

# **AGENDA**

## **CITY OF COSTA MESA CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY\* AND SPECIAL AGENDA FOR THE COSTA MESA HOUSING AUTHORITY\***

### **REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY\* MEETING AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY\***

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

**TUESDAY, SEPTEMBER 17, 2013  
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE  
CLOSED SESSION 5:00 P.M.  
REGULAR MEETING – 6:00 P.M.**

**JAMES M. RIGHEIMER**  
Mayor

**STEPHEN MENSINGER**  
Mayor Pro Tem

**SANDRA GENIS**  
Council Member

**GARY MONAHAN**  
Council Member

**WENDY LEECE**  
Council Member

City Attorney  
**Thomas Duarte**

Chief Executive Officer  
**Thomas R. Hatch**

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

Any related writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection during normal business hours at the City Clerk's Office at City Hall, located at 77 Fair Drive, 1<sup>st</sup> Floor, Costa Mesa. In addition, such writings and documents may be posted—whenever possible or as part of the agenda—on the city's website at [www.costamesaca.gov](http://www.costamesaca.gov).

Your attendance at this public meeting is valued and appreciated. If you have questions regarding the agenda, public comments or wish to obtain copies of documents please contact the City Clerk office at (714)754-5221 or e-mail [Brenda.Green@costamesaca.gov](mailto:Brenda.Green@costamesaca.gov).

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## Welcome to the City Council Meeting

For those who wish to address the City Council, speaker cards are not required. However, for the purpose of accurate recording of the official minutes, please print your name and address on a speaker card and submit to the City Clerk. Upon invitation, please use the podiums on either side of the dais to speak to the City Council. Please direct all verbal communications, requests, and/or questions to the Mayor.

1. Any written communications, photos, or other material for distribution to the City Council must be submitted to the City Clerk **NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.** Any materials to be displayed on the overhead projector at the Council meeting must be submitted to the City Clerk **NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.**
2. In accordance with Costa Mesa Municipal Code, Sec. 2-64 (1): No person in the audience shall “engage in disorderly, disruptive, disturbing, delaying or boisterous conduct including but not limited to, handclapping, stomping of feet, whistling, making noise, use of profane language or obscene gestures, yelling or similar demonstrations, which may disrupt the peace and good order of the Council proceedings.”
3. All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.
4. In accordance with City Council Policy 000-11, and among other requirements, any video submitted for display at a public meeting must have been previously reviewed by staff to verify appropriateness for general audiences. A copy of this policy is available at City Hall during normal office hours.
5. Free Wi-Fi is available in the Council Chamber during the meetings. Two networks are available: council1 and council2. The password for either network is: cmcouncil.

**NOTE:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II].

## **CLOSED SESSION – 5:00 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 three minutes to speak.

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), pursuant to California Government Code Section 54957.6.
2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to California Government Code Section 54956.9(a).

**The City Council and Successor Agency to the Redevelopment Agency will recess to Conference Room 5A for Closed Session at the conclusion of public comments.**

# REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY – 6 P.M.

## CALL TO ORDER

**PLEDGE OF ALLEGIANCE** Mayor Pro Tem Mensinger

## 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.]*

Pauline Nishida, LA Convener, CRU Ministry

## ROLL CALL

## CITY ATTORNEY CLOSED SESSION REPORT

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b)

**ANNOUNCEMENTS:** There's always something happening in Costa Mesa!

The Mayor will play a video clip of the "Costa Mesa Minute," featuring upcoming events and activities in the community.

## PRESENTATIONS

- Mayor's Award: Vanguard University
- Presentation to The Costa Mesa Aquatics Club 12u boys' team for winning Gold at the 2013 USA Water Polo's National Junior Olympics.

## **PUBLIC COMMENTS**

To ensure fair and equal treatment of all who appear before the City Council and to expedite City business, speakers will be limited to three minutes each to address any item within the City Council's jurisdiction and not listed on the agenda. Speakers are also invited to comment on items on the agenda, but only at the time in which the agenda item is being heard, and will also be limited to three minutes each. The three minute per speaker time limit may be extended for good cause by the Mayor or by a majority vote of City Council.

Questions and comments made by public speakers may be addressed by the City Council during Council Comments or by the Chief Executive Officer during the CEO's Report. Additional follow-up responses to questions and concerns may also be addressed in the weekly CEO E-Briefing newsletter. To subscribe to the newsletter, please visit the city's website at <http://www.costamesaca.gov>.

