

AMENDED AGENDA

CITY OF COSTA MESA CITY COUNCIL, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY*

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY* MEETING

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

**TUESDAY, FEBRUARY 4, 2014
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
SPECIAL CLOSED SESSION 4:30 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 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 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.

WELCOME TO THE CITY COUNCIL MEETING

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA: If you wish to address the City Council on a matter not on the agenda, please complete and submit a speaker card to the City Clerk. Speaker cards must be submitted to the City Clerk either prior to the first Public Comment period or prior to the Continued Public Comment period. Up to ten speakers will be given time to address the City Council during the first Public Comment period following Presentations. The Continued Public Comment period will be held at the end of the agenda after Items Removed from Consent Calendar. Members of the public shall only address the City Council one time at any given meeting under either Public Comment period. Speakers may only complete one card per person. Each speaker is limited to three minutes.

PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA: If you wish to address the City Council on a matter listed on the agenda, please complete and submit a speaker card to the City Clerk. Speaker cards must be submitted prior to the start of Public Comments on the item. Please identify which item on the agenda you would like to address. Each speaker is limited to three minutes.

The speaker cards are located on the table at the entrance to the City Council Chamber.

Please take notice that the order of scheduled agenda items may be modified by the Mayor or the City Council during the course of the meeting, so please stay alert.

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, 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.

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].

SPECIAL CLOSED SESSION – 4:30 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 Organization: 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 – 6 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Council Member Monahan

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 Phil Eyskens, Lighthouse Church

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

Relay for Life Presentation

PUBLIC COMMENTS

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

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.

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**

RECOMMENDATION:

City Council waive reading in full of Ordinances and Resolutions and approval and adoption of same by reading title only.

2. **READING FOLDER**

- a. Claims received by the City Clerk: Julian Solomons; Breanna Badorek; Stephanie De La Cruz; and Mary Goggin.

RECOMMENDATION: Receive and file.

3. **WARRANT RESOLUTION 2508: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 14-01 "A" AND 14-02 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 14-01 "A" for \$1,478.41, Payroll No. 14-02 for \$2,039,185.12 and City operating expenses for \$2,085,916.53.**

RECOMMENDATION: Approve Warrant Resolution No. 2507, to be read by title only and further reading waived.

4. **FINAL MAP FOR TRACT NO. 17198 LOCATED AT 2013-2029 ANAHEIM AVENUE, COSTA MESA, CALIFORNIA**

RECOMMENDATION:

City Council approve the Final Map for Tract No. 17198 and authorize signing of the Map by the City Clerk and the City Engineer.

5. **PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF BRISTOL STREET IMPROVEMENTS**

RECOMMENDATION:

1. City Council award a Professional Services Agreement for design of the Bristol Street Improvements to Anderson Penna Partners, Inc., 20280 Acacia Street, Suite 100, Newport Beach, CA 92660, in the amount of \$109,300; and
2. Authorize the Mayor and the City Clerk to execute the Professional Services Agreement.

6. **PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF RED HILL AVENUE MEDIAN IMPROVEMENTS**

RECOMMENDATION:

1. City Council award a Professional Services Agreement for design of the Red Hill Avenue Median Improvements to CNC Engineering, 2121 Alton Parkway, Suite 200, Irvine, CA 92606, in the amount of \$105,551; and
2. Authorize the Mayor and the City Clerk to execute the Professional Services Agreement.

7. **PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF PLACENTIA AVENUE MEDIAN IMPROVEMENTS**

RECOMMENDATION:

1. Award a Professional Services Agreement for design of the Placentia Avenue Median Improvements to Onward Engineering, 300 S. Harbor Boulevard, Suite 814, Anaheim, CA 92805, in the amount of \$119,670; and
2. Approve Budget Adjustment BA 14-023 in the amount of \$20,000 towards the project; and
3. Authorize the Mayor and the City Clerk to execute the Professional Services Agreement and the Budget Adjustment.

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

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

OLD BUSINESS - NONE

NEW BUSINESS

1. **[URBAN MASTER PLAN SCREENING REQUEST \(UMP-13-09\) FOR A 33-UNIT LIVE/WORK DEVELOPMENT LOCATED AT 765 W. 16TH STREET](#)**

RECOMMENDATION:

City Council provide feedback on whether or not to accept for processing a proposed Urban Master Plan for a proposed 33-unit live/work project within the Mesa West Bluffs Urban Plan.

