



REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY JUNE 4, 2024 – 6:00 P.M. - MINUTES

CALL TO ORDER –The Regular City Council and Housing Authority meeting was called to order by Mayor Stephens at 6:00 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 Christine Nolf, Redemption Church.

ROLL CALL

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

Absent: Council Member Harper.

PRESENTATIONS: NONE.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Speaker, spoke on statistics and the lack of enforcement of the permit parking program and spoke against eliminating one drive lane on West 19th Street.

Jay Humphrey, Costa Mesa, spoke in appreciation of the improvements on Adams Avenue.

Lynn Redman, Costa Mesa, spoke on his sons tree restoration project at Fairview Park.

Speaker, Costa Mesa, spoke on the lack of parking enforcement in the College Park permit parking area, and spoke against development.

Speaker, spoke on Measure K and Measure Y and spoke on donations by Rose Equities.

Cynthia McDonald spoke on Pride Month, publishing the agenda sooner, and spoke on adopting an ethics policy.

Speaker, requested agenda reports be printed double sided.

Speaker, Resilience Orange County, spoke on street conditions on Center Street and the possibility of a community meeting, spoke on hosting a tenants know your rights meeting, and requested the agendas be published sooner.

Juana Trejo expressed appreciation on the City offering the Zoom option and expressed concern on graffiti and gang activity.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Reynolds expressed appreciation on the poem by Pastor Nolf, expressed appreciation to Resilience Orange County for their services, expressed appreciation to the Freedom Committee for the Memorial Day event, spoke in support of Pride Month, spoke on attending the Bike Safety Education event, requested a presentation on the Bike Safety Program, acknowledged staff who were involved in the Access Costa Mesa Resource Fair, and spoke on attending an event honoring Robert Santana Chief Executive Officer of the Orange County Boys and Girls Club who received an award.

Council Member Chavez congratulated graduates and expressed appreciation for public safety teams attending graduation events, spoke on the Costa Mesa 311 application to report graffiti and vandalism, spoke on public safety and traffic enhancements, and spoke on receiving the agenda sooner.

Council Member Gameros thanked the Freedom Committee for the Memorial Day event, spoke on park improvements for youth sports, and encouraged residents to contact him for assistance.

Council Member Marr spoke on Pride Month, spoke on the skate park community meeting and submitting comments, attending the Project Hope Alliance gala, spoke on allowing beekeeping, and spoke on parking concerns in the College Park area and requested a briefing on enforcement, and on parking enforcement during the Fair.

Mayor Pro Tem Harlan spoke on attending the Newport Mesa Soccer Classic, requested an update on Tessa and the Economic Development Strategic Plan, requested a Legislative Committee Report, requested an update on Harper Park, and requested for Council review a CIP threshold increase.

Mayor Stephens spoke on attending the Newport Mesa Soccer Classic, spoke on the Animal Services Committee and a beekeeping policy, the Michaels store reopening, appreciates the Adams Ave. improvements, spoke on the ambulance transport system, the July 3rd event at the Fairgrounds, the OCTA Measure M2 reports, praised the Public Works Department, and spoke on Pride Month.

REPORT – CITY MANAGER – NONE.

REPORT – CITY ATTORNEY – NONE.

CONSENT CALENDAR

MOVED/SECOND: Council Member Reynolds/Council Member Chavez

MOTION: Approve the Consent Calendar except for Item No. 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: None.

Motion carried: 6-0

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 full 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: Aaron Davis, Gregory Fort, Judith Leik, Nicholas Anthony Viscome.

3. **ADOPTION OF WARRANT RESOLUTION**

ACTION:

City Council approved Warrant Resolution No. 2718.

4. **MINUTES**

ACTION:

City Council approved the minutes of the regular meetings of May 7, 2024 and May 21, 2024, and the Study Session meeting of May 14, 2024.

5. **RESOLUTIONS RELATING TO THE CALLING OF THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 5, 2024**

ACTION:

1. City Council adopted Resolution No. 2024-23, to be read by title only and waived further reading, calling and giving notice to conduct a General Municipal Election on November 5, 2024 for the purpose of electing a Mayor for the full term of two years; and election of three members of the City Council from the first, second, and sixth districts, for the full term of four years.

2. Adopted Resolution No. 2024-24, to be read by title only and waived further reading, requesting the Orange County Board of Supervisors to consolidate the General Municipal Election with the Statewide General Election and to issue instruction to the Orange County Registrar of Voters Elections Department to provide specific services in the conduct of the consolidated election.
3. Adopted Resolution No. 2024-25, to be read by title only and waived further reading, adopting regulations pertaining to Candidate Statements submitted to the voters at a General Municipal Election to be held on November 5, 2024.

