

# MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

**MARCH 3, 2020**

## **CALL TO ORDER**

The Closed Session was called to order by Mayor Pro Tem Stephens at 4:04 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

## **ROLL CALL**

Present: Council Member Chavez, Council Member Genis (arrived at 4:11 p.m.), Council Member Mansoor, Council Member Reynolds, and Mayor Pro Tem Stephens.

Absent: Council Member Marr and Mayor Foley.

## **PUBLIC COMMENTS**

Mary Spadoni, Costa Mesa, spoke on a permanent restraining order at Fairview Developmental Center, and thanked City Council on their efforts.

### **1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: City of Costa Mesa, and Katrina Foley, vs. United States of America, The Department of Health and Human Services, The United States Department of Defense, The United States Air Force, The Centers for Disease Control and Prevention, The State of California, Fairview Developmental Center (Fairview), The California Governor's Office of Emergency Services, and The California Department of General Services, United States District Court Central District of California – Southern Division Case No. 8:20-cv-368

### **2. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Subdivision (a) of Section 54957.6, California Government Code  
Agency Designated Representatives: Peter Brown, Partner, Liebert Cassidy Whitmore, Lori Ann Farrell Harrison, City Manager  
Name of Employee Organization: Costa Mesa Firefighters Association (CMFA)

### **3. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Subdivision (a) of Section 54957.6, California Government Code  
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager  
Name of Employee Organization: Costa Mesa City Employees Association (CMCEA).

- 4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
APN: 424-211-12; Property: 1885 Anaheim Street, Costa Mesa, CA 92627  
Pursuant to Section 54956.8, California Government Code  
Agency Negotiator: Lori Ann Farrell Harrison, City Manager  
Negotiating Parties: Pastor Phil Eyskens, Church of the Nazarene/Lighthouse Church; Cities in the Central Orange County Service Planning Area (SPA)  
Negotiation: Price and Terms of Payment
  
- 5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
APN: 427-091-12; Property: 3175 Airway Avenue, Costa Mesa, CA 92627  
Pursuant to Section 54956.8, California Government Code  
Agency Negotiator: Lori Ann Farrell Harrison, City Manager  
Negotiating Parties: Cities in the Central Orange County Service Planning Area (SPA)  
Negotiation: Price and Terms of Payment
  
- 6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: Orange County Catholic Worker, an unincorporated association: Lisa Bell, Shawn Carroll, Melissa Fields, Larry Ford, Cameron Ralston, Kathy Schuler, Gloria Shoemake, as individuals v. Orange County, City of Anaheim, City of Costa Mesa, and City of Orange, United States District Court for the Central District of California – Southern Division, Case No. 8:18-cv-00155
  
- 7. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - ONE CASE**  
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2).

The City Council recessed to Room 5A at 4:08 p.m. for Closed Session.

City Council reconvened at 6:00 p.m.

#### **CALL TO ORDER (00:00:14)**

The meeting was called to order by Mayor Pro Tem Stephens at 6:00 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

#### **NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE (00:00:35)**

Pacific Chorale Academy Choir from Killybrooke Elementary School, Costa Mesa

#### **MOMENT OF SOLEMN EXPRESSION (00:05:34)**

Pastor Phil Eyskens, The Lighthouse Community Church, Costa Mesa

**ROLL CALL (00:07:35)**

Present: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, and Mayor Pro Tem Stephens.

Absent: Mayor Foley

Officials Present: City Manager Lori Ann Farrell Harrison, City Attorney Kimberly Hall Barlow, Economic and Development Services Director Barry Curtis, Public Services Director Raja Sethuraman, Acting Parks and Community Services Director Yvette Aguilar, Finance Director Kelly Telford and City Clerk Brenda Green.