## **COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS**

1. Mayor Pro Tem Mensinger
2. Council Member Genis
3. Council Member Leece
4. Council Member Monahan
5. Mayor Righeimer

## **REPORT – CHIEF EXECUTIVE OFFICER (CEO)**

## **CONSENT CALENDAR:**

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. Items removed from the Consent Calendar will be discussed and voted upon immediately following City Council action on the remainder of the Consent Calendar.

Members of the public who wish to discuss Consent Calendar items should come forward to the microphone upon invitation by the Mayor, state their name, city in which they reside, and item number to be addressed.

### **1. READING FOLDER**

- a. Claims received by the City Clerk: Rick J. Johnston
- b. Requests for Alcohol Beverage Control Licenses:
  1. For Casa West 19<sup>th</sup> Street, LLC, dba Avalon Bar, at 820 W 19<sup>th</sup> Street, a person-to-person transfer of a State Alcoholic Beverage Control (ABC) License Type "48" (On-sale General, Public Premises).
  2. For Enrique Seretti, dba Amorelia Mexican Café, at 2200 Harbor Boulevard, Suite 110C, a person-to-person and premise-to-premise transfer of a State Alcoholic Beverage Control (ABC) License Type "47" (On-sale General, eating place).
  3. CKC International, Inc., dba Maru Sushi at 1500 Adams Avenue, Suite 100B, a person-to-person transfer of a State Alcoholic Beverage Control (ABC) License Type "41" (On-sale beer and wine, eating place).
  4. Bristol Gas & Market, Inc., dba ARCO, at 300 Bristol Street, a Stock Transfer of a State Alcoholic Beverage Control (ABC) License Type "20" (Off-sale beer and wine).
  5. Coastal Cocktails, Inc., dba Costal Cocktails, Inc., at 151 Kalmus Drive, Suite H6, a Stock Transfer of a State Alcoholic Beverage Control (ABC) License Types 9, 12, 17, 18 (Beer and Wine Importer, Distilled Spirits Importer, Beer and Wine Wholesaler, Distilled Spirits Wholesaler).
  6. 7-Eleven, Inc. & Bassi & Sons, Inc., dba 7-Eleven, Inc., at 204 E 17<sup>th</sup> Street, a Stock Update of a State Alcoholic Beverage Control (ABC) License Type "20" (Off-sale beer and wine).
  7. 7-Eleven, Inc. & Bassi & Sons, Inc., dba 7-Eleven, Inc., at 1673 Irvine Avenue, a Stock Update of a State Alcoholic Beverage Control (ABC) License Type "20" (Off-sale beer and wine).
  8. Briggs Helene Marie-Therese, dba The Wrapper, at 3333 Bristol Street, Suite 1024, a premise-to-premise transfer of a State Alcoholic Beverage Control (ABC) License Type "20" (Off-sale beer and wine).

**RECOMMENDATION:** Receive and file

2. **PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

RECOMMENDATION:

City Council waive reading of Ordinances and Resolutions.

3. **WARRANT RESOLUTION 2489: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-18 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-18 for \$2,053,712.89, and City operating expenses for \$504,723.33.**

RECOMMENDATION: Approve

4. **WARRANT RESOLUTION 2490: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$347,088.98.**

RECOMMENDATION: Approve

5. **ESTABLISHMENT OF HOUSING AUTHORITY BUDGET FOR FY 13-14**

RECOMMENDATION:

City Council and Housing Authority authorize the establishment of the Housing Authority Budget for Housing and Community Development (HCD) expenses for FY 13-14 and if/when monies in excess of the estimated \$90,000 come in that such monies are accounted for in the new Housing Authority Budget for use by HCD for administering monitoring, compliance and enforcement (by staff, consultants, and counsel).

6. **PROPOSED 2013-2021 HOUSING ELEMENT UPDATE TO THE 2000 GENERAL PLAN**

RECOMMENDATION:

City Council authorize City staff to submit the draft Housing Element (HE) to the State of California Housing and Community Development Department (HCD) for the required 60-day review period.

