

AGENDA

CITY OF COSTA MESA CITY COUNCIL, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY* AND SPECIAL AGENDA FOR THE COSTA MESA HOUSING AUTHORITY *

REGULAR CITY COUNCIL AND 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, JANUARY 20, 2015
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 5:00 P.M. - NONE
REGULAR MEETING – 5:45 P.M.**

STEPHEN M. MENSINGER
Mayor

JAMES M. RIGHEIMER
Mayor Pro Tem

GARY MONAHAN
Council Member

SANDRA GENIS
Council Member

KATRINA FOLEY
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 cityclerk@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 may be submitted to the City Clerk during the Public Comment period for non-agenda items, up to 6:40 p.m. or prior to the last speaker, whichever is earlier. Any speakers on non-agenda items not heard prior to 6:40 p.m. will be allowed to speak at the end of the meeting. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. 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].

REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY – 5:45 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.]

Rev. 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.

PRESENTATIONS:

1. 2015 Wyndham Sister City Education Exchange

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Monahan
2. Mayor Pro Tem Righeimer
3. Mayor Mensinger
4. Council Member Foley
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 Adopt and Approve Ordinances and Resolutions by Reading Title Only, and Further Reading Waived.

2. **READING FOLDER**

- a. Claims Received by the City Clerk: Christian Flores, Jannet Flores, Jazmine Flores, Tiffany Mullin, Kailee Olsen, Justino Perez and Vicki Renea Sakioka.

RECOMMENDATION:

City Council Receive and File.

3. WARRANT RESOLUTION NO. 2528 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-25 "A" FOR \$1,913.03, 14-26 FOR \$2,395,410.80, 14-26 "A" FOR \$5,697.78, 15-01 \$2,138,006.93; AND CITY OPERATING EXPENSES FOR \$1,337,703.81 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID – Finance Department

RECOMMENDATION:

Approve Warrant Resolution No. 2528, to be Read by the Title Only, and Waive Further Reading.

4. PARKING LOTS REHABILITATION PROJECT: FIRE STATION NO. 5 (PROJECT "A") AND CANYON PARK (PROJECT "B") – CITY PROJECT NO. 14-02 – Public Services Department/ Engineering Division

RECOMMENDATION:

1. City Council Accept the Work Performed by Superior Paving, Inc. DBA United Paving Company and Authorize the City Clerk to File the Notice of Completion; and
2. City Council Release the Labor and Material Bond Seven (7) Months after the Filing Date; Release the Faithful Performance Bond One (1) Year after the Filing Date; and Release the Retention Monies 35 Days after the Notice of Completion Filing Date.

5. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETINGS OF DECEMBER 6, 2011, JANUARY 8, 2013, FEBRUARY 19, 2013 AND DECEMBER 2, 2014; THE ADJOURNED MEETING/SPECIAL STUDY SESSION OF FEBRUARY 26, 2013 AND MAY 28, 2013; THE SPECIAL JOINT CITY COUNCIL AND PARKS AND RECREATION COMMISSION OF MAY 14, 2013; THE SPECIAL JOINT STUDY SESSION OF THE CITY COUNCIL AND HOUSING AUTHORITY OF JUNE 11, 2013; AND THE SPECIAL JOINT MEETING OF THE CITY COUNCIL AND THE HOUSING AUTHORITY OF JUNE 11, 2013 – Chief Executive Officer's Department/City Clerk's Office

RECOMMENDATION:

City Council Approve the Minutes.

6. 2013 – 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT: 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 Accept the Work Performed by Patriot Paving, Inc., and Authorize the City Clerk to File the Notice of Completion; and
2. City Council Release the Labor and Material Bond Seven (7) Months after the Filing Date; Release the Faithful Performance Bond One (1) Year after the Filing Date; and Release the Retention Monies 35 Days after the Notice of Completion Filing Date.

7. ACCEPTANCE OF STORM DRAIN EASEMENT – CANYON PARK – Public Services Department/Engineering Division

RECOMMENDATION:

City Council Adopt the Resolution to be Read by Title Only and Waiver Further Reading, to Dedicate a Storm Drain Easement within Canyon Park.

8. ANIMAL SHELTER SERVICES – Chief Executive Office/ Police Department –Administration Division

RECOMMENDATION:

1. City Council Award the Animal Shelter and Related Services Contract to the Orange County Humane Society (OCHS), 21632 Newland St., Huntington Beach, California, in the Amount of \$75,000 with Automatic Annual Adjustments as Specified in the Professional Services Agreement; and
2. City Council Authorize the Mayor and the City Clerk to Execute the Professional Services Agreement for the Contract.