6. SB 1205 COMPLIANCE REPORT FOR 2023 STATE-MANDATED ANNUAL FIRE INSPECTIONS

ACTION:

City Council adopted Resolution No. 2024-26 to accept the Compliance Report on the status of all 2023 state-mandated annual fire inspections in the City as required by California Health and Safety Code Section 13146.4.

7. AMENDMENT NO. TWO TO EXTEND THE TERM OF THE PROFESSIONAL SERVICES AGREEMENT WITH FALCK MOBILE HEALTH CORPORATION FOR AMBULANCE SERVICES

ACTION:

City Council approved Amendment Number Two to the Professional Services Agreement with Falck Mobile Health Corporation (Previously known as Care Ambulance) to extend the term for the continuation of emergency ambulance operator and support services until July 31, 2026, and to provide a 2.5% increase in the Annual Compensation Package for each of the next two years.

8. TWO YEAR EXTENSION OF THE PROFESSIONAL SERVICES AGREEMENT WITH WITTMAN ENTERPRISES, LLC FOR AMBULANCE BILLING AND COST RECOVERY SERVICES RFP 18-03

ACTION:

1. City Council approved Amendment Number Two to extend the term of the Professional Services Agreement for Ambulance Billing and Cost Recovery Services between Wittman Enterprises, LLC and the City of Costa Mesa for two (2) additional years to July 31, 2026 and to increase the per call cost.
2. Authorized the City Manager to execute the Amendment.

9. REJECT SOLE BID RECEIVED FOR THE TEWINKLE PARK LAKES REPAIR AND REHABILITATION PROJECT, CITY PROJECT NO. 23-10

ACTION:

City Council rejected the sole bid received for the TeWinkle Park Lakes Repair and Rehabilitation Project, City Project No. 23-10.

11. ACCEPTANCE OF THE CITY HALL FIRE ALARM SYSTEM UPGRADE AND COMMUNICATION FIRE SUPPRESSION SYSTEM PROJECT - PHASE II, CITY PROJECT NO. 19-14

ACTION:

1. City Council accepted the work performed by Johnson Controls International (JCI), 12728 Shoemaker Avenue, Santa Fe Springs, CA 90670, for the City Hall Fire Alarm System Upgrade and Communication Fire Suppression System Project - Phase II, City Project No. 19-14, 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.

12. RENEWED MEASURE M (M2) ELIGIBILITY

ACTION:

1. City Council approved the City's Maintenance of Effort (MOE) for Fiscal Year (FY) 2024-25.
2. Approved the M2 Seven-Year Capital Improvement Program (CIP) comprising the City's Five-Year and future year CIP for FY 2024-25 through FY 2030-31.
3. Adopted Resolution No. 2024-28, for the Update of the Pavement Management Plan.
4. Authorized staff to submit documents to meet M2 Eligibility requirements.

13. REJECT ALL BIDS RECEIVED FOR THE CAT6 STRUCTURED CABLE AND VERKADA CAMERA INSTALLATION SERVICES REQUEST FOR PROPOSAL NUMBER 24-03

ACTION:

City Council rejected all bids for the CAT6 Structured Cable and Verkada Camera Installation Services Request for Proposal Number 24-03, and directed staff to re-advertise the project.

ITEMS PULLED FROM THE CONSENT CALENDAR

10. RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2024-25 FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

Public Comments:

Speaker, thanked the Public Works staff and City Council for their support of active transportation and noted a correction on the resolution to include the 3 listed roads from the staff report instead of Fairview Road.

MOVED/SECOND: Council Member Reynolds/Council Member Marr

MOTION: Approve staff recommendation with the correction on the resolution to include the 3 listed roads from the staff report instead of Fairview Road.

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: None.

Motion carried: 6-0

ACTION:

City Council adopted Resolution No. 2024-27, approving Harbor Boulevard, West 17th Street, and Gisler Avenue roadway rehabilitation projects for funding with Road Maintenance and Rehabilitation Account (RMRA) revenues for Fiscal Year 2024-25.

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

MOVED/SECOND: Mayor Stephens/Council Member Chavez

MOTION: Reorder the agenda and consider New Business Item No. 1 Prior to the Public Hearings.

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: None.

Motion carried: 6-0

NEW BUSINESS:

- 1. ADOPTION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF COSTA MESA (CITY) AND THE COSTA MESA FIRE MANAGEMENT ASSOCIATION (CMFMA) AND THE ADOPTION OF ACCOMPANYING SALARY RESOLUTION FOR CMFMA**

Presentation by Ms. Lee, Human Resources Manager.

Public Comments: None.

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

Nays: None.

