

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, MAY 4, 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. 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

2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION – ONE CASE - Pursuant to subdivision (d)(2) of Section 54956.9 California Government Code.

3. 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, MAY 4, 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 Harper

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 Wallington – Seventh Day Adventist Church, Costa Mesa

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. Proclamation: Asian American Pacific Islander Heritage Month.
2. Proclamation: National Bike Month.
3. Proclamation: National Travel and Tourism Week.

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 Harlan
2. Council Member Harper
3. Council Member Reynolds
4. Council Member Chavez
5. Council Member Gameros
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: Birgitta Schaefer and Jordan Wishmyer.

RECOMMENDATION:

City Council receive and file.

3. [WARRANT RESOLUTION NO. 2659](#) – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2659 of the City Council of the City of Costa Mesa, California, allowing certain claims and demands, including Payroll Register Nos. 21-07 “A” for \$4,285.93 and 21-08 for \$2,572,083.98; and City operating expenses for \$1,671,716.45.

4. [MINUTES](#) - City Manager’s Office/City Clerk’s Division

RECOMMENDATION:

City Council approve the Minutes of the regular meetings of April 6, 2021 and April 20, 2021.

5. [SECOND READING AND ADOPTION OF 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:

Give second reading to and adopt:

- Ordinance No. 2021-08 to adopt Zoning Code Amendment CO-2021-01 amending Title 13, Chapter IX, Article 21 and Chapter IV, Table 13-30 of the Costa Mesa Municipal Code.
- Ordinance No. 2021-09 to amend Title 9, Chapter I, Article 5, Chapter II, Article 1, and Chapter VI of the Costa Mesa 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.](#)

6. **RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2021-22 FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017** – Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

Adopt the proposed Resolution adopting a list of projects for Fiscal Year (FY) 2021-22 proposed to be funded with Road Maintenance and Rehabilitation Account (RMRA) revenues.

7. **AUTHORIZE THE USE OF SOURCEWELL'S NATIONAL COOPERATIVE AGREEMENT WITH TYMCO, INC. FOR THE PURCHASE OF A TYMCO MODEL 210 SWEEPER** – Public Services Department/Engineering Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Authorize the use of Sourcewell's (formerly National Joint Powers Alliance) National Cooperative Agreement No. 122017-TYM with TYMCO, Inc. for the purchase of a new TYMCO Model 210 sweeper and cab/chassis equipment.
2. Authorize the purchase of the new TYMCO Model 210 sweeper and cab/chassis equipment for \$134,251.12 from TYMCO, Inc.

8. **EXECUTIVE RECRUITMENT CONSULTANT SERVICES FOR CHIEF OF POLICE RECRUITMENT** - City Manager's Office

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve an amendment to the Professional Services Agreement with Ralph Andersen and Associates for the executive recruitment of the Costa Mesa Chief of Police position.
2. Authorize the City Manager and City Clerk to execute the proposed amendment to this professional services agreement and future amendments to the agreement, as needed.

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

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

PUBLIC HEARINGS:

1. [FINAL ENVIRONMENTAL IMPACT REPORT \(SCH NO. 2019050014\), GENERAL PLAN AMENDMENT GP-20-01, REZONE R-20-01, SPECIFIC PLAN SP-20-01, MASTER PLAN PA-19-19, TENTATIVE TRACT MAP NO. 19015, AND DEVELOPMENT AGREEMENT DA-20-02 FOR DEVELOPMENT OF A MIXED-USE PROJECT \(ONE METRO WEST\) LOCATED AT 1683 SUNFLOWER AVENUE](#) - Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Conduct a public hearing including presentations from staff and the applicant and receipt of public comments.
2. Continue the item to the next regular City Council meeting scheduled for June 1, 2021 in order to have further deliberations and receive additional information; or
3. Approve the EIR, General Plan Amendment, Master Plan, Tract Map and language of the Development Agreement, and give first reading to the Zoning Code Amendment, Specific Plan, and Ordinance adopting the Development Agreement.

[Click here for Public Comments received on this item.](#)

OLD BUSINESS: NONE

NEW BUSINESS:

1. [APPROVAL OF AMENDED SIDE LETTER OF AGREEMENTS AND RESOLUTIONS TO ELIMINATE FURLOUGHS AND REIMBURSE FOR REDUCTIONS INCURRED](#) - City Manager's Office/Human Resources Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution Number 2021-XX, which revises the Executive Compensation Plan and Executive Salary Schedule.
2. Adopt Resolution Number 2021-XX, which revises the Compensation Plan and Salary Schedule for the Confidential Management Unit.
3. Adopt Resolution Number 2021-XX, which revises the Compensation Plan and Salary Schedule for the Confidential Employees Unit.
4. Approve and adopt the Side Letter of Agreement between the City of Costa Mesa and the Costa Mesa Police Association.

5. Approve and adopt the Side Letter of Agreement between the City of Costa Mesa and the Costa Mesa Police Management Association.
6. Approve and adopt the Side Letter of Agreement between the City of Costa Mesa and the Costa Mesa Firefighters Association.
7. Approve and adopt the Side Letter of Agreement between the City of Costa Mesa and the Costa Mesa Fire Management Association.
8. Approve and adopt the Side Letter of Agreement between the City of Costa Mesa and the Costa Mesa Division Managers Association.
9. Approve and adopt the Side Letter of Agreement between the City of Costa Mesa and the Costa Mesa City Employees Association.
10. Approve Second Amendment to Employment Contract between the City of Costa Mesa and the City Manager.

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

ADJOURNMENT