

AGENDA
CITY OF COSTA MESA
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, JUNE 16, 2015
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 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 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].

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 Genis

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 – Pete Carolan

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

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: Todd Gosson, Spyro Kemble, Steve Lang, Felipe Ortega and USAA, as subrogee for Kathleen Monk.

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2537 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-11 "A" FOR \$243.05 AND 15-12 \$2,035,997.97; AND CITY OPERATING EXPENSES FOR \$1,869,472.94; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** – Finance Department

RECOMMENDATION:

Approve Warrant Resolution No. 2537, to be read by the title only, and waive further reading.

4. **PARKWAY CONCRETE REPAIR PROJECT (PROJECT “B”), CITY PROJECT NO. 13-18** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by C.J. Concrete Construction, Inc., and authorize the City Clerk to file the Notice of Completion; and
2. City Council authorize release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the monies 35 days after the Notice of Completion filing date.

5. **MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETING AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY OF JUNE 2, 2015; AND MINUTES OF THE SPECIAL CLOSED SESSION MEETING OF THE CITY COUNCIL OF JUNE 9, 2015** – Chief Executive Officer’s Department/City Clerk’s Office

RECOMMENDATION:

City Council approve the minutes.

6. **PARKWAY CONCRETE REPAIR PROJECT (PROJECT “C), CITY PROJECT NO. 13-19** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by C.J. Concrete Construction, Inc., and authorize the City Clerk to file the Notice of Completion; and
2. City Council authorize the release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the retention monies 35 days after the Notice of Completion filing date.

7. [PALMER STREET ALLEYS \(ALLEY NO. 67 AND ALLEY NO. 69\), 17TH PLACE ALLEYS \(ALLEY NO. 99 AND ALLEY NO. 101\), SANTA ANA AVENUE ALLEY \(ALLEY NO. 100\), FAIRWAY PLACE ALLEY \(ALLEY NO. 117\), AND LILLIAN PLACE ALLEY \(ALLEY NO. 118\) IMPROVEMENT PROJECT – CITY PROJECT NO. 14-10](#) – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by Patriot Contracting & Engineering, Inc., and authorize the City Clerk to file the Notice of Completion; and
2. City Council authorize the release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the retention monies 35 days after the Notice of Completion filing date.

8. [2014 – 2015 COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) PROJECT; REHABILITATION OF ARNOLD AVENUE, BEACH STREET, COVE STREET, ROSS STREET, SEAL STREET, AND SURF STREET – CITY PROJECT NO. 14-11](#) – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by Copp Contracting, Inc., and authorize the City Clerk to file the Notice of Completion; and
2. City Council authorize the release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the retention monies 35 days after the Notice of Completion filing date.

9. [2014 – 2015 STREET REHABILITATION PROJECT – CITY PROJECT NO. 15-05](#) – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the 2014 – 2015 Street Rehabilitation Project, City Project No. 15-05; and
2. City Council award a construction contract to RJ Noble Company, 15505 E. Lincoln Avenue, Orange, California 92865, in the amount of \$1,536,928.00; and
3. City Council authorize the Mayor and the City Clerk to execute the Public Works Agreement.

10. **AGREEMENT EXTENSIONS FOR BUILDING SAFETY & FIRE PREVENTION PLAN REVIEW AND INSPECTION SERVICES** – Economic Development & Development Services Department/ Fire Department

RECOMMENDATION:

City Council authorize the Mayor to execute to extend the term of Professional Services Agreements (PSAs) approved in FY 2012-2013, for contract plan check and inspection services, with the companies of Scott Fazekas & Associates, Inc., Bureau Veritas, Melad & Associates, Interwest Group, and CSG Consultants Inc.