**CITY ATTORNEY CLOSED SESSION REPORT (00:07:48) – No Reportable Action**

**PRESENTATIONS**

1. Eagle Scout Presentation – Mayor Pro Tem Stephens and the City Council recognized Eagle Scout Dean Romine. (00:08:03)
2. Costa Mesa Minute (00:12:50)
3. Ms. Farrell Harrison, City Manager, provided an update on the issues related to the Coronavirus. (00:15:15)

**PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA: (00:30:56)**

Al Morelli, Costa Mesa, requested code enforcement on the new lights at the Target Shopping Center. (00:31:49)

Kim Hendricks, Costa Mesa, spoke on the February 12th Fairview Park Steering Committee meeting and the Harbor Soaring Society using Fairview Park. (00: 35:00)

Michelle Figueredo-Wilson, Costa Mesa, spoke on comments made to Council Members regarding absences from meetings. (00:38:11)

Speaker, spoke on Sober living lawsuits, Coronavirus, and the dog park. (00:39:47)

Speaker, thanked City Council for efforts regarding Coronavirus and Fairview Developmental Center, and spoke on attorney Ms. Keller and contributions. (00:41:20)

Speaker, spoke in support of Mayor Foley. (00:43:29)

Speaker, spoke on Coronavirus death rate. (00:45:12)

Speaker, expressed concerns on Coronavirus and about testing individuals, safety of employees, testing kits, and Fairview Developmental Center; and Council Members absences from a meeting. (00:45:54)

Ralph Taboada, Costa Mesa, thanked Ms. Telford, Finance Director, for her service to the City. (00:48:41)

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

**MOTION:** Begin Public Hearings at 7:15 p.m.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Foley

Abstain: None

Motion carried: 6-0-1

### **COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS (00:50:13)**

Council Member Marr spoke on democracy, praised Judge Staton, spoke on free press and social media, and thanked the community and staff for efforts regarding the Coronavirus. (00:52:11)

Council Member Mansoor thanked Ms. Telford, Finance Director, for her service, and spoke on Mayor Foley's absence. (00:55:16)

Council Member Genis thanked Council Member Marr and staff regarding the Coronavirus, spoke on needing an action plan for dealing with the virus; reported on a meeting on the Housing Element and RHNA numbers; shipping containers being used at shopping centers for storage; Harbor Soaring Society and adverse impacts on wildlife study; thanked Ms. Telford, Finance Director for her service to Costa Mesa. (00:57:19)

Council Member Reynolds thanked Ms. Telford, Finance Director, on her service to the City, spoke on the City's efforts regarding Coronavirus and thanked staff, spoke on movies in the park at Lions Park; the March bike ride; attendance at the Vanguard University 100-year anniversary celebration, and upcoming Council priorities. (01:01:03)

Council Member Chavez praised the City's efforts regarding Coronavirus, encouraged voting, requested lighting on Drummond St., and congratulated new police Chief Glass. (01:04:11)

Mayor Pro Tem Stephens congratulated Chief Glass, and thanked Ms. Telford, Finance Director for her service to the City; spoke on Coronavirus issues and praised attorneys for their legal work, spoke on the Vanguard University 100-year anniversary celebration, reported on other events in Costa Mesa. (01:06:01)

**REPORT – CITY MANAGER (01:09:29)**

Ms. Farrell Harrison thanked Ms. Telford, Finance Director, for her service to the City of Costa Mesa and congratulated Chief Glass.

**REPORT – CITY ATTORNEY (01:10:46)**

Ms. Hall Barlow clarified that she sent an email at 1:00 in the morning to Keller-Anderle, spoke on working with the legal team on Coronavirus issues, and the Gardner case received a motion for summary judgement and the case is concluded.

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

**MOTION:** Move Public Hearings to 7:30 p.m.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Foley

Abstain: None

Motion carried: 6-0-1

**CONSENT CALENDAR: (Items 1-10) (01:13:14)**

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

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 10 except for 3, 4, and 10.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Foley

Abstain: None

Motion carried: 6-0-1

**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 waive full reading of Ordinances and Resolutions.

**2. READING FOLDER**

Claims received by the City Clerk: Rinaldo Porcile

**ACTION:**

City Council received and filed.

