

# **AGENDA**

## **CITY OF COSTA MESA**

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

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

### **TUESDAY, APRIL 6, 2021**

### **VIRTUAL LOCATIONS, COSTA MESA, CALIFORNIA**

### **CLOSED SESSION 4:00 P.M.**

### **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 these meetings, 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) or [http://costamesa.granicus.com/player/camera/2?publish\\_id=10&redirect=true](http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true) and online at [youtube.com/costamesatv](https://www.youtube.com/c/costamesatv) (Note the chat feature on YouTube is disabled).
2. Zoom Webinar: (For both 4:00 p.m. and 6:00 p.m. meetings)  
Please click the link below to join the webinar:  
<https://zoom.us/j/98376390419?pwd=dnpFelc5TnU4a3BKWVlyRVZMallZZz09>  
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: (For both 4:00 p.m. and 6:00 p.m. meetings)

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.**

**CLOSED SESSION  
4:00 P.M.**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS**

Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given a total of three minutes to speak on all items on the Closed Session agenda.

**CLOSED SESSION ITEMS:**

**1. 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), Costa Mesa Fire Management Association (CMFMA)

**2. 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 Police Association (CMPA), Costa Mesa Police Management Association (CMPMA)

**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 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 Division Managers Association (CMDMA)

**5. 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: Unrepresented Employees: Confidential Unit, Confidential Management Unit, Executive Employees, Part-Time Employees.

**6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Subdivision (d)(2) of Section 54956.9, California Government Code  
Bernede v. Costa Mesa (Schaefer), OCSC Case No. 30-2019-01041552-CU-PO-  
CJC

**7. THREAT TO SECURITY**

Pursuant to subdivision (a) of Section 54957, California Government Code  
Consultation with: Costa Mesa Director of Emergency Services, and City Manager,  
Lori Ann Farrell Harrison; Bryan Glass, Police Chief; Dan Stefano, Fire Chief; and  
Jason Dempsey, Emergency Services Administrator.

**The City Council and Successor Agency to the Redevelopment Agency will recess  
for Closed Session.**

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

**TUESDAY, APRIL 6, 2021 – 6:00 P.M.**

**JOHN STEPHENS**  
Mayor

**MANUEL CHAVEZ**  
Council Member

**LOREN GAMEROS**  
Council Member

**JEFFREY HARLAN**  
Council Member

City Attorney  
**Kimberly Hall Barlow**

**ANDREA MARR**  
Mayor Pro Tem

**DON HARPER**  
Council Member

**ARLIS REYNOLDS**  
Council Member

City Manager  
**Lori Ann Farrell Harrison**

**CALL TO ORDER**

**NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE**

Led by Council Member Gameros

**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 Christine Nolf, Redemption Church, Costa Mesa.

**ROLL CALL**

**CITY ATTORNEY CLOSED SESSION REPORT**

**PRESENTATIONS:**

1. Presentation: Recognition of former Mayor Katrina Foley.
2. Proclamation: April as Sexual Assault Awareness Month.

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

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

Comments on Consent Calendar items may also be heard at this time.

## **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 Chavez
2. Council Member Gameros
3. Council Member Harlan
4. Council Member Harper
5. Council Member Reynolds
6. Mayor Pro Tem Marr
7. Mayor Stephens

### **REPORT – CITY MANAGER**

### **REPORT – CITY ATTORNEY**

### **CONSENT CALENDAR: (Items 1-8)**

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: Luis Collado, Peter Do, David Dunne, Interinsurance Exchange of the Automobile Club, Joseph Jones, Cynthia Sandoval, Dania Tobar Soyos.

##### **RECOMMENDATION:**

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2657** – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2657 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 21-05 “A” for -\$646.15 and 21-06 for \$2,510,176.08; and City operating expenses for \$4,527,270.83.

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

RECOMMENDATION:

City Council approve the Minutes of the Special Strategic Planning Workshop of January 29, 2021, the regular meetings of March 2, 2021 and March 16, 2021, and the Special Study Session of March 23, 2021.

5. **PROFESSIONAL SERVICES AGREEMENT WITH NATIONAL DEMOGRAPHICS CORPORATION FOR DEMOGRAPHIC SERVICES AND PUBLIC PARTICIPATION SERVICES RELATED TO THE 2021 REDISTRICTING PROCESS** - City Manager’s Office/City Clerk’s Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve and authorize a Professional Services Agreement with National Demographics Corporation (NDC) and the City of Costa Mesa for a total not-to-exceed \$80,000, for demographics analysis of census data, drawing draft maps of proposed boundaries of districts, public outreach, and interactive web tools related to the City’s 2021 Redistricting Process.
2. Authorize the City Manager and City Clerk to execute a Professional Services Agreement, in substantially the form as attached and in such final form as approved by the City Attorney and future amendments to the agreement.

6. **APPROVAL OF THE PURCHASE OF ADDITIONAL MOBILE VIDEO EQUIPMENT WITH WATCHGUARD VIDEO** – Police Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Authorize the purchase of additional body worn cameras (BWCs), cloud based video storage, and related equipment (mounts, charging/transfer stations, and warranties) from WatchGuard Video in an amount not to exceed \$166,687.00 to supplement the Police Department's current system.
2. Authorize the City Manager and City Attorney to execute an agreement with WatchGuard Video, Inc., in a form approved by the City Attorney.