11. **FUEL SERVICE AGREEMENTS** – Public Services Department/Maintenance Services Division

RECOMMENDATION:

1. City Council approve and authorize the Chief Executive Officer to execute the service agreement for delivery of unleaded fuel through the County of Orange Regional Cooperative Agreement No. MA-017-11012276 with Mobil Delivery Service Inc. (dba: Diamond Oil Service), effective June 16, 2015 through June 15, 2016, in an amount not to exceed \$300,000 annually; and
2. City Council approve and authorize the Chief Executive Officer to execute the service agreement for delivery of diesel fuel through the County of Orange Regional Cooperative Agreement No. MA-017-13010843 with Mobil Delivery Service Inc. (dba: Diamond Oil Service), effective June 16, 2015 through June 15, 2016, in an amount not to exceed \$200,000 annually; and
3. City Council authorize the Chief Executive Officer to renew the agreements for three (3) additional one year terms, upon mutual agreement of both parties.

12. **ADOPT PLANS AND SPECIFICATIONS FOR THE GREENVILLE-BANNING CHANNEL IMPROVEMENT PROJECT** – Public Services Department/ Engineering Division

RECOMMENDATION:

City Council adopt the plans and specifications for the Greenville-Banning Channel Improvement Project.

13. **RENEWED MEASURE M (M2) ELIGIBILITY** – Public Services Department/
Administration Division

RECOMMENDATION:

1. City Council approve the City's Maintenance of Effort (MOE) for Fiscal Year 2015-16 (Attachment 1); and
2. City Council approve the City's Seven-Year Capital Improvement Program (CIP) for Fiscal Year 2015-16 through Fiscal Year 2021-22 (Attachment 2); and
3. City Council adopt Resolution 15-XX, to be read by title only, and waive further reading, for the Master Plan of Arterial Highways Conformance (Attachment 3).

14. **AMENDMENT FOUR TO THE PROFESSIONAL SERVICES AGREEMENT WITH KEYSER-MARSTON ASSOCIATES CONSULTING** – Development Services/Department/Housing and Community Development/Network for Homeless Solutions Division

RECOMMENDATION:

City Council, Housing Authority and Successor Agency approve *Amendment Four*, revise existing cap not to exceed \$107,917 and extend the term to June 30, 2016 to the Professional Services Agreement with Keyser Marston Associates (KMA) Consulting.

15. **APPOINTMENTS TO THE BIKEWAY AND WALKABILITY COMMITTEE** – Chief Executive Officer's Office

RECOMMENDATION:

City Council appoint the Costa Mesa Chamber of Commerce and the Newport Mesa Unified School District to the Bikeway and Walkability Committee. Each of these entities shall select one representative to the Committee.

16. **REQUEST TO CANCEL THE REGULAR CITY COUNCIL MEETING OF AUGUST 18, 2015** – Office of the Chief Executive Officer

RECOMMENDATION:

City Council consider altering the meeting schedule for the month of August 2015. Specifically, Staff is requesting that the meeting of Tuesday, August 18, 2015, be cancelled similar to the last two years.

17. **RENEWAL OF AIR SUPPORT SERVICES CONTRACT WITH THE CITY OF HUNTINGTON BEACH** – Police Department/Support Services

RECOMMENDATION:

City Council authorize the CEO to administratively execute a renewal of the current contract with the City of Huntington Beach for helicopter support services from July 1, 2015 until June 30, 2018, not to exceed the amount of \$300,000 dollars annually.

----- **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 APPROVAL AND ADOPTION OF THE SIDE LETTER AGREEMENT TO THE 2013-2016 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF COSTA MESA AND THE COSTA MESA CITY EMPLOYEES ASSOCIATION (CMCEA)** – Chief Executive Office/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 July 7th, 2015.

2. **EXPEDITED PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS PER AB 2188** – Economic Development and Development Services Department

RECOMMENDATION:

1. City Council conduct the first Public Hearing and give the first reading to Ordinance No. 15-05, to be read by title only, and waive further reading; and
2. City Council schedule the second reading to Ordinance No. 15-05, to be read by title only, and waive further reading, for July 7, 2015.

