

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, JUNE 17, 2014
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 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].

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 Organization: Costa Mesa City Employee Association (CMCEA), pursuant to California Government Code Section 54957.6.
2. Conference with legal counsel regarding existing litigation: City of Costa Mesa, a municipal corporation, et al., v. Civic Center Barrio Housing, Orange County Superior Court Case No. 30-2014-00715552-CU-BC-CJC, 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 Leece

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.]

Reverend Sian Wiltshire, Orange Coast Unitarian Universalist 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.

PRESENTATION - None

PUBLIC COMMENTS

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

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: Mercury Insurance Group/Montalvo; and Roberto Cantoran.

RECOMMENDATION: Receive and file.

3. **WARRANT RESOLUTION 2517: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 11 "A", 14-12 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 14-11 "A" for \$-2,925.30, Payroll No. 14-12 for \$2,049,702.76, and City operating expenses for \$1,984,526.99.** – Finance Department

RECOMMENDATION: Approve Warrant Resolution No. 2517, to be read by title only and further reading waived.

4. **RENEWED MEASURE M2 ELIGIBILITY** – Public Services Department/Administration Division

RECOMMENDATION:

1. City Council approve the City's Seven-Year Capital Improvement Program (CIP) for Fiscal Year 2014-15 through Fiscal Year 2020-21; and
2. Approve the City's Local Signal Synchronization Plan Update; and
3. Authorize City Engineer to complete and submit the Pavement Management Plan; and
4. Approve the City's Maintenance of Effort (MOE) for Fiscal Year 2014-15.

5. **2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG): WALLACE AVENUE IMPROVEMENTS FROM WEST 19th STREET TO HAMILTON STREET – CITY PROJECT NO. 14-03** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the Wallace Avenue Improvements from West 19th Street to Hamilton Street, City Project No. 14-03; and
2. Award a construction contract to Copp Contracting, Inc., 6751 Stanton Avenue, Buena Park, California 90621, in the amount of \$366,188.55; and
3. Approve Budget Adjustment No. 14-029 in the amount of \$122,000; and
4. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

6. **2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG): BAKER STREET ALLEY (ALLEY NO. 120) AND LA SALLE AVENUE ALLEY (ALLEY NO. 121) IMPROVEMENT PROJECT – CITY PROJECT NO. 14-05** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the 2013-2014 CDBG Project: Baker Street Alley (Alley No. 120) and La Salle Avenue Alley (Alley No. 121), City Project No. 14-05; and
2. Award a construction contract to Patriot Paving, Inc., 2300 N. Batavia Street, Orange, California, 92865, in the amount of \$186,603.25 (base bid); and
3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

7. [POMONA AVENUE ALLEY \(ALLEY NO. 5\), MENDOZA DRIVE ALLEYS \(ALLEY NO. 51 AND ALLEY NO. 119\), BEACH STREET ALLEY \(ALLEY NO. 124\), AND VELASCO LANE ALLEY \(ALLEY NO. 125\) IMPROVEMENT PROJECT – CITY PROJECT NO. 14-06](#) – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the Pomona Avenue Alley (Alley No. 5), Mendoza Drive Alleys (Alley No. 51 and Alley No. 119), Beach Street Alley (Alley No. 124), and Velasco Lane Alley (Alley No. 125) Improvement Project – City Project No. 14-06; and
 2. Award a construction contract to Black Rock Construction Company, 615 N. Berry Street, Unit G, Brea, CA 92821, in the amount of \$537,683.00; and
 3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.
8. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DEDICATING AN EASEMENT FOR PUBLIC UTILITY PURPOSES LOCATED WITHIN GISLER PARK](#)- Public Services Department/Engineering Division

RECOMMENDATION:

City Council adopt Resolution No. 14-xx, to be read by title only and waive further reading, dedicating a Public Utility Easement within Gisler Park.