**5. HYLAND AVENUE AT MACARTHUR BOULEVARD INTERSECTION IMPROVEMENTS, CITY PROJECT NO. 19-01**

**ACTION:**

1. City Council accepted the work performed by Black Rock Construction for the subject project 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; release the Faithful Performance Bond at the conclusion of the one-year warranty period; and release the retention monies 35 days after the notice of Completion filing date.

**6. LIONS PARK LIBRARY AUDIO VISUAL PROJECT, CITY PROJECT NO. 18-14**

**ACTION:**

1. City Council accepted the work performed by Western Audio Visual Inc., for the subject project 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; release the Faithful Performance Bond at the conclusion of the one-year warranty period; and release the retention monies 35 days after the Notice of Completion filing date.

**7. APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT WITH INTERWEST CONSULTING GROUP, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PUBLIC SERVICES DEPARTMENT, ENGINEERING AND TRANSPORTATION SERVICES DIVISIONS**

**ACTION:**

1. City Council approved proposed Amendment No. 4 to the Professional Services Agreement (PSA) with Interwest Consulting Group, Inc., 15140 Transistor Lane, Huntington Beach, CA 92649, increasing the maximum compensation by \$150,000, for a total not-to-exceed amount of \$684,000.
2. Authorized the City Manager and the City Clerk to execute the amendment and future authorized amendments to the agreement.

**8. I-405 IMPROVEMENT PROJECT – AMENDMENTS TO COOPERATIVE AGREEMENT NO. C-5-3612**

**ACTION:**

1. City Council approved a budget adjustment recognizing \$661,980 in revenue and appropriating \$661,980 to the I-405 Improvement Pavement Mitigation Project per Amendment No. 1 to the Cooperative Agreement C-5-3612 between the City of Costa Mesa and the Orange County Transportation Authority (OCTA) for the specified purposes; and
2. Approved a budget adjustment recognizing \$249,500 in revenue and appropriating \$249,500 to the I-405 Improvement Project per Amendment No. 2 to the Cooperative Agreement C-5-3612 between the City of Costa Mesa and OCTA for the specified purposes.

**9. RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2020 ORANGE COUNTY MARATHON**

**ACTION:**

City Council adopted the Resolution designating event routes for the 2020 Orange County (OC) Marathon and approved the temporary street closures for May 2, 2020, and May 3, 2020, as requested for the 2020 OC Marathon.

**ITEMS PULLED FROM THE CONSENT CALENDAR**

**3. WARRANT RESOLUTION NO. 2636 (01:14:27)**

Public Comments:

Speaker, spoke on legal fees for sober living issues. (01:14:36)

**MOVED/SECOND:** Council Member Marr/Council Member Chavez

**MOTION:** Approve Warrant Resolution No. 2636.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Foley

Abstain: None

Motion carried: 6-0-1

**ACTION:**

City Council approved Warrant Resolution No. 2636 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including payroll register No. 20-04 for \$2,593,271.10; and City operating expenses for \$2,824,985.76.

4. **ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AMENDING SECTIONS 9-125 (BUSINESSES, PROFESSIONS, TRADES AND OCCUPATIONS REQUIRING A PERMIT UNDER THE PROVISIONS OF THIS CHAPTER) AND 9-128 (BUSINESSES WHERE THE DIRECTOR OF FINANCE MAY ISSUE PERMITS IN CASE OF NO OBJECTION) OF ARTICLE 1 (GENERALLY) AND ARTICLE 9 (PUSHCART AND OTHER SIDEWALK VENDORS), OF CHAPTER II (REGULATION OF CERTAIN BUSINESSES) OF TITLE 9 (LICENSES AND BUSINESS REGULATION) OF THE COSTA MESA MUNICIPAL CODE, RELATING TO SIDEWALK VENDING (01:16:46)**

Council Member's Genis and Mansoor pulled this item for a separate vote and spoke on voting no on the item.

