon Resources Unlimited increasing the maximum compensation by \$60,950 for Residential Permit Parking Support Services, for a total not-to-exceed amount of \$192,950.
3. Authorized the City Manager and the City Clerk to execute the amendment and future authorized amendments to the agreement.

OLD BUSINESS: NONE.

NEW BUSINESS:

1. APPROVAL OF AMENDMENTS TO CITYWIDE RENTAL ASSISTANCE PROGRAMS FUNDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Presentation by Mr. Nate Robbins, Neighborhood Services Manager, and Alma Reyes, Assistant to the City Manager.

Public Comments:

Roberto Herrera, Resilience OC, spoke on accessible resources, fear and confusion on the rental assistance program, and outreach strategies.

Speaker, spoke on the measures being used to combat rising rent and requested follow up from staff.

Speaker, spoke on losing their job and rental assistance.

Speaker, spoke in appreciation of staff being outside prior to the meeting to survey the community.

Speaker, spoke on supporting the community.

Speaker, spoke on staff involvement.

Speaker, spoke on the average household budget and rent increases.

Speaker, spoke on accessible resources, the rental assistance program, and outreach strategies.

Discussion ensued on outreach, evictions, and funding for legal aid.

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

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Gameros and Council Member Harper.

Motion carried: 5-0

ACTION:

1. City Council approved Amendment No. 2 to the Subrecipient Agreement (SRA) with Mercy House Living Centers increasing the compensation by \$62,312, for a total Not-To-Exceed amount of \$392,633 for program administration for the City's CDBG-CV Rental Assistance Program for lower-income households without children.

2. Appropriated an allocation of \$500,000 in American Rescue Plan Act (ARPA) funds to augment the HUD funded Rental Assistance Program for Costa Mesa renters, and required ancillary services, if eligible, from this or any other Federal or City available and eligible Fund, as needed.
3. Authorized the City Manager and the City Clerk to execute any new agreements and any and all amendments to existing agreements for the augmented ARPA funding for the Rental Assistance Program to assist Costa Mesa renters to overcome housing instability.

City Council recessed into a break at 9:25 p.m.

City Council reconvened at 9:38 p.m.

2. **FIRST READING OF AN ORDINANCE REVISING CHAPTER III OF TITLE 12 REGARDING THE PARKS, ARTS AND COMMUNITY SERVICES COMMISSION TO REMOVE ARTS FUNCTIONS, FIRST READING OF AN ORDINANCE ADDING CHAPTER IV OF TITLE 12 ESTABLISHING AN ARTS COMMISSION, AND RESULTING DISSOLUTION OF THE CULTURAL ARTS COMMITTEE**

Presentation by Jason Minter, Parks and Community Services Director.

Public Comments: None.

MOVED/SECOND: Mayor Stephens/Council Member Chavez

MOTION: Approve recommended actions with the following changes:

- In Ordinance No. 2022-05, to revise Chapter III of Title 12 regarding the Parks, Arts and Community Services Commission to remove Arts Functions and remove the District residency requirement for the Parks and Community Services Commission and only require residency of Costa Mesa.
- In Ordinance No. 2022-06, to adopt Chapter IV of Title 12 establishing an Arts Commission, with the following residency requirement: Residency in the City shall not be required of all members of the Commission, provided that at least four of the commissioners shall be residents of the City and all members of the commission shall be in the business of or regularly engaged in the practice of the arts in the judgment of the appointing Council Member and Council.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Gameros and Council Member Harper.

Motion carried: 5-0

ACTION:

1. City Council read by title only, waived further reading and introduced Ordinance 2022-05 to rename the Parks, Arts and Community Services Commission to Parks and Community Services Commission, remove arts related language, remove the district requirement and only require residency of Costa Mesa.

2. Read by title only, waived further reading and introduced Ordinance 2022-06 to establish an Arts Commission that would serve as an advisory commission to the City Council in matters related to the City's Arts and Culture Master Plan, with the following residency requirement: Residency in the City shall not be required of all members of the Commission, provided that at least four of the commissioners shall be residents of the City and all members of the commission shall be in the business of or regularly engaged in the practice of the arts in the judgment of the appointing Council Member and Council.
3. Authorized a \$100.00 per month stipend for the Arts Commissioners.

3. **PROFESSIONAL SERVICES AGREEMENT WITH TCCG TECH COAST CONSULTING GROUP LLC TO PREPARE AN ECONOMIC DEVELOPMENT STRATEGIC PLAN FOR THE CITY OF COSTA MESA**

Presentation by Mr. Inloes, Economic Development Administrator.

Public Comments:

David Martinez, Costa Mesa, spoke in support of citywide fiber and internet access, redevelopment of commercial and industrial areas, and spoke in support of mixed-use developments.

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

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Gameros and Council Member Harper.

Motion carried: 5-0

ACTION:

1. City Council approved and authorized the City Manager and City Clerk to execute an agreement with TCCG Tech Coast Consulting Group LLC (TCCG), for a not-to-exceed amount of \$200,000 for the term of one year with an additional four one-year renewal options, in substantially the form as attached, and in such final form as approved by the City Attorney.
2. Authorized the City Manager and City Clerk to approve future amendments to the agreement with TCCG including potential increases in compensation so long as such amendments are within the annual budget.

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

ADJOURNMENT – The Mayor adjourned the Meeting at 10:48 p.m.

Minutes adopted on this 19th day of July, 2022.



John Stephens, Mayor

ATTEST:



Brenda Green, City Clerk