

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 20, 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 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. 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 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 **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 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. 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

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. 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.

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Section 54956.8, California Government Code
APN:139-031-62,139-651-14; Property:1683 Sunflower Avenue, Costa Mesa, CA 92626
Agency Negotiator: Lori Ann Farrell Harrison, City Manager
Negotiating Parties: Brent Stoll, Rose Equities

3. 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

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 20, 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 Harlan

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.]

Reverend Dr. Okusi, St. John's Episcopal Church, Costa Mesa

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. Proclamation: National Volunteer Week.
2. Proclamation: Public Safety Telecommunicators Week.
3. Proclamation: Earth Day & Arbor Day.

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

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR: (Items 1-12)

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. [WARRANT RESOLUTION NO. 2658](#) – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2658 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 21-06 “A” for \$414.47 and 21-07 for \$2,576,728.24; and City operating expenses for \$2,505,005.70.

3. **CONFIRMATION OF MAYORAL APPOINTMENT TO AD HOC COMMITTEES**

City Manager's Office/City Clerk's Division

RECOMMENDATION:

Staff recommends that the City Council:

Confirm the Mayoral position to the following Ad Hoc Committees: Cannabis Ad Hoc Committee; City Manager Ad Hoc Committee; Fairview Developmental Center Ad Hoc Committee.

4. **MONTHLY UPDATE OF STRATEGIC PLAN GOALS AND SIX MONTH OBJECTIVES** - City Manager's Office

RECOMMENDATION:

Staff recommends that the City Council approve the April update to the work plan for the 2021 Strategic Plan's six-month objectives.

5. **VEHICLE RENTAL FROM ENTERPRISE RENT-A-CAR HOLDINGS THROUGH COOPERATIVE PRICING AGREEMENT** – Police Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Authorize the use of State of California's Department of General Services Master Service Agreement No. 5-20-99-24 with EAN Services, LLC (Enterprise Rent-A-Car) for vehicle rentals in an annual amount of \$85,000, for an initial term ending February 29, 2024, with the option to extend the agreement for two one (1) year periods at the discretion of the State.
2. Authorize the City Manager and City Clerk to execute the agreement and future authorized amendments to the agreement.

6. **SECOND READING AND ADOPTION OF 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:

Give second reading and adopt Ordinance No. 2021-07 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.](#)

7. **PROFESSIONAL ENGINEERING SERVICES FOR THE NEWPORT BOULEVARD REHABILITATION PROJECT FROM BRISTOL STREET TO 19TH STREET** - Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Award a Professional Services Agreement (PSA) to KOA Corporation for the design of the Newport Boulevard Rehabilitation Project in the amount of \$432,797 and authorize the City Manager and the City Clerk to execute the agreement and future amendments to the agreement.
2. Approve a ten percent (10%) contingency for unforeseen services in the amount of \$43,280.

8. **FINAL MAP FOR TRACT NO. 18127 LOCATED AT 631 VICTORIA STREET, COSTA MESA, CALIFORNIA** - Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

Approve final map for Tract No. 18127 and authorize signing of the map by the City Clerk and the City Engineer.

9. **FORD MOTOR COMPANY MAINTENANCE CONTRACT FOR CITY FLEET**
Public Services Department/Maintenance Services Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve proposed Change Order to Purchase Order No. 13627 to the Ford Motor Company in the amount of \$20,000 to service the City's vehicle fleet for the remainder of Fiscal Year 2020-21.
2. Authorize the City Manager or designee to execute the Change Order.