Ms. Hall Barlow noted a grammatical change to the Ordinance.

Public Comments: None

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

**MOTION:** Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays: Council Member Genis, Council Member Mansoor

Absent: Mayor Foley

Abstain: None

Motion carried: 4-2-1

**ACTION:**

1. City Council found that the adoption of this Ordinance was not a "project" under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21065, and that it is exempt from the provisions of CEQA pursuant to CEQA Guidelines (14 Cal. Code. Regs. § 15000, et seq.) Section 15061(b)(3) (because it can be seen with certainty that the adoption of this Ordinance will not have an effect on the environment) such that no environmental review under CEQA is required; and
2. Adopted Ordinance No. 2020-04 amending Sections 9-125 (Businesses, Professions, Trades and Occupations Requiring a Permit Under the Provisions of this Chapter) and 9-128 (Businesses Where the Director of Finance May Issue Permits in Case of No Objection) of Article 1 (Generally) and the provisions of Article 9 (Pushcart and Other Sidewalk Vendors) of Chapter II (Regulation of Certain Businesses) of Title 9 (Licenses and Business Regulation) of the Costa Mesa Municipal Code, relating to Sidewalk Vending.



10. **ADOPTION OF ORDINANCE 2020-03 (CODE AMENDMENT CO-19-04) AMENDING TITLE 19 AND TITLE 13 OF THE COSTA MESA MUNICIPAL CODE (FRANCHISES AND PLANNING, ZONING, AND DEVELOPMENT), RELATING TO WIRELESS TELECOMMUNICATIONS FACILITIES AND RELATED INFRASTRUCTURE WITHIN THE PUBLIC RIGHT-OF-WAY AND RELATED DESIGN GUIDELINES (01:20:03)**

Public Comments:

Monica Draghici, spoke on increased residential setbacks and school setbacks, spoke on changes requested to the ordinance in comparison to other cities; and spoke against the ordinance. (01:21:02)

Wendy Leece, Costa Mesa, spoke against the ordinance and noted a 500' vs. 750' typographical error in the report. (01:25:12)

Speaker, spoke on an error on handwritten page 11 regarding 750', spoke against the ordinance. (01:27:44)

Speaker, spoke against the ordinance. (01:29:08)

Speaker, noted an error in the report and the need to postpone the vote to correct the material. (01:30:41)

Public Comments closed.

Ms. Hall Barlow clarified that the staff report is correct, but the attachment did not get corrected, it is a typographical error and is still in compliance with law, the item does not require continuance or further noticing.

**MOVED/SECOND:** Council Member Marr/Council Member Reynolds  
**MOTION:** Approve and adopt Ordinance No. 2020-03.

Council Member Marr spoke on the motion and what can and cannot be regulated in the Ordinance.

Council Member Mansoor spoke on not supporting the motion.

Ms. Le, Assistant Development Services Director, addressed a few clerical corrections.

Council Members Marr and Reynolds agreed to the corrections.

Council Member Reynolds thanked staff for their efforts on the item.

The motion carried by the following roll call vote:

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

Nays: Council Member Mansoor

Absent: Mayor Foley  
Abstain: None  
Motion carried: 5-1-1

**ACTION:**

City Council adopted Ordinance No. 2020-03 (Code Amendment CO-19-04) to be read by title only, amending Title 19 and Title 13 of the Costa Mesa Municipal Code (Franchises and Planning, Zoning, and Development), relating to wireless telecommunications facilities and related infrastructure within the public right-of-way and related Design Guidelines.