7. **WEST 19<sup>th</sup> STREET CORRIDOR PEDESTRIAN IMPROVEMENT PROJECT, FEDERAL PROJECT NO. HSIPL-5312 (086), CITY PROJECT NO. 13-10**

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the West 19<sup>th</sup> Street Corridor Pedestrian Improvement Project, City Project No. 13-10; and
2. Approve Budget Adjustment No. 14-008, in the amount of \$87,972; and
3. Award a construction contract to Traffic Development Services, Inc., 4215 Tierra Rejada Road, Moorpark, CA 93021, in the amount of \$456,972.00 (base bid only); and
4. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

8. **PROPOSAL FOR THE REINSTATEMENT OF AQUATICS PROGRAMMING YEAR-ROUND AT THE DOWNTOWN AQUATIC CENTER**

RECOMMENDATION:

1. City Council approve the reinstatement of year-round (July 1 through June 30) aquatics programming by reinstating programming at the pool from October 1, 2013 through March 31, 2014; and
2. Approve the budgeted part-time Recreation Specialist position to a full-time position to oversee aquatics programming; and
3. Approve changes to the current fee structure to include new program fees.

9. **RENEWAL OF THE LICENSE AGREEMENT WITH THE ORANGE COUNTY MODEL ENGINEERS INC. (OCME) FOR THE USE OF A PORTION OF FAIRVIEW PARK**

RECOMMENDATION:

City Council renew the user agreement with the Orange County Model Engineers, Inc. (OCME) for the use of the east side of Fairview Park until December 31, 2014.

10. **REPEAL OF MUNICIPAL CODE SECTION 10-354**

RECOMMENDATION:

City Council introduce for first reading an ordinance entitled: "An Ordinance of the City Council of the City of Costa Mesa Repealing Section 10-354 of Chapter XIX of Title 10 of the Costa Mesa Municipal Code, relating to solicitation of employment, business or contributions to and from moving vehicles".



11. **SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR SIXTH-MONTH FISCAL PERIOD OF JANUARY 1, 2014 TO JUNE 30, 2014**

RECOMMENDATION:

Successor Agency to the Redevelopment Agency adopt Successor Agency Resolution No. 13-\_\_ Approving the Successor Agency's Administrative Budget for the 13-14B Six-Month Fiscal Period of January 1, 2014 to June 30, 2014 Pursuant to Health and Safety Code Section 34177(j) of the Dissolution Laws.

12. **REVIEW AND APPROVAL OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE 13-14B SIX-MONTH FISCAL PERIOD OF JANUARY 1, 2014 TO JUNE 30, 2014 ("ROPS 13-14B")**

RECOMMENDATION:

Successor Agency to the Redevelopment Agency adopt Successor Agency Resolution No. 13-\_\_ Approving the Recognized Obligation Payment Schedule for the 13-14B six-month fiscal period of January 1, 2014 to June 30, 2014 ("ROPS 13-14B"), subject to submittal to and review by the Oversight Board and then by the State Department of Finance ("DOF"). Further, the Assistant Finance Director, in consultation with legal counsel, shall be authorized to request and complete meet and confer session(s) with the DOF and authorized to make augmentations, modifications, additions or revisions as may be necessary or directed by DOF.

13. **SUCCESSOR AGENCY LONG RANGE PROPERTY MANAGEMENT PLAN (LRPMP)**

RECOMMENDATION:

Successor Agency to the Redevelopment Agency adopt Successor Agency Resolution No. 13-\_\_ Approving the Successor Agency's Long Range Property Management Plan Subject to Submittal to and Review by the Oversight Board and then by the Department of Finance pursuant to California Health and Safety Code Section 34191.5(b).

14. **PURCHASE OF FIREVIEW SOFTWARE**

RECOMMENDATION:

1. City Council approve the purchase of FireView Software (Desktop and Dashboard), from the Omega Group Inc., 5160 Carroll Canyon Road, Suite 100, San Diego, CA 92121; and
2. Approve Budget Adjustment to purchase FireView software in the amount of \$49,505; and
3. Authorize City Chief Executive Officer to sign a Professional Services Agreement with The Omega Group in the amount of \$49,505.

15. **AUTHORIZE APPROPRIATION FROM THE CITY'S GENERAL FUND, RESERVE ACCOUNT, FOR THE CURE AND PAYOFF OF CIVIC CENTER BARRIO HOUSING CORPORATION DEFAULTS AND ACQUISITION OF EIGHT-UNIT AFFORDABLE HOUSING PROJECT AT 717, 721 JAMES STREET, COSTA MESA; CMHA TO AUTHORIZE ACCEPTING CONVEYANCE OF THE SUBJECT PROPERTIES WITH CMHA TO BE NOMINATED FOR VESTING**

RECOMMENDATION:

Adopt Joint City Council/CMHA Resolution No. 13- \_\_\_ for the City's Appropriation of \$350,000 from the General Fund, Reserve Account, and Authorizing Actions and Acceptance of Conveyance by CMHA Relating to the 8-Unit Affordable Housing Project at 717, 721 James Street Owned by Civic Center Barrio Housing Corporation.

