



## **REGULAR CITY COUNCIL AND HOUSING AUTHORITY TUESDAY, FEBRUARY 4, 2025 - MINUTES**

**CALL TO ORDER** – The Closed Session meeting was called to order by Mayor Stephens at 4:02 p.m.

### **ROLL CALL**

Present: Council Member Buley, Council Member Gameros, Council Member Harper, Council Member Marr (Arrived 4:05p.m.), Council Member Reynolds, Mayor Pro Tem, and Mayor Stephens.

Absent: None.

### **PUBLIC COMMENTS – NONE.**

### **CLOSED SESSION ITEMS:**

#### **1. THREAT TO SECURITY**

Pursuant to California Government Code Section 54957(a)

Consultation with: Costa Mesa Director of Emergency Services/City Manager, Police Chief.

#### **2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATION OF LITIGATION - ONE CASE**

Pursuant to California Government Code Section 54956.9 (d)(2), Potential Litigation.

#### **3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Pursuant to California Government Code Section 54956.8

APN: 424-211-01; Property: 695 W. 19th Street, Costa Mesa, CA 92627

Agency Negotiators: Lori Ann Farrell Harrison, City Manager

Negotiating Parties: Jamboree Housing

Under Negotiation: Price and Terms of Payment

#### **4. 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

Ms. Hall Barlow, City Attorney requested to add to the Closed Session agenda Kreza v. Costa Mesa Fire Department, Workers' Compensation Appeals Board (WCAB) No. ADJ12674446, due to the item requiring action prior to the next regularly scheduled City Council meeting and arose after the posting of the current agenda.

**MOVED/SECOND:** Mayor Stephens/Mayor Pro Tem Chavez

**MOTION:** Add WCAB No. ADJ12674446 item as requested by the City Attorney to the Closed Session agenda.

The motion carried by the following roll call vote:

Ayes: Council Member Buley, Council Member Gameros, Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.

Nays: None.

Absent: Council Member Marr.

Abstain: None.

Motion carried: 6-0

5. Kreza v. Costa Mesa Fire Department  
Pursuant to California Government Code Section 54956.9 (b)(1),  
Workers' Compensation Appeals Board, WCAB No. ADJ12674446.

City Council recessed at 4:04 p.m. for Closed Session.

Closed Session adjourned at 6:00 p.m.

**CALL TO ORDER** - The Regular City Council and Housing Authority meeting was called to order by Mayor Stephens at 5:55 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 Calvary Chapel Dave Manne, Pastor Emeritus.

#### **ROLL CALL**

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

Absent: None.

**CITY ATTORNEY CLOSED SESSION REPORT** – The City Council gave staff direction, no reportable action.

**PRESENTATIONS: NONE.**

#### **PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA**

Russell Toler, Costa Mesa, spoke on the daylighting law and traffic safety measures.

Frank Spitzer, Costa Mesa, spoke on problems regarding TESSA and obtaining permits and spoke on permit parking problems for guests who are receiving citations.

Joe Ferguson, Costa Mesa, expressed security and fire concerns in Canyon Park because homeless individuals are living in the park.

Mark Vukceovich, Costa Mesa, spoke on the daylighting law, spoke on traffic safety measures, spoke on better communication about the law and the one-year warning period.

Jose Toscano, Costa Mesa, spoke on the protestors on Victoria Street and the lack of law enforcement presence.

Speaker, spoke on Victoria Street and traffic concerns, bike lanes, and requested police presence for speeding vehicles.

Speaker, requested the 311 App be made available in Spanish and spoke on prohibiting gas powered leaf blowers.

### **COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS**

Council Member Marr requested an update on the daylighting measures and the technical problems with the permit parking program.

Council Member Reynolds spoke on the permit parking program and requested an update in March, spoke in support of a Spanish option for the 311 Application and requested physical signage on how to use the application, spoke on daylighting and requested an update on awareness of the law and a plan for markings on where not to park, spoke on the Lets Go Costa Mesa shuttle program and sharing information, requested an update from Chief Stefano on preventative practices for Canyon, Talbert, and Fairview Parks, and spoke on the Costa Mesa Sanitary District board room posting of the organizational values, and would like to post Costa Mesa's prominently in public spaces.

Council Member Pettis spoke on visiting Fairview Park and the Harbor Soaring Society, thanked staff for their efforts on the Eastside and for safety measures including a four-way stop sign on Westminster and 18<sup>th</sup> Street, and requested an overview of what is on upcoming agendas.

Council Member Buley spoke on emergency preparedness.

Council Member Gameros spoke on being available to the residents to address their concerns.

Mayor Pro Tem Chavez spoke on visiting Rea Elementary School to promote going to college and reading to students, requested adding left turns at 19th and Pomona near the Towers, requested a hawk signal on Wilson Street between Harbor Boulevard and Placentia Avenue, requested staff to resolve the permit parking program issues brought up during public comment, requested the Costa Mesa 311 Application in Spanish, acknowledged the youth in the community for protesting a day without an immigrant at the schools.

Mayor Stephens spoke on the Districts meeting and emergency preparedness, spoke on Chief Stefano hosting townhalls in the future, spoke on attending Mr. Murphy's memorial service, spoke on attending the Union of Vietnamese Student Association (UVSA) celebration at Garden Grove Park for Lunar New Year, spoke in support of putting the City's values in the Council Chambers and in the lobby, spoke in support of the 311 Application availability in Spanish, spoke on the implementation of daylighting and supports a warning and education period prior to ticketing, spoke on Canyon and Fairview Parks encampment enforcement, spoke on TESSA bottlenecks raised during public comments and requested a report on addressing the issues.