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

**PUBLIC HEARINGS (01:38:38)**

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

- 1. CONDUCT TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) HEARING AND ADOPT A RESOLUTION APPROVING THE ISSUANCE OF NOT-TO-EXCEED \$42,000,000 OF CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OBLIGATIONS FOR THE BENEFIT OF VANGUARD UNIVERSITY OF SOUTHERN CALIFORNIA (01:38:47)**

Staff presentation by Mr. Curtis, Economic and Development Services Director.

Public Hearing Opened:

Jeremy Moser, Vice President of Finance at Vanguard University, thanked Council for attending anniversary event and asked for support on the item. (01:42:26).

Public Hearing closed.

**MOVED/SECOND:** Council Member Genis/Council Member Chavez

**MOTION:** Approve recommended actions.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Foley

Abstain: None

Motion carried: 6-0-1

**ACTION:**

- 1. City Council conducted a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 to receive public comments relating to the issuance of tax-exempt obligations pursuant to the Tax Equity and Fiscal Responsibility Act of 1982.**

2. Adopted a Resolution approving the issuance of tax-exempt obligations by the California Enterprise Development Authority (CEDA) in an amount not-to-exceed \$42,000,000 to finance and refinance certain facilities for the benefit of Vanguard University of Southern California, a California nonprofit public benefit corporation.

City Council recessed for a break at 7:45 p.m.

City Council reconvened at 7:50 p.m.

2. **INTRODUCTION OF AN ORDINANCE PROVIDING FOR A TEMPORARY REDUCTION OF THE BUSINESS TAX SET FORTH IN ARTICLE 5 (ADMINISTRATION) OF CHAPTER I (BUSINESS TAX) OF THE COSTA MESA MUNICIPAL CODE AS AUTHORIZED BY MEASURE X, THE COSTA MESA MEDICAL MARIJUANA MEASURE, AS AMENDED, THAT IS LEVIED UPON THE LAWFUL DISTRIBUTION, MANUFACTURING, TESTING, AND/OR RESEARCH AND DEVELOPMENT OF MARIJUANA (01:45:12)**

Staff presentation by Ms. Telford, Finance Director.

Discussion ensued on general fund revenue numbers, the theoretical number of businesses that could be operating in the green zone, the temporary nature of the ordinance, 1% vs 2%, what other cities are doing, other green zone uses, when the City of Stanton passed their tax, Long Beach tax reduction, if other cities are looking at similar options, ballot measures being proposed by the industry as well as cities, if the ad hoc committee as a whole met with any applicants, and if illegal operators are paying taxes.

Public Comments:

Steven Contreras, Long Beach, spoke in support of reducing the tax rate to 1%. (03:00:48)

Speaker, spoke in support of reducing the tax rate to 1% and to make it permanent. (03:02:08)

Speaker, spoke in support of reducing tax rate to 1%. (03:05:02)

Speaker, spoke in support of reducing the tax rate to 1%. (03:07:56)

Speaker, spoke in support reducing tax rate to 1%. (03:10:18)

Speaker, spoke in support of reducing the tax rate to 1%. (03:13:02)

Speaker, spoke in support of reducing tax rate to 1%. (03:15:59)

Shelly McKay, spoke in support of reducing the tax rate to 1%. (03:17:37)

Alex Sanberg, spoke in support of reducing tax rate to 1% and to make it permanent. (03:20:02)

Michelle Figueredo-Wilson, Costa Mesa, spoke in support of reducing the tax rate to 0% or 1% and to make it permanent. (03:22:43)

Speaker, spoke in support of reducing tax rate to 1%. (03:24:53)

Andrea Steiner, spoke in support of reducing the tax rate to 1% and to make it permanent. (03:25:20)

Speaker, spoke in support of reducing the tax rate to 1%. (03:28:05)

Speaker, spoke in support of reducing the tax rate to 1% and to shut down illegal operators. (03:31:05)

Jesse Brewer, spoke in support of reducing the tax rate to 1%. (03:33:55)

Speaker, spoke in support of reducing the tax rate to 1%. (03:36:35)

