

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

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

**CALL TO ORDER** - The Regular City Council meeting was called to order by Mayor Foley at 6:03 p.m. via Zoom webinar.

## **NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE**

Led by Council Member Harlan

## **MOMENT OF SOLEMN EXPRESSION**

Led by Mayor Foley

## **ROLL CALL**

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

Absent: None

## **PRESENTATIONS:**

Mayor Foley presented a Proclamation in honor of Black History Month.

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

Anna Vrska, Costa Mesa spoke against signage at Triangle Square and played a video.

Speaker, spoke against the signage at Triangle Square.

Steven Chan, Costa Mesa spoke on complaints against Smart n Final and spoke on the Mayor and Social Media.

Karl Ahlf, Costa Mesa spoke against the signage at Triangle Square.

Ms. Hall Barlow, City Attorney responded to public comments on campaign contributions, Mayor Foley and the Triangle Square agreement, and Mayor Foley's campaign page.

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

Council Member Gameros spoke on outdoor dining, encouraged practicing safe distances and wearing masks.

Council Member Harlan spoke on the Housing Element workshops on February 17<sup>th</sup> and 18<sup>th</sup>.

Council Member Harper spoke on wearing masks, social distancing, and the Strategic Planning Workshop.

Council Member Reynolds spoke on the Strategic Planning Workshop, reported on the attendance at the Library Advisory Board meeting, reported on the TCA board meeting, spoke on addressing contractor performance issues, and thanked transportation staff for their work.

Council Member Chavez spoke on Hamilton street repaving, speeding on Pomona Street and traffic calming measures, attending the Housing Element Workshops, the Power of One Food Distribution at Ikea, and the County Rental Assistance Program.

Mayor Pro Tem Marr spoke on Ikea being recognized for service to Costa Mesa and awarded a grant for Black History Month, May 15<sup>th</sup> is Love Costa Mesa Day, a new coffee shop on Harbor named the Original Barista, and warned about a recent increase in senior fraud.

Mayor Foley spoke on scams, reported on the Association of Cities of Orange County conference, reported on the Travel Costa Mesa board meeting, reported on the Shelter Advisory Committee meeting, spoke on the FEMA trailer being utilized to isolate individuals with COVID-19, the State treasurer update on a \$15 billion surplus, opportunities for grants and business resources guide, clarified that vaccinations are free, the new Audi dealership, options to formalize outdoor dining, and spoke on a friend who passed away from COVID-19.

**REPORT – CITY MANAGER** – Ms. Farrell Harrison spoke on the past year and on COVID-19, Operation Independence, and the Emergency Rental Assistance Program.

**REPORT – CITY ATTORNEY** – Ms. Hall Barlow spoke on the rental moratorium extension expiring at the end of June 2021 and warned against scams.

**CONSENT CALENDAR: (Items 1-6)**

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

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 6.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0 (Mayor Foley abstaining on CC-2 Warrant Resolution)

**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. WARRANT RESOLUTION NO. 2653 – Finance Department**

Mayor Foley recused herself on this item due to contributions received from Everett Dorey LLP and Keller Anderle.

**ACTION:**

City Council approved Warrant Resolution No. 2653 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 21-01 "A" for \$2,888.51 and 21-02 for \$2,474,602.48; and City operating expenses for \$2,831,936.20.

**3. MINUTES - City Manager's Office/City Clerk's Division**

**ACTION:**

City Council approved the Closed Session Minutes of November 17, 2020.

**4. ADOPTION OF ORDINANCE NO. 2021-01 CHANGING APPOINTMENT PROCESS FOR MEMBERS OF THE PARKS, ARTS AND COMMUNITY SERVICES COMMISSION - City Manager's Office/City Clerk's Division**

**ACTION:**

City Council adopted by second reading Ordinance No. 2021-01 of the City Council of the City of Costa Mesa, California, amending Chapter III (Parks, Arts and Community Services Commission) of Title 12 (Parks and Recreation) of the Costa Mesa Municipal Code.

**5. CONFIRMATION OF MAYOR'S APPOINTMENTS TO AD HOC COMMITTEES  
City Manager's Office/City Clerk's Division**

**ACTION:**

City Council confirmed the following Mayor's appointments:

1. Cannabis Ad Hoc Committee: Mayor Foley, Council Member Manuel Chavez, and Council Member Loren Gameros.
2. City Manager Ad Hoc Committee: Mayor Foley, Mayor Pro Tem Marr, and Council Member Arlis Reynolds.
3. Fairview Developmental Center Ad Hoc Committee: Mayor Foley, Mayor Pro Tem Marr, and Council Member Jeffrey Harlan.

