

# **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, 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 16, 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)754-5225 or e-mail [Brenda.Green@costamesaca.gov](mailto: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 yellow 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 green 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.
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.

**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.]*

Pastor Rod Randall, Harbor Trinity Baptist 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

Bill Burke, Mt. Everest Climber recognition

## 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: Juan Abundis; Jesi Jaimes Pearce; Joshua Spinks; Cynthia M. Smith; Barbara Keesling; and Jonathan Champeau.

RECOMMENDATION: Receive and file.

3. **WARRANT RESOLUTION 2522: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-17 "A", 14-18, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 14-17 "A" for \$1,668.21, Payroll No. 14-18 for \$2,149,453.41 and City operating expenses for \$1,872,228.72**– Finance Department

RECOMMENDATION: Approve Warrant Resolution No. 2522, to be read by title only and further reading waived.

4. **PALMER STREET ALLEYS (ALLEY NO. 67 AND ALLEY NO. 69), 17<sup>th</sup> PLACE ALLEYS (ALLEY NO. 99 AND ALLEY NO. 101), SANTA ANA AVENUE ALLEY (ALLEY NO. 100), FAIRWAY PLACE ALLEY (ALLEY NO. 117), AND LILLIAN PLACE ALLEY (ALLEY NO. 118) IMPROVEMENT PROJECT – CITY PROJECT NO. 14-10** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the Palmer Street Alley (Alley No. 67 and Alley No. 69), 17<sup>th</sup> Place Alleys (Alley No. 99 and Alley No. 101), Santa Ana Avenue Alley (Alley No. 100), Fairway Place Alley (Alley No. 117), and Lillian Place Alley (Alley No. 118) Improvement Project – City Project No. 14-10; and
2. Award a construction contract to Patriot Contracting & Engineering, Inc., 22601 La Palma Avenue, Suite 100, Yorba Linda, CA 92887 in the amount of \$598,650.00; and
3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

5. **2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT: HARBOR BOULEVARD ALLEY (ALLEY NO. 16) AND BERNARD STREET ALLEY (ALLEY NO. 17 EAST) IMPROVEMENT – CITY PROJECT NO. 14-09** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the Harbor Boulevard Alley (Alley No. 16) and Bernard Street Alley (Alley No. 17 East) 2013-2014 CDBG Project, City Project No. 14-09; and
2. Award a construction contract to Kalban, Inc., 9075 Glenoaks Boulevard, Sun Valley, CA 91352, in the amount of \$110,329.65; and
3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

6. **SENIOR MOBILITY PROGRAM DRIVER SERVICES AWARD OF CONTRACT** – Parks and Community Services Department

RECOMMENDATION:

Staff recommends that the City Council approve a Professional Services Agreement with Western Transit Systems, Inc. to provide driver services for the Costa Mesa Senior Mobility Program for a one two-year (2) extension, and authorize the Mayor to sign on behalf of the City.

7. **SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR SIX-MONTH FISCAL PERIOD OF JANUARY 1, 2015 TO JUNE 30, 2015** – Finance Department

RECOMMENDATION:

Successor Agency to the Costa Mesa Redevelopment Agency adopt Successor Agency Resolution No. 14-xx, to be read by title only and waive further reading, approving the Successor Agency's Administrative Budget for the 14-15B Six-Month Fiscal Period of January 1, 2015 to June 30, 2015 Pursuant to Health and Safety Code Section 34177(j) of the Dissolution Law.

8. **REVIEW AND APPROVAL OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE 14-15B SIX-MONTH FISCAL PERIOD OF JANUARY 1, 2015 TO JUNE 30, 2015 ("ROPS 14-15B")** – Finance Department

RECOMMENDATION:

Successor Agency to the Costa Mesa Redevelopment Agency adopt Successor Agency Resolution No. 14-xx, to be read by title only and waive further reading, Approving the Recognized Obligation Payment Schedule for the 14-15B six-month fiscal period of January 1, 2015 to June 30, 2015 ("ROPS 14-15B"), 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.

9. **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COSTA MESA AUTHORIZING ACCEPTANCE OF GRANT AWARDS FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE "SELECTIVE TRAFFIC ENFORCEMENT PROGRAM"** – Police Department/Field Operations Division-Special Services Bureau

RECOMMENDATION:

1. City Council adopt Resolution No. 14-xx, to be read by title only and waive further reading, which authorizes the CEO or his designee to accept the grant awards from the California Office of Traffic Safety for: the "Selective Traffic Enforcement Program" (STEP).
2. Approve Budget Adjustment #15-007 for the total amount of \$169,690 to increase revenue and appropriation for overtime, professional development and equipment costs associated with the 2015 OTS STEP grant.

**10. AWARD CONTRACT FOR JANITORIAL SERVICES TO MERCHANTS BUILDING**

**MAINTENANCE** – Public Services Department/Maintenance Services Division

RECOMMENDATION:

1. City Council award a five-year contract, with three optional one-year extensions, for janitorial services for City buildings and park restrooms to Merchant Building Maintenance in the amount of \$394,871 for the first year of the contract and \$436,064.06 for the second year of the contract; and
2. Authorize the Chief Executive Officer (CEO) and the City Clerk to execute the Professional Services Agreement and to approve future contract extensions per the contract.

**11. AMENDMENT TO EXTEND TERM OF CARE AMBULANCE SERVICES AGREEMENT**

-Fire Department

RECOMMENDATION:

City Council approve the attached Amendment Number Three extending the term of the Ambulance Services Agreement with Care Ambulance Service, Inc., for the continuation of emergency ambulance and patient billing services to September 1, 2015.

