

**ACTION REPORT**  
**CITY OF COSTA MESA CITY COUNCIL, AND SUCCESSOR**  
**AGENCY TO THE REDEVELOPMENT AGENCY\***  
**TUESDAY, OCTOBER 15, 2013**

**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**

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

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employees Association (CMCEA), Costa Mesa Division Managers Association, and Costa Mesa Fire Fighters Management Association pursuant to California Government Code Section 54957.6.
2. Conference with legal counsel regarding existing litigation: Costa Mesa City 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).

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR**  
**AGENCY TO THE REDEVELOPMENT AGENCY – 6 P.M.**

**CITY ATTORNEY CLOSED SESSION REPORT – None**

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

Council Member Leece: Ex Parte Communication with Helen Nenadal, President of the CMCEA, regarding employee work schedules

**CONSENT CALENDAR ITEM NOS. 1 THROUGH 13:**

**MOTION:** Approved recommended actions for Consent Calendar Item Nos. 1 through 13 except for Items 1, and 12.

**MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger  
The motion carried unanimously:

**ACTION REPORT: For Informational Purposes Only**

- 1. 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**

**MOTION/SECOND:** Council Member Monahan/Council Member Genis  
The motion carried unanimously:

**ACTION:** City Council waived reading of Ordinances and Resolutions

- 2. READING FOLDER**

a. Claims received by the City Clerk: Donna/Michael Contino

**ACTION:** Received and filed

- 3. WARRANT RESOLUTION 2493: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-19 "A" AND 13-20 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-19 "A" for \$0.00, Payroll No. 13-20 for \$2,002,217.35 and City operating expenses for \$1,452,953.21.**

**ACTION:** Approved

- 4. WARRANT RESOLUTION 2494: 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 \$631,372.48.**

**ACTION:** Approved

- 5. RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS11-00158 FOR STREET IMPROVEMENTS FOR TRACT 17401 LOCATED AT 2079 AND 2083 THURIN STREET, COSTA MESA, CALIFORNIA**

**ACTION:** City Council released the Performance and Labor and Material Bonds (Certificate No. 782666S) in the amounts of \$18,340 each for street improvements to White-Thurin Street Associates LP, a California Limited Partnership (Developer), 3090 Pullman Street, Costa Mesa, California 92626.

- 6. PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF SEVERAL ALLEYS**

**ACTION:** City Council awarded a contract to Civil Source, 9890 Irvine Center Drive, Irvine, California 92618, in an amount not to exceed \$124,880 for design services, and authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

**ACTION REPORT: For Informational Purposes Only**

**7. HARBOR BOULEVARD REHABILITATION (FROM BAKER STREET TO SOUTH COAST DRIVE), CITY PROJECT NO. 12-01**

**ACTION:**

1. City Council accepted the work performed by R.J. Noble Company and authorized the City Clerk to file the Notice of Completion; and
2. Released the Labor and Material Bond seven (7) months after the filing date; released the Faithful Performance Bond one (1) year the filing date; and released the retention monies 35 days after the Notice of Completion filing date.

**8. PARKWAY CONCRETE REPAIR AND NEW SIDEWALK CONSTRUCTION PROJECT - CITY PROJECT NO. 12-04**

**ACTION:**

1. City Council accepted the work performed by Black Rock Construction Company and authorized the City Clerk to file the Notice of Completion; and
2. Released the Labor and Material Bond seven (7) months after the filing date; released the Faithful Performance Bond one (1) year after the filing date; and released the retention monies 35 days after the Notice of Completion filing date.

**9. EAST SIDE SLURRY SEAL PROJECT, CITY PROJECT NO. 12-06**

**ACTION:**

1. City Council accepted the work performed by Pavement Coatings Co. and authorized the City Clerk to file the Notice of Completion; and
2. Released the Labor and Material Bond seven (7) months after the filing date; released the Faithful Performance Bond one (1) year after the filing date; and released the retention monies 35 days after the Notice of Completion filing date.

**10. 2012-2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT: 20<sup>TH</sup> STREET STORM DRAIN IMPROVEMENTS (FROM PLACENTIA AVENUE TO WALLACE AVENUE) PROJECT – CITY PROJECT NO. 12-12**

**ACTION:**

1. City Council accepted the work performed by Excel Paving Company, and authorized the City Clerk to file the Notice of Completion; and
2. Released the Labor and Material Bond seven (7) months after the filing date; released the Faithful Performance Bond one (1) year after the filing date; and released the retention monies 35 days after the Notice of Completion filing date.

**ACTION REPORT: For Informational Purposes Only**

11. **MINUTES:** Special Joint Study Session Meeting of the Costa Mesa City Council and Planning Commission of September 10, 2013; and Regular Meeting of September 17, 2013.

**ACTION:** Approved

12. **PURCHASE OF DESKTOP COMPUTERS**

**MOTION/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger  
The motion carried unanimously:

**ACTION:** City Council approved and authorized the CEO to sign the Purchasing Agreement in an amount of \$439,328 for desktop computers citywide, with Golden Star Technology Inc., 13043 166<sup>th</sup> Street, Cerritos, CA 90703.

13. **BROADBAND SERVICE UPGRADE**

**ACTION:** City Council approved and authorized the CEO to sign the Purchasing Agreement, not to exceed \$91,259.52 annually, for the City's broadband service upgrade with Verizon Business Network Services, Inc., 5055 North Point Parkway, Alpharetta, GA 30022.

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

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

1. **REQUEST FOR A REHEARING ON THE MATTER OF FAIRVIEW PARK ENTRYWAY CONCEPT PLANS**

**MOTION:** To deny a Rehearing

**MOVED/SECOND:** Mayor Righeimer/Council Member Monahan

**SUBSTITUTE MOTION:** To hold a Rehearing

**MOVED/SECOND:** Council Member Genis/Council Member Leece

The substitute motion failed by the following roll call vote:

Ayes: Council Member Leece and Council Member Genis

Noes: Mayor Righeimer, Mayor Pro Tem Mensinger, and Council Member Monahan

Motion failed 2-3

**ORIGINAL MOTION:** To deny a Public Hearing

**MOVED/SECOND:** Mayor Righeimer/Council Member Monahan

The motion carried by the following roll call vote:

Ayes: Mayor Righeimer, Mayor Pro Tem Mensinger, and Council Member Monahan

Noes: Council Member Leece and Council Member Genis

Motion carried 3-2

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**OLD BUSINESS - NONE**

**NEW BUSINESS - NONE**

**REPORT – CITY ATTORNEY**

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