

# **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, MAY 5, 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](mailto: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 copying and distribution to the City Council that is 10 pages or less, must be submitted to the City Clerk **NO LATER THAN 3:00 P.M.** If the public wishes to submit written communication, photos, or other material for distribution to the City Council at the meeting AFTER 3:00 p.m., 10 copies will need to be provided for distribution. Please note that NO copies of written communication will be made AFTER 3:00 p.m. 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.
2. Conference with legal counsel regarding existing litigation: Costa Mesa City Employees Association (CMCEA) v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, 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 – 5:45 P.M.**

### **CALL TO ORDER**

**PLEDGE OF ALLEGIANCE** Mayor Mensinger

### **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.]*

Sayed Mostafa Qazwini, The Imam of the Islamic Educational Center of Orange County, Costa Mesa

### **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. Mayor's Award – AAA – Auto Club of Southern California
2. Jeff Arthur, Chair, Pension Oversight Committee

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**COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS**

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

**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: Interinsurance Exchange of the Automobile Club, as subrogee for Kristen Arthur, Carol Holland, Joseph Clyde Melancon and Lisa Makiko Yee

**RECOMMENDATION:**

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2535 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-08 "A" FOR \$277.01 AND 15-09 FOR \$2,028,319.76; AND CITY OPERATING EXPENSES FOR \$1,457,120.65; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** – Finance Department

**RECOMMENDATION:**

Approve Warrant Resolution No. 2535, to be read by the title only, and waive further reading.

4. **2014 – 2015 WESTSIDE NEIGHBORHOOD PARKWAY CONCRETE REPAIR PROJECT – CITY PROJECT NO. 15-01** – Public Services Department/Engineering Division

**RECOMMENDATION:**

1. City Council adopt plans, specifications, and working details for the 2014-2015 Westside Neighborhood Parkway Concrete Repair Project – City Project No. 15-01; and
2. City Council award a construction contract to Global Power Group, Inc., 10260 Woodside Avenue, Lakeside, California 92040 in the amount of \$759,358.70; and
3. City Council authorize the Mayor and City Clerk to execute the Public Works Agreement.

5. **MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETING APRIL 21, 2015** – Chief Executive Officer’s Department/City Clerk’s Office

RECOMMENDATION:

City Council approve the minutes.

6. **EASTSIDE NEIGHBORHOOD PARKWAY CONCRETE REPAIR PROJECT – CITY PROJECT NO. 15-02** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the Eastside Neighborhood Parkway Concrete Repair Project – City Project No. 15-02; and
2. City Council award a construction contract to C.J. Concrete Construction, Inc., 10142 Shoemaker Avenue, Santa Fe Springs, California, 90670, in the amount of \$727,200.00; and
3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

7. **2014-2015 HALECREST NEIGHBORHOOD PARKWAY CONCRETE REPAIR PROJECT – CITY PROJECT NO. 15-03** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the 2014-2015 Halecrest Neighborhood Parkway Concrete Repair Project, City Project No. 15-03; and
2. City Council reject the bid submitted by PUB Construction, Inc., 23441 Golden Springs Drive #104, Diamond Bar, CA 91765; and
3. City Council award a construction contract to C.J. Concrete Construction, Inc., 10142 Shoemaker Avenue, Santa Fe Springs, California, 90670; and
4. City Council authorize the Mayor and the City Clerk to execute the Public Works Agreement.

8. **INDUSTRIAL WAY WATER QUALITY AND STORM DRAIN IMPROVEMENTS, CITY PROJECT NO. 14-08 – CHANGE ORDER NO. 2** – Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve Change Order Number 2 in the amount of \$397,952.

9. **DISPOSAL OF CITY CO-OWNED PROPERTY ADJACENT TO CHARLE STREET, COUNTY ASSESSOR'S PARCEL NUMBER 422-091-06** – Public Services Department/Engineering Division

RECOMMENDATION:

City Council Adopt Resolution No. 15-XX, to be read by the title only, and waive further reading, to proceed with the sale of the City co-owned property along Charle Street, County Assessor's Parcel No. 422-091-06.

