

City of Costa Mesa



Meeting Minutes

Tuesday, November 16, 2021

6:00 PM

City Council Chambers
77 Fair Drive

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY

4:00 P.M. Closed Session

CALL TO ORDER - The Closed Session meeting was called to order by Mayor Stephens at 4:00 p.m.

ROLL CALL

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

Absent: None.

PUBLIC COMMENTS – None.

CLOSED SESSION ITEMS:

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
Government Code Section 54956.8
APN: 422-193-24, Property: 2205 Harbor Boulevard and APN:426-053-15,
Property: 2274 Newport Boulevard
Agency Negotiator: Lori Ann Farrell Harrison, City Manager and Susan Price, Assistant City Manager
Negotiating Parties: County of Orange
2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Government Code Section 54956.9(d)(1)
Robert Sharpnack v. City of Costa Mesa Orange County Superior Court Case No. 30-2020-01131375-CU-OE-CJC.
3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Government Code Section 54957, Subdivision (b)(1).
Title: City Manager
4. **CONFERENCE WITH LABOR NEGOTIATORS**
Government Code Section 54957.6
Title: City Manager
Agency designated representatives: Mayor Stephens, Mayor Pro Tem Marr, and Council Member Reynolds.

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

Closed Session adjourned at 5:45 p.m.

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY**

November 16, 2021 – 6:00 P.M.

CALL TO ORDER - The Regular City Council and Successor Agency to the Redevelopment Agency meeting was called to order by Mayor Stephens at 6:02 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

Ms. Keira Wilkes led the National Anthem and Council Member Reynolds led the Pledge of Allegiance.

MOMENT OF SOLEMN EXPRESSION

Led by Pastor Christine Nolf from Redemption Church.

ROLL CALL

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

Absent: None.

CITY ATTORNEY CLOSED SESSION REPORT – No reportable action.

PRESENTATIONS

Mayor Stephens, Council Members, and city staff, provided a commendation and recognized Dane Bora, Public Affairs Manager on his retirement.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Speaker, congratulated Dane Bora, Public Affairs Manager on his retirement and congratulated and thanked the Costa Mesa Police Department for their hard work.

Joe Erickson, Costa Mesa, read a letter in recognition of Dane Bora, Public Affairs Manager.

Speaker, thanked Dane Bora, Public Affairs Manager for his service to the community.

Russell Toler, recognized Dane Bora, Public Affairs Manager for his service to the community spoke on public safety and traffic calming in the community, and the Strong Towns Event.

Speaker, spoke in opposition of a rehabilitation facility on Purdue Drive.

Marc Vukceovich, Costa Mesa, spoke on the Strong Towns Event, and on drunk driving in the city.

Speaker, spoke in opposition of a rehabilitation facility on Purdue Drive.

Sandra Genis, Costa Mesa, recognized Dane Bora, Public Affairs Manager for his service to the community, spoke on the need for the Animal Services Committee to meet, and the December 11th Priceless Pet Rescue event that will have photos with Santa and See's Candy fundraiser.

Speaker, wished Dane Bora, Public Affairs Manager a wonderful retirement.

PUBLIC HEARINGS: (MUST BEGIN AT 7:00 P.M. PROMPTLY)

1. SECOND PUBLIC HEARING TO RECEIVE INPUT REGARDING PROPOSED DRAFT DISTRICT MAPS FOR THE 2021 REDISTRICTING PROCESS

Presentation by Ms. Green, City Clerk and Dr. Levitt, Vice President of National Demographics Corporation.

Public Comments:

Robin Leffler, Costa Mesa, spoke in opposition of dividing the Mesa Verde Community.

Marc Vukceovich, Costa Mesa, spoke in support of map 108 for District 5 and that Placentia seems like a natural border for District 4.

Sandra Genis, Costa Mesa, expressed concern on dividing any neighborhood and is opposed to dividing the Mesa Verde Community.

Speaker, spoke on the process and supports map 105.

Discussion ensued on showing maps that are not balanced, dividing lines, the current shape of District 5, District 4 reflects the Latino community, the feedback process to create and refine maps, keeping Mesa Verde and other neighborhoods together, future population growth, and areas north of the I-405 to allow for more deviation to accommodate future population growth.

Council Member Chavez likes that map 108 extends District 4 all the way to Harbor Boulevard.

