

# **AGENDA**

## **CITY OF COSTA MESA**

### **REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY\* MEETING**

**\*NOTE: ALL AGENCY MEMBERSHIPS ARE REFLECTED IN THE TITLE "COUNCIL MEMBER."**

**TUESDAY, MARCH 2, 2021**  
**CITY COUNCIL CHAMBERS, 77 FAIR DRIVE**  
**REGULAR MEETING 6:00 P.M.**

In order to minimize the spread of COVID-19, Governor Newsom has issued Executive Orders that temporarily suspend requirements of the Brown Act which allows Council Members to attend City Council meetings remotely. Given the health risks associated with COVID-19, the City Council Chambers will be closed to the public until further notice. If you would like to participate in this meeting, you can participate via the following options:

1. Members of the public can view the City Council meetings live on COSTA MESA TV (SPECTRUM CHANNEL 3 AND AT&T U-VERSE CHANNEL 99) AND ONLINE AT [youtube.com/costamesatv](https://youtube.com/costamesatv).
2. Zoom Webinar:  
Please click the link below to join the webinar:  
<https://zoom.us/j/98376390419?pwd=dnpFclc5TnU4a3BKWVlyRVZMaIjZZz09>  
Or sign into Zoom.com and "Join a Meeting"  
Enter Webinar ID: [983 7639 0419](#)/ Password: [905283](#)
  - If Zoom is not already installed on your computer, click "Download & Run Zoom" on the launch page and press "Run" when prompted by your browser. If Zoom has previously been installed on your computer, please allow a few moments for the application to launch automatically.
  - Select "Join Audio via Computer."
  - The virtual conference room will open. If you receive a message reading, "Please wait for the host to start this meeting," simply remain in the room until the meeting begins.
  - During the Public Comment Period, use the "raise hand" function located in the participants' window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

Participate via telephone: Call: [1 669 900 6833](tel:16699006833)

Enter Webinar ID: [983 7639 0419](#)/ Password: [905283](#)

During the Public Comment Period, press \*9 to add yourself to the queue and wait for city staff to announce your name/phone number and press \*6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

3. Members of the public who wish to make a comment on a specific agenda item, may submit your comment via email to the City Clerk at [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov). Comments received by 1:00 p.m. on the date of the meeting will be provided to the City Council, made available to the public, and will be part of the meeting record.
4. Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at 714-754-5225 or [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov) and staff will attempt to accommodate you. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website.

Please note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information.

All pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted, a direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats, .mp4, .mov or .wmv. Only one file may be included per speaker for public comments. Please e-mail to the City Clerk at [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov) **NO LATER THAN 12:00 Noon** on the date of the meeting.

Note regarding agenda-related documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5):

Any related documents provided to a majority of the City Council after distribution of the City Council Agenda Packets will be made available for public inspection. Such documents will be posted on the city's website at [www.costamesaca.gov](http://www.costamesaca.gov) or by clicking [here](#).

The City of Costa Mesa's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's office 24 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible 714-754-5225 or at [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov). El objetivo de la ciudad de Costa Mesa es cumplir con la ley de Estadounidenses con Discapacidades (ADA) en todos los aspectos. Si como asistente o participante en esta reunión, usted necesita asistencia especial, más allá de lo que normalmente se proporciona, intentaremos de complacer en todas las maneras. Favor de comunicarse a la oficina del Secretario de la Ciudad con 24 horas de anticipación para informarnos de sus necesidades y determinar si alojamiento es realizable al 714-754-5225 o [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov)

**The City of Costa Mesa thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.**

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

**TUESDAY, MARCH 2, 2021 – 6:00 P.M.**

**KATRINA FOLEY**  
Mayor

**MANUEL CHAVEZ**  
Council Member

**ANDREA MARR**  
Mayor Pro Tem

**LOREN GAMEROS**  
Council Member

**DON HARPER**  
Council Member

**JEFFREY HARLAN**  
Council Member

**ARLIS REYNOLDS**  
Council Member

City Attorney  
**Kimberly Hall Barlow**

City Manager  
**Lori Ann Farrell Harrison**

**CALL TO ORDER**

**NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE**

Led by Council Member Reynolds

**MOMENT OF SOLEMN EXPRESSION**

*[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The City Council disclaims any intent to endorse or sponsor the views of any speaker.]*

