

AMENDED AGENDA*
CITY OF COSTA MESA
REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND
SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY* MEETING

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

***SPECIAL CLOSED SESSION ITEM #2 HAS BEEN ADDED**

TUESDAY, APRIL 4, 2017
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
SPECIAL CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.

KATRINA FOLEY
Mayor

SANDRA L. GENIS
Mayor Pro Tem

JOHN B. STEPHENS
Council Member

JAMES M. RIGHEIMER
Council Member

ALLAN R. MANSOOR
Council Member

City Attorney
Thomas Duarte

City Manager
Thomas R. Hatch

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. Binders containing these agenda-related documents are located in the Council Chambers lobby. In addition, such documents may be posted—whenever possible on the city's website at \[www.costamesaca.gov\]\(http://www.costamesaca.gov\).](#)

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.

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) 754-5225 or e-mail cityclerk@costamesaca.gov

WELCOME TO THE CITY COUNCIL MEETING

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:

Members of the public desiring to speak during the Public Comments period on a matter not on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. Each speaker is limited to three minutes.

PUBLIC COMMENTS – CONSENT CALENDAR:

Members of the public desiring to speak on a consent calendar item shall submit such a request on a speaker card prior to the start of the Consent Calendar period. Each speaker is limited to three minutes.

PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:

Members of the public desiring to speak during the Public Comments period on a matter listed on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Each speaker is limited to three minutes.

1. Any written communications, photos, or other material for copying and distribution to the City Council that is 10 pages or less, must be submitted to the City Clerk **NO LATER THAN 3:00 P.M.** If the public wishes to submit written communication, photos, or other material for distribution to the City Council at the meeting **AFTER 3:00 p.m.**, 10 copies will need to be provided for distribution. Please note that **NO** copies of written communication will be made **AFTER 3:00 p.m.** All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. Kindly submit to the City Clerk **AS EARLY AS POSSIBLE, BUT NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.** Materials may also be e-mailed to cityclerk@costamesaca.gov.
2. **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.
3. 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.

In compliance with the Americans with Disabilities Act of 1990, Assistive Listening headphones located inside the Council Chambers are available at all Costa Mesa City Council meetings and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 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]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (714) 754-5225 por lo menos con 48 horas de anticipación.

SPECIAL 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 Special Closed Session agenda. Each member of the public will be given three minutes to speak.

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: Timothy Dadey, et al. v. City of Costa Mesa, Superior Court of California, County of Orange, Case No. 30-2014-00757962-CU-CR-CJC.

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Subdivision (a) of Section 54957.6, California Government Code
Agency Designated Representative: Tamara Letourneau, Assistant City Manager
Name of Employee Organization: Costa Mesa Firefighters Association (CMFA).

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

**REGULAR MEETING OF THE CITY COUNCIL, HOUSING AUTHORITY,
AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
TUESDAY, APRIL 4, 2017 – 6:00 P.M.**

CALL TO ORDER

NATIONAL ANTHEM

PLEDGE OF ALLEGIANCE Council Member Stephens

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 David Manne, Calvary Chapel, Costa Mesa

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.

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:

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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 Stephens
2. Council Member Righeimer
3. Council Member Mansoor
4. Mayor Foley
5. Mayor Pro Tem Genis

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.

1. READING FOLDER

Claims received by the City Clerk: Garry R. Jones, Will B. King, Robert Anthony Toscano, and Joe Winkelmann.

RECOMMENDATION:

City Council receive and file.

2. WARRANT RESOLUTION NO. 2574 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 17-06 FOR \$2,152,946.35; AND CITY OPERATING EXPENSES FOR \$1,914,679.82; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2574.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING OF JANUARY 17, 2017 - City Manager's Office/City Clerk Division

RECOMMENDATION:

City Council approve the minutes of January 17, 2017.

4. **NOTICE OF INTENT TO VACATE A PORTION OF EAST 19TH STREET AT 152 EAST 19TH STREET** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council set a public hearing on May 2, 2017, to vacate a portion of East 19th Street right-of-way; and
2. Adopt Resolution of intent to vacate a portion of East 19th Street right-of-way.