Council Member Harper would like Mesa Verde to stay together.

Mayor Pro Tem Marr likes map 108 for keeping neighborhoods together and less deviation from current maps.

Council Member Harlan likes map 108 as current boundaries are mostly defined.

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

MOTION: Receive and File the report and first draft of maps.

The motion carried by the following roll call vote:

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

Nays:None

Absent: None

Motion carried: 7-0

ACTION:

1. City Council received the proposed 2021 City of Costa Mesa Redistricting maps.
2. Conducted a public hearing and received public input and feedback on proposed 2021 City of Costa Mesa Redistricting Maps.
3. Directed staff to make modifications to maps.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Chavez spoke in support of the LGBTQ+ community

Council Member Gameros wished Dane Bora a wonderful retirement.

Council Member Harlan congratulated Newport Harbor High School boys water polo team.

Mayor Stephens spoke on public safety, the Neth park ceremony, the Police Department handling a drug bust, thanked the Fire Department for efforts on a structure fire where nobody was injured, an event on Saturday at 4:00 p.m. at the Norma Hertzog Community Center to talk about the oil spill and offshore oil drilling, and spoke on the animal services committee meeting again.

REPORT – CITY MANAGER – None.

REPORT – CITY ATTORNEY – Ms. Hall Barlow expressed gratitude to Dane Bora and wished him luck in his retirement.

CONSENT CALENDAR (ITEMS 1-11)

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

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 11 except for item number 7.

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Abstain: Council Member Gameros recused himself only on CC-3 the Warrant Resolution because of a conflict of interest as his wife works with Priceless Pet Rescue.

Motion carried: 7-0

1. PROCEDURAL WAIVER: APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS

ACTION:

City Council and Agency Board 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: Mike Baxter, Chandler Kane, Rachel Ouellette.

3. ADOPTION OF WARRANT RESOLUTION

ACTION:

City Council approved Warrant Resolution No. 2670.

4. MINUTES

ACTION:

City Council approved the Minutes of the Regular meeting of November 2, 2021.

5. RESOLUTION ADOPTING THE FY 2021-2022 STATEMENT OF INVESTMENT POLICY

ACTION:

City Council adopted Resolution No. 2021-43 approving the Statement of Investment Policy for FY 2021-2022 and delegating the investment activities to the City Treasurer.

6. ACCEPTANCE OF MERRIMAC WAY ACTIVE TRANSPORTATION AND STREET IMPROVEMENTS PROJECT, CITY PROJECT NO. 20-01

ACTION:

1. City Council accepted the work performed by GMC Engineering, Inc., for the Merrimac Way Active Transportation and Street Improvements Project, City Project No. 20-01, and authorized the City Clerk to file the Notice of Completion.
2. Authorized the City Manager to 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; and release the retention monies thirty-five (35) days after the Notice of Completion filing date.

8. AUTHORIZE THE USE OF SOURCEWELL'S NATIONAL COOPERATIVE AGREEMENT WITH SIGLER COMMERCIAL HVAC DIVISION

ACTION:

1. City Council authorized the use of Sourcewell's (formerly National Joint Powers Alliance) National Cooperative Agreement No. 030817-CAR with Carrier Corporation, Sigler Commercial HVAC Division.
2. Authorized the purchase of nineteen (19) HVAC units and accessories for \$158,703 from Sigler Commercial HVAC Division.

9. 2023 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM

ACTION:

City Council adopted Resolution No. 2021-44, approving projects for inclusion in the Orange County Transportation Authority's (OCTA) Federal Transportation Improvement Program (FTIP) for Fiscal Years 2022/23 through 2027/28.

10. MONTHLY UPDATE OF STRATEGIC PLAN GOALS AND SIX-MONTH OBJECTIVES

ACTION:

City Council approved the November update to the City of Costa Mesa's Three Year Strategic Plan and six-month objectives.

11. APPROVAL FOR THE JOINT AGREEMENT WITH THE COUNTY OF ORANGE FOR THE NEW 800 MHZ COUNTYWIDE COORDINATED COMMUNICATION SYSTEM (CCCS).

ACTION:

1. City Council approved the re-written Joint Agreement to be included in the County's 800 MHz partnership with the County, 34 cities, OCFA, Orange County Transportation Authority, Orange County Lifeguards, Irvine Valley College Police Department, Saddleback College Police Department and Santa Ana Unified School District Police Department.