Pastor Jordan Hansen, Newport Mesa Church

**ROLL CALL**

**PRESENTATIONS:**

1. [OC Human Relations Annual Update presented by Susan Reese.](#)
2. [Proclamation: Women's History Month.](#)
3. [Certificate: Recognizing Liz McNabb.](#)
4. Smart n Final Update to be presented by Steve Polenske, Regional Manager.

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

*Comments are limited to 3 minutes, or as otherwise directed.*

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

*Each council member is limited to four minutes. Additional comments will be heard at the end of the meeting.*

1. Council Member Harper
2. Council Member Reynolds
3. Council Member Chavez
4. Council Member Gameros
5. Council Member Harlan
6. Mayor Pro Tem Marr
7. Mayor Foley

### **REPORT – CITY MANAGER**

### **REPORT – CITY ATTORNEY**

### **CONSENT CALENDAR: (Items 1-9)**

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the City Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion.

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

##### **RECOMMENDATION:**

City Council and Agency Board approve the reading by title only and waive full reading of Ordinances and Resolutions.

#### **2. READING FOLDER**

Claims received by the City Clerk: Steven Armand, Barbara Jean Blood, and Yusuf Shojaee.

##### **RECOMMENDATION:**

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2655** – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2655 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 21-03 “A” for \$988.60 and 21-04 for \$2,415,793.17; and City operating expenses for \$3,585,442.60.

4. **MINUTES** - City Manager’s Office/City Clerk’s Division

RECOMMENDATION:

City Council approve the Minutes of January 25, 2019 special meeting, January 30, 2019 special meeting, February 26, 2019 special Closed Session, February 26, 2019 special Study Session, February 26, 2019 special meeting, March 26, 2019 special meeting, April 17, 2019 special Closed Session, May 14, 2019 special Closed Session, May 14, 2019 special Study Session, May 14, 2019 special meeting, August 13, 2019 Study Session, February 4, 2020 regular meeting, May 19, 2020 regular meeting, May 26, 2020 Adjourned regular meeting, November 10, 2020 Study Session, December 15, 2020 Closed Session, December 15, 2020 regular meeting, January 19, 2021 Closed Session, January 19, 2021 regular meeting, and February 23, 2021 special Study Session.

5. **DESIGNATION OF VOTING DELEGATES FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2021 REGIONAL CONFERENCE AND GENERAL ASSEMBLY** - City Manager’s Office/City Clerk’s Division

RECOMMENDATION:

Staff recommends that the City Council:

Designate Mayor Pro Tem Marr as the delegate and Council Member Harlan as the alternate for the upcoming 2021 Annual Southern California Association of Governments (SCAG) Regional Conference & General Assembly.

6. **AMENDMENT NO. 1 TO THE MAINTENANCE SERVICES AGREEMENT WITH F.M. THOMAS AIR CONDITIONING, INC.**

Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve proposed Amendment No. 1 to the Maintenance Services Agreement with F.M. Thomas Air Conditioning, Inc., 231 Gemini Avenue, Brea, CA, 92821, increasing the annual amount by \$30,000 for each year of the agreement (2021 and 2022).

2. Authorize the City Manager and the City Clerk to execute the amendment and future authorized amendments to the agreement.

7. **AMENDMENT NO. 1 TO THE MAINTENANCE SERVICES AGREEMENT WITH SIEMENS INDUSTRY INC.** – Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve proposed Amendment No. 1 to the Maintenance Services Agreement with Siemens Industry, Inc., 6141 Katella Avenue, Cypress, CA, 90630, increasing the annual amount by \$60,000 for Years 1 and 2 of the agreement.
2. Authorize the City Manager and the City Clerk to execute the amendment and future authorized amendments to the agreement.