5. **EXTEND FINANCIAL REPORTING AND AUDITING SERVICES FOR ONE (1) YEAR** – Finance Department

RECOMMENDATION:

1. City Council amend the Professional Services Agreement (PSA) with White Nelson Diehl Evans LLP for financial reporting and auditing services to extend the PSA for the term July 1, 2017 through June 30, 2018, and provide a four percent (4%) increase in Consultant's compensation for a total annual amount of \$70,300; and
2. Authorize the City Manager to execute the Third Amendment to the Professional Services Agreement with White Nelson Diehl Evans LLP.

6. **FINAL MAP FOR TRACT NO. 17980 LOCATED AT 929 BAKER STREET, COSTA MESA, CALIFORNIA**-Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt Resolution 17-23, finding that Government Code section 65402 shall not apply to the abandonment of a storm drain easement through the filing of a Final Map for Tract 17980; and
2. Approve the Final Map Tract No. 17980 for Condominium purposes and authorize signing of the Map by the City Clerk and the City Engineer.

7. **AWARD THE PURCHASE OF ONE NEW 2017 FORD TRANSIT VAN WITH PRISONER TRANSPORT UPFITTING**-Public Services/Maintenance Services Div.

RECOMMENDATION:

City Council approve and authorize the City Manager to execute a purchase order for the purchase of one new 2017 Ford T350 Transit Van with prisoner transport upfitting equipment through the National Joint Powers Alliance (NJPA) contract # 120716-NAF in conjunction with National Auto Fleet Group, 490 Auto Center Drive, Watsonville, California 95076 in the amount of \$61,591.61.

ITEMS REMOVED FROM THE CONSENT CALENDAR:

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55):

1. **CIVIC OPENNESS IN NEGOTIATIONS (COIN) ORDINANCE FIRST PUBLIC HEARING OF THE ADOPTION OF THE SALARY & BENEFIT RESOLUTION BETWEEN THE CITY OF COSTA MESA AND THE COSTA MESA DIVISION MANAGERS ASSOCIATION (CMDMA), SALARY & BENEFIT ADJUSTMENTS FOR UNREPRESENTED EXECUTIVES, AND CONFIDENTIAL MANAGEMENT CLASSIFICATIONS** – City Manager’s Office/Human Resources

RECOMMENDATION:

Staff recommends that the City Council:

1. City Council hold the first Public Hearing regarding the salary and benefit adjustments agreed upon between the City of Costa Mesa and the classifications represented by the CMDMA as required by the COIN Ordinance; and
2. Schedule the second and final Public Hearing as required by COIN for April 18th, 2017.

2. **RETROACTIVE EXTENSION OF TIME FOR PLANNING APPLICATION PA-11-03 – CONDITIONAL USE PERMIT FOR A PRIVATE HELISTOP FOR 3132 AIRWAY AVENUE** – Development Services Department/Planning Division

RECOMMENDATION:

Staff is recommending that the City Council approve a retroactive time extension by adoption of City Council resolution, subject to conditions of approval, for the use as described below:

- Conditional Use Permit PA-11-03 is a request to install a 40-foot (long) x 40-foot (wide) helistop on the roof of an existing industrial building. The helistop will be located on a 6-foot high platform on the roof of an existing 19-foot high building. The proposed helistop was approved in 2011 by the Airport Land Use Commission (ALUC) and the Federal Aviation Administration (FAA). The project was considered by the Planning Commission on September 28, 2015, and it recommended approval of the project to the City Council, which approved the project on November 3, 2015. If approved, the time extension would be valid until November 3, 2017.

OLD BUSINESS: NONE

NEW BUSINESS:

1. **PROFESSIONAL SERVICES AGREEMENT FOR FAIRVIEW PARK MAINTENANCE, MANAGEMENT, AND BIOLOGICAL SERVICES**

Public Services Department

RECOMMENDATION:

1. City Council award a contract to Endemic Environmental Services, Inc., P.O. Box 2363, Huntington Beach, CA 92647, in an amount not to exceed \$397,640.00 for professional services for biological, maintenance, and management of Fairview Park; and
2. Authorize the City Manager and the City Clerk to execute the Professional Services Agreement.

2. **PLACENTIA AVENUE MEDIAN IMPROVEMENT PROJECT**

Public Services Department/Transportation Division

RECOMMENDATION:

City Council approve the proposed Placentia Avenue Median Improvement Project and authorize staff to advertise the project for construction.