16. **MODIFICATION OF SINGLE FAMILY REHABILITATION LOAN AND GRANT PROGRAM POLICIES AND PROCEDURES**

RECOMMENDATION:

1. City Council and Housing Authority authorize the City's Chief Administrative Officer and the Executive Director of the Costa Mesa Housing Authority ("CMHA") to amend the guidelines of the Costa Mesa Loan and Grant Rehabilitation Programs and the implementing policies, procedures, and guidelines to allow for an increase in the available amount of money for grants which will allow for lead based paint assessment through abatement; and
2. Due to the increase in materials, supplies, labor and the loss of Redevelopment funds to finance Lead Grants; an increase in the available amount of Single Family grants is requested as follows:
  - \$10,000 for mobile homes (current amount \$5,000); and
  - \$14,000 for single-family homes (current amount \$10,000).

**PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55) - NONE**

1. **PUBLIC NUISANCE ABATEMENT ORDINANCE**

RECOMMENDATION:

Staff recommends that the City Council conduct the public hearing, introduce for first reading, Ordinance 13-\_, to be read by title only, and waive further reading, regarding public nuisance abatement.

2. **FAIRVIEW PARK ENTRYWAY CONCEPT PLANS APPEAL**

RECOMMENDATION:

City Council consider a conceptual design for the south entryways to Fairview Park (appeal by Council Member Genis).

**OLD BUSINESS**

**NEW BUSINESS**

1. **URBAN MASTER PLAN SCREENING REQUEST (UMP-13-05) FOR A 20-UNIT LIVE/WORK DEVELOPMENT LOCATED AT 1695 SUPERIOR AVENUE**

RECOMMENDATION:

City Council provide feedback on the proposed 20-unit live/work project within the 19 West Urban Plan Area.

2. **GENERAL PLAN SCREENING GPS-13-03 – FOR PROPOSED STRIP OF LAND AS AN EXTENSION OF PROPERTY LOCATED AT 320 E. 18<sup>th</sup> STREET**

RECOMMENDATION:

City Council accept or deny General Plan amendment request for processing to amend the land use designation from Public/Institutional (PI) to Medium Density Residential (MDR) related to development of a two-unit residential project.

3. **INFORMATION TECHNOLOGY SUPPORT SERVICES AND COMPUTER-AIDED DISPATCH / RECORDS MANAGEMENT SYSTEM (CAD/RMS)**

RECOMMENDATION:

1. Staff recommends that the City Council authorize the City CEO to process final payment to Cognify Inc., totaling \$52,274.63 and authorize previous payments of \$34,387.51 made beyond the original professional services agreement of \$49,900; and
2. Staff recommends that the City Council authorize the CEO to enter into a professional services agreement with a not-to-exceed amount of \$168,000 with Synoptek to ensure continued project management for the installation of the CAD/RMS for public safety.

**REPORT – CITY ATTORNEY**

**ADJOURNMENT – To Regular Meeting, October 1, 2013, 5:00 p.m.**

**UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

- Wednesday, September 18, 2013 – General Plan: Circulation Element Workshop, 6:00 p.m. to 7:30 p.m., City of Costa Mesa Emergency Operations Center (EOC) 99 Fair Drive, Costa Mesa.
- Saturday-Sunday, October 12-13, 2013 - Scarecrow Festival
- Wednesday, October 16, 2013 – General Plan: Circulation Element Workshop, 6:00 p.m. to 7:30 p.m., City of Costa Mesa Emergency Operations Center (EOC) 99 Fair Drive, Costa Mesa.
- Wednesday, November 20, 2013 – General Plan: Preferred Alternatives Workshop, 6:00 p.m. to 7:30 p.m., City of Costa Mesa Emergency Operations Center (EOC) 99 Fair Drive, Costa Mesa.
- Wednesday, December 18, 2013 – General Plan: Policy Review Workshop, 6:00 p.m. to 7:30 p.m., City of Costa Mesa Emergency Operations Center (EOC) 99 Fair Drive, Costa Mesa.