10. **MOBILE GENERATOR SYSTEM FOR THE PERMANENT BRIDGE SHELTER**
Public Services Department/Maintenance Services Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Authorize the use of Sourcewell's (formerly National Joint Powers Alliance) National Cooperative Agreement No. 041719-CEC with Clark Equipment Company dba Doosan Portable Power for the purchase of a new Doosan G570WCU-T4F heavy-duty diesel mobile generator system, and related equipment for the Costa Mesa Permanent Bridge Shelter.
2. Authorize the purchase of the new Doosan G570WCU-T4F heavy-duty diesel mobile generator system, and related equipment for \$200,262.60 from Volvo Construction Equipment an authorized dealer through Sourcewell's National Cooperative Agreement No. 041719-CEC with Clark Equipment Company dba Doosan Portable Power.
3. Authorize a ten (10) percent contingency, for a total not-to-exceed amount of \$220,288.86 as needed for unforeseen costs.

11. **LOCAL ROAD SAFETY PLAN PROJECT**
Public Services Department/Transportation Services Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Award a Professional Services Agreement (PSA) to Kimley-Horn and Associates, Inc. for professional engineering services for the development of a Local Road Safety Plan (LRSP) in the amount of \$94,328.18, in substantially the form as attached and in such final form as approved by the City Attorney, and authorize the City Manager and the City Clerk to execute the agreement and future amendments to the agreement;
2. Accept and appropriate an additional grant funding received from Caltrans in the amount of \$15,000.

12. **ANNUAL ENERGY AND SUSTAINABILITY REPORT**
Public Services Department

RECOMMENDATION:

Staff recommends that the City Council:

Receive and file the Annual Energy and Sustainability Report.

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

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

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

PUBLIC HEARINGS:

1. [**GIVE FIRST READING TO AN ORDINANCE TO ADOPT CODE AMENDMENT CO-2021-01 TO AMEND TITLE 13 \(PLANNING, ZONING, AND DEVELOPMENT\) AND AN ORDINANCE TO AMEND TITLE 9 \(LICENSES AND BUSINESS REGULATIONS\) OF THE COSTA MESA MUNICIPAL CODE REGARDING THE TAXATION, REGULATION, OPERATING REQUIREMENTS AND STANDARDS FOR CANNABIS USES INCLUDING RETAIL CANNABIS STOREFRONT AND NON-STOREFRONT USES TO IMPLEMENT THE CITY OF COSTA MESA RETAIL CANNABIS TAX AND REGULATION MEASURE \(MEASURE Q\)**](#) - Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Find that the adoption of Ordinance Nos. 2021-X1 and 2021-X2 are exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061(b)(3), General Rule, Section 15301 (Class 1), Existing Facilities, Section 15303 (Class 3), New Construction or Conversion of Small Structures, Section 15308 (Class 8), Actions by Regulatory Agencies, and Section 15332 (Class 32), In-fill Development Projects.
2. Introduce for first reading, by title only:
 - Ordinance No. 2021-X1 to adopt Zoning Code Amendment CO-2021-01 to amend Title 13, Chapter IX, Article 21 and Chapter IV, Table 13-30; and
 - Ordinance No. 2021-X2 to amend Title 9, Chapter I, Article 5, Chapter II, Article 1, and Chapter VI of the Municipal Code regarding the taxation and regulation for retail cannabis uses including storefronts and non-storefronts.

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

[Click here for the supplemental memo on this item.](#)

OLD BUSINESS: NONE

NEW BUSINESS:

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

RECOMMENDATION:

Staff recommends that the City Council make appointments as follows:

1. Parks, Arts, and Community Services Commission - Make one (1) appointment to fill the vacancy in District 3 with a term expiration of January 2023.
2. Planning Commission – Make one (1) appointment to fill the Mayor's At-Large Vacancy with a term expiration of January 2023.
3. Finance and Pension Advisory Committee (FiPAC) - Make one (1) appointment to fill the vacancy with a term expiration of April 2023.
4. Historical Preservation Committee - Make one (1) appointment to fill an alternate vacancy with a term expiration of April 2022.
5. Traffic Impact Fee Ad Hoc Committee - Make one (1) appointment to fill the Small Developers' Representative vacancy with a term expiration of April 2025.

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

ADJOURNMENT