9. [FISCAL YEAR 2013 – 2014 INDEPENDENT FINANCIAL AUDIT OF THE COSTA MESA HOUSING AUTHORITY, AS HOUSING SUCCESSOR; AND, HOUSING SUCCESSOR ANNUAL REPORT OF THE LOW AND MODERATE INCOME HOUSING ASSET FUND PURSUANT TO SECTION 34176.1 OF THE DISSOLUTION LAW](#) – Finance Department

RECOMMENDATION:

City Council and Housing Authority Receive and File the Fiscal Year 2013 – 2014 Independent Financial Audit of the Low and Moderate Income Housing Asset Fund and the Fiscal Year 2013 – 2014 Housing Successor Annual Report.

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

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

1. [MODIFICATION TO THE BUSINESS IMPROVEMENT AREA \(BIA\) TO ADD “BLVD HOTEL” THAT WILL BE SUBJECT TO THE BIA ASSESSMENT](#) – Office of the Chief Executive Officer

RECOMMENDATION:

1. City Council Conduct a Public Hearing Regarding the Business Improvement Area (BIA) Modification to include an Additional Hotel into the Business BIA and Accept Public Comments Regarding Such Proposed Modification; and
2. City Council Conduct the Second Reading and Approve Ordinance No. 15-01 to be Read by Title Only and Waive Further Reading, Modifying the BIA to Add a New Hotel that Will be Subject to the BIA Assessment and Consider Adoption of the Same (Attachment 1).

2. [APPEAL OF THE REVOCATION OF PLANNING APPLICATION PA-87-154: CONDITIONAL USE PERMIT FOR A NEIGHBORHOOD RECYCLING FACILITY \(REPLANET, FORMERLY EARTHWISE RECYCLING\) 2180 NEWPORT BOULEVARD](#) – Planning Division/Development Services Department

RECOMMENDATION:

City Council Uphold the Planning Commission's Revocation of PA-87-154 by Adopting a Resolution Consistent with its Findings as Follows:

- Make Findings that RePlanet Recycling Facility has been Operated in Violation of the Conditions of Approval in Conditional Use Permit PA-87-154 and/or as a Public Nuisance, Such that the Planning Commission's Revocation of the CUP was Justified; and Uphold the Planning Commission's Revocation, or in Lieu of Revocation, Amend the Conditions of the CUP;

OR

Conclude that there are Insufficient Findings that RePlanet Recycling Facility has been Operated in Violation of the Conditions of Approval of Conditional Use Permit PA-87-154 or as a Public Nuisance. The Existing Conditions of Approval Regulating the Facility would Remain as Originally Approved.

OLD BUSINESS: None

NEW BUSINESS:

1. [AWARD A PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL SERVICES FOR THE DONALD DUNGAN LIBRARY AND NEIGHBORHOOD COMMUNITY CENTER PRELIMINARY DESIGN PHASE](#) – Office of the Chief Executive Officer

RECOMMENDATION:

City Council Authorize the CEO to sign the Professional Services Agreement for an amount not to exceed \$125,125 to Johnson Favaro, 5898 Blackwelder Street, Culver City, CA 90232, for the preliminary design phase of the Donald Dungan Library and Neighborhood Community Center (NCC) projects, including the outdoor space surrounding these sites.

2. [APPOINTMENTS TO THE PLANNING COMMISSION, PARKS AND RECREATION COMMISSION, AND SENIOR COMMISSION](#) – Chief Executive Officers Office

RECOMMENDATION:

1. City Council Make Appointments to Fill Three Vacancies on the Planning Commission; and
2. City Council Make Appointments to Fill Three Vacancies on the Parks and Recreation Commission; and
3. City Council Make Appointments to Fill Five Vacancies on the Senior Commission.

3. [APPROVAL OF MAYOR'S APPOINTMENTS TO THE BOARDS OF THE COSTA MESA CONFERENCE AND VISITOR BUREAU, TRANSPORTATION CORRIDOR AGENCY AND THE ORANGE COUNTY VECTOR CONTROL DISTRICT AND REVIEW OF POTENTIAL NEW COMMITTEES](#) – Chief Executive Officers Office/Administration

RECOMMENDATION:

City Council Approve the Mayor's Appointments to the Boards of the:

1. Costa Mesa Conference and Visitor Bureau (CMCVD); and
2. Transportation Corridor Agency (TCA); and
3. Orange County Vector Control District (OCVCD); and
4. Recommendation for Formalizing Potential New Committees.

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT – To Regular Meeting – February 3, 2015, at 5:00 p.m.

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

- First Friday Road Show, February 6, 2015 from 5:30 p.m. – 8:30 p.m., at Civic Center: 77 Fair Drive, Costa Mesa.
- Meet the Mayor, February 8, 2015 from 2:00 p.m. – 4:00 p.m., for More Information Please Call (714) 754-5107.
- City Hall Will be Closed Presidents' Day, Monday, February 16, 2015