**6. REPORT ON OUTSTANDING 2019-20 ORANGE COUNTY CIVIL GRAND JURY RECOMMENDATIONS ON LAW ENFORCEMENT PEER SUPPORT PROGRAMS**  
Police Department

**ACTION:**

City Council reviewed and approved the Police Department's report on the outstanding 2019-20 Orange County Civil Grand Jury recommendations on law enforcement Peer Support Programs (PSPs).

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

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

**MOTION:** Consider New Business Item number 1 before Public Hearing Item number 1. 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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

**1. APPOINTMENTS TO THE PARKS, ARTS AND COMMUNITY SERVICES COMMISSION AND VARIOUS CITY COMMITTEES**  
City Manager's Office/City Clerk's Division

Staff presentation by Ms. Green, City Clerk.

Public Comments: None.

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

**MOTION:** Appoint Scott Glabb to District 1 on the Parks, Arts, and Community Services Commission.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

**MOVED/SECOND:** Council Member Gameros/ Council Member Chavez  
**MOTION:** Appoint Cassius Rutherford to District 2 on the Parks, Arts, and Community Services Commission.  
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 Foley.  
Nays: None  
Absent: None  
Motion carried: 7-0

**MOVED/SECOND:** Mayor Pro Tem Marr/Mayor Foley  
**MOTION:** Appoint Quentin Pullen to District 3 on the Parks, Arts, and Community Services Commission.  
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 Foley.  
Nays: None  
Absent: None  
Motion carried: 7-0

**MOVED/SECOND:** Council Member Chavez/ Council Member Reynolds  
**MOTION:** Appoint Stanley Garcia to District 4 on the Parks, Arts, and Community Services Commission.  
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 Foley.  
Nays: None  
Absent: None  
Motion carried: 7-0

**MOVED/SECOND:** Council Member Reynolds/ Council Member Harlan  
**MOTION:** Appoint Angely Andrade Vallarta to District 5 on the Parks, Arts, and Community Services Commission.  
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 Foley.  
Nays: None  
Absent: None  
Motion carried: 7-0

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

**MOTION:** Appoint Liz Dorn Parker to District 6 on the Parks, Arts, and Community Services Commission.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

**MOVED/SECOND:** Mayor Foley/Mayor Pro Tem Marr

**MOTION:** Appoint Charlene Ashendorf as the at large representative on the Parks, Arts, and Community Services Commission, and as the Arts Liaison.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

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

**MOTION:** Appoint to the Animal Services Committee: Jay Litvak, Alyssa McKay, Angela Minjares, and Linda Kwoun with a term expiration of April 2022, Diana Gardiner, Nicole Dunger, and Becca Walls with a term expiration of April 2023, and Andrea Pike and Steve Parker as alternates with a term expiration of April 2022.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

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

**MOTION:** Appoint to the Bikeway & Walkability Committee: Richard Huffman, Bridget Gleason, Flo Martin, Cynthia McDonald, Michael Nolf, and Ralph Taboada with a term expiration of April 2022, Bryan Estrada, Trace Yulie, James Erickson, David Martinez, and Emily Webb with a term expiration of April 2023, and John Lux and Jimmy Vivar as alternates with a term expiration of April 2022.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

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

**MOTION:** Appoint to the Cultural Arts Committee: Charlene Ashendorf, Rocky Evans, Stephanie Wenning, Anthony Manrique with a term expiration of April 2022, Salina Mendoza, Arely Ocampo, Frank Gutierrez, Andrea Bravo-Campbell, and Mark Cleveland with a term expiration of April 2023, and Gestina Yassa and Cassydy Berliner as alternates with a term expiration of April 2023.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

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

**MOTION:** Appoint to the Fairview Park Steering Committee: Andy Campbell, Erik Roberts, Emily McClain, and Shannon Levin with a term expiration of April 2025, Cara Raffele as an alternate with a term expiration of April 2023, and Jeffrey Butcher as an alternate with a term expiration of April 2025.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

**MOVED/SECOND:** Mayor Foley/Council Member Reynolds

**MOTION:** Appoint to the Finance and Pension Advisory Committee: Adam Ereth, Gabriel Godinez, Kip Hancock, and Wendy Leece with a term expiration of April 2022, Ralph Taboada, John Stephens, Philip D'Agostino, Boris Gresely, and Tom Arnold with a term expiration of April 2023.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

**MOVED/SECOND:** Council Member Chavez/Mayor Foley

**MOTION:** Appoint to the Historical Preservation Committee: Mary Ellen Goddard, John McQueen, David Gardiner, Emma Cartwright with a term expiration of April 2022, Mikelle Fish, Daniel Baume, Nora Pullen, Christopher Cuthill, and Barbara Steck with a term expiration of April 2023, and Karen McKenna-Juergens and Shaun McGuinness as alternates with a term expiration of April 2022.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

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

**MOTION:** Appoint to the Housing and Public Service Grants Committee: Ginny Walker, Hayle Horton, Lisa Buchanan, and Jenny Vavra with a term expiration of April 2022, Gabriel Godinez, Cristy Martinez, Calvin Alvarez, Aaron Craddolph, and Michelle Murphy with a term expiration of April 2023, and Christopher Cubeiro as an alternate with a term expiration of April 2022.