2. **[REQUEST FOR AN INTERPRETATION OF GENERAL PLAN AND ZONING CONSISTENCY FOR A PLANNED DEVELOPMENT COMMERCIAL SITE AT THE SOUTHWEST CORNER OF HARBOR BLVD. AND HAMILTON STREET](#)**

RECOMMENDATION:

Staff is seeking feedback on the General Plan and Zoning consistency for a proposed 28-unit residential project containing seven live/work units at the southwest corner of Hamilton Street and Harbor Boulevard. The following options are recommended:

- The applicant can proceed with the project as a master plan subject to approval by the Planning Commission and preparation of the appropriate CEQA documents.
- The project is subject to site specific General Plan Amendment and rezone to allow high density residential development with a live/work option.

3. **[GENERAL PLAN SCREENING GPS-13-04- FOR PROPOSED 28-UNIT RESIDENTIAL PROJECT AT 1239 VICTORIA STREET](#)**

RECOMMENDATION:

City Council accept or deny General Plan amendment to change the land use designation from General Commercial to High Density Residential to facilitate development of a 28-unit single-family detached residential project.

4. REORGANIZATION IN THE DEVELOPMENT SERVICES DEPARTMENT

RECOMMENDATION:

Staff recommends that the City Council:

1. Eliminate the following Development Services positions:

Inspection Services

- 1.5 FTEs (Part-Time Permit Technician and a Senior Combination Inspector)
- 2 Contract Combination Inspectors
- 1 Part-Time Combination Inspector
- 1 Part-Time Inspector

Plan Check Services

- 1 Building Technician (full-time)
- 1 Contract Building Technician II; and

2. Authorize the following Development Services positions:

Inspection Services

- 1 Permit Processing Specialist
- 5 Building Inspectors

Plan Check Services

- 1 Part-time Plan Checker
- 2 Building Technician II

Planning

- 1 Assistant Development Services Director
- 1 Principal Planner
- 1 Associate Planner
- 1 Assistant Planner; and

3. Appropriate \$250,000 from the General Fund fund balance to fund these positions for the remainder of FY 13-14; and
4. Appropriate \$150,000 from the General Fund fund balance to Development Services for general consulting assistance needed.

5. UPDATE TO THE OPEN SPACE MASTER PLAN OF PARKS AND RECREATION

RECOMMENDATION:

City Council authorize staff to issue a Request for Proposals (RFP's) to secure consultant services to assist with the update to the Open Space Master Plan of Parks and Recreation (Master Plan).

6. PENSION COST REDUCTION RECOMMENDATIONS- FIRST STEPS

RECOMMENDATION:

1. Staff recommends that the City Council:
 - a. Receive and file the Pension Oversight Committee Report; and
 - b. Approve the distribution of the Committee Facts Volumes 1, 2, and 3; and
 - c. Provide direction regarding the Committee's future activities; and
2. Authorize the lump-sum prepayment of the City's annual required contribution for the Miscellaneous and Police Retirement Plans beginning in July 2014; and
3. Authorize the use of the City's annual savings from the lump-sum prepayment of the Miscellaneous and Police Retirement Plans to make additional payments to the Fire Side Fund beginning in July 2014 with the goal of paying off this fund early; and
4. Authorize the Finance Director, with the concurrence of the City CEO, to annually review recommended actions two and three and implement or suspend them each fiscal year as appropriate to the City's financial condition at the time; and
5. Authorize a one-time additional \$1,000,000 payment to the Fire Side Fund this fiscal year using funds that were budgeted in FY 2012-2013 and FY 2013-14; and
6. Provide direction on continuing the practice of budgeting an additional \$500,000 per year for the purpose of paying down unfunded pension liabilities.

ITEMS REMOVED FROM THE CONSENT CALENDAR

CONTINUED PUBLIC COMMENTS

COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS

REPORT – CITY ATTORNEY

ADJOURNMENT – To Study Session, February 11, 2014, 4:30 p.m.

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

- Tuesday, February 11, 2014 – Study Session- Budget: Mid-Year Review, 4:30 p.m., City Hall, Council Chambers, 77 Fair Drive, Costa Mesa.