

**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, 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

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.
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).

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE Jeanette Chervony, daughter of Sergeant Eddie Edwin Chervony

CITY ATTORNEY CLOSED SESSION REPORT

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

CONSENT CALENDAR:

Items 3, 6, 8, 9, and 12 were pulled for separate consideration.

Items 1, 2, 4, 5, 7, 10, 11, 13 and 14

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

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

ACTION:

City Council received and filed.

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4. 2014 – 2015 WESTSIDE NEIGHBORHOOD PARKWAY CONCRETE REPAIR PROJECT – CITY PROJECT NO. 15-01

ACTION:

1. City Council adopted plans, specifications, and working details for the 2014-2015 Westside Neighborhood Parkway Concrete Repair Project – City Project No. 15-01; and
2. City Council awarded 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 authorized the Mayor and City Clerk to execute the Public Works Agreement.

5. MINUTES

ACTION:

City Council approved the minutes of the Regular City Council and Successor Agency Meeting of April 21, 2015.

7. 2014-2015 HALECREST NEIGHBORHOOD PARKWAY CONCRETE REPAIR PROJECT – CITY PROJECT NO. 15-03

ACTION:

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

10. SUNFLOWER AVENUE TRAFFIC SIGNAL SYNCHRONIZATION PROJECT

ACTION:

1. City Council awarded 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; and
2. City Council authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

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11. RENEW PROFESSIONAL SERVICES AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT/HOME CONTRACT STAFF

ACTION:

City Council approved Amendment 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.

13. 2014 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) ALLOCATION

ACTION:

1. City Council authorized 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 adopted Resolution No. 15-17, to be read by the title only, and waived 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

ACTION:

City Council adopted Resolution No. 15-18, to be read by title only, and waived 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** -----

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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)**

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 a Public Hearing regarding the 2015 – 2019 Consolidated Plan; and
 2. City Council approved the recommended allocation of \$1,028,141 for the Fiscal Year 2015-2016 Community Development Block Grant (CDBG) Application; and
 3. City Council approved the recommended allocation of \$327,658 for the Fiscal Year 2015-2016 HOME Investment Partnership Grant; and
 4. City Council approved authorization of the following:
 - 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 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**

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

The motion carried by the following roll call vote:

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

Nays: Council Member Foley and Council Member Genis

Absent: None

Motion carried: 3-2

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ACTION:

1. City Council approved 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 waived further reading; and
2. City Council gave the first reading to the Ordinance approving Rezone R-14-03; and
3. City Council approved Planning Application PA-14-19 and Vesting Tentative Tract Map T-17779 by adoption of Resolution to be read by title only, and waived 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

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

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 received and filed the Business Improvement Area (BIA) annual report for Fiscal Year 2014 – 15 and
2. City Council received and filed audited financial report for Fiscal Year 2013 – 14; and
3. City Council approved Resolution No. 15-19, to be read by the title only, and waived 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.

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ITEMS REMOVED FROM THE CONSENT CALENDAR

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**

ACTION:

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

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

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

6. **EASTSIDE NEIGHBORHOOD PARKWAY CONCRETE REPAIR PROJECT – CITY PROJECT NO. 15-02**

ACTION:

1. City Council adopted plans, specifications, and working details for the Eastside Neighborhood Parkway Concrete Repair Project – City Project No. 15-02; and
2. City Council awarded 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. Authorized the Mayor and the City Clerk to execute the Public Works Agreement.

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Abstain: Council Member Monahan

Motion carried: 4-0-1

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8. INDUSTRIAL WAY WATER QUALITY AND STORM DRAIN IMPROVEMENTS, CITY PROJECT NO. 14-08 – CHANGE ORDER NO. 2

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

Abstain: None

Motion carried: 5-0

ACTION:

City Council approved 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

MOVED/SECOND: Mayor Pro Tem Righeimer/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

Abstain: None

Motion carried: 5-0

ACTION:

City Council adopted Resolution No. 15-16, to be read by the title only, and waived further reading, to proceed with the sale of the City co-owned property along Charle Street, County Assessor's Parcel No. 422-091-06.

12. AWARD PROFESSIONAL SERVICE AGREEMENT TO FTOG, INC. FOR PURCHASING PERFORMANCE PLAN

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:

1. City Council awarded 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

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2. City Council authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

REPORT – CITY ATTORNEY

ADJOURNMENT – The Mayor and City Council adjourned In memory of Sergeant Eddie Edwin Chervony at 10:33 p.m.