

AGENDA
CITY OF COSTA MESA
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, MARCH 3, 2015
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 5:00 P.M.
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].

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 – 5:45 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Council Member Foley

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.]

Josh Harrison, ROCKHARBOR 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. Transportation Corridor Agency (TCA) – Update of the San Joaquin Hills refinancing.

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

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: Christina Natividad.

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2531 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-03 "A" FOR (-\$4,716.45) AND 15-04 FOR \$2,220,641.02; AND CITY OPERATING EXPENSES FOR \$1,385,088.26; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** – Finance Department

RECOMMENDATION:

Approve Warrant Resolution No. 2531, to be read by the title only, and waive further reading.

4. **ARTERIAL STREETS REHABILITATION PROJECT, CITY PROJECT NO. 13-08** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by R.J. Noble 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 OCTOBER 4, 2011, JULY 2, 2013, JULY 15, 2014; AND OCTOBER 7, 2014; MINUTES OF THE REGULAR CITY COUNCIL, COSTA MESA HOUSING AUTHORITY, AND SUCCESSOR AGENCY OF JULY 16, 2013; SPECIAL JOINT STUDY SESSION OF THE CITY COUNCIL AND PLANNING COMMISSION OF JANUARY 28, 2014; SPECIAL STUDY SESSION OF THE COSTA MESA CITY COUNCIL OF FEBRUARY 10, 2015; AND MINUTES OF THE REGULAR MEETING OF THE COSTA MESA CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND SPECIAL AGENDA FOR THE HOUSING AUTHORITY, SPECIAL AGENDA FOR THE ORANGE COUNTY FAIRGROUNDS AUTHORITY, AND SPECIAL AGENDA OF THE PUBLIC FINANCING AUTHORITY OF FEBRUARY 17, 2015](#) – Chief Executive Officer’s Department/City Clerk’s Office

RECOMMENDATION:

City Council approve the minutes.

6. [YEAR TWO OF THE SUPPORT PERIOD OF RIMINI STREET FOR ORACLE/PEOPLESOFT SUPPORT SERVICES](#) – Information Technology Department

RECOMMENDATION:

City Council authorize the City CEO to sign the Purchase Requisition for \$115,855 with Rimini Street, Inc. (Rimini), to continue providing support for the City’s Oracle/PeopleSoft products on Year Two of the Support Period commencing on March 19, 2015.

7. [PROFESSIONAL SERVICES AGREEMENT TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR 216-UNIT APARTMENT DEVELOPMENT AT 2277 HARBOR BOULEVARD](#) – Development Services Department/Planning Division

RECOMMENDATION:

City Council award contract to First Carbon Solutions (FCS) in the amount of \$59,929.00 for preparation of the Initial Study / Mitigated Negative Declaration (IS/MND) for the proposed 216-unit apartment development at 2277 Harbor Boulevard; authorize Mayor and City Clerk to sign and execute the contract, and authorize CEO to sign extensions or renewals of the contract. The total number of units may increase to 224, if the easement to the north of the property (0.15-acre in area) is vacated through a separate action by City Council.

8. **RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2015 ORANGE COUNTY MARATHON** – Department of Public Services/Transportation Services Division

RECOMMENDATION:

City Council adopt the Resolution (Attachment 1) designating event routes for the 2015 Orange County (OC) Marathon and approve the temporary street closures (Attachment 1, Exhibit B) for May 3, 2015, as requested for the 2015 OC Marathon.

9. **TIME EXTENSION REQUEST FOR THE ARLINGTON DRIVE BIOSWALE AND DRY WEATHER DIVERSION PROJECT** – Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve a request for a twenty-four month extension request from the Orange County Transportation Authority (OCTA) for the Arlington Drive Bioswale and Dry Weather Diversion Project.

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

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

1. **CIVIC OPENNESS IN NEGOTIATIONS (COIN) ORDINANCE FIRST PUBLIC HEARING OF THE SIDE LETTER OF AGREEMENT BETWEEN THE CITY OF COSTA MESA AND THE COSTA MESA POLICE MANAGEMENT ASSOCIATION (CMPMA)** – Chief Executive Officer’s Department/Human Resources Division

RECOMMENDATION:

1. City Council hold the first Public Hearing as required by COIN; and
2. City Council schedule the second and final Public Hearing as required by COIN for March 17th, 2015.

2. [CODE AMENDMENT CO-15-01 – AMENDMENT TO TITLE 13, CHAPTER V, ARTICLE 2.5, RESIDENTIAL SMALL LOT SUBDIVISIONS, OF THE COSTA MESA MUNICIPAL CODE](#) – Planning Division/Development Services Department

RECOMMENDATION:

City Council hold the Public Hearing and give the first reading of Ordinance 15-xx, to be read by title only and waive further reading, as recommended by the Planning Commission.

OLD BUSINESS:

1. [ADOPTION OF AN ORDINANCE AMENDING CHAPTER IV \(SENIOR COMMISSION\) OF THE COSTA MESA MUNICIPAL CODE INCREASING THE NUMBER OF MEMBERS OF THE SENIOR COMMISSION](#) – Parks and Community Services Department

RECOMMENDATION:

City Council give second reading, to be read by title only, waive further reading, and adopt Ordinance No. 15-02, increasing the number of Senior Commissioners from five (5) to seven (7).

NEW BUSINESS:

1. [FINANCIAL & BUDGET POLICIES](#) – Finance Department

RECOMMENDATION:

City Council adopt the attached financial and budget policies.

2. [GENERAL FUND RESERVES STUDY](#) – Finance Department

RECOMMENDATION:

1. City Council approve a recommended reserves goal of \$63,671,535; and
2. City Council approve a plan to add up to \$2,000,000 per year to reserves until the City reaches the reserves goal of \$63,671,535 in about ten years.

3. **FISCAL YEAR 2014-15 MID-YEAR BUDGET REPORT** – Finance Department

RECOMMENDATION:

1. City Council approve allocation of the FY 2013-14 net budget variance:
 - a. \$2,000,000 to reserves
 - b. \$4,000,000 transfer to Capital Projects designated for capital facility projects; and
2. City Council approve recommended FY 2014-15 budget adjustments:
 - a. Parks & Community Services
 - b. Police Department
 - c. Vehicle Replacement Fund

4. **FAIRVIEW PARK USE SURVEY** – Stephen M. Mensinger, Mayor

RECOMMENDATION:

City Council provide staff direction about conducting a City-wide survey to determine if Costa Mesa residents support the addition of sports fields on the southeast quadrant of Fairview Park among other park use questions.

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT – To Regular Meeting – March 17, 2015, at 5:00 p.m.

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

- Library/Neighborhood Community Center Workshop, Thursday, March 5, 2015 at 6:00 p.m., Costa Mesa Neighborhood Community Center, 1845 Park Avenue.
- First Friday Road Show, Friday, March 6, 2015 from 5:30 p.m. – 8:30 p.m., Civic Center, 77 Fair Drive.