Absent: Council Member Harper.

Abstain: None.

Motion carried: 6-0

ACTION:

1. City Council approved and adopted the Memorandum of Understanding between the City of Costa Mesa and CMFMA.
2. Approved and Adopted Resolution No. 2024-36 revising the pay ranges for CMFMA.
3. Authorized the City Manager and members of the City's Negotiation Team to execute the Memorandum of Understanding documents.

PUBLIC HEARINGS:

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

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

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

Paulette Lombardi-Fries, President, Travel Costa Mesa spoke on the item and provided a video.

Public Comments: None.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Harlan

MOTION: Approve staff recommendation.

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: None.

Motion carried: 6-0

ACTION:

1. City Council conducted a public hearing regarding the Business Improvement Area (BIA) reauthorization and levy of the annual assessment for Fiscal Year 2024-2025.
2. Adopted Resolution No. 2024-29, confirming the annual report filed by Travel Costa Mesa and levying an annual assessment for Fiscal Year 2024-2025 for the Business Improvement Area covering certain Costa Mesa hotels and motels.
3. Adopted the Fiscal Year 2024-25 Community-Wide Marketing and Support Budget.

2. FIRST READING OF ORDINANCES APPROVING DEVELOPMENT AGREEMENT (DA-20-02), REZONE (R-20-01), AND SPECIFIC PLAN (SP-20-01), AND ADOPTION OF RESOLUTION AMENDING CERTAIN CONDITIONS OF APPROVAL FOR THE ONE METRO WEST PROJECT LOCATED AT 1683 SUNFLOWER AVENUE

Ex parte communications: Mayor Stephens, Mayor Pro Tem Harlan, and Council Members Chavez and Marr spoke with the applicant.

Presentation by Mr. Rodrigues, Planning and Sustainable Development Manager.

Mr. Stoll, applicant, representing Rose Equities, spoke on the project.

Public Comments:

Speaker, spoke on public noticing, environmental reviews, fees, formal legal opinion and ex facto opinion on Measure Y, and played a video of the council speaking on the issue on June 15, 2021.

Cynthia McDonald, Costa Mesa, spoke on a summary of Measure Y and Measure K, the effective dates of the ordinances, and spoke on the project going to a vote of the people.

Diana Denny, Costa Mesa, spoke on Measure Y, vertical landscaping, legal language pertaining to not having to go to a vote of the people, concerns on traffic, and light pollution.

Jay Humphrey, Costa Mesa, echoed previous speakers, spoke on the 3% interest rate is too low, the phasing of fees, and requested fees up front and not in 5 years.

Scott Smith, Costa Mesa, requested the project go to a vote of the people, and 3% interest rate is too low.

Speaker, Costa Mesa, spoke on the artwork, visual blight, in opposition of LED signs, explained that vertical landscaping is for sound, encouraged home ownership, spoke on density, and requested the project to go to a vote of the people.

Speaker, played a video from a council meeting on June 15, 2021, and requested the project to go to a vote of the people.

Priscilla Rocco, Costa Mesa, spoke on sending the project to a vote of the people, spoke on increasing the 3% interest rate, and spoke on keeping the vertical landscaping.

MOVED/SECOND: Council Member Chavez/Council Member Marr

MOTION: Approve staff recommendation.

Council Member Marr requested that the final design of the public art display shall be subject to review and final approval by the Planning Commission, maintain the vertical landscaping requirement, and clarify requirements on the art display and Building A prior to submission.

Council Member Chavez (1st) agreed to the change.

Mayor Stephens requested to add the wording from slide 9 of the presentation regarding allowing the Arts Commission and Planning Commission to relax or eliminate the vertical landscaping requirements where appropriate.

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

Council Member Reynolds requested phased payments, no later than 5 years or before the issuance of all certificates of occupancy whichever is sooner.

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

Ms. Hall Barlow, City Attorney, clarified corrections on the proper name to Costa Mesa Sunflower, LLC, will be made on the resolution, ordinances, and development agreement.

MOVED/SECOND: Council Member Chavez/Council Member Marr

MOTION: Approve staff recommendation with the following changes:

- Keep consistent with Planning Commission recommendations and maintain Planning Commission as the final approval for the final design of the public art display, maintain vertical landscaping requirement, and clarify requirements on the art display and Building A prior to submission.
- Add the wording from slide 9 of the presentation regarding allowing the Arts Commission and Planning Commission to relax or eliminate the vertical landscaping requirements where appropriate.
- Phased payments, no later than 5 years or before the issuance of all certificates of occupancy whichever is sooner.

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: None.

