

**ACTION REPORT
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

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CLOSED SESSION – 5:00 P.M.

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.

REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY – 5:45 P.M.

CITY ATTORNEY CLOSED SESSION REPORT

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b)

CONSENT CALENDAR:

Items 3, 4, 7, and 8 were pulled for separate consideration.

Items 1, 2, 5, 6, and 9

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger.

Nays: None

Absent: None

Motions carried: 5-0

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**

ACTION:

City Council waived reading in full of Ordinances and Resolutions and approved and adopted of same by reading title only.

2. **READING FOLDER**

- a. Claims received by the City Clerk: Christina Natividad.

ACTION:

City Council received and filed.

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5. MINUTES

(A) MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: None

Absent: None

Abstain: None

Motion carried: 5-0

ACTION:

City Council approved the minutes of the 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 for the Public Financing Authority of February 17, 2015.

(B) MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: None

Absent: None

Abstain: Council Member Foley

Motion carried: 4-0-1

ACTION:

City Council approved the 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 Meeting of July 16, 2013; and minutes of the Special Joint Study Session of the City Council and Planning Commission of January 28, 2014.

6. YEAR TWO OF THE SUPPORT PERIOD OF RIMINI STREET FOR ORACLE/PEOPLESOFT SUPPORT SERVICES

ACTION:

City Council authorized 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.

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9. TIME EXTENSION REQUEST FOR THE ARLINGTON DRIVE BIOSWALE AND DRY WEATHER DIVERSION PROJECT

ACTION:

City Council approved 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)

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council held the first Public Hearing as required by COIN; and
2. City Council scheduled 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

MOVED/SECOND: Council Member Monahan/Mayor Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: Council Member Genis and Council Member Foley

Absent: None

Motion carried: 3-2

ACTION:

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

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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**

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

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

NEW BUSINESS:

1. **FINANCIAL & BUDGET POLICIES**

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

ACTION:

City Council adopted the financial and budget policies as recommended by Staff.

2. **GENERAL FUND RESERVES STUDY**

MOTION/SECOND: Mayor Pro Tem Righeimer/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Foley, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: Council Member Monahan

Absent: None

Motion carried: 4-1

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ACTION:

1. City Council approved a recommended reserves goal of \$55,000,000; adding an inflation factor annually; and
2. City Council approved a plan to add up to \$1,500,000 per year to reserves, which includes the reimbursement from the State for Redevelopment Funds approximately in the amount of \$700,000 annually, until the reserves goal is met.

3. FISCAL YEAR 2014-15 MID-YEAR BUDGET REPORT

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

ACTION:

1. City Council approved allocation of the FY 2013-14 net budget variance:
 - a. \$1,500,000 to reserves, which includes the reimbursement from the State for Redevelopment Funds approximately in the amount of \$700,000 annually, until the reserves goal is met;
 - b. \$4,000,000 transfer to Capital Projects designated for capital facility projects; and
2. City Council approved 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

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger.

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council provided staff direction to include questions on Fairview Park use in the Open Space Master Plan Survey.

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MOTION: To continue the meeting past midnight.

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger.

Nays: None

Absent: None

Motion carried: 5-0

ITEMS REMOVED FROM THE CONSENT CALENDAR

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**

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

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

4. **ARTERIAL STREETS REHABILITATION PROJECT, CITY PROJECT NO. 13-08**

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council accepted the work performed by R.J. Noble Company, and authorized the City Clerk to file the Notice of Completion; and

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2. City Council authorized the release the Labor and Material Bond seven (7) months after the filing date; authorized the release the Faithful Performance Bond one (1) year after the filing date; and authorized the release the retention monies 35 days after the Notice of Completion filing date.

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

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council awarded the 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; authorized Mayor and City Clerk to sign and execute the contract, and authorized 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

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, and Mayor Mensinger.

Nays: None

Absent: None

Abstain: Mayor Pro Tem Righeimer

Motion carried: 4-0-1

ACTION:

City Council adopted the Resolution designating event routes for the 2015 Orange County (OC) Marathon and approved the temporary street closures for May 3, 2015, as requested for the 2015 OC Marathon.

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REPORT – CITY ATTORNEY – None

ADJOURNMENT – The Mayor and City Council adjourned in memory of Crystal Morales and Henry Segerstrom at 12:46 a.m.