2. Authorized the City Manager to execute the necessary documents for the City of Costa Mesa to participate in the re-written Joint Agreement for the 800 MHz Countywide Coordinated Communications System (CCCS) with the County of Orange.

AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR

7. JACK HAMMETT SPORTS COMPLEX EXPANSION PROJECT, CITY PROJECT NO. 21-05

Presentation by Mr. Yang, City Engineer.

Public Comments:

Marc Vukceovich, Costa Mesa, presented a PowerPoint presentation on alternatives to the project and spoke on rejecting the bid.

Speaker, spoke on including electric charging spaces.

Discussion ensued on tree removal, Capital Improvement funds, design timeline, parking needs, other recreational uses to double as parking, and the cost for redoing the bid process.

MOVED/SECOND: Mayor Stephens/Council Member Harper

MOTION: Approve staff recommendation.

SUBSTITUTE MOTION/SECOND: Council Member Harlan/Council Member Reynolds

SUBSTITUTE MOTION: Continue the item to the next City Council meeting.

The motion carried by the following roll call vote:

Ayes: Council Member Gameros, Council Member Harlan, Council Member Reynolds, and Mayor Pro Tem Marr,

Nays: Council Member Chavez, Council Member Harper, and Mayor Stephens.

Absent: None

Motion carried: 4-3

ACTION:

City Council continued the item to the December 7, 2021 meeting.

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

City Council recessed into a break at 8:41 p.m.

City Council reconvened at 8:53 p.m.

PUBLIC HEARINGS:

- 2. GIVE FIRST READING TO AN ORDINANCE AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE (ZONING CODE) TO CLEAN UP INTERNAL INCONSISTENCIES BETWEEN VARIOUS CHAPTERS OF THE ZONING CODE AND TO CONFORM TO RECENT REVISIONS TO AND REQUIREMENTS OF STATE LAW (CODE AMENDMENT 2020-02)**

Presentation by Ms. Lee, Economic and Development Services Director.

Public Comments – None.

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

Nays:None

Absent: None

Motion carried: 7-0

ACTION:

City Council introduced for first reading, by title only, Ordinance No. 2021-20 approving Code Amendment CO-2020-02, amending Title 13 of the Costa Mesa Municipal Code (Zoning Code) to clean up internal inconsistencies between various chapters, clarify intent, and conform to recent revisions in compliance with State law.

OLD BUSINESS: NONE.

NEW BUSINESS:

- 1. URBAN MASTER PLAN SCREENING REQUEST (UMP-21-004) FOR AN EIGHT-UNIT LIVE/WORK DEVELOPMENT LOCATED AT 1711 AND 1719 POMONA AVENUE**

Presentation by Mr. Yeager, Associate Planner.

Dirk Thelen, on behalf of the applicant, spoke on the project.

Discussion ensued on the uses of live/work housing, how many live/work projects have been approved since 2016, the amount of deviations allowed, design intent, home office and flex space working environment, designing more units to face Pomona, the distinction in the code that constitutes work space vs. home office, parking space, five units will be looking into public storage, property lines, and creating a walkable/bikeable neighborhood.

Public Comments:

Marc Vukceovich, Costa Mesa, spoke in support of housing, that the proposed parking seems excessive, advocated for the climate change goal, and for the project to be decarbonized, fully electric, and no gas used.

Discussion ensued on walkability and bikeability, displacement of current residents, businesses on the ground floor, the design compatibility with the neighborhood, trading parking for onsite amenities, flooding issues, and on live/work housing.

MOVED/SECOND: Council Member Chavez/Council Member Reynolds

MOTION: Receive and File the report.

The motion carried by the following roll call vote:

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

Nays:None

Absent: None

Motion carried: 7-0

ACTION:

City Council reviewed and provided feedback on the proposed eight-unit live/work project at 1711 and 1719 Pomona, located within the Mesa West Bluffs Urban Plan area.

2. HOMEKEY PROGRAM GRANT FUNDING OPPORTUNITIES FOR MOTEL CONVERSIONS TO PERMANENT SUPPORTIVE HOUSING FOR AT RISK AND HOMELESS POPULATIONS

Presentation by Ms. Price, Assistant City Manager.