10. **SUNFLOWER AVENUE TRAFFIC SIGNAL SYNCHRONIZATION PROJECT** – Public Services Department/Transportation Services Division

RECOMMENDATION:

1. City Council award a Professional Services Agreement for the Design and Implementation of the Sunflower Avenue Traffic Signal Synchronization Project to Albert Grover and Associates, 211 E. Imperial Highway, Suite 208, Fullerton, California 92835, in the amount of \$629,849 (Attachment 1); and
2. City Council authorize the Mayor and the City Clerk to execute the Professional Services Agreement.

11. **RENEW PROFESSIONAL SERVICES AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT/HOME CONTRACT STAFF** – Development Services Department/Housing and Community Development Division

RECOMMENDATION:

City Council approve Amendment One (Attachment One) to exercise the first extension of four renewal options of the existing Professional Services Agreement with Mike Linares, Inc., for one-year in an amount not to exceed \$85,000 for FY 2015-2016.

12. **AWARD PROFESSIONAL SERVICE AGREEMENT TO FTOG, INC. FOR PURCHASING PERFORMANCE PLAN** – Finance Department/Purchasing Division

RECOMMENDATION:

1. City Council award a Professional Services Agreement to FTOG, Inc. for procurement consulting services for a six (6) month period in the amount not to exceed \$50,600.00 commencing on the date of execution; and
2. City Council authorize the Mayor and the City Clerk to execute the Professional Services Agreement.

13. **2014 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) ALLOCATION** – Police Department/Office of Emergency Management

RECOMMENDATION:

1. City Council authorize the Chief Executive Officer or his designee to execute the Agreement to Transfer Funds for the 2014 Emergency Management Performance Grant (EMPG) Program; and
2. City Council adopt Resolution No. 15-XX, to be read by the title only, and waive further reading, that authorizes the Chief Executive Officer or his designee to accept the funds for the Emergency Management Performance Grant (EMPG) Program, in an amount not to exceed \$17,800.00 to purchase 14 replacement laptop computers and software dedicated to the Emergency Operations Center (EOC).

14. **UPDATE OF STATE OF CALIFORNIA, CALIFORNIA OFFICE OF EMERGENCY SERVICES (CAL OES) DESIGNATION OF APPLICANT'S AGENT RESOLUTION** – Police Department/Office of Emergency Management

RECOMMENDATION:

City Council adopt Resolution No. 15-XX, to be read by title only, and waive further reading, to update the State of California, California Emergency Management Agency (Cal OES) Designation of Applicant's Agent Resolution, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988.

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



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

1. [2015 – 2019 CONSOLIDATED PLAN AND FISCAL YEAR 2015 – 2016 FUNDING PRIORITIES FOR COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AND HOME INVESTMENT PARTNERSHIP PROGRAM \(HOME\)](#) – Development Services Department/ Housing and Community Development Division

**RECOMMENDATION:**

1. City Council hold a Public Hearing regarding the 2015 – 2019 Consolidated Plan; and
2. City Council approve recommended allocation of \$1,028,141 for the Fiscal Year 2015-2016 Community Development Block Grant (CDBG) Application; and
3. City Council approve recommended allocation of \$327,658 for the Fiscal Year 2015-2016 HOME Investment Partnership Grant; and
4. City Council approve authorization of the following (Exhibit A):
  - City's Chief Executive Officer (CEO) to act as the official representative of the City in order to submit the 2015-2019 Consolidated Plan and 2015-2016 Annual Action Plan (Exhibit B) and all certifications and assurances contained therein; and
  - CEO to act in connection with the submission of the Annual Action Plan; and
  - CEO to approve minor changes and provide additional information as may be required.