8. **SECOND READING TO AN ORDINANCE REPEALING URGENCY ORDINANCE 19-19 AND APPROVING CODE AMENDMENT CO-2020-04 AMENDING PORTIONS OF TITLE 13 OF THE COSTA MESA MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS CONSISTENT WITH STATE LAW REQUIREMENTS** - Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

Give second reading to and adopt Ordinance No. 2021-03 (Code Amendment CO-2020-04) to be read by title only, repealing Urgency Ordinance 19-19 and amending the Costa Mesa Municipal Code, Title 13, Article 2 pertaining to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs).

9. **ADOPT RESOLUTION TO END CHILD MARRIAGE** – Legislative Review Team

RECOMMENDATION:

The Legislative Review Team recommends that the City Council approve Resolution No. 2021-07 in support of Ending Child Marriage.

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

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

**PUBLIC HEARINGS:**

1. [AN URGENCY ZONING ORDINANCE NO. 2021-XX OF THE CITY OF COSTA MESA TO EXTEND AND AMEND PREVIOUSLY-APPROVED URGENCY ORDINANCE NO. 2020-14 PROVIDING FOR AN ADDITIONAL 12-MONTH EXTENSION, FOR A TOTAL OF 24 MONTHS, OF THE TIME LIMITS SET FORTH IN ZONING CODE SECTION 13-29\(k\) \(TIME LIMITS AND EXTENSIONS\) FOR ALL APPROVED DISCRETIONARY PLANNING APPLICATIONS; AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY UPON ADOPTION](#)  
Development Services Department/Planning Division

**RECOMMENDATION:**

Staff recommends that the City Council:

Hold a public hearing and adopt Urgency Ordinance No. 2021-XX to extend and amend previously-approved Urgency Ordinance No. 2020-14 providing for an additional 12-month extension, for a total of 24 months, of the time limits set forth in Zoning Code Section 13-29(k) (Time Limits and Extensions) for all discretionary planning applications; and declaring the ordinance to be an emergency measure to take effect immediately upon adoption.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

1. [APPROVAL OF A RESOLUTION FOR THE APPLICATION OF PROPOSITION 68 GRANT FUNDS FROM THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION GRANT PROGRAM FOR THE KETCHUM-LIBOLT PARK RENOVATION/ EXPANSION PROJECT](#)  
Parks and Community Services Department

**RECOMMENDATION:**

Staff recommends that the City Council:

Adopt the proposed Resolution approving the submittal of a grant application to the California Department of Parks and Recreation, Proposition 68 Statewide Park Development and Community Revitalization Grant Program – also known as the Statewide Park Program (SPP) for the Ketchum-Libolt Park Playground Renovation Project. Authorize the City Manager or designee to appropriate and execute any and all actions necessary to fulfill the grant requirements.

2. [APPROVE THE PROPOSED STAFFING PLAN FOR THE IMPLEMENTATION OF THE RETAIL CANNABIS TAX AND REGULATION MEASURE \(MEASURE Q \) AND AMEND THE TABLE OF ORGANIZATION AND FY 2020/21 ADOPTED BUDGET](#) – Finance Department

RECOMMENDATION:

Staff recommends that the City Council:

Approve the requested staffing increase and appropriate funding for the last quarter of the fiscal year estimated at \$0.3 million for the successful implementation of the Retail Cannabis Tax and Regulation Measure (Measure Q) allowing for cannabis retail storefront (dispensaries) and retail non-storefront (delivery) uses in specified areas of the City subject to limitations.

3. [FRONTLINE GROCERY WORKERS HAZARD PAY](#) – City Manager’s Office

RECOMMENDATION:

Staff is seeking City Council direction whether to request that the City Attorney draft an urgency ordinance for consideration at a future City Council meeting requiring local grocery stores to provide hazard pay to their frontline employees for a defined period during the COVID-19 pandemic.

[Click here for public comments received on this item.](#)

**ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS**

**ADJOURNMENT**