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, and Mayor Pro Tem Marr.

Nays: None

Absent: None

Abstain: Mayor Foley – Recused herself as Calvin Alvarez works for her.

Motion carried: 6-0-1

**MOVED/SECOND:** Mayor Foley/Mayor Pro Tem Marr

**MOTION:** Appoint to the Mobile Home Advisory Committee: Vickie Talley as a Park Owner with the term expiration of April 2022, Jimmy Vivar as a Mobile Home Resident with the term expiration on April 2022, Wanda Garro as an Independent Citizen At-Large with the term expiration on April 2022, Michael Dougher as a Mobile Home Resident with a term expiration of April 2022, Maria Horton as a Park Owner with the term expiration of April 2023, Eileen Cirillo as a Park Owner with the term expiration of April 2023, Colette McCall Craddolph as a Mobile Home Resident with the term expiration of April 2023, Dolores Minerich as a Mobile Home Resident with the term expiration on April 2023, and Kimberly Christensen as an Independent Citizen At-Large with a term expiration of April 2023.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0



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

**MOTION:** Appoint to the Traffic Impact Fee Ad Hoc Committee: George Sakioka as the Major Development Representative, and Jason Kensey and Matt Eimers as At-Large Representatives with term expirations on April 1, 2025, and to hold a recruitment for the Small Developers Representative position.

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 Foley.

Nays: None

Absent: None

Motion carried: 7-0

## **PUBLIC HEARINGS:**

- 1. GIVE FIRST 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 AND TO AUTHORIZE RELATED FEES**

Development Services Department/Planning Division

Mayor Foley recused herself and left the meeting at 7:52 p.m. as she has an Accessory Dwelling Unit application pending.

Staff presentation by Mr. Aglupos, Assistant Planner.

Discussion ensued on the ordinance in comparison to other cities, best practices, preserving the character of neighborhoods, consistency in language, state regulations, parking concerns, setbacks for 2 stories, fees, design guidelines for window height, and the transportation map.

City Council recessed into break at 8:48 p.m.

City Council reconvened at 9:00 p.m.

Public Comments:

Speaker, spoke on park fees, square footage, setbacks, existing garages, the state ADU handbook, and new laws.

Speaker, spoke on setbacks.

Chasin Prather, agreed with the previous two speakers.

**MOVED/SECOND:** Council Member Harlan/Mayor Pro Tem Marr  
**MOTION:** Approve the recommended actions with the following changes:

Regarding short term rentals add the wording “unless allowed by Costa Mesa municipal code”.

Mayor Pro Tem Marr requested the following changes: to eliminate the parking requirement across the city, and remove the 40’ setback unless the ADU is a 2 story construction.

Council Member Harlan agreed to the changes.

Discussion ensued on the 40’ setback.

**MOVED/SECOND:** Council Member Harlan/Mayor Pro Tem Marr  
**MOTION:** Approve the recommended actions with the following changes:  
Regarding short term rentals add the wording “unless allowed by Costa Mesa municipal code”, eliminate park fee for JADU, eliminate the parking requirement across the city, replace the 40’ setback to 20’ for existing 2 story structures, and 5’ setback for ADU over a garage for a 2 story structure.

The motion carried by the following roll call vote:

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

Nays: Council Member Harper

Absent: None

Abstain: Mayor Foley

Motion carried: 5-1-1

**ACTION:**

1. City Council introduced for first reading, by title only, Ordinance No. 2021-03 to repeal Urgency Ordinance 19-19, amend Municipal Code, Title 13, Article 2 pertaining to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), with the following changes: Regarding short term rentals add the wording “unless allowed by Costa Mesa municipal code”, replace the 40’ setback to 20’ for existing 2 story structures, 5’ setback for ADU over a garage for a 2 story structure, and eliminate the parking requirement across the city.
2. Adopted Resolution No. 2021-03 authorizing related fees with the following change: Eliminate park fee for JADU.

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

**ADJOURNMENT** – Mayor Pro Tem Marr adjourned the meeting at 9:32 p.m.

**Minutes adopted on this 16<sup>th</sup> day of March, 2021.**

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

ATTEST:

  
\_\_\_\_\_  
Brenda Green, City Clerk