**REPORT – CITY MANAGER** – Ms. Farrell Harrison stated that staff will follow up on concerns raised during public and Council comments.

**REPORT – CITY ATTORNEY – NONE.**

### **CONSENT CALENDAR**

**MOVED/SECOND:** Council Member Reynolds/Council Member Buley

**MOTION:** Approve the Consent Calendar except for item nos. 6, 7, and 8.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: Mayor Stephens recused himself on item 3 the Warrant Resolution due to campaign contributions received from Ware Disposal.

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: Janie Dungan, Cindy Macfarland, Christina Morales-Tolentino, Mike Petrovic, Karen Wolf, California Auto Insurance Company of behalf of Shawn Ohearn.

### 3. **ADOPTION OF WARRANT RESOLUTION**

Mayor Stephens recused himself on the item due to campaign contributions received from Ware Disposal.

ACTION:

City Council approved Warrant Resolution No. 2727.

### 4. **MINUTES**

ACTION:

City Council approved the minutes of the regular meeting of January 21, 2025.

### 5. **DESIGNATION OF VOTING DELEGATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2025 REGIONAL CONFERENCE AND GENERAL ASSEMBLY**

ACTION:

City Council appointed Council Member Arlis Reynolds as the delegate and Council Member Mike Buley as the alternate for the 2025 Annual Southern California Association of Governments (SCAG) Regional Conference and General Assembly.

### **ITEMS PULLED FROM THE CONSENT CALENDAR**

### 6. **ACCEPTANCE OF THE LED LIGHTING INSTALLATION AT CITY PARKS AND ATHLETIC FACILITIES PROJECT (JACK HAMMETT SPORTS COMPLEX, TEWINKLE ATHLETIC COMPLEX, COSTA MESA TENNIS CENTER, AND BARK PARK), CITY PROJECT NO. 23-09**

Public Comments: None.

**MOVED/SECOND:** Mayor Stephens/Council Member Marr

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

1. City Council accepted the work performed by R&M Electrical Contracting, Inc. (RMF Contracting, Inc.) [RMF], 1523 North Harmony Circle, Anaheim, California 92807, for the Light-Emitting Diode (LED) Lighting Installation at City Parks and Athletic Facilities Project (Jack Hammett Sports Complex, TeWinkle Athletic Complex, Costa Mesa Tennis Center, and Bark Park), City Project No. 23-09, 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. AWARD THE PURCHASE OF BATTING CAGES FOR THE TEWINKLE ATHLETIC COMPLEX**

Public Comments: None.

**MOVED/SECOND:** Council Member Reynolds/Council Member Gameros

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

**ACTION:**

1. City Council authorized the purchase of materials for two (2) bullpen/batting cages to be installed at the TeWinkle Athletic Complex through Civic Buys Cooperative Agreement #3570 with The KYA Group.
2. Authorized the City Manager to execute the necessary documents for the purchase of bullpen/batting cage materials for \$154,246 from The KYA Group.

**8. PROFESSIONAL SERVICES AGREEMENT FOR ON-CALL STAFF SUPPORT FOR GENERAL PLANNING SERVICES**

Public Comments: None.

**MOVED/SECOND:** Mayor Pro Tem Chavez/Council Member Gameros

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

**ACTION:**

1. City Council approved and authorized the City Manager and City Clerk to execute a three-year Professional Service Agreement (PSA) with two one-year renewals in a form as approved by the City Attorney for on-call staff support for general planning services:
  - City Advisors, LLC
  - Community Catalyst, Inc.
  - Dudek
  - Interwest Consulting Group, Inc
  - Kimley-Horn and Associates, Inc.
  - MIG, Inc.
  - Placeworks, Inc.
  - The Code Group, Inc.
2. Authorized the City Manager, or designee, and City Clerk to execute the PSA and future amendments with the above listed firms including any potential increases in compensation as long as the amendments are within the annual budget.

-----**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. AWARD OF THE GREENVILLE-BANNING CHANNEL HYDRODYNAMIC SEPARATOR (HDS) INSTALLATION PROJECT, CITY PROJECT NO. 25-02**

Presentation by Mr. Yang, City Engineer.

Public Comments: None.

**MOVED/SECOND:** Council Member Gameros/Mayor Pro Tem Chavez

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

**ACTION:**

1. City Council found a California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15301 and adopt plans, specifications, and working details for the Greenville-Banning Channel Hydrodynamic Separator (HDS) Installation Project, City Project No. 25-02.
2. Awarded a Public Works Agreement (PWA) for construction to the Zusser Company, Inc., 528 Palisades Drive, Suite 504, Los Angeles, California 90272 in the amount of \$811,750 (base bid and additive bid) and authorize an additional ten percent (10%) contingency, in the amount of \$81,175 for construction, as needed, for any unforeseen costs related to this project.
3. Authorized the City Manager and City Clerk to execute the PWA with the Zusser Company, Inc., and future amendments to the agreements within Council authorized limits.
4. Authorized \$270,280 from the Westside Storm Drain Improvements Project (550022) to supplement the remaining costs of this project.

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

**ADJOURNMENT** – Mayor Stephens adjourned the meeting at 7:21 p.m.



**Minutes adopted on this 18<sup>th</sup> day of February, 2025.**

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John Stephens, Mayor

ATTEST:

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Brenda Green, City Clerk

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