9. [HARBOR BOULEVARD IMPROVEMENTS FROM SOUTH COAST DRIVE TO SUNFLOWER AVENUE, CITY PROJECT NO. 14-07](#) – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the Harbor Boulevard Improvements from South Coast Drive to Sunflower Avenue, City Project No. 14-07; and
2. Reject the bid submitted by STL Landscape, Inc., 8122 Compton Avenue, Los Angeles, California, 90001; and
3. Award a construction contract to All American Asphalt, P.O. Box 2229, 400 E. Sixth Street, Corona, California 92878, in the amount of \$769,769.00; and
4. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

10. **INDUSTRIAL WAY WATER QUALITY AND STORM DRAIN IMPROVEMENTS, CITY PROJECT NO. 14-08** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the Industrial Way Water Quality and Storm Drain Improvements, City Project No. 14-08; and
2. Accept bid withdrawal submitted by Mike Prlich and Sons, Inc., 5103 Elton Street, Baldwin Park, CA 91706; and
3. Award a construction contract to Lonerock, Inc., 70 Domani, Irvine, CA 92618, in the amount of \$2,553,940.00; and
4. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

11. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF A PORTION OF SUPERIOR AVENUE AT 1677 SUPERIOR AVENUE** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council set a public hearing on July 15, 2014 for the vacation of a portion of Superior Avenue Right-Of-Way (ROW); and
2. Adopt Resolution No. 14-xx, to be read by title only and waive further reading, declaring its intention to vacate a portion of Superior Avenue Right-Of-Way (ROW).

12. **FINAL MAP FOR TRACT NO. 17509 LOCATED AT 2519 ½ AND 2525 SANTA ANA AVENUE, COSTA MESA, CALIFORNIA** – Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve the Final Map for Tract No. 17509 and authorize signing of the Map by the City Clerk and the City Engineer.

13. **REQUEST TO CANCEL THE REGULAR CITY COUNCIL MEETING OF AUGUST 19, 2014** – Chief Executive Officer's Department

RECOMMENDATION:

It is recommended that the City Council consider altering the meeting schedule for the month of August 2014. Specifically, staff is requesting that the meeting of Tuesday, August 19, 2014, be cancelled. It is expected that cancelling this meeting will assist with managing workloads and allow time for coordination of vacation absences for Council and staff.

14. **MINUTES** – Chief Executive Officer’s Department/City Clerk’s Division

RECOMMENDATION: City Council approve the minutes of the Regular Meeting of the City Council and Successor Agency of February 4, 2014; Regular Meeting of the City Council and Successor Agency/Special Housing Authority Meeting of February 18, 2014; Regular Meeting of the City Council and Successor Agency of March 4, 2014; Regular Study Session of May 13, 2014; and Regular Meeting of the City Council and Successor Agency/Special Joint Housing Authority Meeting of May 20, 2014.

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

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

1. **GENERAL PLAN AMENDMENT, PRE-ZONING, AND PROPERTY TAX EXCHANGE AGREEMENT FOR THE SANTA ANA/COLLEEN ISLAND ANNEXATION** – Chief Executive Officer’s Department/Development Services Department

RECOMMENDATION:

The Planning Commission recommends that the City Council take the following actions regarding the Santa Ana/Colleen Annexation Area:

1. Find that the Project is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15319(a)-Annexation of Existing Facilities and Lots for Exempt Facilities; and
2. Adopt Resolution No. 14-xx, to be read by title only and waive further reading, for General Plan Amendment GP-14-02, pending final approval as part of a future General Plan Cycle; and
3. Give first reading to Ordinance No.14-xx, to be read by title only and waive further reading, approving Rezone R-14-02; and

2. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DETERMINING AND ADOPTING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2014-2015, IN ACCORDANCE WITH ARTICLE XIII-B OF THE CONSTITUTION OF THE STATE OF CALIFORNIA, AS AMENDED BY PROPOSITION 111 AND SENATE BILL 88** – Finance Department

RECOMMENDATION:

City Council adopt Resolution No. 14-xx, to be read by title only and waive further reading, establishing the Fiscal Year 2014-2015 Appropriations Limit for the City of Costa Mesa at \$191,787,464 by using the County of Orange's population growth for population adjustment, and the California per capita income growth for inflationary adjustment.