2. [GENERAL PLAN AMENDMENT GP-14-03, REZONE R-14-03, PLANNING APPLICATION PA-14-19, AND VESTING TENTATIVE TRACT MAP VT-17779 FOR A 28-UNIT RESIDENTIAL DEVELOPMENT AT 1239 VICTORIA STREET](#)  
– Planning Division/Development Services Department

RECOMMENDATION:

1. City Council approve Initial Study/Mitigated Negative Declaration (IS/MND) and General Plan Amendment GP-14-03 by adoption of Resolution, to be read by title only, and waive further reading; and
2. City Council give first reading to the Ordinance approving Rezone R-14-03; and
3. City Council approve Planning Application PA-14-19 and Vesting Tentative Tract Map T-17779 by adoption of Resolution to be read by title only, and waive further reading, with the following:
  - Variances from open space, rear setback, and building height; and
  - Administrative adjustment from front building setback; and
  - Minor modification from distance between main units; and
  - Reduction in park impact fees

**OLD BUSINESS: None**

**NEW BUSINESS:**

1. [BUSINESS IMPROVEMENT AREA \(BIA\) REAUTHORIZATION AND RESOLUTION OF INTENTION AND REVIEW OF ANNUAL REPORT](#) - Chief Executive Officer's Department

RECOMMENDATION:

1. City Council receive and file the Business Improvement Area (BIA) annual report for Fiscal Year 2014 – 15 (Attachment 1); and
2. City Council receive and file audited financial report for Fiscal Year 2013 – 14 (Attachment 2); and
3. City Council approve Resolution No. 15-XX, to be read by the title only, and waive further reading,: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2015 – 2016 FOR A BUSINESS IMPROVEMENT AREA COVERING CERTAIN COSTA MESA HOTELS AND MOTELS AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON PROPOSAL (Attachment 3).

## ITEMS REMOVED FROM THE CONSENT CALENDAR

### REPORT – CITY ATTORNEY

### ADJOURNMENT – To Regular Meeting – June 2, 2015, at 5:00 p.m.

#### UPCOMING COMMUNITY ACTIVITIES,

- Wednesday, May 6, 2015 from 6:00 p.m. – 7:30 p.m. – Neighborhood Meeting on Median Landscape Improvements, Council Chambers, 77 Fair Dr., Costa Mesa for more information please contact the Engineering Division at (714) 754-5323
- Tuesday, May 12, 2015 at 5:00 p.m. – Study Session – FY 2015-16 – Proposed Operating and Capital Budget, Council Chambers, 77 Fair Dr., Costa Mesa
- Thursday, May 14, 2015 from 5:30 p.m. – 9:00 p.m. – Mayor’s Celebration: The Art of Leadership, Samueli Theater at Segerstrom Center for the Arts, 600 Town Center Drive, for more information, please visit [www.artofleadershipcelebration.com](http://www.artofleadershipcelebration.com)
- Thursday May 14, 2015 at 7:00 p.m. – Friends of the Costa Mesa Libraries present: Through the Eyes of...Emily Meek, for more information, please visit [www.friendscmlibraries.org](http://www.friendscmlibraries.org)
- Friday, May 15, 2015 from 5:30 a.m. – 7:30 a.m. – Walk with the Mayor, Estancia High School Parking Lot, 2323 Placentia Avenue, Costa Mesa.
- Tuesday, May 19, 2015 – City Council Meeting Cancelled
- Thursday, May 21, 2015 at 6:00 p.m. – Community Meeting – FY 2015-16 Proposed Budget, Conference Room 1A, 77 Fair Dr., Costa Mesa
- Monday, May 25, 2015 – Memorial Day – City Hall will be Closed
- Wednesday, May 27, 2015 at 5:00 p.m. – City Council Special Closed Session – Costa Mesa Firefighters Management Association (CMFMA) and Costa Mesa Firefighters Association (CMFA) – Council Chambers, 77 Fair Dr., Costa Mesa
- Thursday, June 18, 2015 at 6:00 p.m. – Community Meeting for the Library Project - Neighborhood Community Center, 1845 Park Ave, Costa Mesa