3. [ADOPTION OF FISCAL YEAR 2015-2016 APPROPRIATIONS LIMIT](#)– Finance Department/Financial Planning Division

RECOMMENDATION:

City Council adopt Resolution No. 15-XX, to be read by title only, and waive further reading, establishing the Fiscal Year 2015-2016 Appropriations Limit for the City of Costa Mesa at \$201,264,174 by using the County of Orange's population growth for population adjustment, and the California per capita income growth for inflationary adjustment.

4. [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TABLE 13-30 \(LAND USE MATRIX\) OF CHAPTER IV \(CITYWIDE LAND USE MATRIX\) TITLE 13 \(ZONING CODE OF THE COSTA MESA MUNICIPAL CODE\) TO REFLECT CHANGES MADE BY CODE AMENDMENT CO-14-03, AS PREVIOUSLY ADOPTED BY ORDINANCE NO. 14-13 \(GROUP HOMES\) ON OCTOBER 21, 2014](#) – Development Services Department/Community Improvement Division

RECOMMENDATION:

1. City Council conduct the first Public Hearing and give the first reading to Ordinance No. 15-XX, to be read by title only, and waive further reading; and
2. City Council schedule the second reading to Ordinance No. 15-XX, to be read by title only, and waive further reading, for July 7, 2015.

OLD BUSINESS: None

NEW BUSINESS:

1. [4TH OF JULY PUBLIC SAFETY LETTER FROM THE CITY COUNCIL AND PUBLIC SAFETY DEPARTMENTS TO THE COMMUNITY](#) – The Office of the Mayor

RECOMMENDATION:

1. City Council authorize the Fire Department and Police Department to prepare a joint public safety message letter from the City to help mitigate the use of illegal fireworks in the City of Costa Mesa during this year's Independence Day celebration (July 2 – 4, 2015); and
2. City Council authorize the Office of CEO to mail it to all of the residents in Costa Mesa.

2. **HERO'S HALL FINANCIAL SUPPORT** – Chief Executive Office

RECOMMENDATION:

City Council provide direction to Staff whether to move forward with providing financial assistance for the completion of a Veteran's Museum that will be situated at the Orange County Fairgrounds.

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT – To a Special Meeting – June 23, 2015, at 7:00 p.m.

UPCOMING COMMUNITY ACTIVITIES,

- Thursday, June 18, 2015 at 6:00 p.m. – Community Meeting and Tour for the Library Expansion Project, Neighborhood Community Center (NCC), 1845 Park Ave, Costa Mesa, CA 92626
- Friday, June 19, 2015 from 5:30 a.m. – 7:30 a.m. – Walk with the Mayor, Estancia High School Parking Lot, 2323 Placentia Avenue, Costa Mesa, CA 92626
- Monday, June 22, 2015, Eagle/Mustang Open Golf Classic, Golf Tournament to support Estancia and Costa Mesa High School Golf Teams, Costa Mesa Country Club, 1701 Golf Course Drive, Costa Mesa
- Concerts in the Park, Tuesday evenings in July, Fairview Park, for more information, please visit www.costamesafoundation.org
- Tuesday, June 23, 2015 at 7:30 p.m., Costa Mesa Multi-Chamber After Hours Business Mixer, Mesa Verde Country Club, 3000 Club House Road. For more information, please visit www.costamesachamber.com
- Wednesday, June 24, 2015 starts at dusk, Movie in the Park, The Lego Movie, Balearic Park, 1975 Balearic Dr., Costa Mesa
- Saturday, June 27, 2015 at 4:15 p.m., Bub-A-Que 2015, Angels Stadium. Tailgate starts at 1:15 p.m. For more information, please visit www.briankapko.com
- Sunday, June 28, 2015, doors open at 2:00 p.m. and program starts at 2:30 p.m., Historical Society Presentation and Open House, Costa Mesa Historical Society, 1870 Anaheim Avenue
- Friday, July 3, 2015 from 5:30 p.m. – 8:30 p.m., First Friday Road Show, Civic Center, 77 Fair Drive, Costa Mesa, CA 92626
- Friday July 3, 2015 – 4th of July Holiday (Observed) – City Hall will be Closed