3. **ADOPTION OF THE FISCAL YEAR 2014-15 BUDGET** – Finance Department

RECOMMENDATION:

1. City Council approve Resolution No. 14-xx, to be read by title only and waive further reading, adopting the FY 2014-15 City of Costa Mesa Operating and Capital Improvement Budget; and
2. Approve Resolution No. 14-xx, to be read by title only and waive further reading, restructuring the loan made to the Park Development Fees Fund.

4. **REVIEW OF PLANNING APPLICATION PA-13-29 AND TENTATIVE TRACT MAP 17668 FOR DEVELOPMENT OF 28 RESIDENTIAL AND LIVE/WORK UNITS AT 511 HAMILTON STREET, 2089, 2095 AND 2099 HARBOR BOULEVARD** –
Development Services Department/Planning Division

RECOMMENDATION:

The Planning Commission recommends that the City Council take the following action:

1. Adopt an Initial Study/Mitigated Negative Declaration; and
2. Approve Planning Application PA-13-29 – Master Plan for development of a 28-unit residential project including seven live/work units on 1.53-acres zoned Planned Community Commercial. The project includes the following deviations:
 - a. A Minor Modification to reduce the perimeter open space along Harbor Boulevard from 20 feet to 17 feet.
 - b. A Variance to reduce the perimeter open space along Hamilton Street from 20 feet to 10 feet.
 - c. Deviation from Residential Design Guidelines with respect to second and third floor ratios to first floor (100% allowed, 104% - 110% percent proposed); and
3. Approve Tentative Tract Map 17668 – Subdivision of a 1.53-acre property for condominium purposes to allow private sale and ownership of the 28 residential and live/work units.

OLD BUSINESS - NONE

NEW BUSINESS

1. **AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR GENERAL PLAN UPDATE** – Development Services Department/Planning Division

RECOMMENDATION:

1. City Council approve Amendment One, additional scope of work and additional fees of \$134,800 to the Professional Service Agreement with Moore Iacofano Goltsman, Inc. (MIG), formerly known as Hogle-Ireland; and
2. Provide direction to staff as to whether or not the additional scope of work should include a Fiscal Impact Analysis and a Fiscal Impact Study for an additional \$50,000; and
3. Extend the contract period by one (1) year from October 1, 2014 to October 1, 2015; and
4. Authorize the City Chief Executive Officer to sign Amendment One to the Professional Services Agreement with MIG.

2. [URBAN MASTER PLAN SCREENING REQUEST \(UMP-14-02\) FOR A 5-UNIT LIVE/WORK DEVELOPMENT LOCATED AT 752 AND 756 W. 19TH STREET](#) – Development Services Department/Planning Division

RECOMMENDATION:

City Council provide feedback on whether or not to accept for processing a proposed Urban Master Plan for a 5-unit live/work project within the 19th West Urban Plan.

3. [URBAN MASTER PLAN SCREENING REQUEST \(UMP-14-03\) FOR A 176-UNIT RESIDENTIAL AND LIVE/WORK DEVELOPMENT LOCATED AT 671 W. 17TH STREET](#) – Development Services Department/Planning Division

RECOMMENDATION:

City Council provide feedback on whether or not to accept for processing the development plans for an Urban Master Plan for a 176-unit live/work project within the Mesa West Bluffs Urban Plan.

ITEMS REMOVED FROM THE CONSENT CALENDAR

CONTINUED PUBLIC COMMENTS

COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS

REPORT – CITY ATTORNEY

ADJOURNMENT – To Regular Meeting July 1st, 2014 at 5:00 p.m.

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

- Saturday, June 21, 2014 - 10th Annual Bub-A-Que. Annual fundraiser for Brian Kapko Foundation. Angels Stadium, tailgate near “Big A” at 4 p.m., Angel’s game at 7:05 p.m. More info: www.briankapko.com
- Tuesday evenings in July, 2014, 5:30-7:45 p.m. (music starts at 6:15) – Costa Mesa Concerts in the Park. More info: www.costamesafoundation.org
- Friday, July 11 – Sunday, August 10, 2014 – OC Fair. More info: www.ocfair.com
- Monday, July 28, 2014 – Costa Mesa Community Golf Classic. Costa Mesa Country Club, Los Lagos Course. More info: www.costamesachamber.com