**12. AMENDMENTS TO THE GOVERNANCE DOCUMENT OF THE ILJAOJ JOINT**

**POWERS AUTHORITY** – Police Department/Support Services Division

RECOMMENDATION:

1. City Council approve the addition of the California State University of Fullerton on behalf of their Police Department, as a new Member of the Integrated Law & Justice Agency; and
2. Approve the recommended amendments to the Governance Document of the ILJAOJ Joint Powers Authority; and
3. Direct the City Clerk to provide a minute order to the ILJAOJ Recording Secretary confirming the Council's action.



13. **EXTENSION OF EXISTING PROFESSIONAL SERVICES AGREEMENT WITH RANDSTAD TECHNOLOGIES FOR GIS CONSULTANT** – Information Technology Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve Amendment One to the existing Professional Services Agreement (PSA) with Randstad Technologies, LP (Consultant), increasing the compensation limit of \$49,995 by \$98,800; and
2. Authorize the City CEO to sign the amended PSA with Randstad in the contract amount of \$148,795; and
3. Authorize the City CEO to sign the Purchase Requisition for the amended PSA.

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

RECOMMENDATION:

City Council approve the minutes of the Regular Meeting of the City Council and Successor Agency of May 15, 2012; October 16, 2012; Regular Meeting of the City Council and Successor Agency/Special Joint Housing Authority meeting of July 1, 2014; and Regular Meeting of the City Council and Successor Agency of August 5, 2014.

15. **BIENNIAL REVIEW OF CITY CONFLICT OF INTEREST CODE** – Chief Executive Officer's Department/City Clerk Division

RECOMMENDATION:

City Council approve Resolution No. 14-xx, to be read by title only and waive further reading, Entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING AMENDMENTS TO ITS CONFLICT OF INTEREST CODE."

16. AMENDMENT FOR HOUSING AUTHORITY BUDGET – Chief Executive Officer’s Department

RECOMMENDATION:

Staff recommends that the City Council and Housing Authority approve Budget Adjustment No. 15-008 for FY 14-15 to appropriate the Housing Authority’s program income as follows:

1. \$16,000 to fund the remaining balance of a Management Analyst position once HCD funds are exhausted; and
2. \$80,000 to fund Community Outreach Workers and part-time Management Analysts for time they allocate to homeless housing placement; and
3. \$70,000 for special counsel legal services relating to the four Civic Center Barrio Housing Corporation projects, pending litigation regarding those projects, and the potential restructure of those four affordable housing projects; and
4. \$36,313 for special counsel legal services relating to a potential Supportive Housing project.

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

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

1. [CIVIC OPENNESS IN NEGOTIATIONS \(COIN\) ORDINANCE SECOND PUBLIC HEARING OF THE APPROVAL AND ADOPTION OF THE 2013-2016 MEMORANDUM OF UNDERSTANDING \(MOU\) BETWEEN THE CITY OF COSTA MESA AND THE COSTA MESA CITY EMPLOYEES ASSOCIATION \(CMCEA\), THE ADOPTION OF THE ACCOMPANYING SALARY RESOLUTION AND ADOPTION OF THE CONFIDENTIAL SALARY RESOLUTION](#) – Chief Executive Officer’s Department/Human Resources Division

**RECOMMENDATION:**

1. City Council hold the second Public Hearing as required by COIN; and
2. Approve and adopt the 2013-2016 Memorandum of Understanding between the City of Costa Mesa and the CMCEA through the pay period inclusive of June 30, 2016; and
3. Adopt Resolution Number 14-xx, to be read by title only and waive further reading, which implements second tier salary ranges for new CMCEA represented employees. This new tier establishes two (2) lower entry salary steps for all job classifications represented by the CMCEA. The resolution also reflects the additional cost sharing stipulated in the CMCEA MOU; and
4. Adopt Resolution Number 14-xx, to be read by title only and waive further reading, which implements second tier salary ranges for new Confidential employees. The Confidential resolution also reflects the additional cost sharing as stipulated in the CMCEA MOU.

**OLD BUSINESS**

1. [SECOND READING FOR THE PRE-ZONING OF THE SANTA ANA/COLLEEN ISLAND ANNEXATION](#) – Chief Executive Officer’s Department

**RECOMMENDATION:**

Staff recommends that the City Council give second reading and adopt Ordinance No. 14-xx, to be read by title only and waive further reading, regarding pre-zoning of the Santa Ana/Colleen Annexation Area TO R-1 - 6,000 square feet.

**NEW BUSINESS - NONE**

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**CONTINUED PUBLIC COMMENTS**

**COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS**

## REPORT – CITY ATTORNEY

**ADJOURNMENT – To Special Meeting - Closed Session, September 19, 2014 at 10:00 a.m.**

### **UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

- September 2014 – 13<sup>th</sup> Annual Festival of Children. South Coast Plaza. For more information, please visit, [www.FestivalofChildren.org](http://www.FestivalofChildren.org)
- Saturday, September 27, 2014, 7 a.m. - 5 p.m. – Cruisin for a Cure. OC Fair & Event Center. More than 3,500 hot rod, classic & muscle cars plus other activities including more than 200 vendors, live music, prizes and food. Free prostate cancer screening will be available for men 40 years and older. For more information, please visit [www.cruisinforacure.com](http://www.cruisinforacure.com)
- Saturday & Sunday, October 4 & 5, 2014, 10 a.m. – 3 p.m. – 2nd Annual Scarecrow and Pumpkin Festival. Goathill Junction, Fairview Park. Enjoy scarecrow contest, pumpkin picking, firetruck rides, train rides, food & treats, face painting, entertainment and more. For more information, please visit [www.ocmetrains.org](http://www.ocmetrains.org) or [www.costamesahistory.org](http://www.costamesahistory.org)