Wendy Leece, Costa Mesa, spoke on the issue, competition and not micromanaging the industry. and expressed concern on a lack of enforcement for the illegal businesses. (03:39:27)

Jim Fitzpatrick, Costa Mesa, spoke in support of reducing the tax rate to 1%, and spoke on the high annual fees, and to make the tax reduction permanent. (03:42:31)

Kory Thomas, spoke in support of reducing the tax rate to 1%, and not allowing cultivation or retail. (03:45:26)

Speaker, spoke against lowering the tax rate. (03:47:48)

Speaker, spoke against lowering the tax rate. (03:50:45)

Public Comments closed.

**MOVED/SECOND:** Council Member Mansoor/Council Member Chavez

**MOTION:** Approve first reading of Ordinance No. 2020-05 changing the rate to 1% and to remove the temporary language.

Council Members Mansoor, Chavez, Reynolds, and Marr spoke on supporting the motion.

Discussion ensued on raising the tax rate in the future would require a vote of the people.

Council Member Genis spoke on not supporting the motion because the voters approved a 6% rate.

Mayor Pro Tem Stephens requested to reduce the percentage to 0 in regards to the testing labs only, and clarified it can only be increased by the voters.

First and Second agreed to the change.

The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: Mayor Foley

Abstain: None

Motion carried: 5-1-1

**ACTION:**

City Council introduced for first reading, by title only, Ordinance No. 2020-05, providing for a reduction of the business tax set forth in Article 5 (Administration) of Chapter I (Business Tax) of the Costa Mesa Municipal Code as authorized by Measure X, the Costa Mesa Medical Marijuana Measure, as amended, that is levied upon the lawful distribution, manufacturing, testing, and/or research and development of marijuana.

City Council recessed in to a break at 10:30 p.m.

City Council reconvened at 10:40 p.m.

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

**MOTION:** Advance New Business No. 3 to be heard prior to Public Hearing No. 3.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Mansoor, Mayor Foley

Abstain: None

Motion carried: 5-0-2

**NEW BUSINESS:**

**3. ADOPTION OF THE CITY OF COSTA MESA INFORMATION TECHNOLOGY STRATEGIC PLAN ROADMAP AND APPROVAL OF FUNDING PLAN (04:22:48)**

Staff presentation by Mr. Ely, Information Technology Director.

Discussion ensued on staffing costs, reprioritizing items in years 4 and 5, and comparison to surrounding cities.

Public Comments: None

**MOVED/SECOND:** Mayor Pro Tem Stephens/Council Member Mansoor

**MOTION:** Approve the recommended actions

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Foley

Abstain: None

Motion carried: 6-0-1

**ACTION:**

1. City Council adopted the Information Technology Strategy Plan Roadmap (ITSP) that was considered at the City Council Study Session on January 28, 2020.
2. Approved in concept the ITSP funding plan.

**PUBLIC HEARINGS:**

3. **INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AMENDING CHAPTER V (FINANCE) OF TITLE 2 (ADMINISTRATION) OF THE COSTA MESA MUNICIPAL CODE TO REVISE ARTICLE 8 (CAPITAL ASSET NEEDS) AND ADD ARTICLE 9 (INFORMATION TECHNOLOGY NEEDS), RELATING TO ANNUAL GENERAL FUND ALLOCATIONS FOR CAPITAL ASSET AND INFORMATION TECHNOLOGY NEEDS (04:38:02)**

Staff presentation by Ms. Telford, Finance Director.

Discussion ensued on spending on computer hardware and personnel costs.

Public Comments: None

**MOVED/SECOND:** Council Member Marr/Council Member Chavez

**MOTION:** Approve first reading of Ordinance No. 2020-06.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Foley

Abstain: None

Motion carried: 6-0-1

**ACTION:**

City Council introduced for first reading, by title only, Ordinance No. 2020-06, amending Chapter V (Finance) of Title 2 (Administration) of the Costa Mesa

Municipal Code to revise Article 8 (Capital Asset Needs) and add Article 9 (Information Technology Needs), relating to annual general fund allocations for capital asset and information technology needs.