Discussion ensued on ongoing operating costs, cash vouchers, mental health services, Cal Optima, Continuum of Care grant, the provider and developer responsibilities, annual cost, the dwellings count toward RHNA numbers, who oversees compliance, restrictions implemented by County, continuing care, and priority for filling the rooms.

Public Comments:

Paul Cho, Housing Strategist for Illumination Foundation, spoke in support of the project and for permanent housing.

Kyle Paine, President of Community Development Partners, spoke in support of the project.

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

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays: Council Member Harper

Absent: None

Motion carried: 6-1

ACTION:

1. City Council directed staff to collaborate with the County of Orange and associated development partners to submit application(s) for the Homekey Program grant funding for the acquisition, rehabilitation and conversion of one or two motel locations proposed for permanent supportive housing; ~~and~~
2. Found the Homekey Projects exempt from the California Environmental Quality Act (CEQA) per Section 50675.1.3 and Section 50675.1.4 of the Health and Safety Code (HSC) pursuant to the enacting legislation for the Homekey Program (AB 140 (2021)) and directed staff to file a Notice of Exemption; ~~and~~
3. Approved a funding commitment of up to \$3.5 million for local match funding for one or two Homekey projects, contingent upon award of State Homekey Program grant; ~~and~~
4. Authorized the City Manager to take any and all actions necessary to secure Homekey Program grant funds for City Council approved project location(s), including but not limited to executing local match funding commitment letters and funding agreements.

3. ADOPT A RESOLUTION OPPOSING ANY REDISTRICTING PLAN PROPOSED BY THE COUNTY OF ORANGE THAT DIVIDES COSTA MESA INTO TWO SUPERVISORIAL DISTRICTS

Presentation by Ms. Hall Barlow, City Attorney.

Discussion ensued on modifying the resolution to support a specific map that is still under consideration by the County, opposing any redistricting plan that splits Costa Mesa into more than one district and that separates it from Huntington Beach and Newport Beach and removes Costa Mesa from District 2.

Public Comments – None.

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

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays: Council Member Harper

Absent: None

Motion carried: 6-1

ACTION:

1. City Council directed staff to collaborate with the County of Orange and associated development partners to submit application(s) for the Homekey Program grant funding for the acquisition, rehabilitation and conversion of one or two motel locations proposed for permanent supportive housing.
 2. Found the Homekey Projects exempt from the California Environmental Quality Act (CEQA) per Section 50675.1.3 and Section 50675.1.4 of the Health and Safety Code (HSC) pursuant to the enacting legislation for the Homekey Program (AB 140 (2021)) and directed staff to file a Notice of Exemption.
 3. Approved a funding commitment of up to \$3.5 million for local match funding for one or two Homekey projects, contingent upon award of State Homekey Program grant.
 4. Authorized the City Manager to take any and all actions necessary to secure Homekey Program grant funds for City Council approved project location(s), including but not limited to executing local match funding commitment letters and funding agreements.
3. **ADOPT A RESOLUTION OPPOSING ANY REDISTRICTING PLAN PROPOSED BY THE COUNTY OF ORANGE THAT DIVIDES COSTA MESA INTO TWO SUPERVISORIAL DISTRICTS**

Presentation by Ms. Hall Barlow, City Attorney.

Discussion ensued on modifying the resolution to support a specific map that is still under consideration by the County, opposing any redistricting plan that splits Costa Mesa into more than one district and that separates it from Huntington Beach and Newport Beach and removes Costa Mesa from District 2.

Public Comments – None.

MOVED/SECOND: Mayor Stephens/Council Member Chavez

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays:None

Absent: None

Motion carried: 7-0

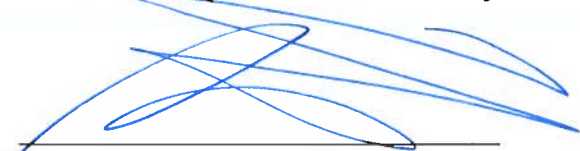
ACTION:

City Council adopted Resolution 2021-45 opposing any redistricting plan that splits Costa Mesa into more than one district and separates it from Huntington Beach and Newport Beach and removes Costa Mesa from District 2.

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

ADJOURNMENT – The Mayor Adjourned the meeting at 10:35 p.m.

Minutes adopted on this 7th day of December, 2021.



John Stephens, Mayor

ATTEST:



Brenda Green, City Clerk