Motion carried: 6-0

ACTION:

1. City Council found that the amendments are in substantial conformance with the Final Environmental Impact Report (EIR) for the One Metro West project (State Clearing House No. 2019050014), including a mitigation monitoring program and

statement of overriding considerations, which was certified by the City Council on May 4, 2021, and that no further environmental review under CEQA is required pursuant to CEQA Guidelines Section 15162.

2. Introduced for first reading, by title only, Ordinance No. 2024-05 approving Development Agreement 20-02, modifying payment of impact fees and community benefits funding from one year to no later than the earlier of either five years from the date of the first issuance of building permit “Construction Date”, or final inspection approval for the project’s last residential unit.
3. Introduced for first reading, by title only, Ordinance No. 2024-06 approving Rezone 20-01.
4. Introduced for first reading, by title only, Ordinance No. 2024-07 approving Specific Plan 20-01.
5. Adopted Resolution 2024-30 amending certain conditions of approval of Resolution 2021-55 regarding the artwork on Building A along the I-405 Freeway.

3. **FISCAL YEAR 2024-25 PROPOSED OPERATING AND CAPITAL IMPROVEMENT PROGRAM AND HOUSING AUTHORITY BUDGET**

Presentation by Ms. Molina, Finance Director.

Public Comments:

Speaker, expressed concerns using the park land acquisition funds as the fund is hard to replenish, and spoke on adding more park space.

Speaker, Resilience Orange County, spoke in support of tenants, spoke on a better method of tracking evictions, spoke on a rental registry and mapping out where evictions are taking place and the data to be published.

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

MOTION: Approve staff recommendation with the following changes:

- Incorporate up to \$10,000 from the current fiscal year into the Arts and Culture Master Plan budget.
- Add the Santa Ana bike lane to the CIP list.
- Do not reallocate the \$350,000 from the park land acquisition fund, and defer the Open Space Master Plan.

Council Member Gameros requested a 1st time homebuyers plan for Public Safety.

Ms. Farrell Harrison, City Manager, indicated staff will bring the plan back with guidelines at a later date.

Mayor Pro Tem Harlan clarified that Brentwood Park was funded last year and will proceed.

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

MOTION: Approve staff recommendation with the following changes:

- Incorporate up to \$10,000 from the current fiscal year into the Arts and Culture Master Plan budget.
- Add the Santa Ana bike lane to the CIP list.
- Do not reallocate the \$350,000 from the park land acquisition fund, and defer the Open Space Master Plan.
- Include a 1st time homebuyers plan for Public Safety.

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: None.

Motion carried: 6-0

ACTION:

1. City Council approved Resolution 2024-31, adopting the Proposed Fiscal Year 2024-25 Operating and Capital Improvement Program (CIP) Budget; and
2. Approved Joint Resolution 2024-32 adopting the Housing Authority Budget including Housing and Community Development expenditures for Fiscal Year 2024-25; and
3. Authorized and approved staffing as follows:
 - a. Authorized the following full-time positions: increase of 3.0 FTE for Community Outreach Worker for Homeless Services, decrease of 1.0 FTE Community Outreach Worker for the Tenant Eviction Protection Program, and a decrease of 1.0 FTE Code Enforcement Officer for the Tenant Eviction Protection Program for a net increase of 1.0 FTE as presented at the May 14, 2024 Study Session; and
 - b. Authorized the following part-time to full-time conversions: Accounting Specialist II in the Police Department for a 0.37 FTE increase due to the increased responsibilities, heavy workload and succession planning purposes, as presented at the May 14, 2024 Study Session; and
 - c. Authorized a 0.75 part-time Accounting Specialist II in the Finance Department to help support the processing of invoices and a 0.50 part-time Maintenance Worker in the Public Works Department to support the Signs and Markings Program as presented at the May 14, 2024 Study Session; and
 - d. Approved Salary and Classification Updates Resolution 2024-35 (various CMCEA classifications)
4. Approved Resolution 2024-33 establishing the Fiscal Year 2024-2025 Appropriations Limit for the City of Costa Mesa at \$310,115,684, by using Orange County's growth for population adjustment, and the California per capita income growth for inflationary adjustment; and

5. Approved the City of Costa Mesa's Revised Special Event Rates; and
6. City Council complied with AB 481 Police Equipment Report and Resolution:
 - a. Received and filed the 2024 Annual AB 481 Report and took public comment; and
 - b. Approved Resolution 2024-34 Renewing Ordinance No. 2022-03, the AB 481 Equipment Use Policy of the City of Costa Mesa, California, governing the use of police safety equipment.

OLD BUSINESS: NONE.

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

ADJOURNMENT – Mayor Stephens adjourned the meeting at 10:14 p.m.

Minutes adopted on this 18th day of June, 2024.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk

DRAFT