**4. RESOLUTION ESTABLISHING FEES IN CONNECTION WITH THE RECENTLY UPDATED WIRELESS TELECOMMUNICATIONS ORDINANCE (04:48:20)**

Staff presentation by Ms. Le, Assistant Director of Development Services.

Public Comments: None

**MOVED/SECOND:** Council Member Marr/Council Member Chavez

**MOTION:** Approve the Resolution establishing fees in connection with the recently updated Wireless Telecommunications Ordinance.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Foley

Abstain: None

Motion carried: 6-0-1

**ACTION:**

City Council adopted a resolution establishing fees in connection with the recently updated Wireless Telecommunications Ordinance.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

**1. BARK PARK TURF AND SOIL REHABILITATION (04:52:18)**

Presentation by Mr. Sethuraman, Public Services Director, Mr. Lindemann, Maintenance Services Manager, Mr. Ryan, Maintenance Supervisor.

Discussion ensued on temporary pop-up parks as alternatives during construction, construction timing, potential inclusion in the CIP budget, costs of the project, a test area for the soil, maintenance of the updated soil, if other strategies/ground covering options were considered, complaints regarding the current bark park, closure of the park during construction, and equipment being installed.

Public Comments: None

**MOVED/SECOND:** Mayor Pro Tem Stephens/Council Member Mansoor

**MOTION:** Move forward with the staff recommendation and to start with a small dog park first to make sure it works and complete the project as a whole over two budget years.

Mayor Pro Tem Stephens and Council Member Mansoor spoke in support of the motion.

Council Member Marr spoke on preferring to do pop-up parks instead.

Council Member Reynolds clarified the motion.

Council Member Genis spoke on the dog park.

Council Member Mansoor asked if charging non-residents for use of the bark park had even been considered.

The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: Mayor Foley

Abstain: None

Motion carried: 5-1-1

**ACTION:**

City Council approved moving forward with the staff recommendation and to start with a small dog park first to make sure it works and complete the project as a whole over two budget years.

**MOVED/SECOND:** Council Member Chavez/Council Member Genis

**MOTION:** Extend the meeting past midnight.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Reynolds, Mayor Pro Tem Stephens

Nays: Council Member Marr

Absent: Mayor Foley

Abstain: None

Motion carried: 5-1-1

**2. FISCAL YEAR 2019-20 MID-YEAR REVIEW OF OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET (05:43:42)**

Staff presentation by Ms. Telford, Finance Director.

Public Comment:

Ralph Taboada, Costa Mesa, spoke in support of the process. (05:45:35)

Public Comments Closed.



**MOVED/SECOND:** Council Member Chavez/Council Member Marr

**MOTION:** Approve the recommended actions

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Foley

Abstain: None

Motion carried: 6-0-1

**ACTION:**

1. City Council received and filed the FY 2019-20 Mid-Year Budget Report.
2. Approved the proposed FY 2019-20 budget adjustments.
3. Approved the proposed staffing changes in the Police Department and City Manager's Office.

**ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS (05:46:30)**

Council Member Marr thanked Ms. Telford, Finance Director for her work with the City.

Council Member Genis thanked Ms. Hall Barlow for work regarding the Coronavirus and Fairview Developmental Center.

Council Member Reynolds congratulated Chief Glass.

Council Member Chavez thanked Mayor Pro Tem for running the meeting.

Mayor Pro Tem Stephens wished luck to all candidates.

**ADJOURNMENT (05:47:44)** – The Mayor Pro Tem Adjourned the meeting at 12:05 a.m.

**Minutes adopted on this 1<sup>st</sup> day of September, 2020.**



\_\_\_\_\_  
Katrina Foley, Mayor

ATTEST:



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Brenda Green, City Clerk