AGENDA CONTINUED ON THE NEXT PAGE.

3. **APPOINTMENTS TO VARIOUS COMMITTEES AND THE SENIOR COMMISSION** – City Manager’s Office/City Clerk Division

RECOMMENDATION:

Staff recommends that the City Council make appointments to the following Committees and Senior Commission:

1. Bikeway - make appointments to fill fifteen regular member vacancies:
 - a. 8 two-year terms; and
 - b. 7 one-year terms;City Council liaison – Mayor Foley
2. Cultural Arts Committee - make appointments to fill six regular member vacancies and one alternate member vacancy:
 - a. 7 two-year terms;City Council liaison – Mayor Foley
3. Historical Preservation Committee - make appointments to fill nine regular member vacancies and two alternate member vacancies:
 - a. 5 two-year terms; and
 - b. 6 one-year terms;City Council liaison – Council Member Mansoor
4. Finance and Pension Advisory Committee - make appointments to fill ten regular member vacancies:
 - a. 5 two-year terms; and
 - b. 5 one-year terms;City Council liaison – Mayor Pro Tem Genis
5. Housing and Public Service Grants Committee - make appointments to fill nine regular member vacancies and one alternate member vacancy:
 - a. 5 two-year terms; and
 - b. 5 one-year terms;City Council liaison – Council Member Righeimer
6. Senior Commission - make an appointment to fill a vacancy with a term expiration of February 2019.

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

ADJOURNMENT

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Thursday, April 6, 2017 – **Homelessness Forum**, 6:30 p.m., Newport Mesa Church, 2599 Newport Blvd. Join Council Members Allan Mansoor and John Stephens for a community forum on homeless issues in Costa Mesa. They will moderate a panel of experts. For more information including show times, please visit: www.costamesaca.gov

Friday, April 7, 2017– **First Friday Roadshow**, 5:30 p.m., City Hall parking lot, 77 Fair Dr. Enjoy classics, customs and exotics, live music, giveaways and more.

Saturday, April 8, 2017 – **SOCO Farmers Market**, 9 a.m.-2 p.m., SOCO Collection, 3303 Hyland Ave. Enjoy seasonal fresh produce, live music, local meats, eggs, juices, sweets, nuts, sauces, dips, ready -made foods, warm out-of-the-oven breads and more. For more information, please visit: www.socoandtheocmix.com.

Monday, April 10 through Friday, April 14, 2017, **Newport Mesa Unified School District Spring Break**. For more information, please call: (714) 424-5000.

Monday, April 10 through Friday, April 14, 2017, **Costa Mesa Spring Camp**. Balearic Community Center, 1975 Balearic Dr. Adventures will include Tanaka Farms, La Brea Tar Pits, Anaheim Ice and Wakeham Park. Register in person at City Hall or the Downtown Recreation Center. For more information, please call (714) 754-5161.

Wednesday, April 12, 2017 – **Networkers Luncheon**, 11:30 a.m.-1 p.m., Royal Tea and Treatery, 2959 Grace Lane. For more information, please contact the Costa Mesa Chamber of Commerce at www.costamesachamber.com.

Wednesday, April 12, 2017 – **Tap the Magic Tree Story Walk**, 3-4:30 p.m., Mesa Verde Library, 2969 Mesa Verde Dr. Journey around the library grounds while reading the interactive story and enjoy making crafts. For more information, please call (714) 546-5274.

Thursday, April 13, 2017 – **Blood Drive**, 10 a.m.-3 p.m., City Hall parking lot, 77 Fair Dr. To schedule an appointment, visit www.hoagblooddonor.org, click on appointments and enter group code: COCM. Eat a good meal and drink plenty of fluids.

Saturday, April 15, 2017 – **Eggcitement 2017**, 9 a.m.-noon. Tanager Park, Corner of Tanager Drive and Hummingbird Drive near Adams and Mesa Verde East. Enjoy a photo booth, bounce house, pony rides, petting zoo and more. For more information, please visit: www.torellirealty.com.

Wednesday, April 19, 2017 – **Green Coast Day**, 10 a.m.-2 p.m., Orange Coast College, 2701 Fairview Rd. Exhibitors include, OCC Recycling Center, Costa Mesa Bikeability and Walkability Committee and more. For more information, please contact hpro@occ.cccd.edu