7. **ACCEPTANCE AND ALLOCATION OF THE 2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS** – Police Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the proposed resolution authorizing acceptance of the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) funds and authorize the City Manager to execute the Memorandum of Understanding (MOU) with the County of Orange and the Certifications and Assurances for the 2020 Edward Byrne Memorial JAG.
2. Accept \$20,928.43 in JAG funds and appropriate funding in the Police Department budget for the specified purpose.

8. **GRANT AWARD ACCEPTANCE - VOLKSWAGEN MITIGATION TRUST FUND TRANSIT BUS** – Public Services Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Accept a grant for \$159,985.41 from San Joaquin Valley Unified Air Pollution Control District, administrator of Volkswagen (VW) Mitigation Trust Funds for Zero-Emission Transit, School and Shuttle Bus Project.
2. Approve a budget adjustment appropriating the \$159,985.41 for the purchase of a new electric shuttle bus.
3. Authorize the purchase of a new e-shuttle from Creative Bus Sales, 14740 Ramona Avenue, Chino, CA 91710, for \$159,985.41.



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

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

**PUBLIC HEARINGS:**

1. [\*\*AN ORDINANCE FOR AN EXTENSION TO AND AMENDMENT OF THE SAKIOKA FARMS DEVELOPMENT AGREEMENT DA-99-02 \(DA-20-03\), SAKIOKA LOT 2, 14850 SUNFLOWER AVENUE\*\*](#)  
Development Services Department/Planning Division

**RECOMMENDATION:**

Staff recommends that the City Council:

1. Find the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061 (b) (3) (general rule) of the CEQA Guidelines because the amendment is merely a time extension for an existing development agreement and does not change the underlying project. In addition, the relevant environmental analysis contained in the approved 2015-2035 General Plan EIR (SCH No. 2015111053, June 2016) is still valid and applicable to the project such that no further environmental review is required.
2. Give first reading to Ordinance 2021-xx to approve the time extension and amendment to Development Agreement 99-02 (Development Agreement 20-03).

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

2. [\*\*CITY COUNCIL REVIEW OF PLANNING APPLICATION 20-10 AND TENTATIVE TRACT MAP T-21-01 \(TTM NO. 19120\) FOR A MASTER PLAN FOR AN EIGHT-UNIT RESIDENTIAL COMMON INTEREST DEVELOPMENT UNDER THE MESA WEST RESIDENTIAL OWNERSHIP URBAN PLAN AT 1978 MEYER PLACE AND 1979 ANAHEIM AVENUE\*\*](#)  
Development Services Department/Planning Division

**RECOMMENDATION:**

Staff recommends that the City Council:

Uphold the Planning Commission's decision to adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332 (In-fill Development Projects).

2. Approve Planning Application 20-10 and Tentative Tract Map T-21-01 subject to conditions of approval.

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

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

1. [\*\*ADOPTION OF URGENCY ORDINANCE NO. 2021-XX TO REPEAL ORDINANCE NO. 2020-11 RELATING TO TEMPORARY MORATORIA ON EVICTING TENANTS, AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY UPON ADOPTION\*\*](#)  
City Attorney's Office/Development Services Department

**RECOMMENDATION:**

Staff recommends that the City Council:

Introduce and adopt Urgency Ordinance No. 2021-XX that would take effect immediately, to repeal the temporary moratorium on the eviction of commercial tenants who are unable to pay rent due to the impacts of the novel coronavirus disease (COVID-19).

2. [\*\*PROPOSED PLAN FOR USE OF FEDERAL AMERICAN RESCUE PLAN FUNDS DUE TO THE CITY IN FISCAL YEAR 2020-2021 AND RELATED BUDGET ADJUSTMENTS\*\*](#) - Finance Department

**RECOMMENDATION:**

The American Rescue Plan of 2021 passed by the United States Congress and signed into law by President Joe Biden on March 11, 2021, is a \$1.9 trillion economic stimulus bill providing for a wide variety of funding efforts to offset the economic losses resulting from the worldwide pandemic, COVID-19. The American Rescue Plan includes \$360 billion in direct funding to states, counties and cities to offset economic losses and increased expenses resulting from the pandemic.

1. Approve the proposed use of the City's first 50 percent allocation of \$14.2 million of the \$28.3 million American Rescue Plan multi-year allocation to Costa Mesa and authorize the budget appropriations accordingly.
2. Authorize the City Manager, or her designee, to negotiate the elimination of the five percent (5%) pay furloughs prospectively with all employee associations and unrepresented groups, reimburse employees for the 5% paycuts incurred since July 1, 2020, and reinstate the personnel adopted budget accordingly. Revised Side Letters will be submitted to the City Council in a subsequent meeting for final approval upon final negotiation and ratification by the associations.

3. **REQUEST COUNCIL DIRECTION FOR A MINI-PITCH SOCCER FACILITY**  
Parks and Community Services Department

RECOMMENDATION:

Staff request that the City Council provide direction on the opportunity to pursue a proposal from the US Soccer Foundation and the Orange County Soccer Club for the installation of a Mini-pitch facility and authorize staff to research the feasibility of potential locations in the City to support the facility.

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

**ADJOURNMENT**